

FOOTBALL: Dragons kick off season with exciting 22-20 overtime win over Highland. **P5**

CHURCH: New Spanish service launches at First Christian. **P15**

The Holyoke Enterprise

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City council puts farm to table again

BY ANDREW NYGAARD
THE HOLYOKE ENTERPRISE

For a second time, Holyoke City Council members tabled a proposed ordinance Oct. 6 that would prohibit the keeping of livestock within the city limits. This time, it was tabled indefinitely until council members could gather more information.

"It will come back again, but we don't know when," Mayor Orville Tonsing said. "We're not going to put a date on it."

Council hears comments from visitors

Over 30 visitors attended the meeting, many of whom were present to show their opposition to the proposed livestock ordinance.

Tonsing acknowledged that some may have been present under misinformation.

"It's been on Facebook that this is the second reading of the ordinance, and this is not true," he said. "It's on the agenda as unfinished business. It was discussed and tabled."

Hannah Goodman, candidate for Holyoke City Council, spoke in opposition to the ordinance.

"I apologize for the misinformation. I was wrong," she said. "I was under the impression it was the second reading."

Goodman went on to characterize the ordinance as a gross overreach of individual and property rights.

"I propose that the council come up with a better ordinance than what is written," she continued, "one that promotes common sense and takes into account each of the different zones in town."

'It's a small town. Everybody helps everybody. If we keep it contained and clean, that should be the important thing.'

Yolanda Wittman

Eight additional community members spoke in opposition to the ordinance, including two students, Isaiah Rueter and Aubrey Bieber, as well as Clela Meusborn, Jill Anderson, Jennifer Hayes, Yolanda Wittman, Jerry Cooper and Dorothy Skinner.

Both Rueter and Bieber raise poultry, and they emphasized the values that the pursuit has taught them: responsibility, hard work, citizenship, competition and humane treatment of animals.

Others noted that raising their livestock provides them with the exact knowledge of where their food comes from, an important factor to many visitors who indicated food allergies were part of their lives or the lives of their family members.

Visitors also pointed out that raising livestock in town has allowed them to help neighbors in need.

"When COVID hit and the grocery store did not have any eggs, I did," Hayes said. "I was able to provide five other families with food from my chickens."

Wittman echoed those sentiments. "It's a small town. Everybody helps everybody. If we keep it contained and clean, that should be the important thing."

Cooper acknowledged he

SEE **CITY,** P3



THE HOLYOKE ENTERPRISE | JOHNSON PUBLICATIONS

Corn harvest is underway in the area, and most of the corn that's currently coming in is dryland corn. Many crop yields are reduced due to the hot and dry weather. Potatoes were reported as being completely finished, with millet, kidney bean and pinto bean harvests nearly complete. Sugar beets were reported at about 15% done in the Holyoke area as of Friday, Oct. 9.

Harvest underway after hot summer

BY ANDREW NYGAARD | THE HOLYOKE ENTERPRISE

Hot, dry weather has had its impact on crop yields and harvests in the area.

"We had a terrible drought this year," Scott Kirkwood, grain department manager of CHS Grainland, said, adding that yields are down significantly.

He said Tuesday morning, Oct. 13, they are about 26% done with corn, and most of the corn that is coming in is dryland.

He reported that corn harvest is a week to 10 days early this year. Test weights are running 54-55 pounds, which is 1-2 pounds less than the last several years.

Paoli Co-op general manager Shawna Mason said corn harvest was about 25% done Monday, Oct. 12, and most of what they're getting in is dryland corn, too.

Mason said the yields are below average, but the test weights are 53 pounds and above, which she said is good considering the drought.

Mason also noted that they are completely done with millet. Yields were down, but she said the crop itself looked good, and the harvest was on schedule.

Similarly, Kirkwood said millet is about 98% done and the quality of the crop is good, with the harvest on schedule.

Luke Whitehill, agriculturalist at Western Sugar, said Friday, Oct. 9, that they were about

SEE **HARVEST,** P3

Plate and bell collections dish up the memories

BY ANDREW NYGAARD
THE HOLYOKE ENTERPRISE

From paper versions to the finest china and everything in between, plates have been a part of everyday life for countless years.

People use different styles for different occasions, always searching for the best type to hold a particular food.

'Once you start collecting, everyone sends you stuff, and before you know it, you're in deep.'

Patricia Farnes

Patricia Farnes' decorative plates don't hold food anymore, but a connection to her family and her interests.

She didn't stop at just plates, either. She also collects bells from locales she's visited over the years, reminding her of the memories she's made while traveling.

Grandmother provides first plate of collection

Farnes got her first decorative plate from her grandmother when she was 6 or 7 years old. Farnes said her grandparents gave each of their grandchildren plates, which were kept at the grandparents' house.

Whenever the grandchildren visited, they would eat off their individual plates, a family tradition they kept alive until Farnes was a teenager.

Farnes' plate, titled "Game Birds," was made in England and hand-engraved.



THE HOLYOKE ENTERPRISE | JOHNSON PUBLICATIONS

Patricia Farnes' bell collection reminds her of her travels, but one of her favorites has Rhett Butler of "Gone With the Wind" as the bell's neck. She also has a collection of "Gone With the Wind" decorative plates.

"The artwork on them is amazing," she said. "I love the detail in the plates."

She went on to acknowledge that it was the plates' artwork and detail that prompted her to start collecting them in earnest about 40 years ago, when she realized that they could be used as decorations.

Once she started buying them, decorative plate companies began to solicit sales to her through the mail, and she was very selective about the plates she wanted.

She also noted that some of the plates in her collection were given to her as gifts.

"Once you start collecting, everyone sends you stuff," she said, "and before you know it, you're in deep."

Although she stopped actively collecting in 1994 when she started raising cattle and horses, Farnes has amassed over 170 unique plates, most

SEE **FARNES,** P3

2020 ELECTION 11•03•20

Ballots mailed this week

Beginning Monday, Oct. 12, all ballot packets were mailed to every active registered voter in Phillips County.

Monday, Oct. 26, is the deadline to register to vote or update one's registration and still receive a ballot in the mail. Go online to www.govotecolorado.gov or stop by the Phillips County Court House at 221 S. Interocean Ave.

To be counted, mail ballots must be signed and in the hands of the Phillips County clerk and recorder no later than 7 p.m. on Election Day, Tuesday, Nov. 3. Postmarks do not count.

Official ballots can be returned in the following ways:

— Mailed to 221 S. Interocean Ave., Holyoke, CO 80734.

— Put in the drop box at the clerk and recorder's office, which is open Monday-Friday from 8 a.m.-4 p.m.; Saturdays, Oct. 24 and 31, from 8 a.m.-noon; and Tuesday, Nov. 3, from 7 a.m.-7 p.m.

— Put in the the drop box at 145 S. Colorado Ave. in Haxtun, which is available Monday-Friday from 8 a.m.-4 p.m.

— Put in the 24-hour drive-up drop box located across the street from the east parking lot of the courthouse.

What's on your ballot for the 2020 election?

Ballot questions include:

— Federal offices: United States president/vice president, United States senator and representative to the 117th United States Congress District 4.

— State offices: state representative for District 65 and district attorney for 13th Judicial District.

— County offices: county commissioner for District 2 and county commissioner for District 3.

— Judicial retention: Colorado Supreme Court justices, Colorado Court of Appeals judges, district court judge for the 13th Judicial District and county court judge for Phillips County.

— State measures: amendments B, C, 76 and 77; and propositions EE, 113, 114, 115, 116, 117 and 118.

— Municipal measures: town of Haxtun ballot question 1A, city of Holyoke ballot question 2A, city of Holyoke mayor and city of Holyoke council members.

— School district ballot measure: Holyoke School District Re-1J ballot issue 5A.

AROUND TOWN

Flu shot clinics planned

All ages can attend a drive-by flu shot clinic hosted by Family Practice of Holyoke at 1001 E. Johnson St. on Thursday, Oct. 15, from 9 a.m.-5 p.m. Text or call 970-854-2500 with a name and number of flu shots at arrival. Those age 65+ can also get flu shots Tuesday, Oct. 20, and Thursday, Oct. 22, from 5-6:30 p.m. at SunSet View Community Center, 330 W. Kellogg St.

Workforce Salute to feature YOU

For the second year, The Holyoke Enterprise is preparing a special section called the Workforce Salute. It's an opportunity for all local businesses to recognize and honor their employees. This includes everything from downtown storefronts to home-based businesses to farming operations and more. For more information, to reserve a spot and to schedule an employee photo, contact Brandt Brandt at 970-854-2811 by Thursday, Oct. 29.

Look inside for annual hunting section

The Holyoke Enterprise has partnered with its sister newspapers for Johnson Publications' annual hunting section. Area access maps, local stories, hunting details and more can all be found in this week's newspaper and online at holyokeenterprise.com.

Concert is Sunday at Wages Fellowship

Frank Salvador and Althea Riley will be giving a concert Sunday, Oct. 18, at 2:30 p.m. at Wages Fellowship, 14 miles south and 1 mile east of Paoli at 58322 Yuma County Road V.

Days off planned at school

Students at Holyoke School District will not have class this Friday, Oct. 16, and next Thursday and Friday, Oct. 22-23.

WEATHER

Oct. 6-12

	Hi	Lo	Prec.
Oct. 6	87	40	—
Oct. 7	84	36	—
Oct. 8	85	36	—
Oct. 9	89	37	—
Oct. 10	81	36	—
Oct. 11	86	27	Trace
Oct. 12	77	28	—

Log on to www.weatherbug.com for up-to-date weather information.

MARKETS

Oct. 13, 2020

Wheat	$4.66 (bu.)
New Crop	$4.86 (bu.)
Corn	$3.83 (bu.)
New Crop	$3.59 (bu.)
Millet	$22.00 (cwt.)
Milo	$4.05 (bu.)

SHERIFF'S REPORT

Phillips County Sheriff's Office recently reported the following activities:

OCT. 5

Assisted another agency at Cenex Zip Trip.
Responded to an animal complaint at Highway 385 and County Road 24.

OCT. 6

Completed two prisoner transports at Logan County Jail in Sterling.
Took custody of two prisoners on S. Interocean Ave.
Conducted a civil standby on County Road 55.

OCT. 8

Completed a welfare check on County Road 37.
Stopped a vehicle at Highway 59 and County Road 16. A warning was issued.

OCT. 9

Responded to a fire on Highway 59.
Took custody of a prisoner on S. Interocean Ave.

OCT. 10

Responded to a fire at Highway 385 and County Road 32.
Stopped a vehicle at Morlan Ave. and Emerson St. A warning was issued.

In addition, Phillips County Sheriff's Office took information once, served civil papers twice and assisted one citizen.

FIRE DEPARTMENT REPORT

Holyoke Volunteer Fire Department was called out Oct. 10 at 5:55 p.m. to battle a ditch fire north of town on Highway 385.

OBITUARY

Bob Thompson

Robert Leland "Bob" Thompson, 84, died Aug. 18, 2020. He was born April 9, 1936, in Sterling to Robert and Angeline Thompson and grew up in Paoli. He was the oldest of five siblings.

To his many friends and family, he was known as Bob or BD. He graduated from Haxtun High School in 1954 and married his high school sweetheart, Shirley Miles, on Sept. 4, 1955.



During his life, Bob had several jobs, including mechanic, owner and operator of the B & M Conoco in Holyoke, deputy sheriff, school janitor, running Scormor Lanes, and he enjoyed his time at his last workplace, Kwik Stop.

To his family he was a husband, father, brother, grandpa and uncle. Bob served as a volunteer firefighter for numerous years and had fond memories of participating in the firemen competitions.

Bob spent many years refereeing and umping regional high school athletics as well as baseball/softball games. He coached Babe Ruth baseball and served as an officer for the regional Babe Ruth organization. He took several All-Star teams to regional and national tournaments.

Bob was an avid sports fan, having Broncos season tickets for over 40 years. He was known to watch baseball on TV and always kept score on his homemade score cards. He enjoyed fishing, bowling, golfing, fishing, playing softball, spending time with family, playing cards, fishing, and did we say ... fishing?

He was preceded in death by his parents; his wife of 62 years; and brothers, Richard and Gene.

Bob is survived by his children, Marshall and Tina Thompson of Holyoke, Tony and Georgia Thompson of Windsor, and Tammy and Doug Lang of Salida; grandchildren, Joe and Allie Goorman of Denver, Bryan and Jennie Goorman of Uxbridge, Massachusetts, Shawna and Cameron Thacker of Haxtun, Daysha and Andrew Michaels of Lillian, Alabama, Krystal Aimee Thompson and Andrew Barrett of Charleston, South Carolina, Todd Thompson of Myrtle Beach, South Carolina, Robert and Andrea Thompson of Lafayette, and Kracinda and Tony Wakefield of Holyoke; nine great-grandchildren; brother, Dana and Janice Thompson of Wheat Ridge; sister, Dena May and Dean Sonnenberg of Fleming; sisters-in-law, Lynette Hutt of Haxtun and Vonnie and Gary Cranwell of Broken Bow, Nebraska; and numerous nieces and nephews. He is also survived by many close friends in Phillips County and the surrounding area.

In lieu of a formal memorial, the family held a day of celebration at Bob's home on Sept. 12, with a graveside service at Haxtun Cemetery.

Memorial donations can be made to Holyoke Volunteer Fire Department.

Baucke Funeral Home was in charge of arrangements.

DEATH NOTICE

Wayne Rasmussen

Wayne Rasmussen was born Oct. 8, 1941. He died Oct. 5, 2020, at Hillcrest Care Center in Wray.

A memorial service will be held Friday, Oct. 16, at 10 a.m. at Schmidt-Jones Funeral Home in Wray, with Pastor Timothy Davis officiating. Cremation was requested, and a private family inurnment will be held at Grandview Cemetery in Wray.

Memorials may be made to Wray Vets Club, 119 E. 3rd St., Wray, CO 80758.

Schmidt-Jones Funeral Home in Wray has been entrusted with the arrangements.

POLICE REPORT

Holyoke Police Department recently performed the following activities:

OCT. 5

Responded to a report of a suspicious incident/vehicle on S. Interocean Ave. but were unable to locate it.
Stopped a vehicle at Kellogg St. and Interocean Ave. A citation was issued.
Stopped a vehicle at Denver St. and Baxter Ave.
Investigated a 911 disconnect on W. Gordon St.

OCT. 6

Stopped a vehicle at Morlan Ave. and Gordon St.
Stopped a vehicle at Jules St. and Interocean Ave. An arrest was made.
Investigated a crime against property on W. Gordon St.
Investigated a crime against property on E. Emerson St.
Investigated a crime against property on N. Coleman Ave.
Investigated a crime against property on S. Bowman Ave.
Stopped a vehicle at Interocean Ave. and Johnson St. A warning was issued.

OCT. 7

Investigated a crime against property on E. Furry St.
Investigated a crime against property on S. Phelan Ave.

OCT. 8

Investigated a crime against property on S. Campbell Ave.
Responded to a motor vehicle crash on S. Sheridan Ave. A citation was issued.
Investigated a crime against property on W. Hargreaves St.
Investigated an animal complaint at Phelan Ave. and Gordon St.
Investigated a crime against property at Family Dollar. A warning was issued.
Stopped a vehicle at Gordon St. and Worley Ave.
Investigated a crime against property on W. Denver St.

OCT. 9

Stopped a vehicle at Denver St. and Reynolds Ave. A warning was issued.
Stopped two vehicles at Interocean Ave. and Johnson St. A warning was issued.
Stopped a vehicle at Jacks Bean Co. A warning was issued.
Stopped a vehicle at Interocean Ave. and Bignel St. An arrest was made.

OCT. 10

Stopped a vehicle at Hale St. and Campbell Ave. A warning was issued.
Stopped a vehicle at Interocean Ave. and Hargreaves St. A warning was issued.
Assisted another agency at Highway 385 and County Road 32.
Responded to a juvenile problem on S. Morlan Ave.
Investigated a suspicious incident/vehicle at Holyoke Marketplace.
Investigated a disturbance on E. Furry St.
Assisted another agency at Morlan Ave. and Emerson St.

OCT. 11

Investigated a crime against a person on E. Furry St.
Stopped a vehicle at Sherman Ave. and Emerson St.

In addition, HPD took information eight times, responded to two medical emergencies, completed five follow-ups and assisted two citizens.

Frank Salvador & Althea Riley
CONCERT
Sunday, Oct. 18, 2:30 p.m.
Wages Fellowship
58322 Yuma County Road V
14 miles south, 1 mile east of Paoli

VOTE
CATHY EDGE
for Holyoke City Council
(Pd. for by candidate)

Looking for corn stalks to bale
$50/acre
Will pre-pay to secure acres
Kroskob Brothers Farms
Custom Haying and Farming
12462 Road Q, Fort Morgan, CO 80701
Fax: 970-867-9600
Brandon: 970-380-4256
Travis: 970-380-6853
Special thanks to those who have been doing business with us

HOGAN FOR MAYOR
City of Holyoke
"Governing bodies, Councils, Commissions and the like, will ignore warnings about their decisions, then claim no one told them when the warning becomes truth."
(Paid for by candidate)

Due to the recent COVID outbreak, Cox's Pumpkin Patch will be offering LIMITED services from 9 a.m. - 5 p.m. Oct. 17-18.
➢Latte Da will be on site to offer hot/cold drinks
➢Pumpkins, squash and gourds will be available for purchase
➢Pond area will be open for those wanting to visit that area
➢There will be NO hayrack rides or other events/vendors on site.
➢Autumn walk through the corn maze available to those wanting to enjoy the fall scenery
This decision was not made lightly, we appreciate everyone's understanding at this time.
Masks and social distancing encouraged but not required.
If you are feeling ill, please STAY HOME.
We look forward to seeing you at next year's full event!

Got News? Call 970-854-2811

Thank You
to Holyoke Marketplace for your help in this unpredictable season keeping our concession stand stocked, and also to all our great fans.
Holyoke Lions Club

FAREWELL RECEPTION
for Sherry Simms
Saturday, Oct. 17, 2-5 p.m.
at the Peerless Center
212 S. Interocean Ave., Holyoke
Stop by to wish Sherry well and thank her for her loyal service to the community as she prepares to move
We will be following COVID building mandates

2,4,6,8
WHO DO WE APPRECIATE?
Our Co-op Members!
Let's Celebrate Co-op Month in October
OPEN HOUSE
Thursday, Oct. 15, 9-11 a.m.
Join us for coffee and cinnamon rolls!
All co-ops, including PC Telcom, are owned by the people who use their services. Co-ops don't have to answer to faraway shareholders; instead, they focus on meeting their local members' needs. Our success is your success, which is why we pay capital credits to our members.
pctelcom
240 S. Interocean Ave.
Holyoke, CO • 970-854-2201
www.PCTelcom.coop

DELIVERY
Hot, Fresh Pizzas
Order Yours Now!
Pizza p.a.d.
110 N. Interocean Ave. • 970-854-3042
Mon. 4-8 p.m.; Tues.-Sat. 11 a.m.-2 p.m. and 4-8 p.m.

Peerless Theatre
212 S. Interocean—Holyoke, CO—854-2453
Show Times 970-854-FLIK (3545)
Movie Info, Trailers & Tickets at www.thepeerlesstheatre.com
American Graffiti
Genre: Comedy, Drama
Running time: 1 hr., 53 min. • Rated PG
Friday, Oct. 16.....7:00
Saturday, Oct. 17.....7:00
Sunday, Oct. 18.....7:00
CONCESSIONS SPECIALS: Pretzel $2, with cheese $3; Smoothies (white chocolate with coffee, caramel with coffee) Large $3.25, Small $2.25
CineMagic Auction — Open Oct. 10-24
www.charityauctionstoday.com/auctions/GPRC-Cinemagic-2020-15420

Ballyneal Turtle Bar & Restaurant
Open to the Community Starting with Date Night Friday, Oct. 23
Fridays & Saturdays 11 a.m.-10 p.m.
Sundays 11 a.m.-end of Broncos game
Special Events
Friday, Oct. 30: Costume Contest
Saturday, Nov. 7: Cooking Class
Nov. 12-15: Masters Watch Party
Friday, Nov. 20: Wine Tasting & Dinner
Look for updates on our Facebook page or call us at 970-854-5900, ext. 1
Reservations Appreciated
BALLYNEAL
1 Ballyneal Lane
Holyoke



THE HOLYOKE ENTERPRISE | JOHNSON PUBLICATIONS

The Classic Fairy Tale decorative plate collection depicts scenes from well-known fairy tales. Scenes from left are from "Little Red Riding Hood," "The Three Little Pigs," "Jack and the Beanstalk," "The Frog Prince" and "Goldilocks and the Three Bears."

FARNES: Over 170 plates and more than 60 bells make up beautiful collection

FROM PAGE 1

of which can be categorized into over a dozen distinct collections or themes.

These include a complete collection called "America the Beautiful," which includes plates that are hand-painted to depict well-known natural wonders, such as Yellowstone, Yosemite Falls and the Grand Canyon.

She also has a set that depicts scenes from various classic fairy tales such as "Jack and the Beanstalk" and "The Three Little Bears."

She said standard decorative plate runs have a firing period of 150 days before the mold is broken and the plates are no longer made.

Some of her plates had as little as a 14-day firing run before the mold was broken, making the plates fired in that mold more difficult to find.

Ultimately, the various types of plates she has can be chalked up to her wide array of interests, and she's not too worried about the length of the firing.

In the end, she said, "You have to buy a plate that you like."

Bells tell story of travels

Farnes' bell collection started about the same time as her decorative plate collection, but the manner in which she acquired her pieces was different.



THE HOLYOKE ENTERPRISE | JOHNSON PUBLICATIONS

Patricia Farnes displays her first and favorite plate, "Game Birds." The hand-engraved plate was made in England, and her grandmother gave it to her when Patricia was 6 or 7 years old.

"If I went to a state and happened to find a bell I liked, I would get it," she said. "Whenever I travel, I try to find things that will remind me of where I was and all the happy moments."

She noted that buying the bells when on trips allows her in some ways to keep track of her history.

She has collected over 60 bells from different locations, each sparking a memory of a treasured moment from her travels.

Like the plates, the bells' artwork is what drew her attention.

"When someone takes the time to paint something on there, it just means a lot," she said, referring to the level of detail some of her hand-painted bells have.

Another thing her two collections have in common is the film "Gone With the Wind." She has several different plates with scenes from the film painted on them and one bell whose neck is in the likeness of Clark Gable's character, Rhett Butler.

Farnes said she plans to keep the plates and bells in the family, and she is always excited for what future possibilities could be on the horizon.

"We'll do another adventure," she said. "That's how I look at life."

CITY: Proposed livestock ordinance draws over 30 visitors to council chambers

FROM PAGE 1

has no livestock, but his concern was that this ordinance would make Holyoke look like the Front Range, where he came from to become a part of a community where things would be done differently.

Skinner brought another reason for keeping livestock in town to council members' attention. She keeps a goat in her backyard as her emotional support animal.

Council member Brian Akey discussed allowing exceptions for emotional support animals as long as they're registered and have documented approval by a doctor.

"I was a 4-H kid. These kids have projects," Akey continued, saying he agreed with Rueter and Bieber. "There probably needs to be a limit on what you keep and how many you can keep. There needs to be some rules and some regulations, or it's going to turn into a feed yard, and there's a lot of us that don't want that."

Council hears reports

City Superintendent Mark Brown reported on two power outages. The first occurred at 7 a.m. Sept. 26, in the 500-700 blocks of South Reynolds and Coleman avenues. He told the council that the section of bad cable was disconnected and power was fed from both ends to get power back.

The second outage was at 7 a.m. Sept. 28, in the 100 block of North and 100-400 blocks of South Interocean and Baxter avenues. He noted they are still looking into the cause.

Brown reported that electric crews replaced a power pole at the northwest corner of city hall feeding the line that goes up through the golf course, where several outages due to trees occurred in the spring.

Brown noted that water and sewer crews have pulled quarterly nitrate samples from wells and taken them to Denver to test them against state requirements. Crews have also started the annual sewer rodding program.

Additionally, Brown reported on a water leak on Hale Street and County Road 41. He also pointed out that there have been instances of vandalism of the drinking fountains at City Park.

Regarding the street department, Brown reported that crews have completed some alley repairs in the 500 block of East Gordon Street, north of the high school, and crews are now working on repairing potholes and street signs and were scheduled to start painting parking lines downtown Wednesday, Oct. 7.

Brown noted that Josh Skelton of Dickinson Land Surveyors has created a topography map of the small softball field to start putting a plan together for drainage and adding red clay to the field.

Brown informed council members that the fog seal and repaint project at the airport has been completed.

City Clerk/Treasurer Kathy Olofson reported that the current year's gross total assessed value has been received in the amount of $17,321,030. When calculated out with 21.8 mills, this comes to $377,598.54, which is an increase of $95 over last year. The final assessed value will be distributed Dec. 1.

Olofson said the third-quarter conservation trust fund lottery proceeds in the amount of $6,067.82 have been received. She also submitted the Energy/Mineral Impact Assistance Fund grant application for the new fire shed Oct. 1.

Olofson presented council members with the first draft of the 2021 budget, which by ordinance must be done prior to Oct. 15. Olofson said she expected to have the books done for September by the end of the week, which would provide the needed information to begin the process with greater detail.

Police Chief Doug Bergstrom reported that Holyoke Police Department handled or generated 116 calls for service from Sept. 10-30, including 10 animal complaints and one municipal code violation under code enforcement.

City Attorney Al Wall reported that he hopes to have an ordinance regarding property on the west side of town by next meeting.

The intersection of Walsh Avenue and Johnson Street was deeded to the city, and the city must now go through the process of annexing it and dedicating it as a public right-of-way.

Recreation director Victoria Dunker reported flag football has just ended.

She said 36 children participated, and she expressed her gratitude to the three coaches for their help. She also thanked JR/SR high principal Angie Powell and athletic director John Baumgartner for the use of the football fields.

She went on to report that she is in the early stages of meeting with a design team to look at the recreation facilities in town and will be meeting with Olofson at the end of the month to go over the budget.

Other business

In other business at the Oct. 6 meeting, council members:

— Approved the purchase of equipment from DBT Transportation Services for $625 plus a $725 annual maintenance fee on top of the regular maintenance costs of the automated weather observation system, for an annual cost of $5,025. All maintenance and repair costs of AWOS will be reimbursed up to 90%, up to a maximum of $10,000 per year.

— Accepted the resignation of Arley Krueger, who plans to retire in November.

— Set wages for Matthew Winterrowd Jr. and Lance Talich, new hires in the refuse and street departments, respectively.

— Approved the hiring of lifeguards Ethan Schneller, Jaxson Hutches, Josie Schlachter, Summer Martin, Erin Andersen, Aly Lock and Sabryn Burris.

— Approved the liquor license renewals for Hometown Liquor LLC and KS Plus Inc., dba Kwik Stop.

— Renewed the lease for Ron Koch of Ron's.

HARVEST: Area stays busy with corn, millet, beets, beans, popcorn, potatoes

FROM PAGE 1

15% done with the sugar beet harvest in the Holyoke area.

He said it is an average yield as far as tons go, and he is optimistic about this year's sugar content, which he hopes will be over 17%.

"It's a really exciting crop we have coming at us," Whitehill said.

He said the regular harvest was about three days late and began Oct. 12, when he expected more temperate days to begin.

Tom Harmon, general manager of Jack's Bean Company, said the heat during the blooming season made both kidney and pinto beans a little smaller, but both harvests are about 95% done.

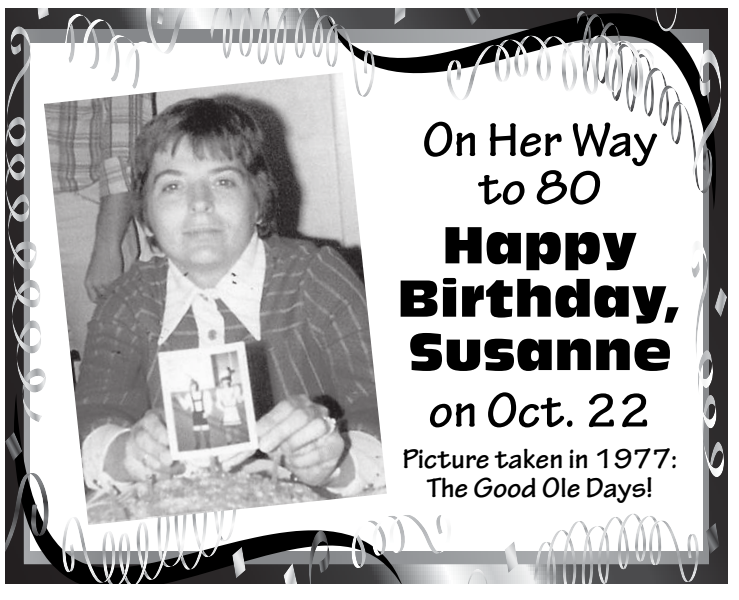
Harmon said kidney and pinto bean yields were about average, and he said the beans were of pretty high quality overall.

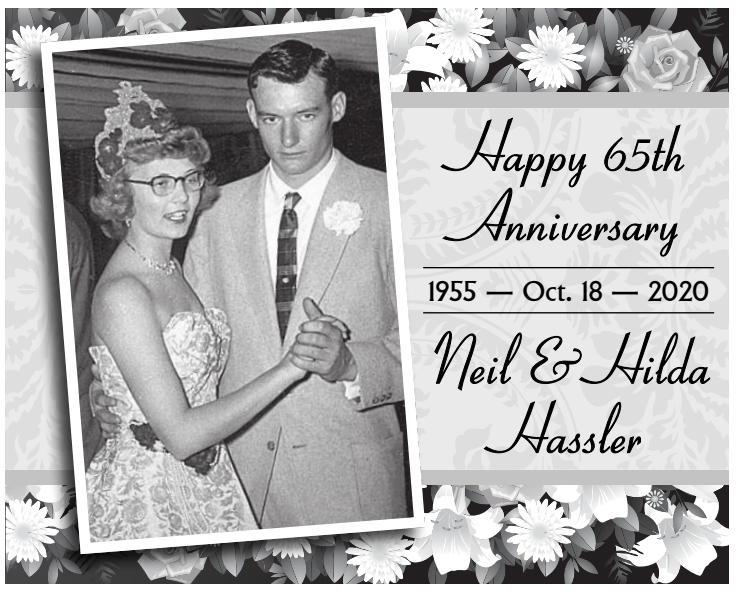
He noted that popcorn harvest is just getting started, with the first load having been taken in Oct. 9.

Harmon said if the weather holds, the majority of the popcorn could be done in about three weeks.

Steve Moore of Western Potatoes said the potato crop was affected by the hot and dry weather, pointing out that both night and day temperatures were hot all season.

He said potato harvest was completed Saturday, Oct. 10, which was about a week to 10 days late. The yield was below average, but the overall quality of the crop was good.





WHERE TO WORSHIP

CNE at FCC
310 S. Interocean
Marcos Avina, Pastor
970-854-3438 (English)
970-630-6236 (Spanish)
2nd Saturday Worship 7 p.m.

Cornerstone Ministry Church
Sharing the Flatirons Church Message
Peerless Theatre, 212 S. Interocean
Sunday Worship 9 a.m.

Emerson St. Church of Christ
730 E. Emerson
Sunday Morning Service 10 a.m.

Fairfield Covenant Church
N of Paoli on Rd 40 between Rd 17/19
Jim Crist, Pastor
970-520-4841
Sunday Worship 10 a.m.

First Baptist Church
1000 E. Johnson
Rick Reitz, Interim Pastor
(O) 970-854-2452
Sunday School 9:30 a.m.
Sunday Worship 10:30 a.m.
Wednesday BASIC Training 6:30 p.m.
More info at www.holyokefbc.com

First Christian Church
310 S. Interocean
Mike Brown, Pastor
(O) 970-854-3438
Sunday School 8:45 a.m.
Sunday Worship 10 a.m.
More info at www.holyokefcc.org

First United Methodist Church
230 E. Furry
Paul A. Brunner, Pastor
(O) 970-854-2433
Sunday Service 9 a.m.
Sunday School 10:15 a.m.
Wednesday J.A.M. (Kids Choir) and H.O.W. (Interactive Kids Program) 3:45 p.m.
Sunday Youth Group 6:30 p.m.
Thursday Food Bank 3-4 p.m.

Holyoke Assembly of God
1220 S. Baxter
Jay Littlefield, Pastor
(O) 970-854-2817
Sunday School 9:30 a.m.
Sunday Worship 10:30 a.m.
Wednesday Celebrate Recovery 7 p.m.

Holyoke Church of Christ
105 W. Scheunemann
Dan Kafka
970-854-2870
Sunday Worship 9 a.m.
Sunday Bible Class 10 a.m.
Wednesday Bible Class 7 p.m.

Pleasant Valley United Methodist
Paul A. Brunner, Pastor
Sunday School 10 a.m.
Sunday Worship 11 a.m.

Seventh-day Adventist Church
144 W. Gordon St.
Don Lopes, 208-451-5257
Jon Walker, 970-854-8093
Saturday Sabbath School 9:45 a.m.
Saturday Worship 11 a.m.

St. Patrick Catholic Church
541 S. Interocean
Fr. Jerry Rohr
(O) 970-854-2866, (H) 970-854-2762
Sunday Mass 8 a.m.
Daily Mass 7:30 a.m. (M, Tu, Th, F)
Wednesday K-6 Rel. Education, JH Rel. Education, Youth Group, 6-7 p.m.
Saturday Neo-Catechumenal Mass 7:30 p.m.
Saturday Reconciliation 3-4 p.m.

St. Paul's Lutheran Church
Amherst
Kurt Hatteberg, Pastor
(O) 970-854-4310
Sunday Worship 10:15 a.m.

St. Paul's Lutheran Church
Venango, Nebraska
Kurt Hatteberg, Pastor
Sunday Worship 8:30 a.m.

Venango Community Church
Chris Costrini, Pastor
308-447-5540
Sunday School 9:30 a.m.
Sunday Fellowship Time 10:15 a.m.
Sunday Worship 10:35 a.m.

Vida Abundante
1000 E. Johnson St.
Ismael Lopez, Pastor
Sunday 5:30 p.m.
More info at www.holyokefbc.com

Zion Lutheran Church
240 S. High School
Gary Rahe, Pastor
(O) 970-854-2615, (H) 970-854-2614
Sunday School 8:45 a.m.
Sunday Church Service 10 a.m.

Zion Lutheran Church Ministerio Hispano
240 S. High School
Pedro Jofre, Pastor
970-466-2548
Divine Service/Holy Communion
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Have a wonderful week of worship!



SOURCE: PAT (STARBUCK) ALTSTADT

Holyoke City Park was the site of a Glover family reunion in the late 1940s. The Glovers arrived by covered wagon in 1886 and settled just east of where Holyoke now stands. In 1892, they moved 12 and a half miles southeast of Holyoke. George T. Glover was one of the earliest settlers in Phillips County. A 1904 issue of The State Herald congratulates him on his marriage to Flora Norris and notes that George was "one of Phillips County's most prosperous ranchmen."

PEEKIN' into the PAST

Five Years Ago
Oct. 15, 2015

A passion for guns — and the stories behind them — has led to the opening of Deaver Hardware Guns & Ammo at 110 S. Interocean Ave. in Holyoke. Deaver Hardware is not new, as Steve and Nora Deaver purchased the local hardware dealership almost 25 years ago, but within the last four to six months they have completely gutted the store and turned the focus to guns and ammunition.

Plans to draft a resolution accepting the Phillips County Hazard Mitigation Plan were made at the Oct. 6 Holyoke City Council meeting. The Phillips County plan is only a portion of an extensive plan for nine counties in the region, put together with the help of a hired Federal Emergency Management Agency consultant. Adoption of a plan is necessary to be eligible for FEMA grant programs in case the county were to declare a state of disaster.

Ten Years Ago
Oct. 14, 2010

New roles at the Peerless Center are Bob Brandt as theater manager, Sherry Simms as facilities coordinator and Dana Warren as center director. The three are teaming up to split duties previously held by Laura Schroetlin.

Holyoke Re-1J School Board member Linda Jelden was nominated by her peers and recognized as a McGuffey Award winner at the Sept. 29 regional meeting of the Colorado Association of School Boards in Sterling.

Biscuit, a horse owned by Larry and Linda Zuber, was recently named this year's Animal Heroes Service Award winner by the Colorado Veterinary Medical Foundation for his outstanding service to Charlie Dressel.

Holyoke Music Parents are conducting a first-time music instrument drive for those interested in donating unwanted or unused instruments to the music program.

Twenty-Five Years Ago
Oct. 19, 1995

Reluctantly, by a 3-2 vote, Holyoke's Planning Commission went along with the majority of visitors at an Oct. 11 public hearing. The commission will be recommending to the Holyoke City Council that blocks 5, 6 and the west half of 7 in the Heginbotham Trust First Addition be changed from C-1 commercial to R-1 residential.

Twenty people participated in the first-ever Taste of Triathlon in Holyoke on Saturday morning. Participants came from Brush, Akron, Julesburg, Amherst and Wellfleet, Nebraska, as well as Holyoke.

Fifty Years Ago
Oct. 15, 1970

Last week a new Teen-Dem club was formed by 27 teenage Democrats. Object of the youth organization is to acquaint teenagers with party procedures on county, state and national levels.

Unknown numbers of young people and adults are experimenting with illegal and potentially damaging drugs today. George S. Moore, sanitarian with the Northeast Colorado Health Department, is prepared to give informative talks to groups or organizations about "Drug Abuse Education."

Re-1J school board has scheduled a public meeting concerning the coming bond election for the proposed new high school building for Oct. 19.

Seventy-Five Years Ago
Oct. 18, 1945

The old square building which for many years stood at the corner south of the Garland garage, which property was recently purchased by Geo. Garland, was moved Wednesday to a lot several blocks south and placed on a foundation. R.E. Ensminger will remodel the building for residence use. George Garland is reported to have planned a used car parking lot on the corner vacated by moving away the building.

Federal explosives licenses are no longer required for the use, sales, purchase or manufacture of explosives, according to word received this week by Mrs. Emma Kramer, licensing agent for Phillips County.

One of the greatest growths in income tax receipts ever to be recorded has occurred in the last five years. In 1940 the total receipts from income tax laws in all states were $365,000,000. Last year the receipts were a little over $782,000,000. This shows that the collection jumped 114.3% in that time. Sales tax increased during the war years from $515,000,000 to $745,000,000.

With both Republicans and Democrats wanting to ease the tax burden of the people and incidentally wanting the people to know each group did it, now it appears that a 10% reduction in income taxes is possible.

Now's the time to think about fall perennial care

Dry weather damages even the most established perennials. The roots are what will be damaged. When do you water? And what perennials to cut back this fall and then next spring?

THE RELENTLESS GARDENER



Linda Langelo
CSU Extension Horticulture

Deeply watering your perennials before the ground freezes goes a long way to helping them through the initial transition into fall. After that, pay attention to winter precipitation, and if it gets dry and warm over an extended period, find a way to give your perennials some water. Water when the air and soil temperature are above 40 F. A little bit of water in the winter goes a long way. Perennials on the west and south side of the house will need more water and will dry out faster even in the winter. Late fall planted or bare root perennials will need water through the winter when there is no snow cover.

Do you clean and cut back all perennials? Marginally hardy perennials such as chrysanthemum, hyssop and Montauk daisy should be cut in spring according to Penn State University Extension. It is also beneficial to provide some leaves for added winter mulch around the plants and to help collect moisture. Ornamental grasses are attractive and can wait until early spring to cut before the new growth starts. Evergreen and semi-evergreen plants can wait until spring. Some of these are hellebores and dianthus.

What about herbaceous perennials? Do they get their stems removed in the fall? These perennials dieback to the ground. Do cut back the herbaceous perennials such as bee balm, phlox, day lily, peony, columbine and Shasta daisy. Some herbaceous perennials have seed heads that benefit the birds. These are coneflower, black-eyed Susan and oxeye sunflower that can wait until spring to cut back.

Mulching your perennial beds for winter helps mitigate the soil temperature and keep moisture from escaping. Placing pine boughs on more semi-evergreen perennials will help protect from the cold and exposure of the wind.

A trio of Halloween movies you may or may not enjoy

Starting Oct. 1, we begin our annual tradition of watching scary movies. Sometimes they're Halloween-themed, such as "Halloween" or "Hocus Pocus," but mostly they're anything horror we can find on streaming services. Disney+ has a new Halloween Collection we've been exploring, and Netflix is flush with original content, as per usual, so here are three Halloween or otherwise spooky movies you can enjoy with your pack of ghouls and goblins.

First is a classic Disney Channel original called "Halloweentown" starring the legendary Debbie Reynolds. It's the tale of the Piper family whose grandmother comes to visit each year only on Halloween and only for a short time. When the children decide to sneak on to her bus home, they are transported to the magical burg of Halloweentown where all the monsters, warlocks and witches live. But something is wrong! All the people of H-Town are being mean and nasty and Aggie Cromwell (Reynolds) needs to get to the bottom of it. But when she and her daughter Gwen (Judith Hoag, April O'Neil from the original TMNT film) are incapacitated by an evil warlock, it's up to Marnie, Dylan and Sophie to crack the case and save Halloweentown.

AND NOW OUR FEATURE PRESENTATION



Lincoln L. Hayes

This movie is adorable and perfectly '90s. The mask work is commendable, and the effects are what you'd expect from a Disney Channel original. And there are three sequels — all starring or featuring Reynolds — and from what I've heard, they're cute as well. Your kids will love it! *Rating: 3.5 out of 5 Snack Packs.*

The second from Disney+ is "The Haunted Mansion" starring Eddie Murphy. This was the second of the "ride-inspired" movies, premiering five months after "Pirates of the Caribbean: The Curse of the Black Pearl." Based (I'll say it) loosely on "The Haunted Mansion" attraction from Disneyland, the film follows realtor Jim Evers (Murphy) to a huge, spooky mansion to discuss putting it on the market. He diverts his family trip to "the lake" and gets stuck there for the night during a heavy rainstorm. His wife, Sara, is thought to be the reincarnation of the lost love of Master Gracey, the mysterious owner of the house. When she disappears, Jim and his children must out-smart and out-run the ghouls, zombies and other spooky denizens of the mansion to find her before it's too late!

What a waste of Eddie Murphy. He actually looks uncomfortable for most of this film. It's not really funny or scary, and its connection to The Haunted Mansion is ... slim. The HM is one of my wife's favorite things to do in Disney World, so we've obviously got it memorized. And while they do incorporate a few notable bits from the ride, the story isn't really compelling, and it feels like there was a script for "Untitled Eddie Murphy Family Halloween Film" and the new idea to make movies about rides, so they smashed them together and got this less-than-great gazpacho (cold soup). It's fine. But kids might laugh? *Rating: 2.5 out of 5 Snack Packs.*

Lastly, the new Adam Sandler Netflix original movie (yeah, we watched it) called "Hubie Halloween" was being pushed to us hard by Netflix and, having been a fan of his earlier films and a select few recent ones ("Uncut Gems" and "Murder Mystery" being two of his recent bests), we opened a bottle of wine and said, "How bad can it be?" And the answer is not too bad.

Sandler plays Hubie Dubois, the local Halloween enthusiast in Salem. He volunteers each year to warn kids about the dangers of getting too wild or causing too much mischief on Halloween, and he's also a known scaredy-cat, so everyone is constantly pranking him for the jump scare. He also has a "Swiss Army Thermos" for some reason that he's made for himself as a sort of Batman utility belt. It's weird.

When an inmate of a nearby insane asylum escapes, the town is on high-alert. Also a mysterious man moves in next to Hubie and his mother (played by June Squibb), and things get weird from there. Julie Bowen from "Modern Family" plays Violet Valentine, Hubie's childhood crush and the only person in town who doesn't treat him like a doormat. When people start disappearing, no one will listen to him, including Sgt. Steve Downey (Kevin James), Violet's ex-husband and (I guess) head of the Salem PD. Hubie has to use all his Boy Scouts training to overcome his fear and find out what's really happening in his hometown.

Again, it's fine. It's not gross or juvenile for the most part. Sandler is basically playing Bobby Buchet from "The Waterboy" again, but this time he's got a mustache! Bowen is actually pretty awful in her role — we kept thinking her strange mannerisms and behavior were to hint she was a bad guy, but nope; she's just not well cast in this role.

This movie is adorable and perfectly '90s. The mask work is commendable, and the effects are what you'd expect from a Disney Channel original.

James actually plays "the straight man" as Sgt. Downey and does very well with it.

Other fun cameos and castings include Ben Stiller, Maya Rudolph, Tim Meadows, Steve Buchemi, Ray Liota and Shaquille O'Neil. It's no "Billy Madison," but it's also no "Jack and Jill," so there's that at least. And the kid who plays Will Byers on "Stranger Things," Noah Schnapp, is also in this and shows why the next season has been delayed — turns out kids grow up pretty fast and now he's an adorable little hunk.

Your kids might get a kick out of it. *Rating: 3 out of 5 Snack Packs.*

Also, Disney+ has collected all the "Simpsons Treehouse of Horror" episodes into a collection. Check those out as well!

EDITOR'S NOTE: Lincoln L. Hayes is an actor and writer in New York City. His new YouTube project SESSION ZERO is currently in production and should be online in the coming months. Also his sci-fi pilot script was named a finalist in the Port Blair International Film Festival. Wear a mask and please vote.

LETTER to the EDITOR

5A is a once-in-a-lifetime opportunity for Holyoke

My name is Stan Fisher, and my wife and I are relatively newcomers to Holyoke. Having served for over 20 years in the U.S. Air Force, we have made several moves. Moving to Holyoke has not been a whole lot different. Our first priorities were to find a church to attend and learn about the schools for our children to attend. While we no longer have children in school, we do have great-grandchildren attending Holyoke schools. We are very satisfied with our church and find a very fine school system.

However, are you all aware of the substandard items in the JR/SR high school building that the school board is trying to make the necessary changes to correct? Some of those deficiencies concern the safety of your children, the lack of sufficient handicap accessibility in various parts of the building, no handicap seating in the auditorium, an elevator that does not meet Americans with Disabilities Act requirements, to name a few.

That is why they have applied for and received a Building Excellent Schools Today Grant in the amount of $4.7 million for a renovation project at the JR/SR high school. Of that amount, $2.5 million is awarded by the grant, and the local community must raise $2.2 million through a proposed 1.5 mill levy tax increase.

While that sounds like a lot of money, let's take a look at each of our share. That is only $10.87 a year or 91 cents per month (less than a cup of coffee at a local restaurant) on residential property per $100,000. But you say my property assesses at $400,000. That would be $43.48 per year or only $3.63 per month. While commercial and agriculture property is $43.79 a year per $100,000, this is a once-in-a-lifetime opportunity to upgrade our school.

If we do not accept the responsibility and do our share to provide the necessary upgrades in our school buildings now, this grant will go away, and we may never have this opportunity again. We say VOTE YES ON 5A.

Stan Fisher
Holyoke

LETTER to the EDITOR POLICY

The Holyoke Enterprise welcomes and encourages readers to write a letter to the editor. Letters must be submitted by 5 p.m. on Monday to be considered for that week's edition.

Letters must be signed by the individual(s) submitting the letter. No anonymous letters will be considered. It should also include a phone number for verification only. All letters may be edited for grammar, length or libel.

Letters should be written to the general public and should address specific issues or ideas rather than reference a single person, official or entity. Open letters written to a specific person, business or organization will not be considered.

Letters can be sent to The Holyoke Enterprise, P.O. Box 297, Holyoke, CO 80734; dropped off at 130 N. Interocean; faxed to 970-854-2232; or emailed to editor@jpipapers.com. Letters sent electronically must include a document with a handwritten signature.

The Holyoke Enterprise

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Dragons edge Huskies in OT

BY ANDREW NYGAARD
THE HOLYOKE ENTERPRISE



JES-C FRENCH

Senior Aaron Sierra celebrates with coach Aaron Sprague after Saturday's overtime victory against the Highland Huskies. Freshman Cash Weber gives a gleeful victory jump.

Holyoke Dragon football fans were treated to an exciting overtime win at home Saturday, Oct. 10, against Highland when the Dragons won their first game of the season 22-20.

Highland took an early 14-0 lead just over six minutes into the game. Holyoke got on the board at the end of the first quarter and tied the game at 14 late in the second.

The Dragons went on offense first in overtime, taking possession of the ball at Highland's 10-yard line. Two incomplete passes and a throw-away out of bounds after a quarterback scramble gave the Dragons fourth-and-goal from the 10-yard line.

Miles Sprague passed to Wyatt Sprague, who came down with the ball in the end zone for the Dragon touchdown. Wyatt handed the ball off to his brother, Miles, for the successful 2-point conversion, giving the Dragons a 22-14 lead in overtime.

Highland then got the ball on the 10-yard line. The Huskies scored a touchdown on a handoff to the left side on their first play, making the score 22-20 and requiring a successful 2-point conversion to keep pace with Holyoke.

On the conversion try, Highland attempted another run to the left, but the ball carrier was tackled just short of the goal line, securing the victory for the Dragons, 22-20.

The Huskies scored first in the game on a 14-yard touchdown pass. After a successful PAT kick, they led the Dragons 7-0 with 9:07 remaining in the first quarter.

After returning Highland's kickoff to their own 31-yard line, the Dragons were unable to gain a first down running the ball up the middle. On fourth-and-1 from Holyoke's 40-yard line, Miles Sprague's punt pinned the Huskies at their own 5-yard line with 7:06 remaining in the first quarter.

Highland's second possession began with a 14-yard run to their left to set up a first down from their own 19-yard line. Holyoke defense stuffed a run attempt for a gain of one yard.

Highland scored a 20-yard touchdown on a bootleg pass with 5:42 left in the first quarter. Their PAT kick was again successful, and the Huskies expanded their lead to 14-0.

The Dragons started their second possession from their own 34-yard line. Two straight first-down runs by Carlos Legarreta set the Dragons up at the Husky 36-yard line. A reception by Tyson Mosenteen and a quarterback keeper gave the Dragons another first down at Highland's 27.

Miles Sprague completed a pass to Wyatt Sprague for Holyoke's first touchdown of the season. The PAT kick was unsuccessful, and the Dragons trailed the Huskies 14-6 with 2:34 remaining in the first quarter.

Highland ran the next kickoff back to the end zone, but the play was called back due to a Husky holding penalty.

Holyoke's defense prevented Highland from getting a first down, and Highland's punt went into the end zone, setting Holyoke's offense up on their own 20-yard line.

The Dragons were able to get two first downs on this offensive possession, but the drive ended with a fumble recovered by the Huskies at Holyoke's 38-yard line.

Holyoke's defense held strong, and the Huskies were unable to turn the fumble recovery into points when they failed to convert on a fourth-and-5 play.

The Dragons took over on downs from their own 37-yard line and began to march down the field. Keeping the ball on the ground, HHS achieved four first downs on the next five plays, setting up their offense on Highland's 10-yard line.

A Highland facemask penalty gave the Dragons a first-and-goal deep in Husky territory. From Highland's 3-yard line, Miles Sprague scored Holyoke's second touchdown of the day on a quarterback keeper. He again kept the ball on the successful 2-point conversion, tying the game at 14 with 1:39 remaining in the first half.

Holyoke received the ball in the second half, setting up the offense on the Dragon 21-yard line. Legaretta got a first down on the first play of the possession, but the drive stalled after a short run and two incomplete passes. Holyoke's punt went into the end zone for a touchback, setting up the Huskies from their 20-yard line.

The Huskies kept the ball on the ground in their first possession of the second half. They fumbled with 9:33 remaining in the third quarter but were able to recover the ball at the 50-yard line.

Highland again stayed with running plays, eventually setting up a fourth-and-2 from Holyoke's 29. Kaison Kinnie tackled the Highland ball carrier for a loss and a turnover on downs, setting up Holyoke's offense with the ball from the Dragon 30-yard line.

Holyoke achieved two first downs on the ground in the series that followed, but turned over the ball with a fumble with 4:10 remaining in the third quarter. Highland's offense took over at their own 36-yard line.

Again Holyoke's defense stood firm, and the turnover did not hurt them. The Huskies went three-and-out, punting the ball to the Dragons.



JES-C FRENCH

Wyatt Sprague catches a 40-yard pass from quarterback Miles Sprague at the end of the fourth quarter. The brothers also connected on fourth down in overtime for the Dragons' third touchdown.

The Dragons got another first down due to a Highland facemask penalty, but they ultimately faced a fourth-and-27. The fourth quarter began with a Holyoke punt, which the Huskies returned to their own 45-yard line.

The Huskies got three first downs in the next six plays, setting their offense up from Holyoke's 17-yard line with 7:30 remaining in the fourth quarter.

Joey Beckner sacked the quarterback for a loss of eight yards, setting up second-and-18. After an incomplete pass, Beckner again sacked the quarterback on third down, setting up fourth-and-24 from Holyoke's 31-yard line with 7:10 on the fourth quarter clock.

The Huskies were unable to connect on their fourth-down passing play, turning the ball over on downs and allowing the Dragon offense to take over at Holyoke's 31-yard line.

Keeping the ball on the ground, the Dragons got out to their own 41-yard line for a first down. Miles Sprague completed a 40-yard pass to Wyatt Sprague, setting up the Dragon offense on the Husky 23-yard line.

Three straight running plays netted the Dragons another first down and moved the ball to Highland's 11-yard line.

Two running plays and a throw out of bounds after a quarterback scramble set up the Dragons from Highland's 5-yard line with two seconds remaining in regulation.

The field goal attempt for the win was blocked, and the game went into overtime with both teams knotted at 14.

The Dragon fan base roared when the final tackle of the Husky ball carrier was made short of the goal line in overtime, getting the Dragons the 22-20 win in their season opener.

Holyoke puts up 298 yards of offense

Throughout the game, Holyoke posted 208 yards rushing and 90 passing for a total of 298. Legaretta led the Dragons on the ground with 103 rushing yards, and Wyatt Sprague led in receiving yards with 81. Quarterback Miles Sprague completed six of 16 attempts for 90 passing yards.

Beckner led the team in tackles with six solo and nine assisted for a total of 15. He posted four sacks on the day, and Kinnie had two.

Coach Dusty Sprague said he was really proud of the way the team handled the adversity they faced early in the game, pointing out that they could have gotten discouraged being down 14-0 in the first quarter, but they continued to compete.

"We had a lot of kids of all ages play their first full varsity football game," he said, "and they did a great job."

Sprague went on to say that in the Dragon defense, a tackle is never made by one person, but is the end product of 11 guys doing their job.

"That last play was 11 guys that had the will to win and knew how to do it," he said.

He also noted that this was an exciting way to start the season, and the goal is to keep getting better.

Scoring By Quarters

Holyoke	6	8	0	0	8— 22
Highland	14	0	0	0	6— 20

Upcoming action

HHS will travel to Burlington Friday, Oct. 16, for a 7 p.m. game.



JES-C FRENCH

Senior center Ethan Andersen snaps the ball to quarterback Miles Sprague in the fourth quarter.



JES-C FRENCH

Highland's quarterback tries to evade Dragon senior Joey Beckner to no avail. This second quarter sack was one of four Beckner had in Saturday's game.

3 HHS softball players earn All-Conference

Three members of the 2020 Holyoke High School softball team have been named to the All-Conference list. They are senior Haley Van Overbeke and juniors Lauren Herman and Correy Koellner.



Van Overbeke



Herman



Koellner

Also recognized were Bree Bandy, Bryn Owens, Ryann Eurich and Trista Marx of Limon; Ya Mei Wilson, Torrie Randel and Stephanie Framel of Burlington; and Hannah Ridnour and Tabby Jones of Wray.

Receiving honorable mention were Olivia Houghton of Limon, Sydney Chartier of Wray and Alivia Weathers of Yuma.

Eaton beats Lutheran in state softball

The Eaton Reds, ranked No. 1 in the state tournament, beat No. 3 Lutheran Lions 5-1 Saturday, Oct. 10, to claim the 3A state softball title.

No. 6 Burlington and No. 7 Limon were the only teams from LPAA to qualify for the tournament. Burlington lost 1-0 to their first round opponent, No. 11 Strasburg Indians Tuesday, Oct. 6.

The Limon Badgers beat their first round opponent No. 10 Delta Panthers 12-10 Wednesday, Oct. 7. The Badgers lost in the quarterfinals to No. 2 University Bulldogs, 6-5 Thursday, Oct. 8.

COMMUNITY CALENDAR

THURSDAY, OCT. 15
Re-1J School Board, brief meeting at 5 p.m. followed by board retreat, Phillips County Event Center.

FRIDAY, OCT. 16
No school.
HS football at Burlington, 7 p.m.

MONDAY, OCT. 19
Phillips County commissioners, 8 a.m.-4 p.m., courthouse.

TUESDAY, OCT. 20
JH football here with Burlington, 4 p.m.
Holyoke City Council, 7 p.m., City Hall.

To submit calendar entries, email editor@jpipapers.com.

SCHOOL MENU

BREAKFAST
Monday, Oct. 19: Strawberry Nutri-Grain bar breakfast kit, Apple Jacks breakfast kit, fruit, milk.
Tuesday, Oct. 20: Egg, ham and cheese waffle sandwich, mini cinnamon French toast bites, fruit, milk.
Wednesday, Oct. 21: Sausage pancake sandwich, banana chocolate chunk BeneFIT bar, fruit, milk.
Thursday, Oct. 22: No school.
Friday, Oct. 23: No school.

LUNCH
Monday, Oct. 19: Chicken and gravy, mashed potatoes, dinner roll, fruit and vegetable bar, milk.
Tuesday, Oct. 20: Beef stroganoff, rotini pasta, dinner roll, seasoned mixed vegetables, fruit and vegetable bar, milk.
Wednesday, Oct. 21: Italian meatball sub, seasoned corn, fruit and vegetable bar, milk.
Thursday, Oct. 22: No school.
Friday, Oct. 23: No school.

Advertising Deadline
Tuesday
10 a.m.

DEADLINE for news and ads is Tuesday at 10 a.m.

Notice of Unclaimed Capital Credits

In accordance with the policies of the Phillips County Telephone Company, d/b/a PC Telcom, this is to give notice that the following former patrons who had telephone service in 2002 or 2018 have Capital Credit payments due them. They were issued April 4, 2020. If payment is not claimed from the Phillips County Telephone Company within three years (April 2023) after payment of the same had been made available, such failure shall be and constitutes irrevocable assignment and gift by such patron or former patron of such Capital Credit to the Phillips County Telephone Company.

Abbott, Steve
Abts, Kenneth & Heather
Adler, Jacob
Allen, Debbie
Allendorf, Stevie
Andrade, Jacqui R
Apolinor, Lupe
Arreola, Cruz Virgen
Barajas, Florentino
Baranway, John & Phyllis
Bassett, Frances
Belke, David
Beltran, Eberado
Bencomo, Erben
Bencomo, Javier & Araceli
Bierbach, Harold R
Binder, Mary A
Bodner, Anne
Boyer, Daniela De Vargas
Brady, Roger
Brandt, Lloyd
Bridges, George
Brown, Shauna
Browning, Lawana
Burnam, Lonnie
Cavalli, Paul
Cazares, Fabian
Chacon, Jorge
Chavez, Jesus Vizcaino
Chavez, Nahum
Chavez, Nav Perea
Chavez, Patrocinio
Connolly, Stuart & Kem
Cortinas, Jorge A
Cose, Rochelle Tyndal
Cox, Susie
Coyne, Nahan & Natalie
Cruz, Edgar
Davidson, Merl & Mary Kay
Detwiler, Kenneth & Rosalyn
Dimas, Reginaldo
Dominguez, Cesar & Erika
Dominguez, Rosa E
Dudden, Todd
Eastman, Jenny
Elmquist, Frostteana
Ensminger, Jerry T
Falconburg, Darin & Kim
Flores, Efrain
Foley, Gorman
Fontanelle Hybrids
Franklin, Jeff & Valerie
Fuentes, David
Garcia, Felicia Amanda
Garcia, Jesus & Dora
Garcia, Jose Antonio
Glanville, Charles & Lee
Glittenberg-Hinrichs, Joann E
Goldenstein Photography
Goldenstein, Luke & Jade
Gonzales, Manuel Dejesus Chavez
Gonzalez, Nancy
Gordon, Matt
Goytia, Aurelio
Goytia, Juan G
Granados, Israel
Granados, Salvador
Griffis, Kenneth W & Lois
Gupta, Saswati
Gutierrez, Arabella
Gutierrez, Yolanda
Hartley, Freedom
Hartsuiker, Randy & Cynthi
Haubert, Abilgail
Henderson, Pamela
Henry, Dana & Hagan, Danelle
Hermosillo, Jesus
Hernandez, Jessica
Hernandez, Pedro
Hernandez, Saul
Hutchinson, Thomas P
Inlow, Lonnie & Mary
Juarez, Jesus Manuel
Juarez, Rene & Maria
Juarez, Rosa M
Jueneman, Preston
Just Numbers LLC
Kalina, Jared
Kelly, Jennifer
Klatt, Justin M
Koellner, Greg
Koester, Leon
Lampkin, Chris
Leal, Norma & Ramos Ramiro
Lechmannn, Symantha J
Legler, Pamela & Einspahr, Lisa
Levy, Max
Linthacum, Lane & Monta
Livermore, Robert & Melody
Long, Kathy
Lozoya, Ramona
Lucky's Liquor
Marquez, Aydee
Marquez, Fernando
Marquez, Luciano Jr.
Marquez, Luciano
Marquez, Roman
Martin, Chris L.
Martinez, Alejandro
Martinez, Fermin
Martinez, Maria
Martinez, Rebecca
Martinez, Virginia E
May, Steve & Amy May
McCauley, Michael
McFadden, David Jr
McNicholl, Maureen Anne
Mendez, Jose A
Mendoza, Oscar
Mendoza, Romana
Miles, Nathan L
Molina, Francisco
Mondt, Erv & Patsy
Montes, Arien
Moore, Steve
Morris, Shaun Gina
Mosqeda, Eustaquio R
Navarro, Jose Amador
Nevarez, Guillermo
Nevarez, Manuel
Newman, Matt & Martha
Nieto, Chila
NKC Railnet
Noyes, Stacy
Nutrien Ag Solultions
Ontiveros, Guillermo & Sylvia
Ortiz, Ricardo & Sandra
Pena, Pedro
Perez, Jordan
Perez, Lucia M
Peters, Denise
Pfeffer, Mark
Pillard, Nancy
Pittman, Delbert L
Pittman, Paul
Porter, Leo & Carla
Pottorff, Terry
Purkeypile, Max W
Rafert, Donna
Reliance Restoration Studio, LLC
Reyes, Mary J
Rivera, Javier Ortiz
Roberts, Jerry A
Robles, Dusty
Robles, Raymond & Teresa
Rodriguez, Ernesto Jr.
Rodriguez, Leonardo
Rodriguez, Patricia
Roll, R M
Ruelas, Juan Manuel
Ruiz, Jose & Juana
Russell, Michael E
Schad, Raymond
Schmalz, Mike
Schnipkoweit, P Jeffrey
Sharp, Robert & Rita
Sheehan, Melissa
Shelton, Melissa
Skelton, Joshua
Smith, Brian L
Smith, Jeannie Lyons
Smith, Paul
Soliz, Dalila
Spohn, William
State Board of Stock Inspection
State Farm Mutual Auto Ins Co
Steenkamp, Wessel
Steinkamp, Christa A Galloway
Stine, Cheri
Stocking, Herb
Strauss, Alan
Surber, Troy & Stephanie
Swanson, Marvin & Ladonna
Tallabas, Jose Angel Ruiz
Tedder, Kathie
Torres, Armando
Tovar, Ruben
Trejo, Jose
Trejo, Lulgarda
Trujillo, Marisela
Valenzuela, Yolanda
Varela, Obed
Velasquez, Jose
Vigil, Aurelia
Villareal, Carlos
Wailes, Gregg
Wakefield, Kracinda & Anthony
Ward, Robert
Washburn, Pauline
Watkins, Amy
Wear, Max & Gina
Wettstein, Bryan A & Jodi
Winterrowd, Matt
Worley, Michaela
Wright, Robert
Wyatt, Duane
Ybarra, David
Yoder, Aron
Young, Rev Cleon B
Zilla, Matt
Zink, Dennis & Jane
Zuber, Larry

In accordance with the policies of the Phillips County Telephone Company, d/b/a PC Telcom, this is to give notice that the following former patrons who had telephone service in 2002 or 2018 have Capital Credit payments due them. They were issued April 4, 2019. If payment is not claimed from the Phillips County Telephone Company within three years (April 2022) after payment of the same had been made available, such failure shall be and constitutes irrevocable assignment and gift by such patron or former patron of such Capital Credit to the Phillips County Telephone Company.

Abbott, Steve
Aguirre, Ismael Alexandr Villalobos
Allendorf, Stevie
Apolinor, Lupe
Arreola, Cruz Virgen
Asbury, Kevin P
Barajas, Florentino
Baranway, John & Phyllis
Bartilotta, Sharon
Bassett, Frances
Belke, David
Beltran, Eberado
Bencomo, Erben
Bencomo, Javier & Araceli
Bierbach, Harold R
Binder, Mary A
Black Raven Energy Inc
Blancken, Joy
Bocanegra Jr, Jesus
Brandt, Lloyd
Bridges, George
Brierly, Amanda
Brown, Shauna
Burnam, Lonnie
Campany, Mark
Cazares, Fabian
Chacon, Jorge
Chavez, Jesus Vizcaino
Chavez, Nahum
Chavez, Nav Perea
Chavez, Patrocinio
Colglazier, Andrew & Kristi
Compton, W E
Connolly, Stuart & Kem
Cortinas, Jorge A
Coyne, Nathan & Natalie
Dimas, Reginaldo
Dominguez, Rosa E
Eastman, Jenny
Einspahr, Lisa & Legler, Pamela
Ensminger, Jerry T
Falconburg, Darin & Kim
Flores, Efrain
Foley, Gorman
Fontanelle Hybrids
Fuentes, David
Garcia, Felicia Amanda
Garcia, Jesus & Dora
Garcia, Jose Antonio
Glanville, Charles & Lee
Goldenstein Photography
Gonzales, Manuel Dejesus Chavez
Gonzalez, Nancy
Goytia, Aurelio
Goytia, Juan G
Granados, Israel
Granados, Salvador
Griffis, Kenneth W & Lois
Gupta, Saswati
Gutierrez, Arabella
Gutierrez, Yolanda
Hansen, Keith
Hartley, Freedom
Hartsuiker, Randy & Cynthi
Haubert, Abigail
Henderson, Pamela
Henry, Dana & Hagan, Danelle
Hermosillo, Jesus
Hernandez, Pedro
Hernandez, Saul
Hutchinson, Thomas P
Hysell, Tricia
Inlow, Lonnie & Mary
Jinkens, Max
Juarez, Jesus Manuel
Juarez, Rene & Maria
Juarez, Rosa M
Juarez, Rosa M
Kelly, Jennifer
Klatt, Justin M
Koester, Leon
Krueger, Shirley A
Landes, Mariann
Lange, Ellory
Lechman, Symantha J
Ledezma, Jose
Linthacum, Lane & Monta
Long, Kathy
Lozoya, Ramona
Lucky's Liquor
Malpica, Luz
Marquez, Aydee
Marquez, Fernando
Marquez, Luciano
Marquez, Roman
Martin, Chris L
Martinez, Alenjandro
Martinez, Fermin
Martinez, Maria
Martinez, Rebecca
Martinez, Virginia E
May, Steve & Amy
McCleary, John
McFadden, David Sr.
McNicholl, Maureen Anne
Mendez, Jose A
Mendoza, Oscar
Mendoza, Romana
Metcalf, Gary
Molina, Francisco
Mondt, Erv & Patsy
Montes, Arlen
Morris, Shaun & Gina
Mosqeda, Eustaquio R
Navaro, Jose Amador
Nevarez, Guillermo
Nevarez, Manuel
Newman, Matt & Martha
Nieto, Chila
NKC Railnet
Nohemi's Mexican Grill
Noyes, Stacy
Ontiveros, Guillermo & Sylvia
Ortiz, Ricardo & Sandra
Pena, Pedro
Perez, Jordan
Perez, Lucia M
Perez, Miguel
Peters, Denise
Pfeffer, Mark
Phillips, Jennifer K
Pittman, Paul
Porter, Leo & Carla
Potts, Kelly
Ramos, Ramiro & Idalia
Ramos, Ramiro-Leal, Norma
Reyes, Mary J
Rivera, Javier Ortiz
Roberts, Jerry A
Robles, Dusty
Robles, Raymond & Teresa
Rodriguez Jr, Ernesto
Rodriguez, Alma
Rodriguez, Leonardo
Rodriguez, Patricia
Rosenbach, John
Ruelas, Juan Manuel
Ruiz, Jose & Juana
Russell, Michael E
Schmalz, Mike
Schnipkoweit, P Jeffrey
Sharp, Robert & Rita
Sheehan, Melissa
Shelton, Melissa
Simpson, Mary
Smith, Brian L
Smith, Ellie Lock
Smith, Jeannie Lyons
Smith, Paul
Soliz, Dalila
Spain, Larry
Sprague, Megan
State Board of Stock Inspection
State Farm Mutual Auto Ins Co
Steenkamp, Wessel
Steinkamp, Chrisa A. Galloway
Stine, Cheri
Stocking, Herb
Surber, Troy & Stephanie
Swanson, Marvin & Ladonna
Swanson, Van
Tallabas, Jose Angel Ruiz
Tedder, Kathie
Tovar, Ruben
Trejo, Jose
Trejo, Lugarda
Trujillo, Marisela
Tuell, Tom
Tyndal Cose, Rochelle
Valenzuela, Yolanda
Verela, Obed
Vigil, Aurelia
Villareal, Carlos
Waln, Todd & Tonya
Ward, Robert
Washburn, Pauline
Watkins, Amy
Wright, Bob
Wyatt, Duane
Ybara, David
Yoder, Aron
Young, Rev Cleon B
Zilla, Matt
Zink, Dennis & Jane
Zuber, Larry

In accordance with the policies of the Phillips County Telephone Company, d/b/a PC Telcom, this is to give notice that the following former patrons who had telephone service in 2002 or 2017 have Capital Credit payments due them. They were issued March 20, 2018. If payment is not claimed from the Phillips County Telephone Company within three years (April 2021) after payment of the same had been made available, such failure shall be and constitutes irrevocable assignment and gift by such patron or former patron of such Capital Credit to the Phillips County Telephone Company.

Abbott, Steve
Allendorf, Stevie
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Arreola, Cruz Virgen
Barajas, Florentino
Bartilotta, Sharon
Bassett, Frances
Beltran, Eberado
Bencomo, Erben
Bencomo, Javier & Araceli
Bierbach, Harold R
Binder, Mary A
Blancken, Joy
Brandt, Lloyd
Bridges, George
Brown, Shauna
Brueggeman, Dale
Burnam, Lonnie
Call, Diane M
Cavalli, Paul
Cazares, Fabian
Chacon, Jorge
Chavez, Jesus Vizcaino
Chavez, Nahum
Chavez, Nav Perea
Chavez, Patrocinio
Cose, Rochelle Tyndal
Coyne, Nathan & Natalie
Dickson, Hayden
Dimas, Reginaldo
Dominguez, Emanuel & Brenda
Dominguez, Rosa E
Eastman, Jenny
Ensminger, Jerry T
Falconburg, Darin & Kim
Farnes, Briana
Flores, Efrain
Fontanelle Hybrids
Fox, James
Fuentes, David
Garcia, Felicia Amanda
Garcia, Jose Antonio
Glanville, Charles & Lee
Goldenstein Photography
Goldenstein, Clint
Goytia, Aurelio
Goytia, Juan G
Granados, Israel
Granados, Salvador
Griffis, Kenneth W & Lois
Gupta, Saswati
Gutierrez, Arabella
Gutiereez, Yolanda
Dana Henry & Danelle Hagan
Hartley, Freedom
Hartsuiker, Randy & Cynthi
Henderson, Pamela
Hermosillo, Jesus
Hernandez, Pedro
Hernandez, Saul
Hoch, Sandra
Holley, Anthony
Hutchinson, Thomas P
Hysell, Tricia
Inlow, Lonnie & Mary
Juarez, Jesus Manuel
Juarez, Rene & Maria
Juarez, Rosa M
Kelley, Jennifer
Klatt, Justin M
Koester, Leon
Ramos, Ramiro & Leal, Norma
Lechman, Sylmantha J
Linthacum, Lane & Monta
Long, Kathy
Lozoya, Ramona
Lucky's Liquor
Marquez, Aydee
Marquez, Fernando
Marquez, Luciano
Marquez, Roman
Martin, Chris L
Martinez, Alejandro
Martinez, Fermin
Martinez, Rebecca
Martiniez, Virginia E
May, Steve & Amy
Mcbride, Kelsey
Mccabe, Matthew
Mcfadden, David Sr
Mcnicholl, Maureen Anne
Mendez, Jose A
Mendoza, Oscar
Metcalf, Gary
Molina, Francisco
Mondt, Erv & Patsy
Montes, Arlen
Morris, Shaun, & Gina
Mosqeda, Estaquio R
Navarro, Jose Amador
Nevarez, Guillermo
Nevarez, Manuel
Nevarez, Ramon R
Newman, Matt & Martha
Nieto, Chila
Noyes, Stacy
Oberle, Kurt
Ontiveros, Guillermo & Sylvia
Ortiz, Ricardo & Sandra
Pena, Pedro
Perez, Jordan
Pfeffer, Mark
Phillips, Jennifer K
Pittman, Paul
Porter, Leo & Carla
Ramirez, Adilene Olivia
Ramos, Saul & Leticia
Restaurante Y Panaderia Juarez
Roberts, Jerry A
Robles, Dusty
Robles, Raymond & Teresa
Rodriguez, Alma
Rodriguez, Ernesto Jr
Rodriguez, Leonardo
Rodriguez, Patricia
Rosenbach, John
Ruelas, Juan Manuel
Ruiz, Jose & Juana
Russell, Michael
Salas, Martha
Schad, Raymond
Schmalz, Mike
Schnipkoweit, P Jeffrey
Sharp, Robert & Rita
Sheenan, Melissa
Shelton, Melissa
Skelton, Joshua
Smith, Brian L
Smith, Jeannie Lyons
Smith, Paul
Soliz, Dalila
State Board Of Stock Inspection
State Farm Mlutual Auto Ins Co
Steenkamp, Wessel
Steinkamp, Christa A Galloway
Stine, Cheri
Stocking, Herb
Surber, Troy & Stephanie
Tallabas, Jose Angel Ruiz
Tedder, Kathie
Torres, Rose
Tovar, Ruben
Trejo, Jose
Trejo, Lugarda
Trujillo, Marisela
Valenzuela, Yolanda
Varela, Obed
Vigil, Aurelia
Ward, Robert
Wright, Bob
Wyatt, Duane
Ybarra, David
Yoder, Aron
Young, Rev Cleon B
Zink, Dennis & Jane

ESTATES Boardelon, Carol A; Goddard, Catherine

PCtelcom

Holyoke, CO — 970-854-2201

Mask order extended 30 days

BY ANDREW NYGAARD
THE HOLYOKE ENTERPRISE

Gov. Jared Polis again extended Colorado's statewide mask mandate for another 30 days from Sunday, Oct. 11.

The amended order states the Colorado Department of Public Health and Environment, in consultation with the appropriate local public health administration, may grant waivers for certain indoor activities that take place for a limited time period if such activities cannot practically or safely be performed while wearing a mask.

The order extends the requirement of people 11 or older to wear nonmedical face coverings over their nose and mouth while in public indoor spaces, and exceptions to the order remain as follows:

— Individuals who cannot medically tolerate a face covering.

— Individuals who are hearing impaired or otherwise disabled or who are communicating with someone who is hearing impaired or otherwise disabled, and where the ability to see the mouth is essential to communication.

— Individuals who are seated at a food service establishment.

— Individuals who are exercising alone or with others from the individual's household and a face covering would interfere with the activity.

— Individuals who are receiving a personal service where the temporary removal of the face covering is necessary to perform the service.

— Individuals who enter a business or receive services and are asked to temporarily remove a face covering for identification purposes.

— Individuals who are actively engaged in a public safety role such as law enforcement, firefighters or emergency medical personnel.

— Individuals who are officiating at a life rite or a religious service.

— Individuals who are giving a speech for broadcast or an audience.

RAYNOR GARAGE DOORS
Does your garage or shop need a facelift?
970.522.7714
www.perfectiondoor.com
pdoor@perfectiondoor.com
315 North Front Street, Sterling, CO 80751
Perfection Door Company
Does your garage or shop need a facelift?
We have some new and exciting products that can fill the needs of any residential or commercial job.
Check us out on twitter or facebook
Celebrating 40 years in business

CORNELIUS FAMILY FARMS
Show Cattle Sale
October 19th
on SteerBidder.com
Offering a great selection of show steers and heifers for area showmen
Find us on Facebook @CorneliusFamilyFarms
or give us a call at 308-352-6647
for more information and updates!
Find us on Facebook

THE BIG TIRE EVENT
$70 Rebate or
30,000 FordPass Rewards Points
THE BIG TIRE EVENT kicks off Oct. 1 with aggressive rebates on the purchase of 4 tires from participating brands. Fall is the ideal time to replace your tires in preparation of the winter driving season. During THE BIG TIRE EVENT, we will feature the choice of $70 mail-in rebates or 30,000 FordPass Rewards Points (over $150 value). Stop by and see Tim at Bonanza Ford of Wray or call us at 970-332-4838.
Eligible Tire Brands: Selected Bridgestone, Goodyear, Michelin and more. See our Facebook page or call for select tire and brand details. Offer runs Oct. 1, 2020, to Nov. 15, 2020.
Wray, Colorado BONANZA Ford

Listen to STAR 92.3
Streaming
Dragon games at
www.highplainsradio.net
This week on Star 92.3
Football
Friday, Oct. 16
Holyoke at Burlington

2020 Statewide Ballot Issues

The Colorado Constitution (Article V, Section 1(7.3)) requires the Colorado Legislative Council to publish the ballot title and legal text of each statewide ballot measure.

A **"YES/FOR"** vote on any ballot issue is a vote **in favor of** changing current law or existing circumstances, and a "**NO/AGAINST"** vote on any ballot issue is a vote **against** changing current law or existing circumstances.

Amendment B
Repeal Gallagher Amendment

The ballot title below is a summary drafted by the professional legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado constitution. The text of the measure that will appear in the Colorado constitution below was referred to the voters because it passed by a two-thirds majority vote of the state senate and the state house of representatives.

Ballot Title:

Without increasing property tax rates, to help preserve funding for local districts that provide fire protection, police, ambulance, hospital, kindergarten through twelfth grade education, and other services, and to avoid automatic mill levy increases, shall there be an amendment to the Colorado constitution to repeal the requirement that the general assembly periodically change the residential assessment rate in order to maintain the statewide proportion of residential property as compared to all other taxable property valued for property tax purposes and repeal the nonresidential property tax assessment rate of twenty-nine percent?

Text of Measure:

Be It Resolved by the Senate of the Seventy-second General Assembly of the State of Colorado, the House of Representatives concurring herein:

SECTION 1. At the election held on November 3, 2020, the secretary of state shall submit to the registered electors of the state the ballot title set forth in section 2 for the following amendment to the state constitution:
In the constitution of the state of Colorado, section 3 of article X, **amend** (1)(b) as follows:

Section 3. Uniform taxation - exemptions. (1) (b) Residential real property, which shall include all residential dwelling units and the land, as defined by law, on which such units are located, and mobile home parks, but shall not include hotels and motels, shall be valued for assessment. ~~at twenty-one percent of its actual value. For the property tax year commencing January 1, 1985, the general assembly shall determine the percentage of the aggregate statewide valuation for assessment which is attributable to residential real property. For each subsequent year, the general assembly shall again determine the percentage of the aggregate statewide valuation for assessment which is attributable to each class of taxable property, after adding in the increased valuation for assessment attributable to new construction and to increased volume of mineral and oil and gas production. For each year in which there is a change in the level of value used in determining actual value, the general assembly shall adjust the ratio of valuation for assessment for residential real property which is set forth in this paragraph (b) as is necessary to insure that the percentage of the aggregate statewide valuation for assessment which is attributable to residential real property shall remain the same as it was in the year immediately preceding the year in which such change occurs. Such adjusted ratio shall be the ratio of valuation for assessment for residential real property for those years for which such new level of value is used. In determining the adjustment to be made in the ratio of valuation for assessment for residential real property, the aggregate statewide valuation for assessment that is attributable to residential real property shall be calculated as if the full actual value of all owner-occupied primary residences that are partially exempt from taxation pursuant to section 3.5 of this article was subject to taxation.~~ All other taxable property shall be valued for assessment. ~~at twenty-nine percent of its actual value. However,~~ The valuation for assessment for producing mines, as defined by law, and lands or leaseholds producing oil or gas, as defined by law, shall be a portion of the actual annual or actual average annual production therefrom, based upon the value of the unprocessed material, according to procedures prescribed by law for different types of minerals. Non-producing unpatented mining claims, which are possessory interests in real property by virtue of leases from the United States of America, shall be exempt from property taxation.

SECTION 2. Each elector voting at the election may cast a vote either "Yes/For" or "No/Against" on the following ballot title: "Without increasing property tax rates, to help preserve funding for local districts that provide fire protection, police, ambulance, hospital, kindergarten through twelfth grade education, and other services, and to avoid automatic mill levy increases, shall there be an amendment to the Colorado constitution to repeal the requirement that the general assembly periodically change the residential assessment rate in order to maintain the statewide proportion of residential property as compared to all other taxable property valued for property tax purposes and repeal the nonresidential property tax assessment rate of twenty-nine percent?"

SECTION 3. Except as otherwise provided in section 1-40-123, Colorado Revised Statutes, if a majority of the electors voting on the ballot title vote "Yes/For", then the amendment will become part of the state constitution.

Amendment C
Conduct of Charitable Gaming

The ballot title below is a summary drafted by the professional legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado constitution. The text of the measure that will appear in the Colorado constitution below was referred to the voters because it passed by a two-thirds majority vote of the state senate and the state house of representatives.

Ballot Title:

Shall there be an amendment to the Colorado constitution concerning the conduct of charitable gaming activities, and, in connection therewith, allowing bingo-raffle licensees to hire managers and operators of games and reducing the required period of a charitable organization's continuous existence before obtaining a charitable gaming license?

Text of Measure:

Be It Resolved by the House of Representatives of the Seventy-second General Assembly of the State of Colorado, the Senate concurring herein:

SECTION 1. At the election held on November 3, 2020, the secretary of state shall submit to the registered electors of the state the ballot title set forth in section 2 for the following amendment to the state constitution:

In the constitution of the state of Colorado, section 2 of article XVIII, **amend** (2) and (4) as follows:

Section 2. Lotteries prohibited - exceptions. (2) No game of chance pursuant to this subsection (2) and subsections (3) and (4) of this section shall be conducted by any person, firm, or organization, unless a license as provided for in this subsection (2) has been issued to the firm or organization conducting such games of chance. The secretary of state shall, upon application therefor on such forms as shall be prescribed by the secretary of state and upon the payment of an annual fee as determined by the general assembly, issue a license for the conducting of such games of chance to any bona fide chartered branch or lodge or chapter of a national or state organization or to any bona fide religious, charitable, labor, fraternal, educational, voluntary firemen's, or veterans' organization ~~which~~ THAT operates without profit to its members and ~~which~~ THAT IS REGISTERED WITH THE SECRETARY OF STATE AND has been in existence continuously for a period of ~~five~~ THREE years immediately prior to the making of ~~said~~ ITS application for such license OR, ON AND AFTER JANUARY 1, 2024, FOR SUCH DIFFERENT PERIOD AS THE GENERAL ASSEMBLY MAY ESTABLISH PURSUANT TO SUBSECTION (5) OF THIS SECTION, and has had during the entire ~~five-year~~ period OF ITS EXISTENCE a dues-paying membership engaged in carrying out the objects of said corporation or organization, such license to expire at the end of each calendar year in which it was issued.

(4) Such games of chance shall be subject to the following restrictions:

(a) The entire net proceeds of any game shall be exclusively devoted to the lawful purposes of organizations permitted to conduct such games.

(b) ~~No person except a bona fide member of any organization may participate in the management or operation of any such game.~~

(c) No person may receive any remuneration or profit IN EXCESS OF THE APPLICABLE MINIMUM WAGE for participating in the management or operation of any such game.

SECTION 2. Each elector voting at the election may cast a vote either "Yes/For" or "No/Against" on the following ballot title: "Shall there be an amendment to the Colorado constitution concerning the conduct of charitable gaming activities, and, in connection therewith, allowing bingo-raffle licensees to hire managers and operators of games and reducing the required period of a charitable organization's continuous existence before obtaining a charitable gaming license?"

SECTION 3. Except as otherwise provided in section 1-40-123, Colorado Revised Statutes, if at least fifty-five percent of the electors voting on the ballot title vote "Yes/For", then the amendment will become part of the state constitution.

Amendment 76
Citizenship Qualification of Electors

The ballot title below is a summary drafted by the professional staff of the offices of the secretary of state, the attorney general, and the legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado constitution. The text of the measure that will appear in the Colorado constitution below was drafted by the proponents of the initiative. The initiated measure is included on the ballot as a proposed change to current law because the proponents gathered the required amount of petition signatures.

Ballot Title:

Shall there be an amendment to the Colorado constitution requiring that to be qualified to vote at any election an individual must be a United States citizen?

Text of Measure:

Colo. Const. Art. VII, Section 1. In the constitution of the state of Colorado, **amend** section 1 of article 7 as follows:

~~Every citizen~~ ONLY A CITIZEN of the United States who has attained the age of eighteen years, has resided in this state for such time as may be prescribed by law, and has been duly registered as a voter if required by law shall be qualified to vote at all elections.

Amendment 77
Local Voter Approval of Casino Bet Limits and Games in Black Hawk, Central City, and Cripple Creek

The ballot title below is a summary drafted by the professional staff of the offices of the secretary of state, the attorney general, and the legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado constitution or Colorado Revised Statutes. The text of the measure that will appear in the Colorado constitution and Colorado Revised Statutes below was drafted by the proponents of the initiative. The initiated measure is included on the ballot as a proposed change to current law because the proponents gathered the required amount of petition signatures.

Ballot Title:

Shall there be an amendment to the Colorado constitution and a change to the Colorado Revised Statutes concerning voter-approved changes to limited gaming, and, in connection therewith, allowing the voters of Central City, Black Hawk, and Cripple Creek, for their individual cities, to approve other games in addition to those currently allowed and increase a maximum single bet to any amount; and allowing gaming tax revenue to be used for support services to improve student retention and credential completion by students enrolled in community colleges?

Text of Measure:

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

SECTION 1. In section 9, article XVIII of the constitution of the state of Colorado, **amend** (7)(a)(II), (III) as follows:

(7) Local elections to revise limits applicable to gaming – statewide elections to increase gaming taxes.

(a) Through local elections, the voters of the cities of Central, Black Hawk, and Cripple Creek are authorized to revise limits on gaming that apply to licensees operating in their city's gaming district to extend:

(II) Approved games ~~to include roulette or craps, or both~~; and

(III) Single bets ~~up to one hundred dollars~~.

SECTION 2. In Colorado Revised Statutes, section 44-30-103, **amend** (22) as follows:

44-30-103. Definitions.

(22) "Limited card games and slot machines", "limited gaming", or "gaming" means physical and electronic versions of slot machines, craps, roulette, and the card games of poker and blackjack authorized by this article 30, AS WELL AS SUCH OTHER GAMES AS ARE APPROVED BY THE VOTERS OF CENTRAL, BLACK HAWK, OR CRIPPLE CREEK AT A LOCAL ELECTION HELD IN EACH CITY TO CONTROL THE CONDUCT OF GAMING IN THAT JURISDICTION, and defined and regulated by the commission, each game having a maximum single bet ~~of one hundred dollars~~ AS APPROVED BY THE VOTERS OF CENTRAL, BLACK HAWK, OR CRIPPLE CREEK AT A LOCAL ELECTION HELD IN EACH CITY TO CONTROL THE CONDUCT OF GAMING IN THAT JURISDICTION.

SECTION 3. In Colorado Revised Statutes, section 44-30-702, **amend** (3)(c)(I) as follows:

44-30-702. Revenues attributable to local revisions to gaming limits - extended limited gaming fund - identification - separate administration - distribution – definitions.

(3) From the fund, the state treasurer shall pay:

(c) Of the remaining gaming tax revenues, distributions in the following proportions:

(I) Seventy-eight percent to the state's public community colleges, junior colleges, and local district colleges to supplement existing state funding for student financial aid programs and classroom instruction programs, including PROGRAMS TO IMPROVE STUDENT RETENTION AND INCREASE CREDENTIAL COMPLETION, AS WELL AS workforce preparation to enhance the growth of the state economy, to prepare Colorado residents for meaningful employment, and to provide Colorado businesses with well-trained employees. The revenue shall be distributed to colleges that were operating on and after January 1, 2008, in proportion to their respective full-time equivalent student enrollments in the previous fiscal year. For purposes of the distribution, the state treasurer shall use the most recent available figures on full-time equivalent student enrollment calculated by the Colorado commission on higher education in accordance with subsection (4)(c) of this section.

SECTION 4. In Colorado Revised Statutes, section 44-30-816, **amend** as follows:

44-30-816. Authorized amount of bets.

The amount of a bet made pursuant to this article 30 shall not be more~~, than one hundred dollars~~ on the initial bet or subsequent bet~~,~~ THAN THE AMOUNTS APPROVED BY THE VOTERS OF CENTRAL, BLACK HAWK, OR CRIPPLE CREEK AT A LOCAL ELECTION HELD IN EACH CITY TO CONTROL THE CONDUCT OF GAMING IN THAT JURISDICTION, subject to rules promulgated by the commission.

SECTION 5. In Colorado Revised Statutes, section 44-30-818, **amend** (1) as follows:

44-30-818. Approval of rules for certain games.

(1) Specific rules for blackjack, poker, craps, and roulette, AND SUCH OTHER GAMES AS ARE APPROVED BY THE VOTERS OF CENTRAL, BLACK HAWK, OR CRIPPLE CREEK AT A LOCAL ELECTION HELD IN EACH CITY TO CONTROL THE CONDUCT OF GAMING IN THAT JURISDICTION shall be approved by the commission and clearly posted within plain view of the games.

SECTION 6. These amendments take effect on May 1, 2021.

Proposition EE
Taxes on Nicotine Products

Question:

SHALL STATE TAXES BE INCREASED BY $294,000,000 ANNUALLY BY IMPOSING A TAX ON NICOTINE LIQUIDS USED IN E-CIGARETTES AND OTHER VAPING PRODUCTS THAT IS EQUAL TO THE TOTAL STATE TAX ON TOBACCO PRODUCTS WHEN FULLY PHASED IN, INCREMENTALLY INCREASING THE TOBACCO PRODUCTS TAX BY UP TO 22% OF THE MANUFACTURER'S LIST PRICE, INCREMENTALLY INCREASING THE CIGARETTE TAX BY UP TO 9 CENTS PER CIGARETTE, EXPANDING THE EXISTING CIGARETTE AND TOBACCO TAXES TO APPLY TO SALES TO CONSUMERS FROM OUTSIDE OF THE STATE, ESTABLISHING A MINIMUM TAX FOR MOIST SNUFF TOBACCO PRODUCTS, CREATING AN INVENTORY TAX THAT APPLIES FOR FUTURE CIGARETTE TAX INCREASES, AND INITIALLY USING THE TAX REVENUE PRIMARILY FOR PUBLIC SCHOOL FUNDING TO HELP OFFSET REVENUE THAT HAS BEEN LOST AS A RESULT OF THE ECONOMIC IMPACTS RELATED TO COVID-19 AND THEN FOR PROGRAMS THAT REDUCE THE USE OF TOBACCO AND NIC-

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OTINE PRODUCTS, ENHANCE THE VOLUNTARY COLORADO PRESCHOOL PROGRAM AND MAKE IT WIDELY AVAILABLE FOR FREE, AND MAINTAIN THE FUNDING FOR PROGRAMS THAT CURRENTLY RECEIVE REVENUE FROM TOBACCO TAXES, WITH THE STATE KEEPING AND SPENDING ALL OF THE NEW TAX REVENUE AS A VOTER-APPROVED REVENUE CHANGE?

Proposition 113
Adopt Agreement to Elect U.S. President By National Popular Vote

Ballot Title:

Shall the following Act of the General Assembly be approved: An Act concerning adoption of an agreement among the states to elect the President of the United States by national popular vote, being Senate Bill No. 19-042?

Text of Measure:

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **add** part 40 to article 60 of title 24 as follows:

PART 40
AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE

24-60-4001. Short title. THE SHORT TITLE OF THIS PART 40 IS THE "AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE".

24-60-4002. Execution of agreement. THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE IS HEREBY ENACTED INTO LAW AND ENTERED INTO WITH ALL JURISDICTIONS LEGALLY JOINING THEREIN, IN THE FORM SUBSTANTIALLY AS FOLLOWS:

ARTICLE I -- MEMBERSHIP

ANY STATE OF THE UNITED STATES AND THE DISTRICT OF COLUMBIA MAY BECOME A MEMBER OF THIS AGREEMENT BY ENACTING THIS AGREEMENT.

ARTICLE II -- RIGHT OF THE PEOPLE IN MEMBER STATES TO VOTE FOR PRESIDENT AND VICE PRESIDENT

MEMBER STATE SHALL CONDUCT A STATEWIDE POPULAR ELECTION FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES.

ARTICLE III -- MANNER OF APPOINTINGPRESIDENTIAL ELECTORS IN MEMBER STATES

PRIOR TO THE TIME SET BY LAW FOR THE MEETING AND VOTING BY THE PRESIDENTIAL ELECTORS, THE CHIEF ELECTION OFFICIAL OF EACH MEMBER STATE SHALL DETERMINE THE NUMBER OF VOTES FOR EACH PRESIDENTIAL SLATE IN EACH STATE OF THE UNITED STATES AND IN THE DISTRICT OF COLUMBIA IN WHICH VOTES HAVE BEEN CAST IN A STATEWIDE POPULAR ELECTION AND SHALL ADD SUCH VOTES TOGETHER TO PRODUCE A "NATIONAL POPULAR VOTE TOTAL" FOR EACH PRESIDENTIAL SLATE.
THE CHIEF ELECTION OFFICIAL OF EACH MEMBER STATE SHALL DESIGNATE THE PRESIDENTIAL SLATE WITH THE LARGEST NATIONAL POPULAR VOTE TOTAL AS THE "NATIONAL POPULAR VOTE WINNER."

THE PRESIDENTIAL ELECTOR CERTIFYING OFFICIAL OF EACH MEMBER STATE SHALL CERTIFY THE APPOINTMENT IN THAT OFFICIAL'S OWN STATE OF THE ELECTOR SLATE NOMINATED IN THAT STATE IN ASSOCIATION WITH THE NATIONAL POPULAR VOTE WINNER.

AT LEAST SIX DAYS BEFORE THE DAY FIXED BY LAW FOR THE MEETING AND VOTING BY THE PRESIDENTIAL ELECTORS, EACH MEMBER STATE SHALL MAKE A FINAL DETERMINATION OF THE NUMBER OF POPULAR VOTES CAST IN THE STATE FOR EACH PRESIDENTIAL SLATE AND SHALL COMMUNICATE AN OFFICIAL STATEMENT OF SUCH DETERMINATION WITHIN 24 HOURS TO THE CHIEF ELECTION OFFICIAL OF EACH OTHER MEMBER STATE.

THE CHIEF ELECTION OFFICIAL OF EACH MEMBER STATE SHALL TREAT AS CONCLUSIVE AN OFFICIAL STATEMENT CONTAINING THE NUMBER OF POPULAR VOTES IN A STATE FOR EACH PRESIDENTIAL SLATE MADE BY THE DAY ESTABLISHED BY FEDERAL LAW FOR MAKING A STATE'S FINAL DETERMINATION CONCLUSIVE AS TO THE COUNTING OF ELECTORAL VOTES BY CONGRESS.

IN EVENT OF A TIE FOR THE NATIONAL POPULAR VOTE WINNER, THE PRESIDENTIAL ELECTOR CERTIFYING OFFICIAL OF EACH MEMBER STATE SHALL CERTIFY THE APPOINTMENT OF THE ELECTOR SLATE NOMINATED IN ASSOCIATION WITH THE PRESIDENTIAL SLATE RECEIVING THE LARGEST NUMBER OF POPULAR VOTES WITHIN THAT OFFICIAL'S OWN STATE.

IF, FOR ANY REASON, THE NUMBER OF PRESIDENTIAL ELECTORS NOMINATED IN A MEMBER STATE IN ASSOCIATION WITH THE NATIONAL POPULAR VOTE WINNER IS LESS THAN OR GREATER THAN THAT STATE'S NUMBER OF ELECTORAL VOTES, THE PRESIDENTIAL CANDIDATE ON THE PRESIDENTIAL SLATE THAT HAS BEEN DESIGNATED AS THE NATIONAL POPULAR VOTE WINNER SHALL HAVE THE POWER TO NOMINATE THE PRESIDENTIAL ELECTORS FOR THAT STATE AND THAT STATE'S PRESIDENTIAL ELECTOR CERTIFYING OFFICIAL SHALL CERTIFY THE APPOINTMENT OF SUCH NOMINEES.

THE CHIEF ELECTION OFFICIAL OF EACH MEMBER STATE SHALL IMMEDIATELY RELEASE TO THE PUBLIC ALL VOTE COUNTS OR STATEMENTS OF VOTES AS THEY ARE DETERMINED OR OBTAINED.
THIS ARTICLE SHALL GOVERN THE APPOINTMENT OF PRESIDENTIAL ELECTORS IN EACH MEMBER STATE IN ANY YEAR IN WHICH THIS AGREEMENT IS, ON JULY 20, IN EFFECT IN STATES CUMULATIVELY POSSESSING A MAJORITY OF THE ELECTORAL VOTES.

ARTICLE IV -- OTHER PROVISIONS

THIS AGREEMENT SHALL TAKE EFFECT WHEN STATES CUMULATIVELY POSSESSING A MAJORITY OF THE ELECTORAL VOTES HAVE ENACTED THIS AGREEMENT IN SUBSTANTIALLY THE SAME FORM AND THE ENACTMENTS BY SUCH STATES HAVE TAKEN EFFECT IN EACH STATE.

ANY MEMBER STATE MAY WITHDRAW FROM THIS AGREEMENT, EXCEPT THAT A WITHDRAWAL OCCURRING SIX MONTHS OR LESS BEFORE THE END OF A PRESIDENT'S TERM SHALL NOT BECOME EFFECTIVE UNTIL A PRESIDENT OR VICE PRESIDENT SHALL HAVE BEEN QUALIFIED TO SERVE THE NEXT TERM.

THE CHIEF EXECUTIVE OF EACH MEMBER STATE SHALL PROMPTLY NOTIFY THE CHIEF EXECUTIVE OF ALL OTHER STATES OF WHEN THIS AGREEMENT HAS BEEN ENACTED AND HAS TAKEN EFFECT IN THAT OFFICIAL'S STATE, WHEN THE STATE HAS WITHDRAWN FROM THIS AGREEMENT, AND WHEN THIS AGREEMENT TAKES EFFECT GENERALLY.

THIS AGREEMENT SHALL TERMINATE IF THE ELECTORAL COLLEGE IS ABOLISHED.

IF ANY PROVISION OF THIS AGREEMENT IS HELD INVALID, THE REMAINING PROVISIONS SHALL NOT BE AFFECTED.

ARTICLE V -- DEFINITIONS

FOR PURPOSES OF THIS AGREEMENT,

"CHIEF EXECUTIVE" SHALL MEAN THE GOVERNOR OF A STATE OF THE UNITED STATES OR THE MAYOR OF THE DISTRICT OF COLUMBIA;

"ELECTOR SLATE" SHALL MEAN A SLATE OF CANDIDATES WHO HAVE BEEN NOMINATED IN A STATE FOR THE POSITION OF PRESIDENTIAL ELECTOR IN ASSOCIATION WITH A PRESIDENTIAL SLATE;

"CHIEF ELECTION OFFICIAL" SHALL MEAN THE STATE OFFICIAL OR BODY THAT IS AUTHORIZED TO CERTIFY THE TOTAL NUMBER OF POPULAR VOTES FOR EACH PRESIDENTIAL SLATE;

"PRESIDENTIAL ELECTOR" SHALL MEAN AN ELECTOR FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES;

"PRESIDENTIAL ELECTOR CERTIFYING OFFICIAL" SHALL MEAN THE STATE OFFICIAL OR BODY THAT IS AUTHORIZED TO CERTIFY THE APPOINTMENT OF THE STATE'S PRESIDENTIAL ELECTORS;

"PRESIDENTIAL SLATE" SHALL MEAN A SLATE OF TWO PERSONS, THE FIRST OF WHOM HAS BEEN NOMINATED AS A CANDIDATE FOR PRESIDENT OF THE UNITED STATES AND THE SECOND OF WHOM HAS BEEN NOMINATED AS A CANDIDATE FOR VICE PRESIDENT OF THE UNITED STATES, OR ANY LEGAL SUCCESSORS TO SUCH PERSONS, REGARDLESS OF WHETHER BOTH NAMES APPEAR ON THE BALLOT PRESENTED TO THE VOTER IN A PARTICULAR STATE;

"STATE" SHALL MEAN A STATE OF THE UNITED STATES AND THE DISTRICT OF COLUMBIA; AND

"STATEWIDE POPULAR ELECTION" SHALL MEAN A GENERAL ELECTION IN WHICH VOTES ARE CAST FOR PRESIDENTIAL SLATES BY INDIVIDUAL VOTERS AND COUNTED ON A STATEWIDE BASIS.

24-60-4003. Reaffirmation of Colorado law. WHEN THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE BECOMES EFFECTIVE AS PROVIDED IN ARTICLE IV OF THE AGREEMENT AND GOVERNS THE APPOINTMENT OF PRESIDENTIAL ELECTORS AS PROVIDED IN ARTICLE III OF THE AGREEMENT, EACH PRESIDENTIAL ELECTOR SHALL VOTE FOR THE PRESIDENTIAL CANDIDATE AND, BY SEPARATE BALLOT, VICE-PRESIDENTIAL CANDIDATE NOMINATED BY THE POLITICAL PARTY OR POLITICAL ORGANIZATION THAT NOMINATED THE PRESIDENTIAL ELECTOR.

24-60-4004. Conflicting provisions of law. WHEN THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE BECOMES EFFECTIVE AS PROVIDED IN ARTICLE IV OF THE AGREEMENT AND GOVERNS THE APPOINTMENT OF PRESIDENTIAL ELECTORS AS PROVIDED IN ARTICLE III OF THE AGREEMENT, THIS PART 40 SHALL SUPERSEDE ANY CONFLICTING PROVISIONS OF COLORADO LAW.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Proposition 114
Reintroduction and Management of Gray Wolves

The ballot title below is a summary drafted by the professional staff of the offices of the secretary of state, the attorney general, and the legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado Revised Statutes. The text of the measure that will appear in the Colorado Revised Statutes below was drafted by the proponents of the initiative. The initiated measure is included on the ballot as a proposed change to current law because the proponents gathered the required amount of petition signatures.

Ballot Title:

Shall there be a change to the Colorado Revised Statutes concerning the restoration of gray wolves through their reintroduction on designated lands in Colorado located west of the continental divide, and, in connection therewith, requiring the Colorado parks and wildlife commission, after holding statewide hearings and using scientific data, to implement a plan to restore and manage gray wolves; prohibiting the commission from imposing any land, water, or resource use restrictions on private landowners to further the plan; and requiring the commission to fairly compensate owners for losses of livestock caused by gray wolves?

Text of Measure:

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

SECTION 1. In Colorado Revised Statutes, **add** 33-2-105.8 as follows:

33-2-105.8. Reintroduction of gray wolves on designated lands west of the continental divide - public input in commission development of restoration plan - compensation to owners of livestock - definitions.

(1) THE VOTERS OF COLORADO FIND AND DECLARE THAT:

(a) HISTORICALLY, WOLVES WERE AN ESSENTIAL PART OF THE WILD HABITAT OF COLORADO BUT WERE EXTERMINATED AND HAVE BEEN FUNCTIONALLY EXTINCT FOR SEVENTY-FIVE YEARS IN THE STATE;

(b) THE GRAY WOLF IS LISTED AS AN ENDANGERED SPECIES ON THE COMMISSION'S LIST OF ENDANGERED OR THREATENED SPECIES;

(c) ONCE RESTORED TO COLORADO, GRAY WOLVES WILL HELP RESTORE A CRITICAL BALANCE IN NATURE; AND

(d) RESTORATION OF THE GRAY WOLF TO THE STATE MUST BE DESIGNED TO RESOLVE CONFLICTS WITH PERSONS ENGAGED IN RANCHING AND FARMING IN THIS STATE.

(2) NOTWITHSTANDING ANY PROVISION OF STATE LAW TO THE CONTRARY, INCLUDING SECTION 33- 2-105.5 (2), AND IN ORDER TO RESTORE GRAY WOLVES TO THE STATE, THE COMMISSION SHALL:

(a) DEVELOP A PLAN TO RESTORE AND MANAGE GRAY WOLVES IN COLORADO, USING THE BEST SCIENTIFIC DATA AVAILABLE;

(b) HOLD STATEWIDE HEARINGS TO ACQUIRE INFORMATION TO BE CONSIDERED IN DEVELOPING SUCH PLAN, INCLUDING SCIENTIFIC, ECONOMIC, AND SOCIAL CONSIDERATIONS PERTAINING TO SUCH RESTORATION;

(c) PERIODICALLY OBTAIN PUBLIC INPUT TO UPDATE SUCH PLAN;

(d) TAKE THE STEPS NECESSARY TO BEGIN REINTRODUCTIONS OF GRAY WOLVES BY DECEMBER 31, 2023, ONLY ON DESIGNATED LANDS; AND

(e) OVERSEE GRAY WOLF RESTORATION AND MANAGEMENT, INCLUDING THE DISTRIBUTION OF STATE FUNDS THAT ARE MADE AVAILABLE TO:

(I) ASSIST OWNERS OF LIVESTOCK IN PREVENTING AND RESOLVING CONFLICTS BETWEEN GRAY WOLVES AND LIVESTOCK; AND

(II) PAY FAIR COMPENSATION TO OWNERS OF LIVESTOCK FOR ANY LOSSES OF LIVESTOCK CAUSED BY GRAY WOLVES, AS VERIFIED PURSUANT TO THE CLAIM PROCEDURES AUTHORIZED BY SECTIONS 33-3-107 TO 33-3-110 AND, TO THE EXTENT THEY ARE AVAILABLE, FROM MONEYS IN THE WILDLIFE CASH FUND AS PROVIDED IN SECTION 33-3-107 (2.5).

(3) (a) THE COMMISSION'S PLAN MUST COMPLY WITH SECTION 33-2-105.7 (2), (3), AND (4) AND MUST INCLUDE:

(I) THE SELECTION OF DONOR POPULATIONS OF GRAY WOLVES;

(II) THE PLACES, MANNER, AND SCHEDULING OF REINTRODUCTIONS OF GRAY WOLVES BY THE DIVISION, WITH SUCH REINTRODUCTIONS BEING RESTRICTED TO DESIGNATED LANDS;

(III) DETAILS FOR THE RESTORATION AND MANAGEMENT OF GRAY WOLVES, INCLUDING ACTIONS NECESSARY OR BENEFICIAL FOR ESTABLISHING AND MAINTAINING A SELF-SUSTAINING POPULATION, AS AUTHORIZED BY SECTION 33-2-104; AND

(IV) METHODOLOGIES FOR DETERMINING WHEN THE GRAY WOLF POPULATION IS SUSTAINING ITSELF SUCCESSFULLY AND WHEN TO REMOVE THE GRAY WOLF FROM THE LIST OF ENDANGERED OR THREATENED SPECIES, AS PROVIDED FOR IN SECTION 33-2-105 (2).

(b) THE COMMISSION SHALL NOT IMPOSE ANY LAND, WATER, OR RESOURCE USE RESTRICTIONS ON PRIVATE LANDOWNERS IN FURTHERANCE OF THE PLAN.

(4) IN FURTHERANCE OF THIS SECTION AND THE EXPRESSED INTENT OF VOTERS, THE GENERAL ASSEMBLY:

(a) SHALL MAKE SUCH APPROPRIATIONS AS ARE NECESSARY TO FUND THE PROGRAMS AUTHORIZED AND OBLIGATIONS, INCLUDING FAIR COMPENSATION FOR LIVESTOCK LOSSES THAT ARE AUTHORIZED BY THIS SECTION BUT CANNOT BE PAID FROM MONEYS IN THE WILDLIFE CASH FUND, IMPOSED BY THIS SECTION; AND

(b) MAY ADOPT SUCH OTHER LEGISLATION AS WILL FACILITATE THE IMPLEMENTATION OF THE RESTORATION OF GRAY WOLVES TO COLORADO.

(5) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "DESIGNATED LANDS" MEANS THOSE LANDS WEST OF THE CONTINENTAL DIVIDE IN COLORADO THAT THE COMMISSION DETERMINES ARE CONSISTENT WITH ITS PLAN TO RESTORE AND MANAGE GRAY WOLVES.

(b) "GRAY WOLF" MEANS NONGAME WILDLIFE OF THE SPECIES CANIS LUPUS.

(c) "LIVESTOCK" MEANS CATTLE, HORSES, MULES, BURROS, SHEEP, LAMBS, SWINE, LLAMA, ALPACA, AND GOATS.

(d) "RESTORE" OR "RESTORATION" MEANS ANY REINTRODUCTION, AS PROVIDED FOR IN SEC-

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TION 33-2-105.7 (1)(a), AS WELL AS POST-RELEASE MANAGEMENT OF THE GRAY WOLF IN A MANNER THAT FOSTERS THE SPECIES' CAPACITY TO SUSTAIN ITSELF SUCCESSFULLY.

Proposition 115
Prohibit Abortions After 22 Weeks

The ballot title below is a summary drafted by the professional staff of the offices of the secretary of state, the attorney general, and the legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado Revised Statutes. The text of the measure that will appear in the Colorado Revised Statutes below was drafted by the proponents of the initiative. The initiated measure is included on the ballot as a proposed change to current law because the proponents gathered the required amount of petition signatures.

Ballot Title:

Shall there be a change to the Colorado Revised Statutes concerning prohibiting an abortion when the probable gestational age of the fetus is at least twenty-two weeks, and, in connection therewith, making it a misdemeanor punishable by a fine to perform or attempt to perform a prohibited abortion, except when the abortion is immediately required to save the life of the pregnant woman when her life is physically threatened, but not solely by a psychological or emotional condition; defining terms related to the measure including "probable gestational age" and "abortion," and excepting from the definition of "abortion" medical procedures relating to miscarriage or ectopic pregnancy; specifying that a woman on whom an abortion is performed may not be charged with a crime in relation to a prohibited abortion; and requiring the Colorado medical board to suspend for at least three years the license of a licensee whom the board finds performed or attempted to perform a prohibited abortion?

Text of Measure:

BE IT ENACTED BY THE PEOPLE OF THE STATE OF COLORADO:

SECTION 1. IN COLORADO REVISED STATUTES, **ADD** PART 9 TO ARTICLE 6 OF TITLE 18 AS FOLLOWS:

Part 9
LATE ABORTIONS PROHIBITED

18-6-901. Declaration of the People.

(1) THE PEOPLE OF THE STATE OF COLORADO FIND AND DECLARE THAT:

(a) CURRENTLY, IN THE STATE OF COLORADO AN ABORTION CAN BE PERFORMED AT ANY TIME DURING PREGNANCY.

(b) THIS INITIATIVE WOULD PROHIBIT AN ABORTION AFTER 22 WEEKS GESTATIONAL AGE OF THE FETUS.

18-6-902. Definitions. AS USED IN THIS PART 9:

(1) "ABORTION" MEANS THE ACT OF USING OR PRESCRIBING ANY INSTRUMENT, MEDICINE, DRUG, OR ANY OTHER SUBSTANCE, DEVICE, OR MEANS WITH THE INTENT TO TERMINATE THE PREGNANCY OF A WOMAN KNOWN TO BE PREGNANT OR WITH THE INTENT TO KILL THE UNBORN CHILD OF A WOMAN KNOWN TO BE PREGNANT. SUCH USE, PRESCRIPTION, OR MEANS IS NOT AN ABORTION IF DONE WITH THE INTENT TO:

(a) SAVE THE LIFE OR PRESERVE THE HEALTH OF THE EMBRYO OR FETUS;

(b) REMOVE A DEAD EMBRYO OR FETUS CAUSED BY MISCARRIAGE; OR

(c) REMOVE AN ECTOPIC PREGNANCY.

(2) "GESTATIONAL AGE" MEANS THE TIME THAT HAS ELAPSED FROM THE FIRST DAY OF THE WOMAN'S LAST MENSTRUAL PERIOD.

(3) "PROBABLE GESTATIONAL AGE" MEANS WHAT, IN THE JUDGMENT OF THE PHYSICIAN USING BEST MEDICAL PRACTICES, WILL WITH REASONABLE PROBABILITY BE THE GESTATIONAL AGE OF THE UNBORN CHILD AT THE TIME AN ABORTION IS PLANNED TO BE PERFORMED."

(4) "TWENTY-TWO WEEKS" MEANS TWENTY-TWO WEEKS, ZERO DAYS GESTATIONAL AGE.

18-6-903. Abortion after 22 weeks gestational age prohibited.

(1) UNLAWFUL CONDUCT. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, EXCEPT AS PROVIDED IN 18-6-903 (3), IT IS UNLAWFUL FOR ANY PERSON TO INTENTIONALLY OR RECKLESSLY PERFORM OR ATTEMPT TO PERFORM AN ABORTION ON ANY OTHER PERSON IF THE PROBABLE GESTATIONAL AGE OF THE FETUS IS AT LEAST 22 WEEKS.

(2) ASSESSMENT OF GESTATIONAL AGE. A PHYSICIAN PERFORMING OR ATTEMPTING AN ABORTION SHALL FIRST MAKE A DETERMINATION OF THE PROBABLE GESTATIONAL AGE. IN MAKING SUCH A DETERMINATION, THE PHYSICIAN SHALL MAKE SUCH INQUIRIES OF THE PREGNANT WOMAN AND PERFORM OR CAUSE TO BE PERFORMED SUCH MEDICAL EXAMINATIONS AND TESTS AS A REASONABLY PRUDENT PHYSICIAN, KNOWLEDGEABLE ABOUT THE CASE AND THE MEDICAL CONDITIONS INVOLVED, WOULD CONSIDER NECESSARY TO MAKE AN ACCURATE DETERMINATION OF THE GESTATIONAL AGE.

(3) EXCEPTION. IF, IN THE REASONABLE MEDICAL JUDGEMENT OF THE PHYSICIAN, AN ABORTION IS IMMEDIATELY REQUIRED TO SAVE THE LIFE OF A PREGNANT WOMAN, RATHER THAN AN EXPEDITED DELIVERY OF THE LIVING FETUS, AND IF THE PREGNANT WOMAN'S LIFE IS THREATENED BY A PHYSICAL DISORDER, PHYSICAL ILLNESS, OR PHYSICAL INJURY, INCLUDING A LIFE-ENDANGERING PHYSICAL CONDITION CAUSED BY OR ARISING FROM THE PREGNANCY ITSELF, BUT NOT INCLUDING PSYCHOLOGICAL OR EMOTIONAL CONDITIONS, SUCH AN ABORTION IS NOT UNLAWFUL. IN SUCH A SITUATION, A PHYSICIAN MAY REASONABLY RELY UPON AN ASSESSMENT OF GESTATIONAL AGE MADE BY ANOTHER PHYSICIAN INSTEAD OF ABIDING BY THE PROVISIONS OF 18-6-903 (2).

(4) PENALTIES. ANY PERSON WHO INTENTIONALLY OR RECKLESSLY PERFORMS OR PERFORMS OR ATTEMPTS TO PERFORM AN ABORTION IN VIOLATION OF THIS PART 9 IS GUILTY OF A CLASS 1 MISDEMEANOR BUT MAY ONLY BE SUBJECT TO PUNISHMENT BY FINE AND NOT BY JAIL TIME.

(5) NO CRIMINAL PENALTIES FOR WOMEN. A WOMAN ON WHOM AN ABORTION IS PERFORMED OR A PERSON WHO FILLS A PRESCRIPTION OR PROVIDES EQUIPMENT USED IN AN ABORTION DOES NOT VIOLATE THIS PART 9 AND CANNOT BE CHARGED WITH A CRIME IN CONNECTION THEREWITH.

SECTION 2. IN COLORADO REVISED STATUTES, 12-240-121, **ADD** (1)(nn) AS FOLLOWS:

12-240-121. Unprofessional conduct-definitions. (1) "Unprofessional conduct" as used in this Article 240 means:

(nn) A VIOLATION OF SECTION 18-6-903.

SECTION 3. IN COLORADO REVISED STATUTES, 12-240-125, **ADD** (9.5) AS FOLLOWS:

12-240-125. Disciplinary action by board – immunity – rules.

(8.5) IF THE BOARD FINDS A LICENSEE COMMITTED UNPROFESSIONAL CONDUCT IN VIOLATION OF SECTION 12-240-121 (1)(nn), THE BOARD SHALL SUSPEND THE LICENSEE'S LICENSE FOR AT LEAST THREE YEARS.

SECTION 4. Effective date-applicability-self-executing. (1) This act takes effect from and after the date of the official declaration of the vote thereon by proclamation of the governor, and applies to offenses committed on or after said date.

(2) The provisions of this initiative are self-executing.

Proposition 116
State Income Tax Rate Reduction

The ballot title below is a summary drafted by the professional staff of the offices of the secretary of state, the attorney general, and the legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado Revised Statutes. The text of the measure that will appear in the Colorado Revised Statutes below was drafted by the proponents of the initiative. The initiated measure is included on the ballot as a proposed change to current law because the proponents gathered the required amount of petition signatures.

Ballot Title:

Shall there be a change to the Colorado Revised Statutes reducing the state income tax rate from 4.63% to 4.55%?

Text of Measure:

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

SECTION 1. In Colorado Revised Statutes, 39-22-104, **amend** (1.7) as follows:

39-22-104. Income tax imposed on individuals, estates, and trusts - single rate - legislative declaration - definitions - repeal.

(1.7) (a) Except as otherwise provided in section 39-22-627, subject to subsection (2) of this section, with respect to taxable years commencing on or after January 1, 2000, BUT BEFORE JANUARY 1, 2020, a tax of four and sixty-three one-hundredths percent is imposed on the federal taxable income, as determined pursuant to section 63 of the internal revenue code, of every individual, estate, and trust.

(b) EXCEPT AS OTHERWISE PROVIDED IN SECTION 39-22-627, SUBJECT TO SUBSECTION (2) OF THIS SECTION, WITH RESPECT TO TAXABLE YEARS COMMENCING ON OR AFTER JANUARY 1, 2020, A TAX OF FOUR AND FIFTY-FIVE ONE-HUNDREDTHS PERCENT IS IMPOSED ON THE FEDERAL TAXABLE INCOME, AS DETERMINED PURSUANT TO SECTION 63 OF THE INTERNAL REVENUE CODE, OF EVERY INDIVIDUAL, ESTATE, AND TRUST.

SECTION 2. In Colorado Revised Statutes, 39-22-301, **amend** (1)(d)(I)(I); and **add** (1)(d)(I)(J) as follows:

39-22-301. Corporate tax imposed. (1) (d) (I) A tax is imposed upon each domestic C corporation and foreign C corporation doing business in Colorado annually in an amount of the net income of such C corporation during the year derived from sources within Colorado as set forth in the following schedule of rates:

(I) Except as otherwise provided in section 39-22-627, for income tax years commencing on or after January 1, 2000, BUT BEFORE JANUARY 1, 2020, four and sixty-three one-hundredths percent of the Colorado net income;

(J) EXCEPT AS OTHERWISE PROVIDED IN SECTION 39-22-627, FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2020, FOUR AND FIFTY-FIVE ONE-HUNDREDTHS PERCENT OF THE COLORADO NET INCOME.

SECTION 3 In Colorado Revised Statutes, 39-22-604, **amend** (18)(a) introductory portion and (18)(b) as follows:

39-22-604. Withholding tax - requirement to withhold - tax lien - exemption from lien - definitions. (18) (a) Any person who makes a payment for services to any natural person that is not otherwise subject to state income tax withholding but that requires an information return, including but not limited to any payment for which internal revenue service form 1099-B, 1099-DIV, 1099-INT, 1099-MISC, 1099-OID, or 1099-PATR, the issuance of any of which allows taxpayer identification number verification through the taxpayer identification number matching program administered by the internal revenue service, or any other version of form 1099 is required, shall deduct and withhold state income tax at the rate ~~of four and sixty-three one-hundredths percent~~ SET FORTH IN SECTION 39-22-104 OR 39-22-301 if the person who performed the services:

(b) Any person other than a natural person and any natural person who in the course of conducting a trade or business as a sole proprietor makes any payment for services to a natural person that is not reported on any information return shall deduct and withhold state income tax at the rate ~~of four and sixty-three one-hundredths percent~~ SET FORTH IN SECTION 39-22-104, unless the employer making payment has a validated taxpayer identification number from the person to whom payment is made.

SECTION 4. Effective date. THIS ACT SHALL TAKE EFFECT UPON PROCLAMATION BY THE GOVERNOR.

Proposition 117
Voter Approval for Certain New State Enterprises

The ballot title below is a summary drafted by the professional staff of the offices of the secretary of state, the attorney general, and the legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado Revised Statutes. The text of the measure that will appear in the Colorado Revised Statutes below was drafted by the proponents of the initiative. The initiated measure is included on the ballot as a proposed change to current law because the proponents gathered the required amount of petition signatures.

Ballot Title:

Shall there be a change to the Colorado Revised Statutes requiring statewide voter approval at the next even-year election of any newly created or qualified state enterprise that is exempt from the Taxpayer's Bill of Rights, Article X, Section 20 of the Colorado constitution, if the projected or actual combined revenue from fees and surcharges of the enterprise, and all other enterprises created within the last five years that serve primarily the same purpose, is greater than $100 million within the first five fiscal years of the creation or qualification of the new enterprise?

Text of Measure:

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

SECTION 1. In Colorado Revised Statutes, add 24-77-108 as follows:

24-77-108. Creation of a new fee-based Enterprise. In order to provide transparency and oversight to government mandated fees the People of the State of Colorado find and declare that:

(1) After January 1, 2021, any state enterprise qualified or created, as defined under Colo.Const. Art. X, section 20(2)(d) with projected or actual revenue from fees and surcharges of over $100,000,000 total in its first five fiscal years must be approved at a statewide general election. Ballot titles for enterprises shall begin, "SHALL AN ENTERPRISE BE CREATED TO COLLECT REVENUE TOTALING (full dollar collection for first five fiscal years) IN ITS FIRST FIVE YEARS...?"

(2) Revenue collected for enterprises created simultaneously or within the five preceding years serving primarily the same purpose shall be aggregated in calculating the applicability of this section.

Proposition 118
Paid Family and Medical Leave Insurance Program

The ballot title below is a summary drafted by the professional staff of the offices of the secretary of state, the attorney general, and the legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado Revised Statutes. The text of the measure that will appear in the Colorado Revised Statutes below was drafted by the proponents of the initiative. The initiated measure is included on the ballot as a proposed change to current law because the proponents gathered the required amount of petition signatures.

Ballot Title:

Shall there be a change to the Colorado Revised Statutes concerning the creation of a paid family and medical leave program in Colorado, and, in connection therewith, authorizing paid family and medical leave for a covered employee who has a serious health condition, is caring for a new child or for a family member with a serious health condition, or has a need for leave related to a family member's military deployment or for safe leave; establishing a maximum of 12 weeks of family and medical leave, with an additional 4 weeks for pregnancy or childbirth complications, with a cap on the weekly benefit amount; requiring job protection for and prohibiting retaliation against an employee who takes paid family and medical leave; allowing a local government to opt out of the program; permitting employees of such a local government and self-employed individuals to participate in the program; exempting employers who offer an approved private paid family and medical leave plan; to pay for the program, requiring a premium of 0.9% of each employee's wages, up to a cap, through December 31, 2024, and as set thereafter, up to 1.2% of each employee's wages, by the director of the division of family and medical leave insurance; authorizing an employer to deduct up to 50% of the premium amount from an employee's wages and requiring the employer to pay the remainder of the premium, with an exemption for employers with fewer than 10 employees; creating the division of family and medical leave insurance as an enterprise within the department of labor and employment to administer the program; and establishing an enforcement and appeals process for retaliation and denied claims?

Text of Measure:

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

SECTION 1. In Colorado Revised Statutes, **add** part 4 to article 13.3 of title 8 as follows:

8-13.3-401. Short title. THIS PART 4 SHALL BE KNOWN AND MAY BE CITED AS THE "PAID FAMILY AND MEDICAL LEAVE INSURANCE ACT".

8-13.3-402. Purposes and findings. THE PEOPLE OF THE STATE OF COLORADO HEREBY FIND AND DECLARE THAT:

(1) WORKERS IN COLORADO EXPERIENCE A VARIETY OF PERSONAL AND FAMILY CAREGIVING OBLIGATIONS, BUT IT CAN BE DIFFICULT OR IMPOSSIBLE TO ADEQUATELY RESPOND TO THOSE NEEDS WITHOUT ACCESS TO PAID LEAVE.

(2) ACCESS TO PAID FAMILY AND MEDICAL LEAVE INSURANCE HELPS EMPLOYERS IN COLORADO BY REDUCING TURNOVER, RECRUITING WORKERS, AND PROMOTING A HEALTHY BUSINESS

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CLIMATE, WHILE ALSO ENSURING THAT SMALLER EMPLOYERS CAN COMPETE WITH LARGER EMPLOYERS BY PROVIDING PAID LEAVE BENEFITS TO THEIR WORKERS THROUGH AN AFFORDABLE INSURANCE PROGRAM.

(3) PAID FAMILY AND MEDICAL LEAVE INSURANCE WILL ALSO PROVIDE A NECESSARY SAFETY NET FOR ALL COLORADO WORKERS WHEN THEY HAVE PERSONAL OR FAMILY CAREGIVING NEEDS, INCLUDING LOW-INCOME WORKERS LIVING PAYCHECK TO PAYCHECK WHO ARE DISPROPORTIONATELY MORE LIKELY TO LACK ACCESS TO PAID LEAVE AND LEAST ABLE TO AFFORD UNPAID LEAVE.

(4) DUE TO THE NEED TO PROVIDE PAID TIME OFF TO COLORADO WORKERS TO ADDRESS FAMILY AND MEDICAL NEEDS, SUCH AS THE ARRIVAL OF A NEW CHILD, MILITARY FAMILY NEEDS, AND A PERSONAL OR A FAMILY MEMBER'S SERIOUS HEALTH CONDITION, INCLUDING THE EFFECTS OF DOMESTIC VIOLENCE AND SEXUAL ASSAULT, IT IS NECESSARY TO CREATE A STATEWIDE PAID FAMILY AND MEDICAL LEAVE INSURANCE ENTERPRISE AND TO AUTHORIZE THE ENTERPRISE TO:

(a) COLLECT INSURANCE PREMIUMS FROM EMPLOYERS AND EMPLOYEES AT RATES REASONABLY CALCULATED TO DEFRAY THE COSTS OF PROVIDING THE PROGRAM'S LEAVE BENEFITS TO WORKERS; AND

(b) RECEIVE AND EXPEND REVENUES GENERATED BY THE PREMIUMS AND OTHER MONEYS, ISSUE REVENUE BONDS AND OTHER OBLIGATIONS, EXPEND REVENUES GENERATED BY THE PREMIUMS TO PAY FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS AND ASSOCIATED ADMINISTRATIVE AND PROGRAM COSTS, AND EXERCISE OTHER POWERS NECESSARY AND APPROPRIATE TO CARRY OUT ITS PURPOSES.

(5) THE FISCAL APPROACH OF THIS PART 4 HAS BEEN INFORMED BY THE EXPERIENCE OF OTHER STATE FAMILY AND MEDICAL LEAVE INSURANCE PROGRAMS, MODELING BASED ON THE COLORADO WORKFORCE, AND INPUT FROM A VARIETY OF STAKEHOLDERS IN COLORADO.

(6) THE CREATION OF A STATEWIDE PAID FAMILY AND MEDICAL LEAVE INSURANCE ENTERPRISE IS IN THE PUBLIC INTEREST AND WILL PROMOTE THE HEALTH, SAFETY, AND WELFARE OF ALL COLORADANS, WHILE ALSO ENCOURAGING AN ENTREPRENEURIAL ATMOSPHERE AND ECONOMIC GROWTH.

8-13.3-403. Definitions. AS USED IN THIS PART 4, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "APPLICATION YEAR" MEANS THE 12-MONTH PERIOD BEGINNING ON THE FIRST DAY OF THE CALENDAR WEEK IN WHICH AN INDIVIDUAL FILES AN APPLICATION FOR FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS.

(2) "AVERAGE WEEKLY WAGE" MEANS ONE-THIRTEENTH OF THE WAGES PAID DURING THE QUARTER OF THE COVERED INDIVIDUAL'S BASE PERIOD, AS DEFINED IN SECTION 8-70-103 (2), OR ALTERNATIVE BASE PERIOD, AS DEFINED IN SECTION 8-70-103 (1.5), IN WHICH THE TOTAL WAGES WERE HIGHEST. FOR PURPOSES OF CALCULATING AVERAGE WEEKLY WAGE, WAGES INCLUDE, BUT ARE NOT LIMITED TO, SALARY, WAGES, TIPS, COMMISSIONS, AND OTHER COMPENSATION AS DETERMINED BY THE DIRECTOR BY RULE.

(3) "COVERED INDIVIDUAL" MEANS ANY PERSON WHO:

(a)(I) EARNED AT LEAST $2,500 IN WAGES SUBJECT TO PREMIUMS UNDER THIS PART 4 DURING THE PERSON'S BASE PERIOD, AS DEFINED IN SECTION 8-70-103 (2), OR ALTERNATIVE BASE PERIOD, AS DEFINED IN SECTION 8-70-103 (1.5); OR
(II) ELECTS COVERAGE AND MEETS THE REQUIREMENTS OF SECTION 8-13.3-414;

(b) MEETS THE ADMINISTRATIVE REQUIREMENTS OUTLINED IN THIS PART 4 AND IN REGULATIONS; AND

(c) SUBMITS AN APPLICATION WITH A CLAIM FOR BENEFITS PURSUANT TO SECTION 8-13.3-416(6)(d).

(4) "DIRECTOR" MEANS THE DIRECTOR OF THE DIVISION.

(5) "DIVISION" MEANS THE DIVISION OF FAMILY AND MEDICAL LEAVE INSURANCE CREATED IN SECTION 8-13.3-408.

(6) "DOMESTIC VIOLENCE" MEANS ANY CONDUCT THAT CONSTITUTES "DOMESTIC VIOLENCE" AS SET FORTH IN SECTION 18-6-800.3(1) OR SECTION 14-10-124 (1.3)(a) OR "DOMESTIC ABUSE" AS SET FORTH IN SECTION 13-14-101(2).

(7) "EMPLOYEE" MEANS ANY INDIVIDUAL, INCLUDING A MIGRATORY LABORER, PERFORMING LABOR OR SERVICES FOR THE BENEFIT OF ANOTHER, IRRESPECTIVE OF WHETHER THE COMMON-LAW RELATIONSHIP OF MASTER AND SERVANT EXISTS. FOR THE PURPOSES OF THIS PART 4, AN INDIVIDUAL PRIMARILY FREE FROM CONTROL AND DIRECTION IN THE PERFORMANCE OF THE LABOR OR SERVICES, BOTH UNDER THE INDIVIDUAL'S CONTRACT FOR THE PERFORMANCE OF THE LABOR OR SERVICES AND IN FACT, AND WHO IS CUSTOMARILY ENGAGED IN AN INDEPENDENT TRADE, OCCUPATION, PROFESSION, OR BUSINESS RELATED TO THE LABOR OR SERVICES PERFORMED IS NOT AN "EMPLOYEE." "EMPLOYEE" DOES NOT INCLUDE AN "EMPLOYEE" AS DEFINED BY 45 U.S.C. SECTION 351(d) WHO IS SUBJECT TO THE FEDERAL "RAILROAD UNEMPLOYMENT INSURANCE ACT," 45 U.S.C. SECTION 351 ET SEQ.

(8)(a) "EMPLOYER" MEANS ANY PERSON ENGAGED IN COMMERCE OR AN INDUSTRY OR ACTIVITY AFFECTING COMMERCE THAT:

(I) EMPLOYS AT LEAST ONE PERSON FOR EACH WORKING DAY DURING EACH OF TWENTY OR MORE CALENDAR WORKWEEKS IN THE CURRENT OR IMMEDIATELY PRECEDING CALENDAR YEAR; OR

(II) PAID WAGES OF ONE THOUSAND FIVE HUNDRED DOLLARS OR MORE DURING ANY CALENDAR QUARTER IN THE PRECEDING CALENDAR YEAR.

(b) "EMPLOYER" INCLUDES:

(I) A PERSON WHO ACTS, DIRECTLY OR INDIRECTLY, IN THE INTEREST OF AN EMPLOYER WITH REGARD TO ANY OF THE EMPLOYEES OF THE EMPLOYER;

(II) A SUCCESSOR IN INTEREST OF AN EMPLOYER THAT ACQUIRES ALL OF THE ORGANIZATION, TRADE, OR BUSINESS OR SUBSTANTIALLY ALL OF THE ASSETS OF ONE OR MORE EMPLOYERS; AND

(III) THE STATE OR A POLITICAL SUBDIVISION OF THE STATE.

(c) "EMPLOYER" DOES NOT INCLUDE THE FEDERAL GOVERNMENT.

(9) "FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS" OR "BENEFITS" MEANS THE BENEFITS PROVIDED UNDER THE TERMS OF THIS PART 4.

(10) "FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM" OR "PROGRAM" MEANS THE PROGRAM CREATED IN SECTION 8-13.3-416.

(11) "FAMILY MEMBER" MEANS:

(a) REGARDLESS OF AGE, A BIOLOGICAL, ADOPTED OR FOSTER CHILD, STEPCHILD OR LEGAL WARD, A CHILD OF A DOMESTIC PARTNER, A CHILD TO WHOM THE COVERED INDIVIDUAL STANDS IN LOCO PARENTIS, OR A PERSON TO WHOM THE COVERED INDIVIDUAL STOOD IN LOCO PARENTIS WHEN THE PERSON WAS A MINOR;

(b) A BIOLOGICAL, ADOPTIVE OR FOSTER PARENT, STEPPARENT OR LEGAL GUARDIAN OF A COVERED INDIVIDUAL OR COVERED INDIVIDUAL'S SPOUSE OR DOMESTIC PARTNER OR A PERSON WHO STOOD IN LOCO PARENTIS WHEN THE COVERED INDIVIDUAL OR COVERED INDIVIDUAL'S SPOUSE OR DOMESTIC PARTNER WAS A MINOR CHILD;

(c) A PERSON TO WHOM THE COVERED INDIVIDUAL IS LEGALLY MARRIED UNDER THE LAWS OF ANY STATE, OR A DOMESTIC PARTNER OF A COVERED INDIVIDUAL AS DEFINED IN SECTION 24-50-603 (6.5);

(d) A GRANDPARENT, GRANDCHILD OR SIBLING (WHETHER A BIOLOGICAL, FOSTER, ADOPTIVE OR STEP RELATIONSHIP) OF THE COVERED INDIVIDUAL OR COVERED INDIVIDUAL'S SPOUSE OR DOMESTIC PARTNER; OR

(e) AS SHOWN BY THE COVERED INDIVIDUAL, ANY OTHER INDIVIDUAL WITH WHOM THE COVERED INDIVIDUAL HAS A SIGNIFICANT PERSONAL BOND THAT IS OR IS LIKE A FAMILY RELATIONSHIP, REGARDLESS OF BIOLOGICAL OR LEGAL RELATIONSHIP.

(12) "FUND" MEANS THE FAMILY AND MEDICAL LEAVE INSURANCE FUND CREATED IN SECTION 8-13.3-418.

(13) "HEALTH CARE PROVIDER" MEANS ANY PERSON LICENSED, CERTIFIED, OR REGISTERED UNDER FEDERAL OR COLORADO LAW TO PROVIDE MEDICAL OR EMERGENCY SERVICES, INCLUDING, BUT NOT LIMITED TO, PHYSICIANS, DOCTORS, NURSES, EMERGENCY ROOM PERSONNEL, AND MIDWIVES.

(14) "LOCAL GOVERNMENT" HAS THE SAME MEANING AS SET FORTH IN SECTION 29-1-304.5(3)(b).

(15) "PAID FAMILY AND MEDICAL LEAVE" MEANS LEAVE TAKEN FROM EMPLOYMENT IN CONNECTION WITH FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS UNDER THIS PART 4.

(16) "QUALIFYING EXIGENCY LEAVE" MEANS LEAVE BASED ON A NEED ARISING OUT OF A COVERED INDIVIDUAL'S FAMILY MEMBER'S ACTIVE DUTY SERVICE OR NOTICE OF AN IMPENDING CALL OR ORDER TO ACTIVE DUTY IN THE ARMED FORCES, INCLUDING, BUT NOT LIMITED TO, PROVIDING FOR THE CARE OR OTHER NEEDS OF THE MILITARY MEMBER'S CHILD OR OTHER FAMILY MEMBER, MAKING FINANCIAL OR LEGAL ARRANGEMENTS FOR THE MILITARY MEMBER, ATTENDING COUNSELING, ATTENDING MILITARY EVENTS OR CEREMONIES, SPENDING TIME WITH THE MILITARY MEMBER DURING A REST AND RECUPERATION LEAVE OR FOLLOWING RETURN FROM DEPLOYMENT, OR MAKING ARRANGEMENTS FOLLOWING THE DEATH OF THE MILITARY MEMBER.

(17) "RETALIATORY PERSONNEL ACTION" MEANS DENIAL OF ANY RIGHT GUARANTEED UNDER THIS PART 4, INCLUDING, BUT NOT LIMITED TO, ANY THREAT, DISCHARGE, SUSPENSION, DEMOTION, REDUCTION OF HOURS, OR ANY OTHER ADVERSE ACTION AGAINST AN EMPLOYEE FOR THE EXERCISE OF ANY RIGHT GUARANTEED IN THIS PART 4. "RETALIATORY PERSONNEL ACTION" ALSO INCLUDES INTERFERENCE WITH OR PUNISHMENT FOR IN ANY MANNER PARTICIPATING IN OR ASSISTING AN INVESTIGATION, PROCEEDING, OR HEARING UNDER THIS PART 4.

(18) "SAFE LEAVE" MEANS ANY LEAVE BECAUSE THE COVERED INDIVIDUAL OR THE COVERED INDIVIDUAL'S FAMILY MEMBER IS THE VICTIM OF DOMESTIC VIOLENCE, THE VICTIM OF STALKING, OR THE VICTIM OF SEXUAL ASSAULT OR ABUSE. SAFE LEAVE UNDER THIS PART 4 APPLIES IF THE COVERED INDIVIDUAL IS USING THE LEAVE FROM WORK TO PROTECT THE COVERED INDIVIDUAL OR THE COVERED INDIVIDUAL'S FAMILY MEMBER BY:

(a) SEEKING A CIVIL PROTECTION ORDER TO PREVENT DOMESTIC VIOLENCE PURSUANT TO SECTIONS 13-14-104.5, 13-14-106, OR 13-14-108;

(b) OBTAINING MEDICAL CARE OR MENTAL HEALTH COUNSELING OR BOTH FOR HIMSELF OR HERSELF OR FOR HIS OR HER CHILDREN TO ADDRESS PHYSICAL OR PSYCHOLOGICAL INJURIES RESULTING FROM THE ACT OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT OR ABUSE;

(c) MAKING HIS OR HER HOME SECURE FROM THE PERPETRATOR OF THE ACT OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT OR ABUSE, OR SEEKING NEW HOUSING TO ESCAPE SAID PERPETRATOR; OR

(d) SEEKING LEGAL ASSISTANCE TO ADDRESS ISSUES ARISING FROM THE ACT OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT OR ABUSE, OR ATTENDING AND PREPARING FOR COURT- RELATED PROCEEDINGS ARISING FROM SAID ACT OR CRIME.

(19) "SERIOUS HEALTH CONDITION" IS AN ILLNESS, INJURY, IMPAIRMENT, PREGNANCY, RECOVERY FROM CHILDBIRTH, OR PHYSICAL OR MENTAL CONDITION THAT INVOLVES INPATIENT CARE IN A HOSPITAL, HOSPICE OR RESIDENTIAL MEDICAL CARE FACILITY, OR CONTINUING TREATMENT BY A HEALTH CARE PROVIDER.

(20) "SEXUAL ASSAULT OR ABUSE" MEANS ANY OFFENSE AS DESCRIBED IN SECTION 16-11.7-102 (3), OR SEXUAL ASSAULT, AS DESCRIBED IN SECTION 18-3-402, COMMITTED BY ANY PERSON AGAINST ANOTHER PERSON REGARDLESS OF THE RELATIONSHIP BETWEEN THE ACTOR AND THE VICTIM.

(21) "STALKING" MEANS ANY ACT AS DESCRIBED IN SECTION 18-3-602.

(22) "STATE AVERAGE WEEKLY WAGE" MEANS THE STATE AVERAGE WEEKLY WAGE DETERMINED IN ACCORDANCE WITH SECTION 8-47-106.

8-13.3-404. Eligibility. BEGINNING JANUARY 1, 2024, AN INDIVIDUAL HAS THE RIGHT TO TAKE PAID FAMILY AND MEDICAL LEAVE, AND TO RECEIVE FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS WHILE TAKING PAID FAMILY AND MEDICAL LEAVE, IF THE INDIVIDUAL:

(1) MEETS THE DEFINITION OF "COVERED INDIVIDUAL" UNDER SECTION 8-13.3-403 (3); AND

(2) MEETS ONE OF THE FOLLOWING REQUIREMENTS:

(a) BECAUSE OF BIRTH, ADOPTION OR PLACEMENT THROUGH FOSTER CARE, IS CARING FOR A NEW CHILD DURING THE FIRST YEAR AFTER THE BIRTH, ADOPTION OR PLACEMENT OF THAT CHILD;

(b) IS CARING FOR A FAMILY MEMBER WITH A SERIOUS HEALTH CONDITION;

(c) HAS A SERIOUS HEALTH CONDITION;

(d) BECAUSE OF ANY QUALIFYING EXIGENCY LEAVE;

(e) HAS A NEED FOR SAFE LEAVE.

8-13.3-405. Duration. (1) THE MAXIMUM NUMBER OF WEEKS FOR WHICH A COVERED INDIVIDUAL MAY TAKE PAID FAMILY AND MEDICAL LEAVE AND FOR WHICH FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS ARE PAYABLE FOR ANY PURPOSE, OR PURPOSES IN AGGREGATE, UNDER SECTION 8-13.3-404 (2) IN AN APPLICATION YEAR IS 12 WEEKS; EXCEPT THAT BENEFITS ARE PAYABLE UP TO AN ADDITIONAL FOUR WEEKS TO A COVERED INDIVIDUAL WITH A SERIOUS HEALTH CONDITION RELATED TO PREGNANCY COMPLICATIONS OR CHILDBIRTH COMPLICATIONS.

(2) THE FIRST PAYMENT OF BENEFITS SHALL BE MADE TO AN INDIVIDUAL WITHIN TWO WEEKS AFTER THE CLAIM IS FILED, AND SUBSEQUENT PAYMENTS SHALL BE MADE EVERY TWO WEEKS THEREAFTER.

(3) A COVERED INDIVIDUAL MAY TAKE INTERMITTENT LEAVE IN INCREMENTS OF EITHER ONE HOUR OR SHORTER PERIODS IF CONSISTENT WITH THE INCREMENTS THE EMPLOYER TYPICALLY USES TO MEASURE EMPLOYEE LEAVE, EXCEPT THAT BENEFITS ARE NOT PAYABLE UNTIL THE COVERED INDIVIDUAL ACCUMULATES AT LEAST EIGHT HOURS OF FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS.

(4) THE COVERED INDIVIDUAL SHALL MAKE A REASONABLE EFFORT TO SCHEDULE PAID FAMILY AND MEDICAL LEAVE UNDER THIS PART 4 SO AS NOT TO UNDULY DISRUPT THE OPERATIONS OF THE EMPLOYER.

(5) IN ANY CASE IN WHICH THE NECESSITY FOR LEAVE UNDER THIS PART 4 IS FORESEEABLE, AN EMPLOYEE SHALL PROVIDE NOTICE TO THE INDIVIDUAL'S EMPLOYER WITH NOT LESS THAN 30 DAYS' NOTICE BEFORE THE DATE THE LEAVE IS TO BEGIN OF THE INDIVIDUAL'S INTENTION TO TAKE LEAVE UNDER THIS PART 4. IF THE NECESSITY FOR LEAVE IS NOT FORESEEABLE OR PROVIDING 30 DAYS' NOTICE IS NOT POSSIBLE, THE INDIVIDUAL SHALL PROVIDE THE NOTICE AS SOON AS PRACTICABLE.

(6) NOTHING IN THIS SECTION ENTITLES A COVERED INDIVIDUAL TO MORE LEAVE THAN REQUIRED UNDER THIS SECTION.

8-13.3-406. Amount of benefits. (1) THE AMOUNT OF FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS SHALL BE DETERMINED AS FOLLOWS:

(a) THE WEEKLY BENEFIT SHALL BE DETERMINED AS FOLLOWS:

(I) THE PORTION OF THE COVERED INDIVIDUAL'S AVERAGE WEEKLY WAGE THAT IS EQUAL TO OR LESS THAN 50 PERCENT OF THE STATE AVERAGE WEEKLY WAGE SHALL BE REPLACED AT A RATE OF 90 PERCENT; AND

(II) THE PORTION OF THE COVERED INDIVIDUAL'S AVERAGE WEEKLY WAGE THAT IS MORE THAN 50 PERCENT OF THE STATE AVERAGE WEEKLY WAGE SHALL BE REPLACED AT A RATE OF 50 PERCENT.

(b) THE MAXIMUM WEEKLY BENEFIT IS 90 PERCENT OF THE STATE AVERAGE WEEKLY WAGE,

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EXCEPT THAT FOR PAID FAMILY AND MEDICAL LEAVE BEGINNING BEFORE JANUARY 1, 2025, THE MAXIMUM WEEKLY BENEFIT IS 1,100 DOLLARS.

(2) THE DIVISION SHALL CALCULATE A COVERED INDIVIDUAL'S WEEKLY BENEFIT AMOUNT BASED ON THE COVERED INDIVIDUAL'S AVERAGE WEEKLY WAGE EARNED FROM THE JOB OR JOBS FROM WHICH THE COVERED INDIVIDUAL IS TAKING PAID FAMILY AND MEDICAL LEAVE, UP TO THE MAXIMUM TOTAL BENEFIT ESTABLISHED IN SECTION 8-13.3-406 (1)(b). IF A COVERED INDIVIDUAL TAKING PAID FAMILY AND MEDICAL LEAVE FROM A JOB CONTINUES WORKING AT AN ADDITIONAL JOB OR JOBS DURING THIS TIME, THE DIVISION SHALL NOT CONSIDER THE COVERED INDIVIDUAL'S AVERAGE WEEKLY WAGE EARNED FROM THE ADDITIONAL JOB OR JOBS WHEN CALCULATING THE COVERED INDIVIDUAL'S WEEKLY BENEFIT AMOUNT. A COVERED INDIVIDUAL WITH MULTIPLE JOBS MAY ELECT WHETHER TO TAKE LEAVE FROM ONE JOB OR MULTIPLE JOBS.

8-13.3-407. Premiums. (1) PAYROLL PREMIUMS SHALL BE AUTHORIZED IN ORDER TO FINANCE THE PAYMENT OF FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS UNDER THIS PART 4, AND ADMINISTRATION OF THE FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM.

(2) BEGINNING ON JANUARY 1, 2023, FOR EACH EMPLOYEE, AN EMPLOYER SHALL REMIT TO THE FUND ESTABLISHED UNDER SECTION 8-13.3-418 PREMIUMS IN THE FORM AND MANNER DETERMINED BY THE DIVISION.

(3) (a) FROM JANUARY 1, 2023, THROUGH DECEMBER 31, 2024, THE PREMIUM AMOUNT IS NINE TENTHS OF ONE PERCENT OF WAGES PER EMPLOYEE.

(b) FOR THE 2025 CALENDAR YEAR, AND EACH CALENDAR YEAR THEREAFTER, THE DIRECTOR SHALL SET THE PREMIUM BASED ON A PERCENT OF EMPLOYEE WAGES AND AT THE RATE NECESSARY TO OBTAIN A TOTAL AMOUNT OF PREMIUM CONTRIBUTIONS EQUAL TO ONE HUNDRED THIRTY-FIVE PERCENT OF THE BENEFITS PAID DURING THE IMMEDIATELY PRECEDING CALENDAR YEAR PLUS AN AMOUNT EQUAL TO ONE HUNDRED PERCENT OF THE COST OF ADMINISTRATION OF THE PAYMENT OF THOSE BENEFITS DURING THE IMMEDIATELY PRECEDING CALENDAR YEAR, LESS THE AMOUNT OF NET ASSETS REMAINING IN THE FUND AS OF DECEMBER 31 OF THE IMMEDIATELY PRECEDING CALENDAR YEAR. THE PREMIUM SHALL NOT EXCEED ONE AND TWO TENTHS OF A PERCENT OF WAGES PER EMPLOYEE. THE DIVISION SHALL PROVIDE PUBLIC NOTICE IN ADVANCE OF JANUARY FIRST OF ANY CHANGES TO THE PREMIUM.

(4) (a) A SELF-EMPLOYED INDIVIDUAL WHO ELECTS COVERAGE UNDER SECTION 8-13.3-414 SHALL PAY ONLY 50 PERCENT OF THE PREMIUM REQUIRED FOR AN EMPLOYEE BY SECTION 8-13.3-407(3) ON THAT INDIVIDUAL'S INCOME FROM SELF-EMPLOYMENT.

(b) AN EMPLOYEE OF A LOCAL GOVERNMENT WHO ELECTS COVERAGE UNDER SECTION 8-13.3-414 SHALL PAY ONLY 50 PERCENT OF THE PREMIUM REQUIRED FOR AN EMPLOYEE BY SECTION 8 13.3 407(3) ON THAT EMPLOYEE'S INCOME FROM THAT LOCAL GOVERNMENT EMPLOYMENT.

(c) AN EMPLOYEE OF A LOCAL GOVERNMENT OR A SELF-EMPLOYED PERSON WHO ELECTS COVERAGE UNDER SECTION 8-13.3-414 SHALL REMIT THE PREMIUM AMOUNT REQUIRED BY THIS SUBSECTION DIRECTLY TO THE DIVISION, IN THE FORM AND MANNER REQUIRED BY THE DIRECTOR BY RULE.

(5) AN EMPLOYER WITH 10 OR MORE EMPLOYEES MAY DEDUCT UP TO 50 PERCENT OF THE PREMIUM REQUIRED FOR AN EMPLOYEE BY SECTION 8-13.3-407 (3) FROM THAT EMPLOYEE'S WAGES AND SHALL REMIT 100 PERCENT OF THE PREMIUM REQUIRED BY SECTION 8-13.3-407(3) TO THE FUND. AN EMPLOYER WITH FEWER THAN 10 EMPLOYEES MAY DEDUCT UP TO 50 PERCENT OF THE PREMIUM REQUIRED FOR AN EMPLOYEE BY SECTION 8-13.3-407(3) FROM THAT EMPLOYEE'S WAGES AND SHALL REMIT 50 PERCENT OF THE PREMIUM REQUIRED BY SECTION 8-13.3-407(3) TO THE FUND.

(6) PREMIUMS SHALL NOT BE REQUIRED FOR EMPLOYEES' WAGES ABOVE THE CONTRIBUTION AND BENEFIT BASE LIMIT ESTABLISHED ANNUALLY BY THE FEDERAL SOCIAL SECURITY ADMINISTRATION FOR PURPOSES OF THE FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM LIMITS PURSUANT TO 42 U.S.C. SECTION 430.

(7) THE PREMIUMS COLLECTED UNDER THIS PART 4 ARE USED EXCLUSIVELY FOR THE PAYMENT OF FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS AND THE ADMINISTRATION OF THE PROGRAM. PREMIUMS ESTABLISHED UNDER THIS SECTION ARE FEES AND NOT TAXES.

(8) AN EMPLOYER WITH AN APPROVED PRIVATE PLAN UNDER SECTION 8-13.3-421 SHALL NOT BE REQUIRED TO REMIT PREMIUMS UNDER THIS SECTION TO THE FUND.

(9) NOTWITHSTANDING SECTION 8-13.3-407(2), IF A LOCAL GOVERNMENT HAS DECLINED PARTICIPATION IN THE PROGRAM IN ACCORDANCE WITH SECTION 8-13.3-422:

(a) THE LOCAL GOVERNMENT IS NOT REQUIRED TO PAY THE PREMIUMS IMPOSED IN THIS SECTION OR COLLECT PREMIUMS FROM EMPLOYEES WHO HAVE ELECTED COVERAGE PURSUANT TO SECTION 8-13.3-414; AND

(b) AN EMPLOYEE OF THE LOCAL GOVERNMENT IS NOT REQUIRED TO PAY THE PREMIUMS IMPOSED IN THIS SECTION UNLESS THE EMPLOYEE HAS ELECTED COVERAGE PURSUANT TO SECTION 8-13.3- 414.

8-13.3-408. Division of family and medical leave insurance. (1) THERE IS HEREBY CREATED IN THE DEPARTMENT OF LABOR AND EMPLOYMENT THE DIVISION OF FAMILY AND MEDICAL LEAVE INSURANCE, THE HEAD OF WHICH IS THE DIRECTOR OF THE DIVISION.

(2)(a) THE DIVISION CONSTITUTES AN ENTERPRISE FOR PURPOSES OF SECTION 20 OF ARTICLE X OF THE COLORADO CONSTITUTION, AS LONG AS THE DIVISION RETAINS AUTHORITY TO ISSUE REVENUE BONDS AND THE DIVISION RECEIVES LESS THAN TEN PERCENT OF ITS TOTAL ANNUAL REVENUES IN GRANTS, AS DEFINED IN SECTION 24-77-102(7), FROM ALL COLORADO STATE AND LOCAL GOVERNMENTS COMBINED. FOR AS LONG AS IT CONSTITUTES AN ENTERPRISE PURSUANT TO THIS SECTION, THE DIVISION IS NOT SUBJECT TO SECTION 20 OF ARTICLE X OF THE COLORADO CONSTITUTION.

(b) THE ENTERPRISE ESTABLISHED PURSUANT TO THIS SECTION HAS ALL THE POWERS AND DUTIES AUTHORIZED BY THIS PART 4 PERTAINING TO FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS. THE FUND CONSTITUTES PART OF THE ENTERPRISE ESTABLISHED PURSUANT TO THIS SECTION.

(c) NOTHING IN THIS SECTION LIMITS OR RESTRICTS THE AUTHORITY OF THE DIVISION TO EXPEND ITS REVENUES CONSISTENT WITH THIS PART 4.

(d) THE DIVISION IS HEREBY AUTHORIZED TO ISSUE REVENUE BONDS FOR THE EXPENSES OF THE DIVISION, WHICH BONDS MAY BE SECURED BY ANY REVENUES OF THE DIVISION. REVENUE FROM THE BONDS ISSUED PURSUANT TO THIS SUBSECTION SHALL BE DEPOSITED INTO THE FUND.

8-13.3-409. Leave and employment protection. (1) ANY COVERED INDIVIDUAL WHO HAS BEEN EMPLOYED WITH THE COVERED INDIVIDUAL'S CURRENT EMPLOYER FOR AT LEAST 180 DAYS PRIOR TO THE COMMENCEMENT OF THE COVERED INDIVIDUAL'S PAID FAMILY AND MEDICAL LEAVE WHO EXERCISES THE COVERED INDIVIDUAL'S RIGHT TO FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS SHALL BE ENTITLED, UPON RETURN FROM THAT LEAVE, TO BE RESTORED BY THE EMPLOYER TO THE POSITION HELD BY THE COVERED INDIVIDUAL WHEN THE LEAVE COMMENCED, OR TO BE RESTORED TO AN EQUIVALENT POSITION WITH EQUIVALENT EMPLOYMENT BENEFITS, PAY AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT. NOTHING IN THIS SECTION ENTITLES ANY RESTORED EMPLOYEE TO:

(a) THE ACCRUAL OF ANY SENIORITY OR EMPLOYMENT BENEFITS DURING ANY PERIOD OF LEAVE; OR

(b) ANY RIGHT, BENEFIT, OR POSITION OF EMPLOYMENT OTHER THAN ANY RIGHT, BENEFIT, OR POSITION TO WHICH THE EMPLOYEE WOULD HAVE BEEN ENTITLED HAD THE EMPLOYEE NOT TAKEN THE LEAVE. NOTHING IN THIS SECTION RELIEVES AN EMPLOYER OF ANY OBLIGATION UNDER A COLLECTIVE BARGAINING AGREEMENT.

(2) DURING ANY PAID FAMILY AND MEDICAL LEAVE TAKEN PURSUANT TO THIS PART 4, THE EMPLOYER SHALL MAINTAIN ANY HEALTH CARE BENEFITS THE COVERED INDIVIDUAL HAD PRIOR TO TAKING SUCH LEAVE FOR THE DURATION OF THE LEAVE AS IF THE COVERED INDIVIDUAL HAD CONTINUED IN EMPLOYMENT CONTINUOUSLY FROM THE DATE THE INDIVIDUAL COMMENCED THE LEAVE UNTIL THE DATE THE FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS TERMINATE. THE COVERED INDIVIDUAL SHALL CONTINUE TO PAY THE COVERED INDIVIDUAL'S SHARE OF THE COST OF HEALTH BENEFITS AS REQUIRED PRIOR TO THE COMMENCEMENT OF THE LEAVE.

(3) IT IS UNLAWFUL FOR AN EMPLOYER OR ANY OTHER PERSON TO INTERFERE WITH, RESTRAIN, OR DENY THE EXERCISE OF, OR THE ATTEMPT TO EXERCISE, ANY RIGHT PROTECTED UNDER THIS PART 4.

(4) AN EMPLOYER, EMPLOYMENT AGENCY, EMPLOYEE ORGANIZATION OR OTHER PERSON SHALL NOT TAKE RETALIATORY PERSONNEL ACTION OR OTHERWISE DISCRIMINATE AGAINST A PERSON BECAUSE THE INDIVIDUAL EXERCISED RIGHTS PROTECTED UNDER THIS PART 4. SUCH RIGHTS INCLUDE, BUT ARE NOT LIMITED TO, THE RIGHT TO: REQUEST, FILE FOR, APPLY FOR OR USE BENEFITS PROVIDED FOR UNDER THIS PART 4; TAKE PAID FAMILY AND MEDICAL LEAVE FROM WORK UNDER THIS PART 4; COMMUNICATE TO THE EMPLOYER OR ANY OTHER PERSON OR ENTITY AN INTENT TO FILE A CLAIM, A COMPLAINT WITH THE DIVISION OR COURTS, OR AN APPEAL; TESTIFY OR ASSIST IN ANY INVESTIGATION, HEARING OR PROCEEDING UNDER THIS PART 4, AT ANY TIME, INCLUDING DURING THE PERIOD IN WHICH THE PERSON RECEIVES FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS UNDER THIS PART 4; INFORM ANY PERSON ABOUT ANY EMPLOYER'S ALLEGED VIOLATION OF THIS PART 4; AND INFORM ANY PERSON OF HIS OR HER RIGHTS UNDER THIS PART 4.

(5) IT IS UNLAWFUL FOR AN EMPLOYER TO COUNT PAID FAMILY AND MEDICAL LEAVE TAKEN UNDER THIS PART 4 AS AN ABSENCE THAT MAY LEAD TO OR RESULT IN DISCIPLINE, DISCHARGE, DEMOTION, SUSPENSION OR ANY OTHER ADVERSE ACTION.

(6) (a) AN AGGRIEVED INDIVIDUAL UNDER THIS SECTION MAY BRING A CIVIL ACTION IN A COURT OF COMPETENT JURISDICTION.

(b) AN EMPLOYER WHO VIOLATES THIS SECTION IS SUBJECT TO THE DAMAGES AND EQUITABLE RELIEF AVAILABLE UNDER 29 U.S.C. SECTION 2617(a)(1).

(c) EXCEPT AS PROVIDED IN SECTION 8-13.3-409 (6)(d), A CLAIM BROUGHT IN ACCORDANCE WITH THIS SECTION MUST BE FILED WITHIN TWO YEARS AFTER THE DATE OF THE LAST EVENT CONSTITUTING THE ALLEGED VIOLATION FOR WHICH THE ACTION IS BROUGHT.

(d) IN THE CASE OF SUCH ACTION BROUGHT FOR A WILLFUL VIOLATION OF THIS SECTION, SUCH ACTION MAY BE BROUGHT WITHIN 3 YEARS OF THE DATE OF THE LAST EVENT CONSTITUTING THE ALLEGED VIOLATION FOR WHICH SUCH ACTION IS BROUGHT.

(7) THE DIRECTOR, BY RULE, SHALL ESTABLISH A FINE STRUCTURE FOR EMPLOYERS WHO VIOLATE THIS SECTION, WITH A MAXIMUM FINE OF $500 PER VIOLATION. THE DIRECTOR SHALL TRANSFER ANY FINES COLLECTED PURSUANT TO THIS SECTION TO THE STATE TREASURER FOR DEPOSIT IN THE FUND. THE DIRECTOR, BY RULE, SHALL ESTABLISH A PROCESS FOR THE DETERMINATION, ASSESSMENT, AND APPEAL OF FINES UNDER THIS SUBSECTION.

(8) THIS SECTION DOES NOT APPLY TO AN EMPLOYEE OF A LOCAL GOVERNMENT THAT HAS ELECTED COVERAGE PURSUANT TO SECTION 8-13.3-414.

8-13.3-410. Coordination of benefits. (1)(a) LEAVE TAKEN WITH WAGE REPLACEMENT UNDER THIS PART 4 THAT ALSO QUALIFIES AS LEAVE UNDER THE "FAMILY AND MEDICAL LEAVE ACT," AS AMENDED, PUB. L. 103-3, CODIFIED AT 29 U.S.C. SEC. 2601 ET. SEQ., OR PART 2 OF ARTICLE 13.3 OF TITLE 8 RUNS CONCURRENTLY WITH LEAVE TAKEN UNDER THE "FAMILY AND MEDICAL LEAVE ACT" OR PART 2 OF ARTICLE 13.3 OF TITLE 8, AS APPLICABLE.

(b) AN EMPLOYER MAY REQUIRE THAT PAYMENT MADE OR PAID FAMILY AND MEDICAL LEAVE TAKEN UNDER THIS PART 4 BE MADE OR TAKEN CONCURRENTLY OR OTHERWISE COORDINATED WITH PAYMENT MADE OR LEAVE ALLOWED UNDER THE TERMS OF A DISABILITY POLICY, INCLUDING A DISABILITY POLICY CONTAINED WITHIN AN EMPLOYMENT CONTRACT, OR A SEPARATE BANK OF TIME OFF SOLELY FOR THE PURPOSE OF PAID FAMILY AND MEDICAL LEAVE UNDER THIS PART 4, AS APPLICABLE. THE EMPLOYER SHALL GIVE ITS EMPLOYEES WRITTEN NOTICE OF THIS REQUIREMENT.

(c) NOTWITHSTANDING SECTION 8-13.3-410 (1)(b), UNDER NO CIRCUMSTANCES SHALL AN EMPLOYEE BE REQUIRED TO USE OR EXHAUST ANY ACCRUED VACATION LEAVE, SICK LEAVE, OR OTHER PAID TIME OFF PRIOR TO OR WHILE RECEIVING FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS UNDER THIS PART 4. HOWEVER, AN EMPLOYEE AND AN EMPLOYER MAY MUTUALLY AGREE THAT THE EMPLOYEE MAY USE ANY ACCRUED VACATION LEAVE, SICK LEAVE, OR OTHER PAID TIME OFF WHILE RECEIVING FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS UNDER THIS PART 4, UNLESS THE AGGREGATE AMOUNT A COVERED INDIVIDUAL WOULD RECEIVE WOULD EXCEED THE COVERED INDIVIDUAL'S AVERAGE WEEKLY WAGE. NOTHING IN THIS SUBSECTION REQUIRES AN EMPLOYEE TO RECEIVE OR USE, OR AN EMPLOYER TO PROVIDE, ADDITIONAL PAID TIME OFF AS DESCRIBED IN THIS SUBSECTION.

(2)(a) THIS PART 4 DOES NOT DIMINISH:

(I) THE RIGHTS, PRIVILEGES, OR REMEDIES OF AN EMPLOYEE UNDER A COLLECTIVE BARGAINING AGREEMENT, EMPLOYER POLICY, OR EMPLOYMENT CONTRACT;

(II) AN EMPLOYER'S OBLIGATION TO COMPLY WITH A COLLECTIVE BARGAINING AGREEMENT, EMPLOYER POLICY, OR EMPLOYMENT CONTRACT, AS APPLICABLE, THAT PROVIDES GREATER LEAVE THAN PROVIDED UNDER THIS PART 4; OR

(III) ANY LAW THAT PROVIDES GREATER LEAVE THAN PROVIDED UNDER THIS PART 4.

(b) AFTER THE EFFECTIVE DATE OF THIS PART 4, AN EMPLOYER POLICY ADOPTED OR RETAINED SHALL NOT DIMINISH AN EMPLOYEE'S RIGHT TO BENEFITS UNDER THIS PART 4. ANY AGREEMENT BY AN EMPLOYEE TO WAIVE THE EMPLOYEE'S RIGHTS UNDER THIS PART 4 IS VOID AS AGAINST PUBLIC POLICY.

(3) THE DIRECTOR SHALL DETERMINE BY RULE THE INTERACTION OF BENEFITS OR COORDINATION OF LEAVE WHEN A COVERED INDIVIDUAL IS CONCURRENTLY ELIGIBLE FOR PAID FAMILY AND MEDICAL LEAVE AND BENEFITS UNDER THIS PART 4 WITH:

(a) LEAVE PURSUANT TO SECTION 24-34-402.7; OR

(b) WORKERS' COMPENSATION BENEFITS UNDER ARTICLE 42 OF TITLE 8.

8-13.3-411. Notice. THE DIVISION SHALL DEVELOP A PROGRAM NOTICE THAT DETAILS THE PROGRAM REQUIREMENTS, BENEFITS, CLAIMS PROCESS, PAYROLL DEDUCTION REQUIREMENTS, THE RIGHT TO JOB PROTECTION AND BENEFITS CONTINUATION UNDER SECTION 8-13.3-409, PROTECTION AGAINST RETALIATORY PERSONNEL ACTIONS OR OTHER DISCRIMINATION, AND OTHER PERTINENT PROGRAM INFORMATION. EACH EMPLOYER SHALL POST THE PROGRAM NOTICE IN A PROMINENT LOCATION IN THE WORKPLACE AND NOTIFY ITS EMPLOYEES OF THE PROGRAM, IN WRITING, UPON HIRING AND UPON LEARNING OF AN EMPLOYEE EXPERIENCING AN EVENT THAT TRIGGERS ELIGIBILITY PURSUANT TO SECTION 8-13.3-404. THE DIVISION SHALL PROVIDE THE INFORMATION REQUIRED BY THIS SECTION IN A MANNER THAT IS CULTURALLY COMPETENT AND LINGUISTICALLY APPROPRIATE.

8-13.3-412. Appeals. (1) THE DIRECTOR SHALL ESTABLISH A SYSTEM FOR ADMINISTRATIVE REVIEW AND DETERMINATION OF CLAIMS, AND APPEAL OF SUCH DETERMINATIONS, INCLUDING DENIAL OF FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS. IN ESTABLISHING SUCH SYSTEM,

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THE DIRECTOR MAY UTILIZE ANY AND ALL PROCEDURES AND APPEALS MECHANISMS ESTABLISHED UNDER SECTIONS 8-4-111.5(5), 8-74-102, AND 8-74-103.

(2) JUDICIAL REVIEW OF ANY DECISION WITH RESPECT TO FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS UNDER THIS SECTION IS PERMITTED IN A COURT OF COMPETENT JURISDICTION AFTER A COVERED INDIVIDUAL AGGRIEVED THEREBY HAS EXHAUSTED ALL ADMINISTRATIVE REMEDIES ESTABLISHED BY THE DIRECTOR. IF A COVERED INDIVIDUAL FILES A CIVIL ACTION IN A COURT OF COMPETENT JURISDICTION TO ENFORCE A JUDGMENT MADE UNDER THIS SECTION, ANY FILING FEE UNDER ARTICLE 32 OF TITLE 13 SHALL BE WAIVED.

8-13.3-413. Erroneous payments and disqualification for benefits. (1) A COVERED INDIVIDUAL IS DISQUALIFIED FROM FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS FOR ONE YEAR IF THE INDIVIDUAL IS DETERMINED BY THE DIRECTOR TO HAVE WILLFULLY MADE A FALSE STATEMENT OR MISREPRESENTATION REGARDING A MATERIAL FACT, OR WILLFULLY FAILED TO REPORT A MATERIAL FACT, TO OBTAIN BENEFITS UNDER THIS PART 4.

(2) IF FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS ARE PAID ERRONEOUSLY OR AS A RESULT OF WILLFUL MISREPRESENTATION, OR IF A CLAIM FOR FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS IS REJECTED AFTER BENEFITS ARE PAID, THE DIVISION MAY SEEK REPAYMENT OF BENEFITS FROM THE RECIPIENT. THE DIRECTOR SHALL EXERCISE HIS OR HER DISCRETION TO WAIVE, IN WHOLE OR IN PART, THE AMOUNT OF ANY SUCH PAYMENTS WHERE THE RECOVERY WOULD BE AGAINST EQUITY AND GOOD CONSCIENCE.

8-13.3-414. Elective coverage. (1) AN EMPLOYEE OF A LOCAL GOVERNMENT THAT HAS DECLINED PARTICIPATION IN THE PROGRAM PURSUANT TO SECTION 8-13.3-422 OR A SELF-EMPLOYED PERSON, INCLUDING AN INDEPENDENT CONTRACTOR, SOLE PROPRIETOR, PARTNER OR JOINT VENTURER, MAY ELECT COVERAGE UNDER THIS PART 4 FOR AN INITIAL PERIOD OF NOT LESS THAN THREE YEARS. THE SELF-EMPLOYED PERSON OR EMPLOYEE OF A LOCAL GOVERNMENT MUST FILE A NOTICE OF ELECTION IN WRITING WITH THE DIRECTOR, AS REQUIRED BY THE DIVISION. THE ELECTION BECOMES EFFECTIVE ON THE DATE OF FILING THE NOTICE. AS A CONDITION OF ELECTION, THE SELF-EMPLOYED PERSON OR EMPLOYEE OF A LOCAL GOVERNMENT MUST AGREE TO SUPPLY ANY INFORMATION CONCERNING INCOME THAT THE DIVISION DEEMS NECESSARY.

(2) A SELF-EMPLOYED PERSON OR AN EMPLOYEE OF A LOCAL GOVERNMENT WHO HAS ELECTED COVERAGE MAY WITHDRAW FROM COVERAGE WITHIN 30 DAYS AFTER THE END OF THE THREE-YEAR PERIOD OF COVERAGE, OR AT SUCH OTHER TIMES AS THE DIRECTOR MAY PRESCRIBE BY RULE, BY FILING WRITTEN NOTICE WITH THE DIRECTOR, SUCH WITHDRAWAL TO TAKE EFFECT NOT SOONER THAN 30 DAYS AFTER FILING THE NOTICE.

8-13.3-415. Reimbursement of advance payments. (1) EXCEPT AS PROVIDED IN SECTION 8-13.3-415 (2), IF AN EMPLOYER HAS MADE ADVANCE PAYMENTS TO AN EMPLOYEE THAT ARE EQUAL TO OR GREATER THAN THE AMOUNT REQUIRED UNDER THIS PART 4, DURING ANY PERIOD OF PAID FAMILY AND MEDICAL LEAVE FOR WHICH SUCH EMPLOYEE IS ENTITLED TO THE BENEFITS PROVIDED BY THIS PART 4, THE EMPLOYER IS ENTITLED TO BE REIMBURSED BY THE FUND OUT OF ANY BENEFITS DUE OR TO BECOME DUE FOR THE EXISTING PAID FAMILY AND MEDICAL LEAVE, IF THE CLAIM FOR REIMBURSEMENT IS FILED WITH THE FUND PRIOR TO THE FUND'S PAYMENT OF THE BENEFITS TO THE EMPLOYEE.

(2) IF AN EMPLOYER THAT PROVIDES FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS THROUGH A PRIVATE PLAN APPROVED PURSUANT TO SECTION 8-13.3-421 MAKES ADVANCE PAYMENTS TO AN EMPLOYEE THAT ARE EQUAL TO OR GREATER THAN THE AMOUNT REQUIRED UNDER THIS PART 4, DURING ANY PERIOD OF PAID FAMILY AND MEDICAL LEAVE FOR WHICH SUCH EMPLOYEE IS ENTITLED TO THE BENEFITS PROVIDED BY THIS PART 4, THE ENTITY THAT ISSUED THE PRIVATE PLAN SHALL REIMBURSE THE EMPLOYER OUT OF ANY BENEFITS DUE OR TO BECOME DUE FOR THE EXISTING PAID FAMILY AND MEDICAL LEAVE, IF THE CLAIM FOR REIMBURSEMENT IS FILED WITH THE ENTITY THAT ISSUED THE PRIVATE PLAN PRIOR TO THE PRIVATE PLAN'S PAYMENT OF THE BENEFITS UNDER THE PRIVATE PLAN TO THE EMPLOYEE.

(3) THE DIRECTOR, BY RULE, SHALL ESTABLISH A PROCESS FOR REIMBURSEMENTS UNDER THIS SECTION.

8-13.3-416. Family and medical leave insurance program. (1) BY JANUARY 1, 2023, THE DIVISION SHALL ESTABLISH AND ADMINISTER A FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM AND BEGIN COLLECTING PREMIUMS AS SPECIFIED IN THIS PART 4. BY JANUARY 1, 2024, THE DIVISION SHALL START RECEIVING CLAIMS FROM AND PAYING FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS TO COVERED INDIVIDUALS.

(2) THE DIVISION SHALL ESTABLISH REASONABLE PROCEDURES AND FORMS FOR FILING CLAIMS FOR BENEFITS UNDER THIS PART 4 AND SHALL SPECIFY WHAT SUPPORTING DOCUMENTATION IS NECESSARY TO SUPPORT A CLAIM FOR BENEFITS, INCLUDING ANY DOCUMENTATION REQUIRED FROM A HEALTH CARE PROVIDER FOR PROOF OF A SERIOUS HEALTH CONDITION AND ANY DOCUMENTATION REQUIRED BY THE DIVISION WITH REGARDS TO A CLAIM FOR SAFE LEAVE.

(3) THE DIVISION SHALL NOTIFY THE EMPLOYER WITHIN FIVE BUSINESS DAYS OF A CLAIM BEING FILED PURSUANT TO THIS PART 4.

(4) THE DIVISION SHALL USE INFORMATION SHARING AND INTEGRATION TECHNOLOGY TO FACILITATE THE DISCLOSURE OF RELEVANT INFORMATION OR RECORDS SO LONG AS AN INDIVIDUAL CONSENTS TO THE DISCLOSURE AS REQUIRED UNDER STATE LAW.

(5) INFORMATION CONTAINED IN THE FILES AND RECORDS PERTAINING TO AN INDIVIDUAL UNDER THIS PART 4 ARE CONFIDENTIAL AND NOT OPEN TO PUBLIC INSPECTION, OTHER THAN TO PUBLIC EMPLOYEES IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES. HOWEVER, THE INDIVIDUAL OR AN AUTHORIZED REPRESENTATIVE OF AN INDIVIDUAL MAY REVIEW THE RECORDS OR RECEIVE SPECIFIC INFORMATION FROM THE RECORDS UPON THE PRESENTATION OF THE INDIVIDUAL'S SIGNED AUTHORIZATION.

(6) THE DIRECTOR SHALL ADOPT RULES AS NECESSARY OR AS SPECIFIED IN THIS PART 4 TO IMPLEMENT AND ADMINISTER THIS PART 4. THE DIRECTOR SHALL ADOPT RULES INCLUDING, BUT NOT LIMITED TO:

(a) CONFIDENTIALITY OF INFORMATION RELATED TO CLAIMS FILED OR APPEALS TAKEN;

(b) GUIDANCE ON THE FACTORS USED TO DETERMINE WHETHER AN INDIVIDUAL IS A COVERED INDIVIDUAL'S FAMILY MEMBER;

(c) THE FORM AND MANNER OF FILING CLAIMS FOR BENEFITS AND PROVIDING RELATED DOCUMENTATION PURSUANT TO SECTION 8-13.3-416 (2); AND

(d) THE FORM AND MANNER OF SUBMITTING AN APPLICATION WITH A CLAIM FOR BENEFITS TO THE DIVISION OR TO THE ENTITY THAT ISSUED A PRIVATE PLAN APPROVED PURSUANT TO SECTION 8-13.3-421.

(7) INITIAL RULES AND REGULATIONS NECESSARY FOR IMPLEMENTATION OF THIS PART 4 SHALL BE ADOPTED BY THE DIRECTOR AND PROMULGATED BY JANUARY 1, 2022.

8-13.3-417. Income Tax. (1) IF THE INTERNAL REVENUE SERVICE DETERMINES THAT FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS UNDER THIS PART 4 ARE SUBJECT TO FEDERAL INCOME TAX, THE DIVISION OR A PRIVATE PLAN APPROVED UNDER SECTION 8-13.3-421 SHALL INFORM AN INDIVIDUAL FILING A NEW CLAIM FOR FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS, AT THE TIME OF FILING SUCH CLAIM, THAT:

(a) THE INTERNAL REVENUE SERVICE HAS DETERMINED THAT BENEFITS ARE SUBJECT TO FEDERAL INCOME TAX; AND

(b) REQUIREMENTS EXIST PERTAINING TO ESTIMATED TAX PAYMENTS.

(2) BENEFITS RECEIVED PURSUANT TO THIS PART 4 ARE NOT SUBJECT TO STATE INCOME TAX.

(3) THE DIRECTOR, IN CONSULTATION WITH THE DEPARTMENT OF REVENUE, SHALL ISSUE RULES REGARDING TAX TREATMENT AND RELATED PROCEDURES REGARDING FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS, AS WELL AS THE SHARING OF NECESSARY INFORMATION BETWEEN THE DIVISION AND THE DEPARTMENT OF REVENUE.

8-13.3-418. Family and medical leave insurance fund – establishment and investment. (1) THERE IS HEREBY CREATED IN THE STATE TREASURY THE FAMILY AND MEDICAL LEAVE INSURANCE FUND. THE FUND CONSISTS OF PREMIUMS PAID PURSUANT TO SECTION 8-13.3-407 AND REVENUES FROM REVENUE BONDS ISSUED IN ACCORDANCE WITH SECTION 8-13.3-408(2)(d). MONEY IN THE FUND MAY BE USED ONLY TO PAY REVENUE BONDS; TO REIMBURSE EMPLOYERS WHO PAY FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS DIRECTLY TO EMPLOYEES IN ACCORDANCE WITH SECTION 8-13.3-415(1); AND TO PAY BENEFITS UNDER, AND TO ADMINISTER, THE PROGRAM PURSUANT TO THIS PART 4, INCLUDING TECHNOLOGY COSTS TO ADMINISTER THE PROGRAM AND OUTREACH SERVICES DEVELOPED UNDER SECTION 8-13.3-420. INTEREST EARNED ON THE INVESTMENT OF MONEY IN THE FUND REMAINS IN THE FUND. ANY MONEY REMAINING IN THE FUND AT THE END OF A FISCAL YEAR REMAINS IN THE FUND AND DOES NOT REVERT TO THE GENERAL FUND OR ANY OTHER FUND. STATE MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE DIVISION FOR THE PURPOSE OF THIS SECTION. THE GENERAL ASSEMBLY SHALL NOT APPROPRIATE MONEY FROM THE FUND FOR THE GENERAL EXPENSES OF THE STATE.

(2) THE DIVISION MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, AND DONATIONS, INCLUDING PROGRAM-RELATED INVESTMENTS AND COMMUNITY REINVESTMENT FUNDS, TO FINANCE THE COSTS OF ESTABLISHING AND IMPLEMENTING THE PROGRAM.

8-13.3-419. Reports. NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), BEGINNING JANUARY 1, 2025, THE DIVISION SHALL SUBMIT A REPORT TO THE LEGISLATURE BY APRIL 1 OF EACH YEAR THAT INCLUDES, BUT IS NOT LIMITED TO, PROJECTED AND ACTUAL PROGRAM PARTICIPATION BY SECTION 8-13.3-404(2) PURPOSE, GENDER OF BENEFICIARY, AVERAGE WEEKLY WAGE OF BENEFICIARY, OTHER DEMOGRAPHICS OF BENEFICIARY AS DETERMINED BY THE DIVISION, PREMIUM RATES, FUND BALANCES, OUTREACH EFFORTS, AND, FOR LEAVES TAKEN UNDER SECTION 8-13.3- 404(2)(b), FAMILY MEMBERS FOR WHOM LEAVE WAS TAKEN TO PROVIDE CARE.

8-13.3-420. Public education. BY JULY 1, 2022, AND FOR AS LONG AS THE PROGRAM CONTINUES, THE DIVISION SHALL DEVELOP AND IMPLEMENT OUTREACH SERVICES TO EDUCATE THE PUBLIC ABOUT THE FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM AND AVAILABILITY OF PAID FAMILY AND MEDICAL LEAVE AND BENEFITS UNDER THIS PART 4 FOR COVERED INDIVIDUALS. THE DIVISION SHALL PROVIDE THE INFORMATION REQUIRED BY THIS SECTION IN A MANNER THAT IS CULTURALLY COMPETENT AND LINGUISTICALLY APPROPRIATE. THE DIVISION MAY, ON ITS OWN OR THROUGH A CONTRACT WITH AN OUTSIDE VENDOR, USE A PORTION OF THE MONEY IN THE FUND TO DEVELOP, IMPLEMENT, AND ADMINISTER OUTREACH SERVICES.

8-13.3-421. Substitution of private plans. (1) EMPLOYERS MAY APPLY TO THE DIVISION FOR APPROVAL TO MEET THEIR OBLIGATIONS UNDER THIS PART 4 THROUGH A PRIVATE PLAN. IN ORDER TO BE APPROVED, A PRIVATE PLAN MUST CONFER ALL OF THE SAME RIGHTS, PROTECTIONS AND BENEFITS PROVIDED TO EMPLOYEES UNDER THIS PART 4, INCLUDING, BUT NOT LIMITED TO:

(a) ALLOWING FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS TO BE TAKEN FOR ALL PURPOSES SPECIFIED IN SECTION 8-13.3-404(2);

(b) PROVIDING FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS TO A COVERED INDIVIDUAL FOR ANY OF THE PURPOSES, INCLUDING MULTIPLE PURPOSES IN THE AGGREGATE, AS SET FORTH IN SECTION 8-13.3-404(2), FOR THE MAXIMUM NUMBER OF WEEKS REQUIRED IN SECTION 8-13.3-405(1) IN A BENEFIT YEAR;

(c) ALLOWING FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS UNDER SECTION 8-13.3-404(2)(b) TO BE TAKEN TO CARE FOR ANY FAMILY MEMBER;

(d) ALLOWING FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS UNDER SECTION 8-13.3-404(2)(c) TO BE TAKEN BY A COVERED INDIVIDUAL WITH ANY SERIOUS HEALTH CONDITION;

(e) ALLOWING FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS UNDER SECTION 8-13.3-404(2)(e) TO BE TAKEN FOR ANY SAFE LEAVE PURPOSES;

(f) PROVIDING A WAGE REPLACEMENT RATE FOR ALL FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS OF AT LEAST THE AMOUNT REQUIRED BY SECTION 8-13.3-406(1)(a);

(g) PROVIDING A MAXIMUM WEEKLY BENEFIT FOR ALL FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS OF AT LEAST THE AMOUNT SPECIFIED IN SECTION 8-13.3-406(1)(b);

(h) ALLOWING A COVERED INDIVIDUAL TO TAKE INTERMITTENT LEAVE AS AUTHORIZED BY SECTION 8-13.3-405(3);

(i) IMPOSING NO ADDITIONAL CONDITIONS OR RESTRICTIONS ON FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS, OR PAID FAMILY AND MEDICAL LEAVE TAKEN IN CONNECTION THEREWITH, BEYOND THOSE EXPLICITLY AUTHORIZED BY THIS PART 4 OR REGULATIONS ISSUED PURSUANT TO THIS PART 4;

(j) ALLOWING ANY EMPLOYEE COVERED UNDER THE PRIVATE PLAN WHO IS ELIGIBLE FOR FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS UNDER THIS PART 4 TO RECEIVE BENEFITS AND TAKE PAID FAMILY AND MEDICAL LEAVE UNDER THE PRIVATE PLAN; AND

(k) PROVIDING THAT THE COST TO EMPLOYEES COVERED BY A PRIVATE PLAN SHALL NOT BE GREATER THAN THE COST CHARGED TO EMPLOYEES UNDER THE STATE PLAN UNDER SECTION 8-13.3-407.

(2) IN ORDER TO BE APPROVED AS MEETING AN EMPLOYER'S OBLIGATIONS UNDER THIS PART 4, A PRIVATE PLAN MUST ALSO COMPLY WITH THE FOLLOWING PROVISIONS:

(a) IF THE PRIVATE PLAN IS IN THE FORM OF SELF-INSURANCE, THE EMPLOYER MUST FURNISH A BOND TO THE STATE, WITH SOME SURETY COMPANY AUTHORIZED TO TRANSACT BUSINESS IN THE STATE, IN THE FORM, AMOUNT, AND MANNER REQUIRED BY THE DIVISION;

(b) THE PLAN MUST PROVIDE FOR ALL ELIGIBLE EMPLOYEES THROUGHOUT THEIR PERIOD OF EMPLOYMENT; AND

(c) IF THE PLAN IS IN THE FORM OF A THIRD PARTY THAT PROVIDES FOR INSURANCE, THE FORMS OF THE POLICY MUST BE ISSUED BY AN INSURER APPROVED BY THE STATE.

(3) THE DIVISION SHALL WITHDRAW APPROVAL FOR A PRIVATE PLAN GRANTED UNDER SECTION 8-13.3-421(1) WHEN TERMS OR CONDITIONS OF THE PLAN HAVE BEEN VIOLATED. CAUSES FOR PLAN TERMINATION SHALL INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING:

(a) FAILURE TO PAY BENEFITS;

(b) FAILURE TO PAY BENEFITS TIMELY AND IN A MANNER CONSISTENT WITH THIS PART 4;

(c) FAILURE TO MAINTAIN AN ADEQUATE SURETY BOND UNDER SECTION 8-13.3-421(2)(a);

(d) MISUSE OF PRIVATE PLAN MONEY;

(e) FAILURE TO SUBMIT REPORTS OR COMPLY WITH OTHER COMPLIANCE REQUIREMENTS AS REQUIRED BY THE DIRECTOR BY RULE; OR

(f) FAILURE TO COMPLY WITH THIS PART 4 OR THE REGULATIONS PROMULGATED PURSUANT TO THIS PART 4.

(4) AN EMPLOYEE COVERED BY A PRIVATE PLAN APPROVED UNDER THIS SECTION SHALL RETAIN ALL APPLICABLE RIGHTS UNDER SECTION 8-13.3-409.

(5) A CONTESTED DETERMINATION OR DENIAL OF FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS BY A PRIVATE PLAN IS SUBJECT TO APPEAL BEFORE THE DIVISION AND ANY COURT OF COMPETENT JURISDICTION AS PROVIDED BY SECTION 8-13.3-412.

(6) THE DIRECTOR, BY RULE, SHALL ESTABLISH A FINE STRUCTURE FOR EMPLOYERS AND ENTITIES OFFERING PRIVATE PLANS THAT VIOLATE

2020 Statewide Ballot Issues

Pg 7

THIS SECTION, WITH A MAXIMUM FINE OF $500 PER VIOLATION. THE DIRECTOR SHALL TRANSFER ANY FINES COLLECTED PURSUANT TO THIS SUBSECTION TO THE STATE TREASURER FOR DEPOSIT INTO THE FUND. THE DIRECTOR, BY RULE, SHALL ESTABLISH A PROCESS FOR THE DETERMINATION, ASSESSMENT, AND APPEAL OF FINES UNDER THIS SUBSECTION.

(7) THE DIRECTOR SHALL ANNUALLY DETERMINE THE TOTAL AMOUNT EXPENDED BY THE DIVISION FOR COSTS ARISING OUT OF THE ADMINISTRATION OF PRIVATE PLANS. EACH ENTITY OFFERING A PRIVATE PLAN PURSUANT TO THIS SECTION SHALL REIMBURSE THE DIVISION FOR THE COSTS ARISING OUT OF THE PRIVATE PLANS IN THE AMOUNT, FORM, AND MANNER DETERMINED BY THE DIRECTOR BY RULE. THE DIRECTOR SHALL TRANSFER PAYMENTS RECEIVED PURSUANT TO THIS SECTION TO THE STATE TREASURY FOR DEPOSIT IN THE FUND.

8-13.3-422. Local government employers' ability to decline participation in program - rules. (1) A LOCAL GOVERNMENT MAY DECLINE PARTICIPATION IN THE FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM IN THE FORM AND MANNER DETERMINED BY THE DIRECTOR BY RULE.

(2) AN EMPLOYEE OF A LOCAL GOVERNMENT THAT HAS DECLINED PARTICIPATION IN THE PROGRAM IN ACCORDANCE WITH THIS SECTION MAY ELECT COVERAGE AS SPECIFIED IN SECTION 8-13.3-414.

(3) THE DIRECTOR SHALL PROMULGATE REASONABLE RULES FOR THE IMPLEMENTATION OF THIS SECTION. AT A MINIMUM, THE RULES MUST INCLUDE:

(a) THE PROCESS BY WHICH A LOCAL GOVERNMENT MAY DECLINE PARTICIPATION IN THE PROGRAM;

(b) THE PROCESS BY WHICH A LOCAL GOVERNMENT THAT HAS PREVIOUSLY DECLINED PARTICIPATION IN THE PROGRAM MAY SUBSEQUENTLY ELECT COVERAGE IN THE PROGRAM; AND

(c) THE NOTICE THAT A LOCAL GOVERNMENT IS REQUIRED TO PROVIDE ITS EMPLOYEES REGARDING WHETHER THE LOCAL GOVERNMENT IS PARTICIPATING IN THE PROGRAM, THE ABILITY OF THE EMPLOYEES OF A LOCAL GOVERNMENT THAT HAS DECLINED PARTICIPATION TO ELECT COVERAGE PURSUANT TO SECTION 8-13.3-414, AND ANY OTHER NECESSARY REQUIREMENTS.

8-13.3-423. Severability. IF ANY PROVISION OF THIS PART 4 OR ITS APPLICATION TO ANY PERSON OR CIRCUMSTANCE IS HELD INVALID, THE REMAINDER OF PART 4 OR THE APPLICATION OF THE PROVISION TO OTHER PERSONS OR CIRCUMSTANCES IS NOT AFFECTED.

8-13.3-424. Effective date. THIS PART 4 TAKES EFFECT UPON OFFICIAL DECLARATION OF THE GOVERNOR AND IS SELF-EXECUTING.

Deadline for Enterprise news and ads is 10 a.m. Tuesday

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Pre-Harvest

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22302 Hwy 34, Fort Morgan, CO 80701—970-867-1931

Help Wanted
Part-time Waitstaff needed!
Interviews will be conducted on Saturdays from 2-4 p.m.
See Amanda.
401 Broadway, Imperial, NE
Pizza Hut

HELP WANTED

HELP WANTED — Prairie States Communications, a Motorola sales and service facility in Imperial, Nebraska, is looking to employ a full-time entry-level electronics technician/installer. Includes health insurance, retirement. For more information, call 308-882-4694. Ask for Jan or Rick. 34-2tlhgw

HELP WANTED — Corn harvest help for October. Call Jon Schneller, 970-520-1752. 28-8tc

HELP WANTED — **Regier Equipment**, Madrid, NE, hiring full-time service technician. Must have experience in agriculture diesel technology and equipment, proficient with computers, strong mechanical aptitude and good interpersonal skills. Call Ron, 308-326-4245. 24-tfcGihw

HELP WANTED — **Regier Equipment**, Madrid, NE, hiring full-time sales person: highly organized, proficient in computers, learn new products, excellent at follow-through and communicating, consistent at completing accurate sales documentation. Call Ron, 308-326-4245. 24-tfcGihw

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Card of Thanks
Thank you to all of our family and friends for your thoughts and prayers.
The Bob Thompson family p

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www.holyokeenterprise.com

WANTED

WANTED — 1956 Ford 1/2 ton pickup, running or not. 970-854-7816. 34-2tp

WANTED — Veterans: I am compiling a list of veterans living in Phillips County. I have names of those who are members of the Holyoke American Legion, Veterans of Foreign Wars and Haxtun American Legion. I also have those who have received a Quilt of Valor. If you are not on one of these lists or want to verify your name, please call or text 970-520-1510 by Oct. 30. Steve Firme, Phillips County veterans service officer. 34-3tc

SERVICES

SERVICE — Call Max's Repair for your skid steer and dirt work needs. 970-466-4313. 35-3tHig

SERVICE — Hometown Heating & Air, your local technician. Chris Edwards, 970-571-2660. 3-tfc

NOTICES

NOTICE — The Phillips County offices will not open until 10 a.m. on Monday, Oct. 19, to allow employees to attend the annual employee meeting. 35-1tc

NOTICE — Fall is in the air. Come check out our new bread mixes at Jake's Feed. 35-1tc

NOTICE — 8 small roll-off boxes available for rent to help with small remodel jobs for yard and construction debris. Contact Phillips County Landfill, 970-854-2166, for information packets, pricing, rules, release forms and scheduling procedures. 35-1tc

FOR RENT

FOR RENT — 1-bedroom apartment in Haxtun. 115 S. Colorado Ave. above the dental office. $470/month plus utilities. Minimum 1-year lease. 720-670-9264. 35-2tp

FOR LEASE — Office space for lease in Haxtun. 1,500 square feet on the main floor. 117 S. Colorado Ave. $1,500/month. Minimum 1-year lease. 720-670-9264. 35-2tp

FOR RENT — Artistic Woodworking in Imperial, NE has warehouse space for rent. We have a building with 10,000 sq. ft. It has a 10-ft. H x 16-ft. W door with a 9-ft. H x 8-ft. W door with a loading dock. Will rent all the space to 1 person, or multiple people can pool together to rent the space. Call Jim at 308-882-4873 to discuss options that could work for you. 35-2tlhgw

VEHICLES

FOR SALE — Harley-Davidsons: 1995 883cc, 4,230 miles; 2001 1200cc, with or without side car, 13,330 miles. Make me an offer. 970-466-0022. 34-tfc

FOR SALE — 2013 Dodge Journey. 3.6 liter engine, less than 20,000 miles, silver. $11,500. Call 970-854-6336. 34-2tp

GARAGE SALES

ESTATE SALE — Saturday, Oct. 17, 9 a.m.-1 p.m., 142 N. Washington Ave., Haxtun, CO. 35-1tc

GARAGE SALE — Indoor end-of-summer garage sale at Strongtree Barn. Friday, Oct. 16, 1-6 p.m., and Saturday, Oct. 17, 8 a.m.-4 p.m., 22842 County Road 15, 5 miles east and 2 miles south of Haxtun. Furniture — couch, recliners, Whirlpool Connoisseur microwave/stove top/oven all in one, vintage glass, pictures, hanging lamps, linens, dishes, clothes, something for everyone. Julia Starkebaum, 970-580-7157. Please wear masks. 35-1tp

REAL ESTATE

FOR SALE — Home for sale at 540 S. Baxter Ave. in Holyoke. 4-bed, 3-bath with an office. Just over 3,000 square feet. Completely renovated. 1-car attached garage, 1 detached garage. New siding, gutters, flooring, windows, hot water heater and HVAC. Asking $295,000. Call/text Luke at 970-324-4693 for a viewing or more info. 35-1tc

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- Family Practice Physician
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- Registered Nurse-Cardiac Rehab
- Medical Technologist

Apply online at chasecountyhospital.com, email resumes to HR@chasecountyhospital.com or mail to:

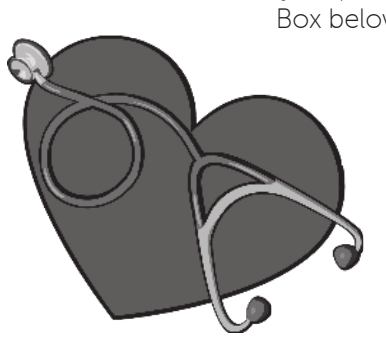
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PO Box 819, Imperial, NE 69033

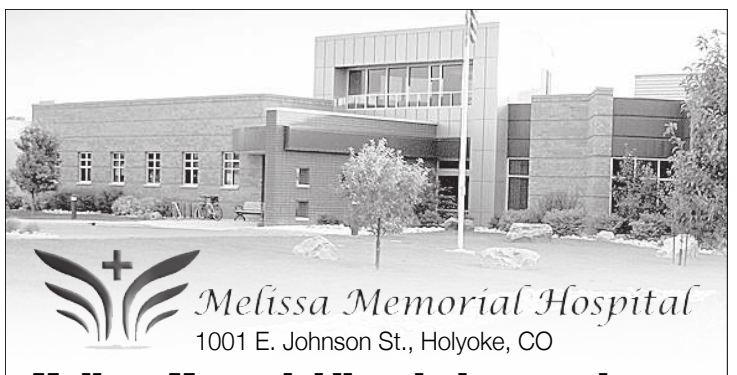
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Maintenance Director
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Hillcrest Care Center & The Towers
Submit application to: Hillcrest Care Center, Attn: Chandra Savage, 360 Canyon Ridge Drive, Wray, CO 80758, 970-332-4856. You can pick up an application in the front office, call to have one mailed or fill out our online application at hillcrestcare.org. Applications will be accepted until positions are filled. EOE.

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chasecountyhospital.com


Melissa Memorial Hospital
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Melissa Memorial Hospital currently has the following openings:
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Full-Time Night Shift LPN
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Part-Time Night Shift LPN
Part-Time Night Shift RN
Physical Therapy Manager
PRN RN
PRN LPN
Melissa Memorial Hospital was selected a Top 100 Healthcare to work for in 2019. We strive to provide the best quality and patient experience that we can. We value integrity, collaboration, courage, service, passion, and ownership. For more information, please reach out to HR at 970-854-2241. To apply for the position, please go to http://melissamemorial.org/about-us/careers/. East Phillips County Hospital District is an equal opportunity provider and employer.

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Calendar of Specialists' Services
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Dietitian
J. Levy, M.Ed., RD, LMNT (970-854-2241 ext. 2116)* ..... Wed., 10/14, 10/28
Oncology Dr. M. Stone (970-347-5780, fax 970-347-5797) .....Fri., 10/30
Orthopedics
M. Hajek, M.D. (970-854-2241 ext. 2116)* ..... Wed.-Thurs., 10/21-22
Podiatry Dr. J. Yakel (970-854-2241 ext. 2116)* .....Mon., 10/26
Pulmonology: North CO Pulmonary & Critical Care Center
M. Shedd, M.D. (970-854-2241 ext. 2116)* .....Tues., 10/20
*Please call this number to make an appointment
A nominal administrative fee will be charged for all MD and DO clinic visits
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Jeff Sullivan, Realtor, 970-520-2740
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Paula Carper, Broker Associate
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24991 CR 31. Home on 5 acres plus outbuildings. Under Contract

422 S. Wynona. Check out this one!! Home with large heated shop. Updated throughout, with 5 bedrooms available. $215,000. Under Contract

516 S. Campbell. Charming home, 3 BR, 1 bath with 2 car detached garage. Original woodwork and built-ins, sprinkler system, A/C, close to schools and city park. This home has been well maintained and won't last long. **Price reduced to $165,000**. SOLD

108 S. Interocean. Perfect place for a downtown business. Remodeled showroom with new wiring. Warehouse area in rear. Priced below appraised value at $90,000.

620 S. Sherman. Great 3 BR, 3 bath home with a garage/shop. New carpet throughout. All appliances, central air, sprinklers. $225,0(illegible) Under Contract

For pictures & details on these and other properties, go to yourlighthouserealestate.com, stop in to see Julie at 800 E. Denver or contact Paula or Derek for an appointment.



THE HOLYOKE ENTERPRISE | JOHNSON PUBLICATIONS

Pastor Marcos and Lupita Avina are excited to launch a new service in Spanish at First Christian Church in Holyoke.

New Spanish service kicks off Saturday at First Christian Church

BY DARCI RODRIGUEZ
THE HOLYOKE ENTERPRISE

Always looking for new ministry opportunities, First Christian Church in Holyoke is pleased to announce the launch of a new service in Spanish.

A kickoff event is set for this Saturday, Oct. 17, at 7 p.m. at the church. It will have a concert feel to it, with contemporary worship music featuring vocals, guitar, bass and drums in addition to a message — all in both Spanish and English.

Beginning in November, the Spanish service will be at 7 p.m. on the second Saturday of every month.

Leading the service will be Pastor Marcos Avina and the worship team from Centro de Nueva Esperanza (Center of New Hope), a church in Yuma.

FCC Pastor Mike Brown and Avina have been friends for quite some time and have been brainstorming together on how to bring CNE to Holyoke in God's timing. It was a vision from God to start another church, said Avina.

He wants to bring the Gospel in a way that people can understand. He also desires for CNE to be a part of the Holyoke community, taking time to understand the needs of the people and praying for the town.

Depending on the age groups who begin attending CNE in Holyoke, Avina hopes to be able to offer classes for children during the preaching portion of the service.

In addition to bringing the message, Avina can also be found leading worship, playing guitar and sometimes playing the piano. His wife, Lupita, is a strong force behind the classes, vacation Bible school, the computer and technology.

Their two daughters, Maggie, 14, and Lidia, 22, also live in Yuma and will be part of the CNE worship team in Holyoke, as well. The Avinas' two older children, Emanuel, 24, and Marcos Jr., 26, both live in Loveland.

The family has been serving at CNE in Yuma for 12 years and has been faithful to watch the church slowly grow during that time. The church meets at the building of Yuma Christian Church but has its own leadership team and ministries.

Avina grew up as the son of a pastor in Mexico. He learned from a young age how to serve the church through music, classes, cleaning and more. When he was a teenager, Avina understood that God had called him to ministry.

He began studying to be a pastor at Colegio Biblico in Eagle Pass, Texas. He then headed to Detroit, Michigan, and was a part of the music team at a Baptist church before moving to Windsor, Ontario, Canada, to plant a church.

In 2006, Avina completed his degree in Texas. A dairy in Yuma asked he and Lupita to move to Colorado to begin a church, and the northeastern plains have been home ever since.

Avina has continued his studies and is close to finishing his Master of Divinity from Indiana Wesleyan Seminary.

The pastor also enjoys doing photography and videography at weddings and quinceañeras, and the Avina family loves escaping to the mountains whenever they can.

For more information about CNE, contact Avina at 970-630-6236.



THE HOLYOKE ENTERPRISE | JOHNSON PUBLICATIONS

Lions Club ships first box of pill bottles

Gayla Mayden and Bob Malesich are pictured holding two full bags of pill bottles that have been donated by community members as part of Matthew 25: Ministries, an international humanitarian aid organization. The Lions are accepting both empty pill bottles and eyeglasses to donate to people in need in developing countries. The Lions shipped their first box of 677 pill bottles Friday, Oct. 9. Drop boxes for pill bottle donations are located at the Mower Man shop and the Lions Den. Drop boxes for donations of eyeglasses are located at the Mower Man shop, Holyoke Community Federal Credit Union, Melissa Memorial Hospital, Holyoke General Store and Viaero Wireless.

LEGAL NOTICES

NOTICE TO CREDITORS
Estate of Kermit Dean Wilkins, Deceased
Case Number 2020PR030009

All persons having claims against the above named estate are required to present them to the personal representative or to District Court of Phillips County, Colorado, on or before Feb. 1, 2021, or the claims may be forever barred.
David O. Colver, Attorney for Personal Representative
131 W. Emerson St.
Holyoke, CO 80734
Published Holyoke Enterprise
First Publication: Oct. 1, 2020
Last Publication: Oct. 15, 2020

NOTICE TO CREDITORS
Estate of Janice Beck, also known as Janice E. Beck, Deceased
Case Number 2020PR030010

All persons having claims against the above named estate are required to present them to the personal representative or to District Court of Phillips County, Colorado, on or before Feb. 8, 2021, or the claims may be forever barred.
Russell J. Sprague, Attorney for Personal Representative
131 W. Emerson St.
Holyoke, CO 80734
Published Holyoke Enterprise
First Publication: Oct. 8, 2020
Last Publication: Oct. 22, 2020

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NOTICE OF GENERAL ELECTION

Nov. 3, 2020

TO THE ELECTORS OF PHILLIPS COUNTY:

In accordance with Colorado Revised Statutes, Section 1-5-205 and 1-7.5-104, notice is hereby given that Tuesday the 3rd of November a General Election will be held in Phillips County as an all-mail ballot delivery election.

Mailing of Ballots: Beginning Oct. 12, 2020, all mail ballot packets will be mailed to every active registered voter. The content of each voter's mail ballot packet will contain a ballot, secrecy sleeve with instructions and a return envelope. To be counted, mail ballots must be signed and returned to and in the hands of the Phillips County Clerk and Recorder no later than 7\ p.m. on Election Day, Nov. 3, 2020. **POSTMARKS DO NOT COUNT!**

All voted Official Ballots can be returned:

— By mail to the Phillips County Clerk & Recorder, 221 S. Interocean Ave., Holyoke, CO 80734 (with proper postage).

— Drop off box located at the Clerk & Recorder's Office. Office hours are M-F 8 a.m.-4 p.m.; Saturdays, Oct. 24 and Oct. 31, 8 a.m.-noon, and Election Day, 7 a.m.-7 p.m. on Tuesday, the 3rd day of November 2020.

— Drop off box located at 145 S. Colorado Ave., Haxtun, CO 80731, M-F, 8 a.m.-4 p.m.

— 24-hour drive-up drop box located across the street from the Phillips County Court House east parking lot, 221 S. Interocean Ave. Holyoke, CO 80734.

All voted ballots must be received by the Clerk and Recorder by 7 p.m., Tuesday, Nov. 3, 2020.

VSPC, located at the Phillips County Courthouse, services provide:

— Return voted ballot.

— Register to vote or change voter registration, you may also register to vote on line at www.govotecolorado.gov.

— Apply for a replacement ballot,

TO MAIL A BALLOT TO THE VOTER: The deadline for the Clerk and Recorder to receive a mail-in ballot application if voter is away from home is Monday, Oct. 26, 2020. Last day for an individual to submit a voter registration application through the online voter registration system, the mail, voter registration agency or local driver's license examination facility and receive the ballot via mail is Monday, Oct. 22, 2020.

Following is a listing of the offices to be elected, judges for retention in office, proposed constitutional amendments and propositions certified to the ballot by the Secretary of State, and the other ballot issues and ballot questions which have been certified:

Federal Office
Presidential Electors,
United States Senators
Representative to the 117th United States Congress District 4
State Offices
State Representative District 65
District Attorney 13th Judicial District
County Offices
County Commissioner District 2
County Commissioner District 3
Judicial Retention
Colorado Supreme Court Justice
Colorado Court of Appeals Judges
District Court Judges 13th Judicial District
County Court Judge Phillips County
State Measures
Amendment B (CONSTITUTIONAL)
Amendment C (CONSTITUTIONAL)
Amendment 76 (CONSTITUTIONAL)
Amendment 77 (CONSTITUTIONAL)
Proposition EE (STATUTORY)
Proposition 113 (STATUTORY)
Proposition 114 (STATUTORY)
Proposition 115 (STATUTORY)
Proposition 116 (STATUTORY)
Proposition 117 (STATUTORY)
Proposition 118 (STATUTORY)
Municipal Measures
Town of Haxtun Ballot Question 1A
City of Holyoke Ballot Question 2A
City of Holyoke Mayor
City of Holyoke Council Member
School District Ballot Measure
Holyoke School District RE-1J Ballot Issue 5A

Phillips County Clerk and Recorder
221 S. Interocean Ave.
Holyoke, CO 80734
M-F, 8 a.m.-4 p.m.
Saturdays, Oct. 24 and Oct. 31, 8 a.m.-noon
Election Day, Nov. 3, 2020, 7a.m.-7 p.m.

I, Madene "Beth" Zilla, County Clerk and Recorder of the County of Phillips, State of Colorado, do hereby certify that the foregoing Ballot Content contains federal, state and local candidate races of every person who is entitled to receive votes in such General Election.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County of Phillips this 7th day of October 2020.

Madene "Beth" Zilla, Phillips County Clerk and Recorder
Published Holyoke Enterprise
First Publication: Oct. 8, 2020
Last Publication: Oct. 15, 2020

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	(3)	Paid Distribution Outside the Mails Including Sales Through Dealers and Carriers, Street Vendors, Counter Sales, and Other Paid Distribution Outside USPS®	375	375
	(4)	Paid Distribution by Other Classes of Mail Through the USPS (e.g., First-Class Mail®)	0	0
c. Total Paid Distribution *[Sum of 15b (1), (2), (3), and (4)]*			1175	1156
d. Free or Nominal Rate Distribution *(By Mail and Outside the Mail)*	(1)	Free or Nominal Rate Outside-County Copies included on PS Form 3541	5	5
	(2)	Free or Nominal Rate In-County Copies Included on PS Form 3541	1	1
	(3)	Free or Nominal Rate Copies Mailed at Other Classes Through the USPS (e.g., First-Class Mail)	0	0
	(4)	Free or Nominal Rate Distribution Outside the Mail *(Carriers or other means)*	0	0
e. Total Free or Nominal Rate Distribution *(Sum of 15d (1), (2), (3) and (4))*			6	6
f. Total Distribution *(Sum of 15c and 15e)*			1181	1162
g. Copies not Distributed *(See Instructions to Publishers #4 (page #3))*			169	138
h. Total *(Sum of 15f and g)*			1350	1300
i. Percent Paid *(15c divided by 15f times 100)*			99.49	99.48

16. Electronic Copy Circulation	Average No. Copies Each Issue During Preceding 12 Months	No. Copies of Single Issue Published Nearest to Filing Date
a. Paid Electronic Copies	125	150
b. Total Paid Print Copies (Line 15c) + Paid Electronic Copies (Line 16a)	1300	1306
c. Total Print Distribution (Line 15f) + Paid Electronic Copies (Line 16a)	1306	1312
d. Percent Paid (Both Print & Electronic Copies) (16b divided by 16c × 100)	99.54	99.54

☒ **I certify that 50% of all my distributed copies (electronic and print) are paid above a nominal price.**

17. Publication of Statement of Ownership

☒ If the publication is a general publication, publication of this statement is required. Will be printed in the 10/15/2020 issue of this publication. ☐ Publication not required.

18. Signature and Title of Editor, Publisher, Business Manager, or Owner — Brenda K. Brandt — Date: 9/30/2020

I certify that all information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including civil penalties).

STUDENTS of the MONTH
Sponsored by Holyoke Chamber of Commerce

Students of the Month for September at Holyoke JR/SR High School have been named. They are freshman Azury Chaparro Rangel, nominated by Wendy Grothman, and seventh grader Hudson Koellner, nominated by Lori Nelson.


Chaparro Rangel

The nomination letter for Chaparro Rangel read, "Azury follows all of the RISE In Excellence in the classroom. She is respectful and responsible. She shows academic integrity. She tries her best in everything she does and shoots for excellence in every part of her life. She follows the classroom rules for safety and reminds others to follow them too. She is a leader in her class and volunteers to be a part of other groups."


Koellner

Koellner's letter read, "I have had the pleasure of being able to work with Hudson in my Junior Achievement class this year. Everything that Hudson has done in my class, from being on time and ready to work, being attentive, and getting along with others has been positive. Hudson excels in the classroom by listening, fully participating, and performing highly on all work. He is respectful of all students and adults and upholds high standards. I look forward to working with Hudson over the next several years, as I know he will continue to excel in everything he does, whether it be in the classroom, organizations, ball field, or workplace."

School plans board retreat

Holyoke School District Re-1J Board of Education will be holding a retreat Thursday, Oct. 15, at the Phillips County Event Center.

A brief 5 p.m. meeting will precede the retreat.

An update on the Homegrown Talent/Innovation Center will be given as part of the superintendent's report to start the board meeting.

Action items on the agenda include approval of resignation of extra duty assignment, extra duty assignment appointment, substitute list and new personnel.

NEWS from NEIGHBORS

CDOT planning bus service to connect Sterling, Greeley

STERLING JOURNAL-ADVOCATE, Oct. 8 — Residents in northeast Colorado may soon be able to catch a ride to Greeley on the state's own bus service.

Julie Skeen, senior strategic director at Communication Infrastructure Group in Denver, consultants to the Colorado Department of Transportation, briefed the Logan County commissioners Tuesday on plans to expand CDOT's Bustang Outrider service into northeast Colorado.

Bustang is CDOT's intercity bus service connecting major cities along the Front Range not already served by existing public transit, such as the Regional Transportation District. It began in 2015 with routes from Denver to Glenwood Springs, Fort Collins and Colorado Springs.

Outrider is CDOT's rural regional service connecting outlying rural areas with major cities. Existing routes connect Gunnison to Denver, Alamosa to Pueblo, Lamar to Colorado Springs and Durango to Grand Junction.

Skeen said CDOT is expanding its Outrider service in 2021 with several more routes, including one that connects Sterling and Fort Morgan with Greeley. Stops on the route, which would follow U.S. Highways 6 and 34, would be Sterling, Atwood (which may be an as-needed stop) Merino, Hillrose, Brush, Fort Morgan, Log Lane Village, Wiggins, Kersey and Greeley.

The route is proposed to open sometime in mid-2021, depending on whether COVID-19 pandemic continues to have an impact. The route would begin with service five days a week and could expand to include weekend service if there is demand. The Sterling route would be served with a 14-person mini-bus unless demand called for a larger vehicle.

Skeen said funding for the service will come from federal and state funds earmarked for local and rural transit services. She said CDOT will partner with the Northeast Colorado Association of Local Governments to operate the service.

HS principal reinstated in controversial decision

BURLINGTON RECORD, Oct. 1 — In a controversial vote that led to the resignation of two school board members, the Burlington School Board voted 5-2 on Sept. 23 to reinstate embattled Burlington High School Principal Shane Waterman until at least the Christmas holidays.

Waterman had been placed on paid administrative leave after announcing his refusal to enforce the board's policy of students and staff wearing masks in the building when around other staffers and/or other students. The board policy is an extension of Gov. Jared Polis' statewide mandate of masks being worn indoors to help fight the spread of COVID-19.

Under the arrangement between Waterman and the board, Waterman agreed to enforce the current policy as long as the board works between now and the Christmas break to change that policy. Waterman insisted several times that the board be given no more than two weeks but later changed his mind and surrendered to a request for the holidays.

Following the decision, board president Mark Hillman and treasurer Mark Weber resigned their positions. They were the two who voted not to reinstate Waterman.

Waterman argued that the governor's mask mandate is more about politics than safety, claiming, "I believe it teaches them (students) a governor can do to them whatever he wants." He debated that the use of a mask is an invasion of personal liberties.

New shrimp farm operation supplies fresh shrimp

IMPERIAL REPUBLICAN, Oct. 8 — Grant Jones, along with parents, Shawn and Julie Jones, have started a new business southwest of Champion, Nebraska, on the Chase County, Nebraska, and Dundy County, Nebraska, county line called the Chundy Aquaculture Company. The brand name is Champion Shrimp.

Grant is the manager and operator of Champion Shrimp shrimp farm, supplying fresh shrimp to the area.

"I received my first batch of older PLs (post larval baby shrimp) from a source in Indiana on April 1," Jones said.

"I just started up my nursery the middle of September with PL10s (under 10 days old) with shipments coming from Texas," he added.

Jones has two nursery tanks that hold 10,000 PL10s each and eight tanks that hold 3,500 PL60s (shrimp 60 days old), he said.

He receives PL10 batches of shrimp monthly, and it takes PL10s about six months to grow large enough to harvest.

"I sell them by the pound which is 20-23 count shrimp per pound," Jones said.

Currently, he sells shrimp to individual buyers directly and delivers fresh shrimp to Imperial Super Foods every Thursday.

Chase County Schools no longer COVID free

IMPERIAL REPUBLICAN, OCT. 8 — Chase County Schools Superintendent Adam Lambert said that as of Wednesday morning, Oct. 7, 1% of the student body in grades K-12 had tested positive. With 625 students enrolled, that means at least six students have tested positive for the coronavirus.

After the first case was reported last week, Lambert said students in grades 7-12 were required to wear masks.

In a letter to parents, Lambert said they were not going to require masks in grades K-6. However, since more cases have been reported, students in all grades are required to wear masks now.

New directives from the state do not require students who were in close contact with a student who tested positive to quarantine, as long as these other students were wearing masks. The directives do require self-monitoring of these other students.

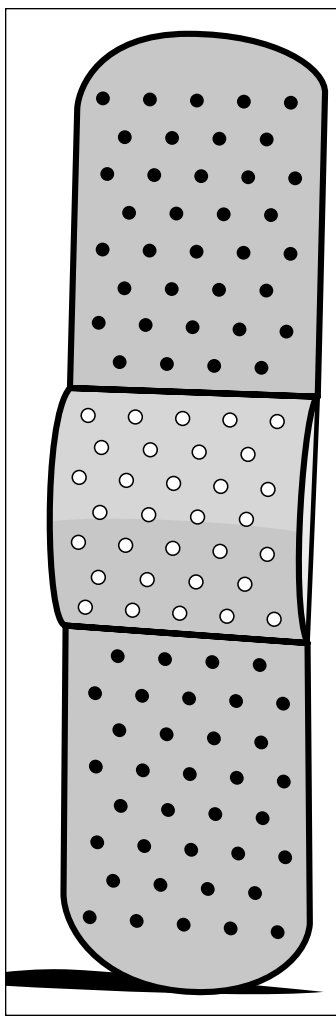
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Flu Shot Clinic
For Those Age 65+
Tuesday, Oct. 20 and Thursday, Oct. 22
5-6:30 p.m.
at SunSet View Community Center
330 W. Kellogg St., Holyoke
Limited number of high dose flu shots, but normal vaccine will be given after high dose runs out.
No charge to Medicare patients with cards.
MMH Hometown Pharmacy
Family Practice of Holyoke
1001 E. Johnson St., Holyoke

VOTER GUIDE
2020

Phillips County Republicans
Committee Position

Constitutional Amendments

Amendment B - Repeal Property Tax Assessment Rates ..... **NO**
Amendment C - Charitable Gaming..... **YES**
Amendment 76 (D) - Citizenship of Qualified Voters..... **YES**
Amendment 77 (E) - Local Voter Approval of Casino Bets ..... **NO**

Statute Amendments

Proposition EE - Taxes on Nicotine Products..... **NO**
Proposition 113 - National Popular Vote (Bypasses the Electoral College)..... **NO**
Proposition 114 - Restoration of Grey Wolves..... **NO**
Proposition 115 - Prohibition on Late-Term Abortions..... **YES**
Proposition 116 - State Income Tax Reduction..... **YES**
Proposition 117 - Approval of State Enterprises..... **YES**
Proposition 118 - Paid Family and Medical Leave Insurance..... **NO**

NOTE: Constitutional amendments cannot be changed by the Legislature, only by a vote of the people, so if they don't work as advertised, it's really tough to make corrections. Statutes can be amended by the Legislature.

For more detailed information on ballot issues, visit https://www.sos.state.co.us/pubs/elections/Initiatives/ballot/contacts/2020.html

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Pictured from left, Andrew Nygaard, Brenda Brandt, Ashley Sullivan and Darci Rodriguez. The Enterprise publishes a newspaper every Thursday — print and online. Additionally, the business specializes in commercial printing, promotional item give-aways, banners, photos and more.