



Protecting the People's Voice: *Identifying the Obstacles to Colorado's Initiative and Referendum Process*

Sequel to: IP-8-1996

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*IP-7-2006
October 2006*

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1. Context of the Initiative Process

A. Introduction

Initiative and Referendum (I&R) is important to representative democracy as a check and balance, a means of augmenting government accountability. The Initiative is essential for dealing with issues that legislators cannot or will not address. Such issues typically include conflict-of-interest issues (such as proposed limits on legislators' powers) and third-rail issues (those that offend powerful interest groups).

This issue paper is a sequel to the Issue Paper, "Are Coloradans Fit to Make Their Own Laws?"¹ published in 1996 by the Independence Institute. It has been widely read and referenced. It was offered in testimony when Texas considered I&R, was republished by the Initiative and Referendum Institute, has been linked to and posted by numerous Web sites, and was even translated into Russian.²

Public interest in and support for the Initiative process remains high. But politicians see the process as infringing on their monopoly power to legislate. Some politicians pretend to support I&R to win election, but quickly forget their campaign promises and oaths to uphold the Constitution.

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As with all rights, the right to petition is a fundamental right that is not granted by politicians or by governments. As a matter of fact, in delegating authority to legislate to the legislature, the sovereign citizens of Colorado limited their delegation by reserving "to themselves the power to propose laws and amendments."³ Thus, the initiative is more than a fundamental right; it is a reserved power. The legislature has no authority to interfere with, throttle or adversely regulate the process other than reasonable regulation to insure its fair and non-fraudulent exercise.

B. Sovereignty: From Theory to Practice

"Governments are instituted among men deriving their just powers from the consent of the governed."⁴ The Founders implemented ideas hypothesized by John Locke. The notion of sovereignty was exercised in 1778 when Massachusetts became the first American entity to ratify its new constitution via popular vote.⁵ New Hampshire (1792), Connecticut (1818), Maine (1818), New York (1820), and Rhode Island (1824) ratified new state constitutions by popular votes.

Former President James Madison, primary author of the U.S. Constitution, participated in the 1830 Virginia Constitutional Convention. He became part of the people's power movement insisting on popular vote ratification. Within the next four years Alabama, Mississippi, Georgia, and North Carolina similarly reinforced the citizen sovereignty notion via ratification votes of new constitutions.⁶ As continental expansion continued, Congress required after 1857 that all newly admitted states must ratify their respective state constitutions by popular votes.⁷

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Consistency dictates that constitutional changes must be made by the same method. That is, an amendment to a state constitution must also be approved by a popular vote. In the 50 states, only the Delaware Constitution permits its state legislature to make constitutional modifications without a ratifying popular vote.⁸ Because a constitution defines the structure of government, by necessity it defines governmental limits. The notion of limits illustrates the conflict legislators have with objectively deciding such limits. Sovereign citizens can introduce objectivity to the decision process.

C. Legislative Referendum

With the "legislative referendum," elected representatives draft a proposal which is placed before the sovereign citizens for their consideration.

The process recognizes that the people are sovereign, that the government is the servant, and that the constitution is the contract between the people as individuals and the people as a whole. Every exercise of the legislative referendum (in Colorado more commonly called a “referred measure” or “referendum”) reinforces the idea that all political power flows from the sovereign citizens. The legislative referendum may be exercised either constitutionally or statutorily.

D. Citizen Referendum

With special interests controlling legislative output, it became clear in the 1890s that more citizen involvement was needed. Not only could legislators not be trusted to bring important issues to the people, there needed to be a means of challenging ill-conceived legislative actions. The “Citizen Referendum” came in two forms. The “Citizen Initiative” was invented to address legislative omissions, while the “Referendum Petition” was invented to address legislative commissions (acts that overreach).

South Dakota was the first state to adopt I&R in 1898. Oregon was the first state to exercise the initiative in 1904. I&R breathed new life into

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the women’s suffrage movement when Oregon petitions allowed suffrage to be voted on in 1906 and 1908, with passage finally coming in 1910. By 1914 I&R brought women’s right to vote to the ballot in Oklahoma, California, Arizona, Kansas, Montana, Nevada, Ohio, Nebraska, and Missouri. The activity helped motivate legislators to release suffrage Legislative Referenda in New York, Michigan, Oklahoma, and South Dakota in 1917 and 1918.⁹

Without I&R women would have had to wait longer for the right to vote. When the 19th Amendment (woman suffrage) passed in 1919, the movement to expand I&R lost momentum.

E. Colorado’s Greatest Reformer

John Shafroth,¹⁰ elected Governor in 1908, had made a campaign promise to bring I&R to Colorado. The legislature refused to place a Legislative Referendum for I&R on the 1910 ballot. Contrary to the wishes of the political establishment, including his party, Shafroth called a special session of the General Assembly in August prior to the November 1910 election. The legislature was reluctant, but Shafroth refused to allow adjournment without action. On the November ballot, I&R passed 76% to 24%. Colorado politicians have never gotten over it. They frequently act improperly to subvert petitions.

2. Insubordinate Legislators

A. History of Hostility

I&R, a specific form of the right to petition, is protected under the First Amendment¹¹ (in addition to freedom of speech, religion, and press) of the U.S. Constitution. Legislators may make rules that facilitate the process and protect against fraud. Legislators may not create rules that hinder or restrict the process. Colorado often crosses the line and has been embarrassed nationally more than any other state over legislative interference with petitions. In *Meyer v. Grant*¹² the U.S. Supreme Court ruled unanimously against the state of Colorado. The state had placed limitations on how petition organizers might reimburse activists. Language contrary to this Court ruling remains in Colorado Revised Statutes, as a display of the legislature’s contempt. In 1999 the U.S. Supreme Court again ruled against Colorado in *Buckley v. ACLF*.¹³ The ACLF case struck down circulator limitations, reporting requirements and badge requirements.

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B. Referendum Petition

The Referendum Petition is the means by which citizens may challenge a law approved by the legislature. However, because of legislative abuses,

very few Coloradans know the meaning of the term Referendum Petition. The last Referendum Petition to appear on a Colorado ballot was in 1932. Referendum Petitions are rare even in states (such as California and Oregon) that do not subvert the petition process. Assuming Coloradans could exercise the Referendum Petition and its uses were in proportion to that of Oregon, the most active initiative state, Colorado citizens would vote on about three Referendum Petitions per decade.

A Referendum Petition ballot question would be of the form “Shall House Bill 2006-5555 become law?” It is the citizens’ way to rein in legislation that goes too far. The Referendum Petition is a check on the legislative process.

C. Source of Safety Clause

As with the Initiative Petition, the Referendum Petition is a “reserved power.” The Referendum Petition is defined as “The second power hereby reserved is the referendum.”¹⁴ Unfortunately, the reservation of power is contradicted by the health and safety constitutional language which continues “except as to laws *necessary for the immediate preservation of the public peace, health, or safety.*”¹⁵ The phrase in italics is the Constitutional loophole that has resulted in Safety Clause abuse.

The Safety Clause, also called the emergency clause, is the last clause attached to many legislative

and bills. Its language is “The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.”

The “Safety Clause” is unique to Colorado. Its sole purpose is to deny citizens their reserved power to use the Referendum Petition. Thus, excessive Safety Clause use by legislators is equivalent to a subordinate refusing to abide with a superior’s directive.

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D. Extent of Abuse

SAFETY CLAUSE HISTORY			
YEAR	TOTAL BILLS	BILLS PASSED	NO SAFETY CLAUSE
2005	602	402	94
2004	726	436	124
2003	448	460	112
2002	714	407	98
2001	652	377	121
2000	725	427	276
1999	624	369	175
1998	620	353	188
1997	598	338	111
1996	609	346	63
1995	597	308	23
Total	6915	4223	1385

Colorado saw 12 Referendum Petitions prior to 1932. In 1932 the legislature imposed a discriminatory tax increase on oleomargarine to protect the dairy industry from competition. Outraged citizens ran a Referendum Petition, striking down the tax increase 38% to 62%. To avoid future embarrassment, legislators began attaching the safety clause to virtually every bill. Between 1933 and 1995, at least 18,000 bills carried the Safety Clause.¹⁶

In 1993 State Representative Penn Pffifner asked that his bills not include a Safety Clause. Because legislative staff did not know how to draft a bill without a Safety Clause, Legislative Legal Services had to research how to do it. In 1995 reformers called public attention to the abuse, resulting in fewer Safety Clause uses. In January 1997 legislative leadership issued a directive that state staff “should no longer assume that members want a safety clause.”¹⁷ This means the Safety Clause is no longer automatically added to every bill without the

order of the legislative sponsor. The result has been some lessening of the abuse.

Certainly there are some legitimate applications of the Safety Clause, but a true threat to health and safety would have little need for a Safety Clause.

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It is worth noting that this abuse is an individual abuse, not a collective abuse. That is, each legislator has a vote and can exercise his individual conscience. Thus, with multiple votes by 100 legislators for any bill to become law, Safety Clause abuse represents millions of actions against the Colorado Constitution and the

people's reserved power to petition. Yet the reality remains; just a few legislators with strength of character and principled leadership could put an end to Safety Clause abuse by withholding their votes. A rule change requiring a separate vote to attach a Safety Clause to any bill would not be out of order. Both political parties have moments where they claim to be the party of the people. Either could force the necessary rule change.

Selected examples of the thousands of Safety Clause declarations used in the last decade appear in Appendix D.

E. Effective Date

The prospect of a Referendum Petition can delay the date that new laws take effect by up to 90 days after adjournment of the legislature (early May until early August). A new law with a Safety Clause can become effective whenever the legislator chooses. The majority of these bills become effective immediately, upon being signed by the Governor. Other commonly used effective dates are July 1 and January 1. Immediate effectiveness is appropriate when health and safety are truly threatened.

Had the following bills not been implemented immediately the scale of the ensuing damage and injury is difficult to envision: Korean War Veteran License Plate, Male Mammography, Snowmobile Registration, Bicycle Traffic Regulation and Encouraging Breastfeeding. Some Safety Clause bills operate on a date outside of the Referendum Petition window, such as those that go into effect the following January 1, the Presidential Primary Election and Counting Students for Financial Purposes. Because a Referendum Petition could not delay the effective date of these laws, the only rationale for using the Safety Clause is to preclude citizens the possible use of the Referendum Petition.

3. Making it Difficult for Voters

A. Ballot Titles

A ballot title is what voters see when they read their ballot. Voters often review the Blue Book and other voter guides to decide how they will vote prior to entering the voting booth.

The ballot title summarizes and differentiates the various issues as a means of assisting the voting process. Excessively long ballot titles confuse and frustrate voters. Colorado ballot titles are long and obtuse. They are probably the worst in the U.S.

In 1996 the Term Limits movement ran virtually the same text in 15 states. The "Congressional Term Limits Amendment" sought to amend the U.S. Constitution by encouraging Congress to refer a specified Constitutional Amendment to the states for ratification. The Colorado ballot title was the longest, with a single 283-word run-on sentence written in obfuscating legalese. The shortest (California) was 7 words. Oregon provided its voters a 10 word title. Why the difference?

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B. Measuring Readability

The Flesch-Kincaid Grade Level Readability Score rates sentences on a school grade scale with 12th grade as the highest. Over the last decade every Colorado ballot title scored 12. This means voters need no less than a high school education to comprehend any Colorado ballot title. Because Flesch-Kincaid stops at 12, this measurement reveals nothing about how much more difficult Colorado ballot titles are than 12th grade reading level. Ballot titles for all of the issues that Colorado citizens were asked to decide statewide between 1996 and 2005 appear in Appendix C.

The Flesch Readability Formula is a scale from 0 to 100 with 100 being easiest to read. In Oregon proponents and opponents may submit draft ballot titles. The title is set by the Secretary of State and must have a readability score of at least 60.¹⁸ The average score of all Colorado ballot titles over the last decade is 12. One-third of Colorado ballot titles get a Flesch Readability score of ZERO. The most readable

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Colorado ballot title in the last decade is 1998 (Water Meters), written with 109 words and scoring 57. Thus, no Colorado ballot title would qualify as readable enough to be used as a title in Oregon.

C. Referred Measures are Different

By contrast, ballot titles for Referred Measures are shorter. Over the last decade the average Citizen Petition received a ballot title of 173 words, whereas the average Referred Measure received a ballot title of 88 words. Some Colorado ballot titles are longer than the text of the measure. The *Rocky Mountain News* editorialized, “Maybe (Coloradans) should be able to understand the measures when they read them. It’s a simple idea, really, but apparently also heresy.”¹⁹ Referendum F, one of the 2006 referred measures, has a misleading ballot title (drafted by legislators without the possibility of oversight or challenge). “The title says it concerns ‘elections to recall state elected officials’ ... but in fact passage of the referendum would have a much greater effect

on local elected officials – who are not mentioned in the title.”²⁰ “What the legislature needs is its own title board to make sure it’s not misleading the public with its referendums.”²¹

4. The Colorado Constitution

A. Colorado Ballot Activity

The Colorado Constitution was adopted in 1876. Citizens gained the power to draft proposed amendments in 1910 when the Constitution was amended to include Initiative and Referendum. The 1912 election presented voters with the longest ballot in history with 32 issues to decide: 4 referred, 22 initiated, and 6 Referendum Petitions.

From 1912 thru 2005, 350 issues appeared on the ballot for Colorado voters to decide. Thirteen were Referendum Petitions; 83 were statutes, and 254 were constitutional amendments. Of the 83 statutes, 63 were initiated and 20 were referred. Of the 254 constitutional issues, 129 were initiated and 125 were referred. Full tabulation of these can be found in Appendix A, and a list of all 350 ballot issues can be found in Appendix B.

Referred statutes and referred constitutional amendments fare better with voters than initiated proposals. Ten of 20 referred statutes have been approved (50%), while 26 of 63 initiated statutes passed (41.3%). Sixty-nine of 125 referred constitutional amendments have been approved (55.2%), while 42 of 129 initiated amendments have passed (32.6%). The significant majority (69 of 111 = 62.2%) of the amendments adopted into the Colorado Constitution were proposed by the legislature. Only 42 of 111 amendments (37.8%) to the Colorado Constitution have been the product of a citizen initiative petition.

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In 94 years only 68 petitions have produced a law. That is less than one per year (0.72). Over the last decade, 14 petitions have yielded a law (1.4 per

year). By contrast, during this same decade the General Assembly considered over 6,900 bills, of which 4,223 (61%) became law. Thus, legislators impose more than 99.5% of all laws, while initiated laws account for less than one half of one percent. That is a ratio of 4,223 to 14, or about 300 to 1.

B. Statutes in the Colorado Constitution

Some of Colorado's 42 initiated constitutional amendments could have been statutes instead. Probably about one-quarter (10 to 12) of initiated constitutional amendments could have been statutory. Many issues must be constitutional, because they address conflict of interest issues that place limits on government, such as term limits and spending limits.

Another reason initiated laws are made constitutional, rather than statutory, is that legislators sometimes express their frustration with petitions by tampering with the statute after enactment. A successful petition drive and campaign involves massive effort. As long as legislative tampering is a risk, activists will sometimes take the constitutional path as a protection.

If the tampering-risk could be mitigated, ample incentive exists to motivate issue-activists to go the statutory route. Initiated statutes are approved by voters at the rate of 41.3% while initiated constitutional amendments are approved at the rate of 32.6%.

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C. Does Size Matter?

One state senator recently remarked, "... how long and 'messy' our state Constitution is in comparison to the

U.S. Constitution. The U.S. Constitution is only 15 pages long whereas our Colorado Constitution has over 700 pages."²² The ignorance displayed in these few words makes one wonder how much the honorable senator knows about either document.

Using the "Colorado and U.S. Constitutions" published by the Colorado Secretary of State (so the font type and size and page layout of both documents are consistent), one discovers that the U.S. Constitution is 27 pages and the Colorado Constitution is 207 pages. A state constitution cannot be as brief, because it must deal with many operational issues, such as establishing and managing elections, private corporations, and the existence and operation of hundreds of local governments. For example, Colorado has 2,710 local governments of 61 different types (cities, towns, counties, school districts, water districts, fire districts, etc.), each with a set of rules partly defined in the state constitution. State constitutions typically restate or offer an expanded list²³ of the U.S. Bill of Rights, meaning it is impossible for a state constitution to be of equal length to the U.S. Constitution.

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The Colorado Constitution has 45,679²⁴ words. The longest state constitution is Alabama's with 310,296²⁵ words and the shortest is Vermont's with 8,295²⁶ words. With respect to the number of constitutional amendments, Alabama has the most at 711²⁷ and Illinois has the fewest at 11.²⁸ Colorado is comfortably in the midrange of both measures.

Amendment 27 (2002 Campaign Finance Reform) is the longest amendment to the Colorado Constitution at 5,685 words. Interestingly, the advocates of Amendment 27 had sponsored a similar initiative as a statute in 1996, but the statute was substantially modified by the legislature. Thus, if the legislature had not tampered with Initiative 15 from 1996, or if more modest changes had been made, or if the issue-advocates had been consulted, Amendment 27 would probably have never been proposed and the Colorado Constitution would be 5,685 words shorter.

Ultimately, though, the question of size is irrelevant. Because a constitution is the contract between the people individually and the same people collectively, the people have the prerogative to determine the things that merit constitutional mention.

5. Limiting the Initiative

A. Single Subject History

The single subject limitation for bills exists in some form in “the constitutions of forty-one of our states.”²⁹ It is a protection against omnibus bills, also called Christmas tree bills. In omnibus bills, something-for-everyone bills, individual legislators use their vote to hold a bill hostage until they can gain something unrelated to the bill. The problem was recognized by Ancient Rome in 98 BC, which imposed the first prohibitions on omnibus bills.³⁰ Like most states, Colorado imposes a single subject limitation on state legislation.³¹

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The most glaring abuses of omnibus bills is in the U.S. Congress. Lack of an omnibus bill prohibition adds fuel to the federal earmark/pork-barrel problem. This deficiency in the U.S Constitution was recognized in 1861 when the Confederate States included an omnibus prohibition in the Confederate Constitution.³²

B. Logrolling

Within legislative bodies, issues that cannot stand on their own merits are attached to unrelated bills. The term for this is “logrolling.” Together, unrelated issues attract the support needed.

The practice of logrolling cannot occur with the initiative petition process. Once an issue is drafted, it cannot be modified to attract support. During drafting issue-advocates are careful in the ideas and words they choose to maximize support. There is a solid consensus among activists that unrelated issues rarely aid the prospect of gaining voter approval. As a general rule, the more simply and concisely a proposed initiative can be drafted, the more likely it

is to be approved by voters.

C. Single Subject in Colorado

The Colorado legislature proposed adding the single subject requirement to the Initiative process in 1994 as a referred constitutional amendment. The single subject burden was to have been on the drafting of the title, not on the scope or text of the measure. The 1994 Blue Book illustrates via example: “The subject of a bill may be broad, such as ‘concerning the criminal code,’ or it may be narrow, such as ‘concerning the crime of trespass.’”³³ If single subject limits were applied as the Blue Book describes or treated similarly to legislation, then the single subject limitation would do no injury to the Colorado’s Initiative process. Unfortunately, single subject has become another tool for subverting the petition process.

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Single subject case law aims to avoid two evils: “increasing voting power by combining measure that could not be carried on their individual merits”³⁴ and “surprising voters by surreptitiously including unknown and alien subjects.”³⁵

Colorado initiative titles are set by the Title Board, composed of staff from the offices of the Secretary of State, the Attorney General, and Legislative Legal Services. Single subject determination is made by the Title Board at the same time that the title is set. Every Colorado citizen has the right to challenge the work of the Title Board with an appeal to the Colorado Supreme Court. The process is proper in that the Title Board might occasionally make a blunder or act with bias. But the vast majority of initiatives receive a challenge, and the Court has failed to be consistent in its treatment of various issues. The regularity with which challenges are issued and the Court disapproves of the work of the Title Board suggests there is a problem.

Groundless challenges serve two purposes that benefit issue opponents. First, they always defer petitioning, usually escalate costs, and sometimes

prevent petitioning altogether, thus denying a vote and defeating the proposal. Second, challenges empower the Colorado Supreme Court to rule arbitrarily on selected issues, which the Court has done with increasing lawless boldness.

D. Court Undermines Petition Rights

Empowered by the 1994 single subject amendment, the Colorado Supreme Court has become increasingly active with respect to initiatives. Statute requires the Court to make determinations “promptly.”³⁶ Evidently, “promptly” means “whenever they feel like it.” Recent actions have abandoned the pretence of promptness or consistency. On June 12, 2006, the Court struck down as having multiple subjects the title of an initiative petition on illegal immigration that the Court had held since January and had approved in a previous election cycle. If the ruling had come promptly, the proponents conceivably could have corrected a flaw and proceeded. Other petition titles were challenged after and ruled on before this petition. The Court’s delay suggests that the Court held up the issue for the purpose of denying the proponents the opportunity to petition and denying Colorado voters the right to express their will through voting.

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Public shock and outrage at the Court’s action was virtually universal. “The Colorado Supreme Court embarrassed itself Monday by apparently letting its political predilections determine an important decision.”³⁷ “The decision is transparently arbitrary and subjective, and it took the court more than five months to decide the case. This delay, the court knew, would, under existing rules, effectively prevent the initiative supporters from getting the measure on the ballot.”³⁸ “The

court deserves a public rebuke for overstepping its bounds.”³⁹ “Owens is right to call ‘inconsistent,’ ‘inappropriate,’ and ‘arrogant’ Monday’s Colorado

Supreme Court ruling ...”⁴⁰ “The decision contradicts several previous rulings of the tribunal on the very same legal issue.”⁴¹ “Two years ago, the state Supreme Court upheld nearly identical language but delayed its decision until it was too late to gather the required signatures.”⁴² “The lack of intellectual integrity in this decision, ironically, can be judged by the words of our opponent’s attorney ... ‘Petitioners do not contend that this is a separate subject, nor could they do so in a principled manner.’”⁴³ Evidently the Court is governed by different principles.

An agenda item on the July 2006 Special Legislative Session was to provide more specific definition in statute to the word “promptly.” The bill to change the word “promptly” to “20 days” failed.⁴⁴

6. Solidifying Facts

A. Local I&R

People tend to think of petitions as a statewide instrument. Yet, all of Colorado’s 88 home rule cities have the Initiative, although the procedures vary.

In addition all Colorado 183 statutory cities⁴⁵ possess an indirect initiative process. The indirect initiative uses a smaller signature threshold (5 percent for Colorado statutory cities and towns), after which the issue goes before the legislative body for possible action before going to the ballot.⁴⁶ If the legislative body enacts the proposal, a vote of the electorate becomes moot.

Although citizens of Colorado counties do not currently have broad Initiative and Referendum powers, the General Assembly has defined in state statute a list of about five items that county citizens may petition, such as changing the number of County Commissioners from three to five members.⁴⁷

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Recall petitions exist for every elected office in Colorado, but the signature requirement is sometimes so high that the process is made dysfunctional. Initiative petitions do not currently exist in Colorado at the County level or at the Special District level. Thus, the power to participate in government via Initiative petition exists in only 272 of Colorado's 2,710 governments.⁴⁸

The words in the Colorado Constitution that affix petition powers to local government citizens are: "The initiative and referendum power reserved to the people by this section are hereby further reserved to the registered electors of every city, town, and municipality as to all local, special, and municipal legislation of every character ..."⁴⁹

There is some ambiguity in the word "municipality." Obviously, the authors intended "municipality" to mean something more than "city and town." Oregon was the model from which the Colorado I&R process was drafted. Oregon's similar language was clarified by a court ruling in favor of county citizens having initiative powers.

Turning back to 1910, "... it is manifestly apparent that the legislators ... and the voters who came to the polls in November, intended to – and indeed did – reserve the legislative powers of initiative and referendum (to) every form of local governmental entity ..."⁵⁰ "The omission of counties from section 1(9) simply and logically reflects nothing more than the non-legislative character of counties at the time."⁵¹

Although it would be proper for a court to rule in favor of original intent, such a ruling after nearly 100 years is unlikely. If citizens are to

recover their local government petition powers, they will need to find a path other than the courts.

B. Voter Turnout

For decades political scientists claimed that issues on the ballot had no effect on voter turnout. This

was challenged by David D. Schmidt in 1989.⁵² Schmidt, the former director of the Initiative Resource Center in San Francisco, found that initiative states experienced a higher voter turnout than non-initiative states, by an average of 4.4 points. With voter turnout often near 50 percent, 4.4 percent more turnout means about 9 percent more people voting. The effect is greater in non-presidential election years. In presidential election years, issues on the ballot increase voting by 3.1 points, whereas in non-presidential election years, issues on the ballot increase voting by 6.2 points.⁵³

Schmidt's conclusions were corroborated in 2000 by the work of Tolbert, Smith and Grummel. These researchers collected voter turnout data from all states over three decades and applied multiple regression analysis, concluding "states with the initiative process have 2.5% higher turnout in both presidential and midterm elections, than states without this process."⁵⁴ With the positive effect of ballot issues on voter turnout empirically proven, deeper questions can be researched: Do referred measures equally influence voter interest, and in turn, voter turnout? Do more issues on the ballot always engender higher interest in voting or is there a point where voter interest begins to decline?

C. Fiscal Effects

I&R detractors frequently assert that the initiative process deprives governments of needed revenue. How can this be, when issues originate equally from both the left and the right and voters typically reject anything extreme? University of Southern California Economics Professor John Matsusaka has thoroughly analyzed the fiscal effects of the initiative process. In a 1999 research paper published in the *Journal of Political Economy*, Professor Matsusaka released his findings. He applied multiple regressions to data for the 30-year period from 1960 to 1990 to arrive at three conclusions:⁵⁵

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1. Spending was found to be about \$83 per capita lower in a typical initiative state than a typical non-initiative state. This translates to 4 percent less taxation in the initiative states.
2. Spending is more decentralized in initiative states. Local governments spend about 10 percent more, while state governments spend about 12 percent less.
3. In initiative states, broad-based taxes (property, income, and sales) were 8 percent lower, while user-fees for services (such as college tuition) were 7 percent higher. Thus, there is less redistribution of wealth in an initiative state than in a non-initiative state; the beneficiaries of government programs are more likely to pay for them.

Regarding the half century prior to 1960, Matsusaka found:⁵⁶

1. Combined expenditure (and revenue) of state and local governments during this period was higher in initiative than non-initiative states.
2. State and local expenditure was more decentralized in initiative states than non-initiative states.

Thus, I&R can be used to augment spending, as much as it can be used to diminish spending.

During the first half of the 20th century combined government outlays grew aggressively. The fact that government growth was somewhat more rapid in the initiative states may reflect the electorate's ability to express its will in those states. In 1900 combined government outlays consumed only about 8.1 percent of economic output as measured by Gross Domestic Product.⁵⁷ If taxpayers had not wanted more government services, spending advocates could not have succeeded at imposing them. That the second half of the 20th century reveals somewhat less willingness on the part

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Matsusaka's other two conclusions were consistent through the entire period studied: (1) voters in initiative states prefer less centralized spending and (2) user fees are preferred over broad-based taxation.

In short, it appears that the initiative helps "to bring fiscal policy more in line with the electorate's preferences."⁵⁸

D. Influence of Money

It is often claimed that the Initiative process is the tool of special interests.⁵⁹ In "Are Coloradans Fit"⁶⁰ the comprehensive John S. Shockey study of the 1976 Colorado election revealed that over ten times as much money was spent on the no-side of all issues combined, as the yes-side. In response to the assertion that initiatives allow well organized and well financed special interests to subvert the policy process, Professor Matsusaka replies, "None of the evidence supports the subversion hypothesis."⁶¹ For the subversion hypothesis to be true, public policy would be contrary to the desires of citizens. Matsusaka used three fiscal policy questions and regression analysis to quantitatively evaluate the effect of the initiative process on fiscal policy between 1987 and 2000.

In "Populist Paradox,"⁶² University of California San Diego Political Science Professor Elisabeth Gerber compiled the sources of campaign funding in eight states over the five years between 1988 and 1992. Gerber considers all organized lobbying groups as a single category. Lobbying interests have the greatest access to legislators and the most clout with legislators, and therefore, the most to lose from

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That the second half of the 20th century reveals somewhat less willingness on the part of voters to further enlarge government may be an indicator that the mood of the populace with respect to the size of government has changed.

citizen participation. Over two-thirds (68%)⁶³ of all (yes-side and no-side; both initiated and referred) issue contributions come from lobbying interests.

Referred measures attract little interest. Only 8 percent of all issue campaign dollars are spent on referred measures. Of that 8 percent, 98 percent is spent on the yes-side and 70 percent comes from lobbying interest groups.⁶⁴

In short the lobbyist-corps overwhelmingly opposes initiated measures and overwhelmingly supports referred measures.

Initiatives attract 92 percent of spending, of which 68 percent comes from lobbying interests. Of the total spent on initiatives, 61 percent of spending is by the no-side. The no-side receives 74 percent⁶⁵ of initiative campaign contributions from lobbying interests.

In short the lobbyist-corps overwhelmingly opposes initiated measures and overwhelmingly supports referred measures.

E. Something to Contribute

Citizens have something to contribute. After all, they are still sovereign, in spite of elitist attitudes that sometimes suggest otherwise. And none of us is as smart as all of us. Because legislators are called upon to make decisions in every arena, it is difficult for them to be expert in all areas. The highest value of a legislator is in the wise unbiased exercise of judgment and a willingness to search for and acknowledge truth. On any given issue, at least a few citizens know more than any legislator can possibly know. These citizens can address the issue they know with more authority, experience, knowledge and expertise than the entire legislature can. This citizen-knowledge is a strength, not a threat.

Public policy will improve once leaders invent means for involving the knowledge of citizens in policy decisions. In “The Wisdom of Crowds”⁶⁶ James Surowiecki points out that the ‘invisible hand’ of mass decision-making works in many arenas

with surprisingly sound results: the stock prices, votes, point spreads, pari-mutuel odds, computer algorithms, Google, futures contracts. Crowds are smart when its members are diverse, independent, and decentralized.⁶⁷ In 1906 British scientist Francis Galton set out “to prove that the average voter was capable of very little.” In estimating the weight of an ox, the average estimate of 787 participants was more accurate than any expert. Galton understated his conclusion: “the result seems more creditable to the trustworthiness of a democratic judgment than might have been expected.”⁶⁸

In May 1968, the U.S. submarine Scorpion disappeared. A diverse group of specialists was summoned. All were supplied with the available information and asked to independently predict the location. None of the predictions were as close as the average, which turned out to be only 220 yards from where the Scorpion was found.⁶⁹

The idea self-government via representative (and constitutional) democracy in America has done a bit better than King George anticipated. Yet, contentment is a trait incompatible with excellence. That things are not as bad as they could be does not prove that they cannot be better than they are. There is untapped knowledge and wisdom in the populace. The challenge is to discover practical means of extracting and utilizing it. These methods must be and will be invented.

One hundred years from now, folks will look back at today’s I&R process and it will look akin to the current view of the Model-T (a rickety old vehicle, marginally capable of doing the job). The Model-T was a huge step forward in its time and was a prerequisite for the invention of the marvels of today: the Corvette, the SUV and the Prius. The idea that citizens should participate less in their government in the future is an absurdity. That the vast knowledge and wisdom of the populace should continue to be ignored in shaping public policy is

There is untapped knowledge and wisdom in the populace. The challenge is to discover practical means of extracting and utilizing it.

equally absurd. What forms I&R will morph into or what systems it will facilitate being invented are beyond our current ability to envision.

Clearly those who seek to injure or destroy the Initiative process are on the wrong path.

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Endnotes

¹ Dennis Polhill, "Are Coloradans Fit to Make Their Own Laws?" Independence Institute Issue Paper No. 8-96, October 1996, offers a complete list of all Colorado ballot issues appearing since 1912 and analysis the 14 most commonly voiced complaints about the Initiative and Referendum process. <http://www.i2i.org/politicsandgovernment/8-96.pdf>.

² Unpublished document created during Dennis Polhill's farm privatization visit to Moldova for the team of attorneys drafting the nation's first land code (June 1997).

³ Colorado Constitution, Article V, section 1(1).

⁴ Declaration of Independence, July 4, 1776.

⁵ M. Dane Waters, *Initiative and Referendum Almanac*, (Durham, NC: Carolina Academic Press, 2003), 3.

⁶ David D. Schmidt, *Citizen Lawmakers*, (Philadelphia: Temple University Press, 1989), 4.

⁷ Waters, *Almanac*, 3.

⁸ Council of State Governments *The Book of the States*, (Lexington, KY: Council of State Governments, 2002), 16.

⁹ Waters, *Almanac*, 504.

¹⁰ Dennis Polhill, "'Honest' Bob Schaffer Teaches Congress about Honor and Principles," Independence Institute Opinion Editorial, January 23, 2002, http://www.i2i.org/main/article.php?article_id=203.

¹¹ "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble and to petition the government for a redress of grievances."

¹² *Meyer v. Grant*, 486 U.S. 414 (1988), <http://laws.findlaw.com/us/486/414.html>.

¹³ *Buckley v. ACLF*, 525 U.S. 182 (1999), <http://www.law.cornell.edu/supct/html/97-930.ZO.html.bak>.

¹⁴ Colorado Constitution, Article V, Section 1(3).

¹⁵ Ibid.

¹⁶ 62 years x 300 bills per year = 18,600.

¹⁷ Memorandum from General Assembly Executive Committee of Legislative Council to Office of Legislative Legal Services, January 15, 1997.

¹⁸ Phil Keisling, *Oregon Initiative and Referendum Manual*, (Oregon: Secretary of State, 1994), 55.

¹⁹ Editorial, "Bring Clarity to the Ballot," *Rocky Mountain News*, December 22, 2000.

²⁰ Peter Blake, "An Iffy Referendum Title," *Rocky Mountain News*, July 5, 2006.

²¹ Ibid.

²² Senator Sue Windels email to constituent mailing list, March 5, 2006.

²³ Colorado Constitution, Article II, Colorado's Bill of Rights includes a list of 30; the U.S. Constitution has 10.

²⁴ Council of State Governments *The Book of the States*, (Lexington, KY: Council of State Governments, 2002), 14.

²⁵ Ibid.

²⁶ Ibid.

²⁷ Ibid.

²⁸ Ibid.

²⁹ Millard H. Ruud, "No Law Shall Embrace More Than One Subject," *Minnesota Law Review* 42 (1958): 389.

³⁰ Ibid.

³¹ Colorado Constitution, Article V, Section 21.

³² The Constitution of the Confederate States of America, Article I, Section 20, March 11, 1861.

³³ "1994 Blue Book: An Analysis of 1994 Ballot Proposals," Research Publication No. 392, Legislative Council of the Colorado General Assembly, p. 2.

³⁴ *In the Matter of the Title, Ballot Title and Submission Clause for 2005-2006 #74*, 136 P.3d 237, 244 (Colo. 2006)(Coats, J, dissenting).

³⁵ Ibid.

³⁶ Colorado Revised Statute § 1-40-107(2).

³⁷ Editorial, "Court Undermines Citizen Ballot Right," *Rocky Mountain News*, June 13, 2006.

³⁸ Al Knight, "Court's Delay Sank Measure," *Denver Post*, June 14, 2006.

³⁹ Editorial, "Two Tasks for a Special Session," *Rocky Mountain News*, June 12, 2006.

⁴⁰ Ibid.

⁴¹ Editorial, "Court's Ballot Ruling Needs a Second Look," *Denver Post*, June 14, 2006.

⁴² Former Governor Richard D. Lamm, "Politicians in Black Robes," *Denver Post*, June 16, 2006.

⁴³ Ibid.

⁴⁴ Colorado General Assembly, Senate Bill 3 of the 2006 Special Session, sponsored by Senator Mitchell and Representative Penry.

⁴⁵ All local governments exist at the prerogative of the state. Statutory cities are governed by state statute. Home rule cities are governed by a city charter, similar to a constitution. The range within which home rule cities may operate is defined in state statute and state constitution. For example, home rule cities must have an initiative process but may define their own procedures within limits, whereas the initiative procedures of statutory cities are defined at the state level and are the same for all.

⁴⁶ Colorado Revised Statute § 31-11-101 thru 118 et seq.

⁴⁷ Colorado Revised Statute § 30-10-306.7.

⁴⁸ One state government, 88 Home Rule Cities and 183 Statutory Cities = 272 governments. As of July 7, 2006, Colorado Department of Local Affairs showed 2,710 local governments, http://www.dola.state.co.us/LGS/localgovtinfo/lgov_a.htm

⁴⁹ Colorado Constitution, Article V, Section 1(9).

⁵⁰ Edward T. Ramey, *A Colorado Constitutional Paradox: Initiatives, Referenda, and the Eclipse of Original Intent in County Governance*, (Unpublished Working Paper, 2004), 22.

⁵¹ Ibid.

⁵² Schmidt, *Citizen Lawmakers*, 28.

⁵³ Polhill, "Are Coloradans Fit to Make Their Own Laws?," 8.

⁵⁴ Caroline Tolbert, Daniel Smith and John Grummel, "The

Effects of Ballot Initiatives on Voter Turnout in the American States," *American Politics Research* 29, no. 6 (2001): 625-648.

⁵⁵ John Matsusaka, "Fiscal Effects of the Voter Initiative: Evidence from the Last 30 Years," *Journal of Political Economy*, 103, no. 3 (1995): 589. http://econpapers.repec.org/article/ucpjpolec/v_3A103_3Ay_3A1995_3Ai_3A3_3Ap_3A587-623.htm.

⁵⁶ John Matsusaka, "Fiscal Effects of the Voter Initiative in the First Half of the Twentieth Century," *Journal of Law and Economics* 43, no. 2 (2000): 619-650, http://econpapers.repec.org/article/ucpjlawec/v_3A43_3Ay_3A2000_3Ai_3A2_3Ap_3A619-50.htm.

⁵⁷ Fred Holden, *Total Power of One*, (Phoenix Enterprises, 1991), 420.

⁵⁸ John Matsusaka, "Fiscal Effects of the Voter Initiative in the First Half of the Twentieth Century."

⁵⁹ Special interests are those who seek to concentrate benefits narrowly and distribute costs broadly, for their personal benefit. Though this is commonly measured in dollars of direct tax subsidies, the personal benefit can be other special privileges, such as beneficial regulations and protections and/or the imposition of burdensome regulations on one's competitors.

⁶⁰ Polhill, "Are Coloradans Fit to Make Their Own Laws?," 5.

⁶¹ John G. Matsusaka, "Subversion of the Many by the Few: Some Scientific Evidence on the Initiative Process," (working paper, Marshall School of Business, University of Southern California 2003), 1.

⁶² Elisabeth R. Gerber, *Populist Paradox: Interest Group Influence and the Promise of Direct Legislation*, (Princeton, NJ: Princeton University Press, 1999).

⁶³ *Ibid*, page 94.

⁶⁴ *Ibid*, page 96.

⁶⁵ *Ibid*, page 96.

⁶⁶ James Surowiecki, *The Wisdom of Crowds, Why the Many are Smarter Than the Few and How Collective Wisdom Shapes Business, Economies, Societies and Nations*, (New York: Doubleday, 2004).

⁶⁷ *Ibid*, page 22.

⁶⁸ *Ibid*, page xiii.

⁶⁹ *Ibid*, page xx.

APPENDIX -A

COLORADO BALLOT ISSUES -- TABULATION																
1912 - 2005																
Year	Petitioned						Referred						Referendum Petition (1)			Total
	Constitutional			Statutory			Constitutional			Statutory			Pass	Fail	Total	
	Pass	Fail	Total	Pass	Fail	Total	Pass	Fail	Total	Pass	Fail	Total				
1912	3	7	10	5	7	12	0	4	4	0	0	0	1	5	6	32
1914	1	4	5	1	2	3	1	2	3	0	0	0	1	4	5	16
1916	0	2	2	2	2	4	0	0	0	0	0	0	1	0	1	7
1918	1	0	1	2	0	2	2	0	2	0	0	0	0	0	0	5
1920	1	1	2	2	3	5	1	2	3	0	0	0	0	0	0	10
1922	1	2	3	0	2	2	1	3	4	0	0	0	0	0	0	9
1924	0	1	1	0	0	0	0	2	2	0	0	0	0	0	0	3
1926	0	1	1	0	2	2	0	4	4	0	0	0	0	0	0	7
1928	0	2	2	0	0	0	1	2	3	0	0	0	0	0	0	5
1930	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1
1932	1	3	4	1	0	1	0	1	1	0	0	0	0	1	1	7
1934	1	2	3	1	0	1	0	3	3	0	0	0	0	0	0	7
1936	2	2	4	2	0	2	2	1	3	0	0	0	0	0	0	9
1938	0	2	2	0	1	1	0	0	0	0	0	0	0	0	0	3
1940	0	4	4	0	1	1	0	0	0	0	0	0	0	0	0	5
1942	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	1
1944	1	1	2	1	0	1	1	0	1	0	0	0	0	0	0	4
1946	0	0	0	0	0	0	1	1	2	0	0	0	0	0	0	2
1948	0	2	2	0	0	0	1	0	1	1	0	1	0	0	0	4
1950	0	1	1	0	0	0	2	1	3	0	0	0	0	0	0	4
1952	0	2	2	0	1	1	1	2	3	0	0	0	0	0	0	6
1954	1	0	1	0	0	0	1	5	6	1	0	1	0	0	0	8
1956	1	1	2	0	0	0	2	1	3	0	0	0	0	0	0	5
1958	1	1	2	0	0	0	0	3	3	0	0	0	0	0	0	5
1960	0	3	3	0	1	1	0	2	2	0	0	0	0	0	0	6
1962	1	1	2	0	0	0	4	2	6	0	0	0	0	0	0	8
1964	0	0	0	0	0	0	2	0	2	0	0	0	0	0	0	2
1966	2	1	3	0	0	0	2	0	2	1	1	2	0	0	0	7
1968	0	0	0	0	0	0	2	0	2	0	0	0	0	0	0	2
1970	0	0	0	0	0	0	4	1	5	0	0	0	0	0	0	5
1972	1	3	4	1	2	3	3	1	4	0	1	1	0	0	0	12
1974	4	0	4	0	0	0	5	0	5	1	0	1	0	0	0	10
1976	0	3	3	0	3	3	1	2	3	1	0	1	0	0	0	10
1978	0	1	1	0	0	0	1	0	1	0	0	0	0	0	0	2
1980	1	1	2	1	1	2	2	0	2	0	0	0	0	0	0	6
1982	0	1	1	0	2	2	4	0	4	0	0	0	0	0	0	7
1984	1	1	2	1	0	1	2	0	2	0	0	0	0	0	0	5
1986	0	1	1	0	0	0	1	2	3	0	0	0	0	0	0	4
1988	2	2	4	0	0	0	4	0	4	0	0	0	0	0	0	8
1990	2	1	3	0	0	0	1	0	1	1	0	1	0	0	0	5
1992	3	5	8	1	1	2	2	1	3	0	0	0	0	0	0	13

COLORADO BALLOT ISSUES -- TABULATION

1912 - 2005

Year	Petitioned						Referred						Referendum Petition (1)			Total
	Constitutional			Statutory			Constitutional			Statutory			Pass	Fail	Total	
	Pass	Fail	Total	Pass	Fail	Total	Pass	Fail	Total	Pass	Fail	Total				
1993	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	1
1994	1	7	8	0	0	0	3	0	3	0	0	0	0	0	0	11
1995	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	1
1996	4	3	7	1	0	1	2	2	4	0	0	0	0	0	0	12
1997	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	1
1998	1	3	4	2	2	4	1	1	2	0	1	1	0	0	0	11
1999	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	1
2000	2	2	4	1	1	2	3	1	4	1	1	2	0	0	0	12
2001	0	0	0	0	1	1	0	0	0	1	0	1	0	0	0	2
2002	1	2	3	0	2	2	2	2	4	0	1	1	0	0	0	10
2003	0	2	2	0	0	0	0	0	0	0	1	1	0	0	0	3
2004	1	2	3	1	0	1	1	1	2	0	0	0	0	0	0	6
2005	0	0	0	0	0	0	0	0	0	1	1	2	0	0	0	2
TOTAL	42	87	129	26	37	63	69	56	125	10	10	20	3	10	13	350

(1) Pass of a Referendum Petition means voters approved of the Statute allowing it to go into effect.

(2) Annual Statewide Elections began after passage of TABOR in 1992.

APPENDIX – B

Colorado Ballot Issues -- Type, Source, Topic, Vote
1912-2005

Year	No.	Type	Source	Topic	Yes	No
1912	1	Constitution	Referred	Designating mining and smelting business as affected with the public interest.	35,997	37,953
1912	2	Constitution	Referred	Creating a state tax commission in lieu of the state board of equalization & continuing county boards of equalization	32,548	40,012
1912	3	Constitution	Referred	Providing salaries of county, precinct and other officers need not be paid entirely from fees collected by said officers.	28,889	41,622
1912	4	Constitution	Referred	Raising limitation on county debts, based upon assessed valuation of taxable property in county.	29,741	47,284
1912	5	Constitution	Citizens	Providing for statewide prohibition.	75,877	116,774
1912	6	Constitution	Citizens	Providing special funds for the state immigration bureau.	30,359	54,272
1912	7	Constitution	Citizens	Granting home rule to cities and towns.	49,596	44,778
1912	8	Constitution	Citizens	Providing recall from office.	53,620	39,564
1912	9	Constitution	Citizens	Providing for the holding of special elections for voting on proposed constitutional amendments and initiated and referred laws.	33,413	40,634
1912	10	Constitution	Citizens	Defining contempt of court and providing for trial by jury for contempt in certain cases.	31,850	41,855
1912	11	Constitution	Citizens	Creating a public utilities court with exclusive power to fix and enforce reasonable rates, and for appeal direct to the supreme court from its decisions.	27,534	51,820
1912	12	Constitution	Citizens	Providing wider control of the schools by the people.	38,318	55,691
1912	13	Constitution	Citizens	Providing for juvenile courts in cities and counties of over 100,000 population.	55,416	40,891
1912	14	Constitution	Citizens	Authorizing a bonded indebtedness for public highways.	36,636	53,327

Year	No.	Type	Source	Topic	Yes	No
1912	1	Statute	Referendum Petition	Eight-hour law for work in underground mines, smelters, coke ovens, etc.	69,489	30,992
1912	2	Statute	Referendum Petition	Concerning the branding and marking of livestock.	37,387	37,740
1912	3	Statute	Referendum Petition	Relating to the custody and management of public funds.	20,968	44,322
1912	4	Statute	Referendum Petition	Establishing teachers' summer normal schools.	23,521	63,266
1912	5	Statute	Referendum Petition	Concerning examinations for teachers.	25,369	54,086
1912	6	Statute	Referendum Petition	Concerning water rights and irrigation.	22,931	47,614
1912	7	Statute	Citizens	Enforcement of prohibition laws by search and seizure.	64,616	79,190
1912	8	Statute	Citizens	Women's eight-hour employment law.	108,959	32,019
1912	9	Statute	Citizens	Providing for the regulation of public service corporations.	30,347	64,138
1912	10	Statute	Citizens	Establishing a state fair.	49,102	52,462
1912	11	Statute	Citizens	Reducing costs of publishing constitutional amendments, initiated & referred laws, & publishing arguments for & against.	39,551	50,635
1912	12	Statute	Citizens	Amending election laws.	37,616	38,537
1912	13	Statute	Citizens	Amending election laws, and providing for a "headless" ballot.	43,390	39,504
1912	14	Statute	Citizens	Mothers' compensation act and aid to dependent and neglected children.	82,337	37,870
1912	15	Statute	Citizens	Relating to civil service and amending the law.	38,426	35,282
1912	16	Statute	Citizens	Eight-hour law for work in underground mines, smelters, mills and coke ovens.	52,525	48,777
1912	17	Statute	Citizens	Giving state highway commission control of certain funds.	44,568	45,101
1912	18	Statute	Citizens	Construction of tunnel through James Peak.	45,800	93,183
1914	1	Constitution	Referred	Providing sixty years for redemption of city and town indebtedness.	38,589	65,206
1914	2	Constitution	Referred	Concerning the equalization of tax assessments at full cash value, by the state and county boards of equalization.	55,987	55,275
1914	3	Constitution	Referred	Concerning publication of constitutional amendments & initiated & referred laws.	48,301	56,259
1914	4	Constitution	Citizens	Providing that initiated measures rejected by people cannot again be initiated for 6 years & if two conflicting measures be adopted at same elections, one receiving largest affirmative vote shall prevail.	55,667	112,537
1914	5	Constitution	Citizens	Providing for statewide prohibition.	129,589	118,017
1914	6	Constitution	Citizens	Providing for a three-fourths jury verdict in civil cases & permitting women to serve on juries if desired.	67,130	77,488
1914	7	Constitution	Citizens	Giving people right to petition governor to call special elections for submitting measures under the initiative & referendum.	40,643	80,977
1914	8	Constitution	Citizens	Designating newspapers as public utilities.	35,752	91,426
1914	1	Statute	Referendum Petition	Relating to the financing & capitalization of public utilities.	39,703	65,132
1914	2	Statute	Referendum Petition	Providing for the licensing & regulation of commission merchants.	39,448	67,454
1914	3	Statute	Referendum Petition	Relieving employees from assuming risk of injury or death.	69,006	60,298
1914	4	Statute	Referendum Petition	Concerning the appointment of peace officers.	49,116	66,833
1914	5	Statute	Referendum Petition	Relating to the financing & capitalization of public utilities.	37,633	63,603
1914	6	Statute	Citizens	Providing for codification of laws relating to women & children.	68,242	72,122
1914	7	Statute	Citizens	Increasing state road fund by half mill levy for highway construction.	117,146	53,844

Year	No.	Type	Source	Topic	Yes	No
1914	8	Statute	Citizens	Permitting probation in criminal cases for minors & first offenders.	62,561	68,512
1916	1	Constitution	Citizens	Placing state civil service in the constitution.	62,458	96,561
1916	2	Constitution	Citizens	Declaring beer non-intoxicating & providing for its manufacture & sale.	77,345	163,134
1916	1	Statute	Referendum Petition	Regulating the practice of medicine.	96,879	82,317
1916	2	Statute	Citizens	Providing for the care & treatment of insane persons.	164,220	39,415
1916	3	Statute	Citizens	Abolishment of the state tax commission.	80,362	84,011
1916	4	Statute	Citizens	Regulating the running of stock at large.	85,279	155,134
1916	5	Statute	Citizens	Providing for the investment of public school funds in certain securities.	102,956	66,053
1918	1	Constitution	Referred	Concerning the publication of proposed constitutional amendments & initiated & referred laws.	98,715	12,237
1918	2	Constitution	Referred	Limiting time for introduction of legislative bills from 25 to 15 days.	67,693	19,901
1918	3	Constitution	Citizens	Placing state civil service in the constitution.	75,301	41,287
1918	1	Statute	Citizens	"Bone-dry" prohibition law.	113,636	64,740
1918	2	Statute	Citizens	Relief of adult blind.	131,469	9,440
1920	1	Constitution	Referred	\$5,000,000 bond issue for construction of public highways.	100,130	70,997
1920	2	Constitution	Referred	Increasing number of county judges.	35,095	97,398
1920	3	Constitution	Referred	Increasing salaries of governor, his secretary, and supreme and district court judges.	49,313	112,878
1920	4	Constitution	Citizens	Providing additional one mill levy for state educational institutions.	160,268	52,324
1920	5	Constitution	Citizens	Providing for the construction of the Moffat, Monarch and San Juan tunnels, & bond issue therefore.	101,841	126,099
1920	1	Statute	Citizens	Fixing hours of employment in city fire departments.	113,286	82,596
1920	2	Statute	Citizens	Relating to the practice of chiropractic & providing for the regulation & licensing thereof.	84,286	109,385
1920	3	Statute	Citizens	Creating the county Limon.	34,881	141,239
1920	4	Statute	Citizens	Creating the county Flagler.	33,295	140,363
1920	5	Statute	Citizens	Appropriating \$350,000 from the general fund for the establishment of the Psychopathic Hospital and Laboratory.	155,049	50,295
1922	1	Constitution	Referred	Location and control of educational institutions.	87,282	58,315
1922	2	Constitution	Referred	Four-year terms for certain elected state officers.	37,945	105,782
1922	3	Constitution	Referred	Four-year terms for certain elected state officers.	40,081	100,367
1922	4	Constitution	Referred	Giving legislature power to provide for property rights of aliens ineligible to citizenship.	43,074	95,219
1922	5	Constitution	Citizens	\$1,500,000 bond issue for construction of public highways.	131,271	66,536
1922	6	Constitution	Citizens	Creating a public utilities commission, prescribing its powers & duties, & defining public utilities.	75,061	107,655
1922	7	Constitution	Citizens	Giving legislature or people power to exempt certain intangibles from ad valorem taxation, & to impose an income tax in lieu thereof.	42,466	120,355
1922	2	Statute	Citizens	Revising apportionment of members of legislature.	61,502	101,537
1924	1	Constitution	Referred	Providing for creation of bond issue to pay bonus to soldiers and sailors.	91,510	119,586
1924	2	Constitution	Referred	Giving legislature power to fix salaries of state officers.	67,230	129,344
1924	3	Constitution	Citizens	Establishing the office of state printer, and a printing building committee.	32,150	225,505
1926	1	Constitution	Referred	Giving legislature power to fix salaries of governor, his secretary and supreme and district court judges.	95,625	104,709
1926	2	Constitution	Referred	Giving legislature power to fix salaries of county and precinct officers, such salaries not necessarily to be paid only from fees collected.	60,086	118,284

Year	No.	Type	Source	Topic	Yes	No
1926	3	Constitution	Referred	Giving legislature power to enact laws for motor vehicle registration taxes & fees in lieu of ad valorem taxes.	68,459	134,292
1926	4	Constitution	Referred	Giving legislature power to provide for manufacture and sale of intoxicating liquors for intrastate use, subject to federal constitution.	107,749	154,672
1926	5	Constitution	Citizens	Creating a public utilities commission and prescribing its power and duties.	35,137	161,372
1926	1	Statute	Citizens	Amending law to permit dentists licensed in other states to practice in Colorado without examination.	56,433	182,816
1926	2	Statute	Citizens	Concerning the taxation of petroleum products and registration of motor vehicles, and providing that all such taxes and fees be used exclusively for roads.	81,762	145,482
1928	1	Constitution	Referred	Giving legislature power to fix salaries of governor, his secretary and supreme and district court judges.	134,724	119,060
1928	2	Constitution	Referred	Making payment of ad valorem tax on real estate a qualification for voting school bonded indebtedness.	69,005	155,018
1928	3	Constitution	Referred	Amending eminent domain provisions to facilitate better city planning and zoning.	32,294	157,973
1928	4	Constitution	Citizens	Providing for the election of a board of education, and for the appointment by said board of a commissioner of education to take place of superintendent of public instruction.	84,416	157,889
1928	5	Constitution	Citizens	Providing for a \$60,000,000 bond issue for the construction of highways.	82,422	173,881
1930	1	Constitution	Citizens	Providing for the election of a board of education and for the appointment by said board of a commissioner of education to take place of superintendent of public instruction.	70,643	149,770
1932	1	Constitution	Referred	Four-year terms for certain elected county officials.	102,117	169,703
1932	2	Constitution	Citizens	Giving legislature power to provide for a graduated income tax for state purposes, abolishing property tax for state purposes, and giving any excess revenue to the public schools.	85,573	225,713
1932	3	Constitution	Citizens	Giving legislature power to provide for a limited income tax and a classified personal property tax, to be used to public schools.	101,438	214,464
1932	4	Constitution	Citizens	Limiting taxation of motor fuel and ad valorem taxation of motor vehicles.	124,610	248,801
1932	5	Constitution	Citizens	Repealing statewide prohibition, subject to national repeal.	233,311	182,771
1932	1	Statute	Referendum Petition	Increasing tax on oleomargarine from 10 to 15 cents per lb.	134,313	217,671
1932	2	Statute	Citizens	Reappointment of members of legislature.	162,871	144,037
1934	1	Constitution	Referred	"Short ballot" amendment, vesting centralized authority in governor.	47,265	200,366
1934	2	Constitution	Referred	Amending civil service constitutional amendment.	60,745	192,140
1934	3	Constitution	Referred	Amending revenue and taxation sections of constitution, principally by eliminating the "uniformity clause" and boards of equalization.	107,457	161,952
1934	4	Constitution	Citizens	Giving people sole power to impose or approve imposition of excise taxes through the initiative and referendum.	126,649	149,098
1934	5	Constitution	Citizens	Concerning the taxation of petroleum products and registration of motor vehicles, and providing that all such taxes and fees be used exclusively for roads.	160,482	132,944
1934	6	Constitution	Citizens	Limiting tax on motor fuel to 3 cents per gallon.	87,090	137,720
1934	1	Statute	Citizens	Imposing license fees on chain stores.	197,144	156,147
1936	1	Constitution	Referred	Providing that women shall serve on juries.	129,872	184,204
1936	2	Constitution	Referred	Giving legislature power to provide for a graduated income tax.	167,268	159,143
1936	3	Constitution	Referred	Exempting real and personal property of churches, schools, cemeteries, in certain cases, from taxation, unless otherwise provided for by law.	227,254	111,123

Year	No.	Type	Source	Topic	Yes	No
1936	4	Constitution	Citizens	Amending "uniformity clause" of constitution, principally by limiting rate of taxation for all purposes to 20 mills in cities and towns of first class, and 15 mills in other divisions.	60,228	283,583
1936	5	Constitution	Citizens	Providing for ownership tax on motor vehicles in lieu of ad valorem taxation thereon, and for the distribution thereof.	218,795	108,270
1936	6	Constitution	Citizens	Amending revenue sections of constitution, principally by giving legislature power to provide for an income tax within limitations.	67,155	282,022
1936	7	Constitution	Citizens	Providing \$45.00 per month old age pensions and designating certain taxes for the payment thereof.	239,289	134,377
1936	1	Statute	Citizens	Amending workmen's compensation act to benefit of employee.	203,193	114,733
1936	2	Statute	Citizens	Providing for public assistance to indigent tubercular residents.	176,873	133,516
1938	1	Constitution	Citizens	Relating to the practice of the healing arts, and giving practitioners licensed by state certain rights in tax-supported institutions, and power to regulate their own professions.	94,846	315,174
1938	2	Constitution	Citizens	Repeal of \$45.00 old age pension amendment and giving legislature power to provide for pensions.	157,975	274,598
1938	1	Statute	Citizens	Repeal of chain store tax act.	167,109	264,700
1940	1	Constitution	Citizens	Providing for an ad valorem tax on all intangible property in the state, and allocating the funds derived therefrom.	50,806	440,202
1940	2	Constitution	Citizens	Providing for the conservation of the state's wildlife resources; limiting the use of game and fish revenues for such purposes; and establishing a Game and Fish Commission.	196,907	272,768
1940	3	Constitution	Citizens	Providing for an income tax; requiring the legislature to levy such income tax at not lower than certain specified rates; and providing that the revenue derived therefrom shall replace property taxes.	81,737	366,049
1940	4	Constitution	Citizens	Providing for a guaranteed old age pension of \$30.00 per month to all residents of the state over 65 years who qualify; and providing that such pensions, together with the state over 65 years who qualify; and providing that such pensions, together with the ordinary expenses of the state government, shall be a first charge against the General Fund.	138,383	358,528
1940	1	Statute	Citizens	Establishing a racing commission and legalizing horse and dog racing; and allocating the revenues derived therefrom 85% to the counties and 15% to the Bureau of Information and Publicity.	203,195	277,392
1942	1	Constitution	Referred	Relating to the legislature department; providing limitations upon sessions of the General Assembly and the manner of the introduction of bills therein.	72,147	73,648
1944	1	Constitution	Referred	Providing for jury service to women.	195,793	127,057
1944	2	Constitution	Citizens	Providing that aliens eligible to citizenship may acquire and dispose of real and personal property, and that provision shall be made by law concerning the right of aliens ineligible to citizenship to acquire and dispose of such property.	173,652	195,752
1944	3	Constitution	Citizens	Providing for preference to honorably discharged veterans and their widows in the civil service of the state and its political subdivisions by the adding of stated points to the passing grades attained by such person in civil service examinations.	256,563	107,100
1944	1	Statute	Citizens	Appropriating \$500,000 for the then-current biennium and \$1,500,000 annually thereafter, or so much thereof as may be necessary, for old age pensions, in order to pay the full award of the county departments of public welfare to each recipient of such pension.	243,863	140,187
1946	1	Constitution	Referred	Providing for secret ballots.	118,470	92,203
1946	2	Constitution	Referred	Providing that any balance in the old age pension fund at the end of any calendar year shall be used to pay future pensions and costs of administering said fund.	96,787	169,243
1948	1	Constitution	Referred	Providing for the election of a State Board of Education and the appointment by said Board of a Commissioner of Education.	233,100	128,054

Year	No.	Type	Source	Topic	Yes	No
1948	2	Constitution	Citizens	Providing that political subdivisions may adopt and thereafter modify or repeal local option proposals prohibiting the sale of alcoholic and fermented malt beverages.	120,799	334,331
1948	3	Constitution	Citizens	Providing for a guaranteed minimum \$50.00 per month old age pension, and for the allocation and earmarking of certain moneys and excise taxes to pay the same; and providing qualifications for recipients.	166,031	295,712
1948	1	Statute	Referred	Providing for the authorization, regulations and licensing of the racing of horses and other animals with part mutual wagering.	238,371	183,292
1950	1	Constitution	Referred	Providing that salaries of certain officers of City & County of Denver may be fixed by ordinance; and for submission to people by legislative body of any home rule city or town of any measure or charter convention proposal at general or special elections	145,780	91,700
1950	2	Constitution	Referred	Concerning general assembly and providing for vacancies, time of convening, terms of members, annual sessions, time of taking effect of acts, reading of bills, officers and employees, appropriation bills, and laws on investment of trust funds.	134,048	96,709
1950	3	Constitution	Citizens	Concerning civil service and providing for additional exemptions therefrom of governor's staff, one secretary to elected officials, and heads of departments as designated by law.	103,848	208,408
1952	1	Constitution	Referred	Relating to certain judges, the increase or decrease of their salaries during their terms of office; acceptance by them of nomination for public office; and retirement for disability.	223,365	159,883
1952	2	Constitution	Referred	Concerning public utilities, other than municipally owned, and the rate making authority of the state; but permitting municipalities the exercise of reasonable police and licensing powers and franchise granting powers.	173,652	203,732
1952	3	Constitution	Referred	Providing for the exemption from ad valorem tax of \$400 of personal property of head of family; and of real and personal property used exclusively for processing gasoline, oils, by-products from coal and oil shale from 1956-1961.	96,584	279,682
1952	4	Constitution	Citizens	Providing for a severance tax on certain petroleum products and natural gas.	177,125	315,392
1952	5	Constitution	Citizens	Legalizing slot machines except where prohibited by local ordinance: 1/2 of proceeds to go to state; 1/2 to city, town or county where machines located.	152,570	324,548
1952	1	Statute	Citizens	Making it lawful for any municipality to employ firemen more than 60 hours a week, with certain exceptions.	169,126	266,275
1954	1	Constitution	Referred	Vesting in public utilities commission power to regulate the facilities, service, and rates and charges of all public utilities except those municipally owned, within or without a home rule city or town, but power of municipalities to exercise reasonable police and licensing powers and granting of franchises not affected.	229,175	123,923
1954	2	Constitution	Referred	Relating to income deductible from old age pensions.	104,079	223,965
1954	3	Constitution	Referred	Excluding director of water conservation board from civil service.	133,073	159,800
1954	4	Constitution	Referred	Providing four-year terms of office for state elected officials; providing that each of said officers could appoint 2 confidential employees to serve at his pleasure; that salaries of such officers could be increased or decreased during their terms of office; and that state treasurer and auditor of state could succeed themselves.	123,112	155,539
1954	5	Constitution	Referred	Apportionment of members of general assembly.	116,695	159,183

Year	No.	Type	Source	Topic	Yes	No
1954	6	Constitution	Referred	Relating to taxation of personal property; \$200 exemption removed and assembly to provide just exemptions; trailers are to be classified for purpose used, and certain trailers subject to ad valorem taxes; all specific ownership taxes would go to political subdivisions; provision that exemptions void if not in constitution deleted.	143,486	148,517
1954	7	Constitution	Citizens	Providing for four-year terms of office for certain county officers.	168,055	151,271
1954	1	Statute	Referred	Providing for issuance of \$35 million of revenue anticipation highway warrants.	177,697	132,628
1956	1	Constitution	Referred	Providing for four-year terms of office of the governor, lieutenant governor, secretary of state, state treasurer, and attorney general.	316,611	192,267
1956	2	Constitution	Referred	Exemptions from ad valorem taxation household furnishings and personal effects which are not used for the production of income at any time.	320,134	196,423
1956	3	Constitution	Referred	Concerning the state civil service; providing for additional exemptions, promotions of employees, for probation periods, for discipline and discharge of employees; providing that employees need not be qualified electors; and making changes in the administration of the state civil service.	156,077	334,498
1956	4	Constitution	Citizens	Providing for apportionment of members of the general assembly.	158,204	349,195
1956	5	Constitution	Citizens	Revising the old age pension article; establishing a monthly award of \$100 to be adjusted to increased living costs; providing for a stabilization fund of \$5 million, and medical fund of not to exceed \$10 million annually; providing for transfer of all moneys not needed for old age pension purposes to the general fund; providing a prohibition against relative responsibility and permitting laws to be changed to allow pensioners to retain nominal outside income.	364,961	190,366
1958	1	Constitution	Referred	Concerning the state civil service; eliminating the rule of one; providing for probationary periods, for provisional appointments, and giving permanent status to certain then-current provisional appointees; providing that employees need not be qualified electors; providing for a personnel director; for additional exemptions; restricting veterans' preference on certain promotional examinations; and providing for disability retirement.	218,426	231,725
1958	2	Constitution	Referred	Providing that compensation of all county and precinct officers shall be as provided by law, and may be increased or decreased during terms of office; that terms of office of local officers shall be as prescribed by the general assembly; and eliminating provision that compensation of county and precinct officers be based upon population of counties and paid from fees.	146,328	252,903
1958	3	Constitution	Referred	Relating to county government; permitting the general assembly to create alternative forms of county government, including a county home rule charter form, which governments would have only such powers as granted by the assembly; but no alternative form could become operative until submitted to and approved by the people of the county affected; and permitting the assembly to authorize counties to provide local improvements and services if financed by the owners of the benefited property.	158,666	241,636
1958	4	Constitution	Citizens	Legalizing the conduct of games of chance (limited to bingo, lotto, or raffles) by certain organizations which operate without profit to dues-paying members, and only under certain conditions.	244,929	235,482
1958	5	Constitution	Citizens	"Right-to-work" amendment; providing that no person shall be denied the freedom to obtain or retain employment because of membership or nonmembership in any labor union or labor organization.	200,319	318,480

Year	No.	Type	Source	Topic	Yes	No
1960	1	Constitution	Referred	Relating to state civil service; providing for additional exemptions; increases authority of civil service commission as to administration; provides general assembly could establish a flexible retirement system; provides for probationary periods and for provisional appointments and gives permanent status to certain then current provisional appointees.	215,956	342,352
1960	2	Constitution	Referred	Relating to county officers and providing a means whereby changes in county offices could be voted by the people of a county of over 75,000 population; removes two-year limitation on terms of office of local officers; permits general assembly to base salaries of county and precinct officers on factors other than county population; provides that solely from fees; and gives county commissioners option of appointing or electing county attorney.	231,023	328,241
1960	3	Constitution	Citizens	Creates a wildlife management commission and a department of wildlife conservation.	190,366	419,048
1960	4	Constitution	Citizens	Authorizing general assembly to vest in counties, cities and counties, cities, and towns, the power to impose a retail sales and use tax for local purposes on tangible personal property, except drugs and food for off-premises consumption.	200,566	403,470
1960	5	Constitution	Citizens	"Little Cabinet Amendment"; authorizing governor, with consent of Senate, to appoint administrative officers of certain departments, to be excluded from civil service.	170,736	430,394
1960	1	Statute	Citizens	Providing for daylight savings time.	230,115	336,033
1962	1	Constitution	Referred	Providing for a reorganization of the judicial department.	303,740	169,032
1962	2	Constitution	Referred	Relating to officers of the city and county of Denver; providing that the fire & police departments shall continue under a separate civil service; providing that salaries of officers, including elected, appointed, and fire and police personnel could be fixed by charter, set by ordinance, or determined by use of a formula set forth in the charter.	157,249	254,354
1962	3	Constitution	Referred	Concerning the state income tax, and authorizing the general assembly to define by reference to the laws of the U.S. the income upon which income taxes would be levied.	231,784	201,795
1962	4	Constitution	Referred	Providing that the general assembly may by law extend to citizens of the U.S. who have resided in Colorado less than one year, the right to vote for presidential and vice-presidential electors.	303,942	137,323
1962	5	Constitution	Referred	Relating to taxable property; deleting the requirement that all taxable property shall be assessed at its full cash value, and providing that state and county boards of equalization shall perform such duties as may be authorized by law.	215,413	212,477
1962	6	Constitution	Referred	Relating to county and other local officers; providing a means whereby changes in county offices may be voted by the people of a county; eliminating the two-year term for certain local officers; and eliminating the provisions that compensation of county and precinct officers be based upon a population classification of counties and paid from fees where fees are prescribed.	207,442	208,867
1962	7	Constitution	Citizens	"Federal plan for reapportionment"; providing for reapportionment of the general assembly.	305,700	172,725
1962	8	Constitution	Citizens	"Voter plan for reapportionment"; providing for reapportionment of the general assembly.	149,822	311,749
1964	1	Constitution	Referred	Providing for a state auditor under the legislative department.	304,066	173,221
1964	2	Constitution	Referred	The office of county superintendent of schools may be abolished.	308,049	177,967
1966	1	Constitution	Referred	The executive department of the state government shall not exceed twenty departments.	369,366	162,038
1966	2	Constitution	Referred	Classification of self-propelled equipment and ownership tax.	318,102	211,177
1966	3	Constitution	Citizens	Selection, tenure, removal or retirement of Justices of the Supreme Court and judges of other courts.	293,771	261,558

Year	No.	Type	Source	Topic	Yes	No
1966	4	Constitution	Citizens	Providing for a senate of 35 members and a house of 65members; single member districts; revision of districts.	374,884	158,067
1966	5	Constitution	Citizens	Property tax limitation.	178,245	386,650
1966	1	Statute	Referred	Daylight saving time.	346,274	258,490
1966	2	Statute	Referred	Shall capital punishment be abolished.	193,245	389,707
1968	1	Constitution	Referred	Election of the governor and lieutenant governor jointly.	428,522	204,186
1968	2	Constitution	Referred	Exemption of publicly-owned real property from taxation.	284,404	308,915
1968	3	Constitution	Referred	Compensation of county officers.	307,356	288,873
1970	1	Constitution	Referred	Exempting the heads of principal departments from the classified civil service.	293,621	219,639
1970	2	Constitution	Referred	Creating Colorado state personnel system.	346,663	175,076
1970	3	Constitution	Referred	Home rule.	325,512	170,986
1970	4	Constitution	Referred	Reducing the minimum age and residency requirements of electors.	240,622	291,858
1970	5	Constitution	Referred	Changing the residency qualification of electors.	336,977	184,694
1972	2	Constitution	Referred	Student loan program.	443,660	375,948
1972	3	Constitution	Referred	Equality of rights of the sexes.	531,415	295,254
1972	4	Constitution	Referred	State institutions of higher education, and providing for the governing boards thereof.	418,825	386,645
1972	5	Constitution	Referred	Removing the prohibition against increasing or decreasing compensation of certain state and county officers.	233,678	571,083
1972	6	Constitution	Citizens	Privately operated lottery.	161,281	647,817
1972	7	Constitution	Citizens	Property tax limitation.	192,913	627,007
1972	8	Constitution	Citizens	1976 Winter Olympic Games.	514,228	350,964
1972	12	Constitution	Citizens	Replacement of property taxes for the financing of schools, uniform assessment of real property, and replacement revenue from progressive income tax, sales tax and severance tax.	167,882	628,201
1972	1	Statute	Referred	Authorizing the conduct of sweepstakes.	408,704	417,149
1972	9	Statute	Citizens	Require that public officials disclose their private interest; that all lobbyists register; that meetings be open to the public.	491,073	325,819
1972	10	Statute	Citizens	Public utility reasonable rates.	350,264	468,154
1972	11	Statute	Citizens	Compulsory insurance and compensation irrespective of fault.	208,155	595,887
1974	1	Constitution	Citizens	Annexation of property by a county or city and county.	409,174	292,040
1974	3	Constitution	Referred	State moneys and reports of the state treasurer.	425,505	247,141
1974	4	Constitution	Referred	Supplying of energy and providing that cities and towns may become subscribers or shareholders in corporations.	481,513	100,360
1974	5	Constitution	Referred	Creating a boundary control commission.	397,442	252,256
1974	6	Constitution	Referred	Filling vacancies in state offices, and relieving the lieutenant governor of legislative duties.	386,284	257,967
1974	7	Constitution	Referred	Removing the proceeds of the motor fuel tax on aviation fuel from the Highway Users Tax Fund.	375,390	293,430
1974	8	Constitution	Citizens	To prohibit busing to achieve racial balance in public schools.	485,536	220,842
1974	9	Constitution	Citizens	Reapportioning of legislative districts by the Colorado Reapportionment Commission.	386,725	255,725
1974	10	Constitution	Citizens	Detonation of nuclear explosive devices.	399,818	291,284
1974	2	Statute	Referred	Death penalty.	451,403	286,805
1976	2	Constitution	Referred	Classification and taxation of motor vehicles and mobile homes.	627,562	388,666
1976	3	Constitution	Citizens	Approval by two-thirds of each house of general assembly prior to any construction or modification of a nuclear power plant or related facility.	305,142	734,843
1976	4	Constitution	Referred	Exemption from the state personnel system of the heads of divisions of principal departments of the state.	237,853	768,687
1976	5	Constitution	Referred	Allowing county commissioners to set the compensation of county officials.	376,386	629,136
1976	6	Constitution	Citizens	Repeal equality of rights under the law on account of sex.	401,943	629,060

Year	No.	Type	Source	Topic	Yes	No
1976	10	Constitution	Citizens	Registered elector approval of new or increased taxes.	259,201	767,157
1976	1	Statute	Referred	Sweepstakes races.	522,068	511,135
1976	7	Statute	Citizens	Exempt food and food products from state and use taxes.	406,311	639,058
1976	8	Statute	Citizens	Minimum deposit refund value for beverage containers.	346,335	702,292
1976	9	Statute	Citizens	Protect and represent consumers of public utilities services by creating a Department of Public Counselor.	304,594	711,627
1978	1	Constitution	Referred	Vacancy in the office of the county commissioner.	442,071	226,432
1978	2	Constitution	Citizens	Limiting annual increases in per capita expenditures by the state and its political subdivisions.	295,616	420,759
1980	1	Constitution	Referred	An elector must be registered in order to sign a petition and proposed initiative measures shall be submitted to the legislative research and drafting offices.	638,731	423,322
1980	2	Constitution	Referred	Establish a state-supervised lottery.	660,213	443,289
1980	3	Constitution	Citizens	An unincorporated area may be annexed to a municipality only if the annexation has been approved by a majority vote of the landowners and registered electors.	601,302	460,084
1980	4	Constitution	Citizens	No person or lending institution with a security interest in real estate shall accelerate or mature the indebtedness secured by such real estate.	381,821	745,625
1980	5	Statute	Citizens	Branch banking.	292,323	850,454
1980	6	Statute	Citizens	Election of 15-member board of directors of the Regional Transportation District.	570,049	444,902
1982	1	Constitution	Referred	Valuation for assessment of residential real property.	551,334	290,590
1982	2	Constitution	Referred	Denial of bail to persons accused of a capital offense.	737,813	156,336
1982	3	Constitution	Referred	Judicial discipline.	659,905	193,425
1982	4	Constitution	Referred	Regular sessions of the general assembly shall not exceed 140 calendar days.	442,601	372,897
1982	6	Constitution	Citizens	Cessation of nuclear weapons component production in Colorado.	325,985	564,606
1982	5	Statute	Citizens	Minimum refund value on beverage containers.	242,653	708,564
1982	7	Statute	Citizens	Shall grocery stores be permitted to sell wine.	333,467	620,190
1984	1	Constitution	Referred	Appointment of Commissioner of Issuance.	641,587	449,362
1984	2	Constitution	Referred	A person must be a registered elector in order to vote or to sign a petition.	811,130	304,208
1984	3	Constitution	Citizens	Prohibiting use of public funds for any induced abortion.	627,343	617,637
1984	4	Constitution	Citizens	Casino gaming in Pueblo county.	406,989	819,533
1984	4	Statute	Citizens	Voter registration of qualified electors applying for a driver's license.	705,725	447,803
1986	1	Constitution	Referred	Appointments to offices and employments in the state personnel system to be made according to merit and fitness.	461,004	488,226
1986	2	Constitution	Referred	Board of County Commissioners in each county has sole authority to fix the compensation of county officers.	406,960	492,511
1986	3	Constitution	Referred	Making any franchise granted by a home rule municipality subject to the initiative and referendum.	455,053	396,738
1986	4	Constitution	Citizens	Prohibiting new or increased state or local taxes without approval of voters.	375,097	625,158
1988	1	Constitution	Citizens	English is the official language of the State of Colorado.	829,617	527,053
1988	2	Constitution	Referred	Reimbursement of recall expenses.	645,002	551,118
1988	3	Constitution	Referred	Regular sessions of the general assembly shall not exceed 120 calendar days.	641,363	584,359
1988	4	Constitution	Referred	Eight-hour workday.	799,250	389,906
1988	5	Constitution	Referred	Exemption from property taxation for non-producing unpatented mining claims.	624,021	578,295
1988	6	Constitution	Citizens	Voter approval for certain increases in state and local government tax revenues.	567,884	778,075
1988	7	Constitution	Citizens	Use of public funds for abortion.	534,070	809,078

Year	No.	Type	Source	Topic	Yes	No
1988	8	Constitution	Citizens	General assembly party caucus voting prohibition.	852,448	332,159
1990	1	Constitution	Citizens	Voter approval for certain increases in state and local government revenue increases.	494,934	516,534
1990	3	Constitution	Referred	Repeal of obsolete constitutional provisions.	717,544	204,294
1990	4	Constitution	Citizens	Legalizing limited gaming in the cities of Black Hawk, Central, and Cripple Creek.	574,620	428,096
1990	5	Constitution	Citizens	Term limits.	708,975	289,664
1990	2	Statute	Referred	Presidential primary election.	582,835	370,166
1992	1	Constitution	Citizens	Voter approval for certain state and local government tax revenue increases.	812,308	700,906
1992	2	Constitution	Citizens	Prohibit governments from creating rights for gays.	813,966	710,151
1992	3	Constitution	Citizens	To permit limited gaming in Trinidad.	448,779	1,060,168
1992	4	Constitution	Citizens	To permit limited gaming, subject to an affirmative local vote.	414,699	1,087,136
1992	5	Constitution	Citizens	To permit limited gaming in Parachute.	414,489	1,087,713
1992	7	Constitution	Citizens	School vouchers.	503,162	1,011,901
1992	8	Constitution	Citizens	Great Outdoors Colorado Program.	876,424	629,490
1992	9	Constitution	Citizens	To permit limited gaming in specified portions of the Central Platte Valley area of Denver.	292,961	1,200,336
1992	A	Constitution	Referred	Rights of crime victims.	1,139,427	281,731
1992	B	Constitution	Referred	Repeal of obsolete constitutional provisions.	1,081,463	304,718
1992	C	Constitution	Referred	Limited gaming shall not be lawful unless first approved by an affirmative vote of the electorate.	448,779	1,060,168
1992	6	Statute	Citizens	Sales tax for schools.	693,231	826,787
1992	10	Statute	Citizens	Bear hunting restrictions.	1,054,032	458,260
1993	A	Statute	Referred	Shall state taxes be increased for the Colorado Tourism Board?	274,989	338,546
1994	1	Constitution	Citizens	Tobacco taxes.	429,847	685,860
1994	11	Constitution	Citizens	Workers Compensation benefits.	369,741	730,963
1994	12	Constitution	Citizens	Election reform.	246,723	848,140
1994	13	Constitution	Citizens	Slot machines without a local vote in Manitou Springs.	90,936	1,007,557
1994	15	Constitution	Citizens	Limit amount of campaign contributions.	508,029	588,072
1994	16	Constitution	Citizens	Control promotion of obscenity.	404,156	696,040
1994	17	Constitution	Citizens	Term limits.	554,238	531,521
1994	18	Constitution	Citizens	State medical assistance repayment.	334,029	714,653
1994	A	Constitution	Referred	Single subject.	687,527	359,298
1994	B	Constitution	Referred	Ballot information booklet.	529,749	520,438
1994	C	Constitution	Referred	Denying bail for violent felonies.	822,632	246,726
1995	A	Statute	Referred	Confinement and maintenance of juvenile or adult state prisoners.	291,736	355,031
1996	A	Constitution	Referred	Voter approval – constitutional and statutory amendments.	544,543	787,134
1996	B	Constitution	Referred	Mailing of ballot information.	739,435	608,219
1996	C	Constitution	Referred	County sheriffs – qualifications.	754,339	590,402
1996	D	Constitution	Referred	Unemployment compensation insurance.	376,860	908,476
1996	11	Constitution	Citizens	Property tax exemptions.	242,543	1,211,637
1996	12	Constitution	Citizens	Term limits.	768,257	654,124
1996	13	Constitution	Citizens	Petition rights amendment.	435,995	967,266
1996	14	Constitution	Citizens	Prohibited methods of taking wildlife.	752,413	691,733
1996	15	Statute	Citizens	Campaign finance.	928,148	482,551
1996	16	Constitution	Citizens	State trust lands.	708,502	656,095
1996	17	Constitution	Citizens	Parental rights.	615,202	837,606
1996	18	Constitution	Citizens	Limited gambling in Trinidad.	440,173	958,991
1997	1	Statute	Referred	Transportation needs act.	58,599	275,808
1998	11	Statute	Citizens	Prohibition of partial birth abortion.	617,977	655,723
1998	12	Statute	Citizens	Parental Notification of Abortion.	707,021	581,481

Year	No.	Type	Source	Topic	Yes	No
1998	13	Constitution	Citizens	Uniform application of livestock laws.	475,664	753,509
1998	14	Statute	Citizens	Swine feeding operation.	790,825	440,766
1998	15	Statute	Citizens	Water meters in Division 3.	292,977	936,698
1998	16	Constitution	Citizens	Waste water fees in Division 3.	297,872	931,566
1998	17	Constitution	Citizens	Educational tax credit.	515,942	782,982
1998	18	Constitution	Citizens	Voluntary term limits.	613,557	603,651
1998	A	Constitution	Referred	Health care.	505,903	610,449
1998	B	Statute	Referred	Excess revenue.	477,504	765,654
1998	C	Constitution	Referred	City and county of Broomfield.	670,781	423,603
1999	A	Statute	Referred	Trans bonds.	477,982	296,971
2000	20	Constitution	Citizens	Medical use of marijuana.	915,527	786,983
2000	21	Constitution	Citizens	Tax cuts.	569,788	1,107,155
2000	22	Statute	Citizens	Background checks at gun shows.	1,197,593	512,084
2000	23	Constitution	Citizens	Funding of public schools.	882,628	791,934
2000	24	Constitution	Citizens	Voter approval of growth.	511,885	1,188,128
2000	25	Statute	Citizens	Requirements for consent to abortion.	664,411	1,020,029
2000	A	Constitution	Referred	Property tax reduction for senior citizens.	843,620	697,398
2000	B	Constitution	Referred	Legislative reapportionment time table.	852,098	556,769
2000	C	Constitution	Referred	Selection of county surveyors.	661,704	794,310
2000	D	Constitution	Referred	Outdated constitutional provisions.	1,063,345	422,629
2000	E	Statute	Referred	Multi-state lotteries.	836,390	783,275
2000	F	Statute	Referred	Excess state revenue for math and science grants.	697,673	884,071
2001	26	Statute	Citizens	Monorail study.	284,079	546,224
2001	A	Statute	Referred	GOCO debt.	477,572	353,479
2002	27	Constitution	Citizens	Campaign finance.	890,390	448,599
2002	28	Statute	Citizens	Mail ballot elections.	557,573	757,299
2002	29	Statute	Citizens	Selecting candidates for primary election.	509,109	768,683
2002	30	Constitution	Citizens	Election day voter registration.	530,442	821,050
2002	31	Constitution	Citizens	English language education.	608,264	781,016
2002	A	Constitution	Referred	Exempt district attorneys from term limits.	461,848	847,602
2002	B	Constitution	Referred	Public ownership of health facilities.	510,209	741,568
2002	C	Constitution	Referred	Coroner qualifications.	900,611	369,351
2002	D	Constitution	Referred	Repeal obsolete constitutional provisions.	899,914	351,886
2002	E	Statute	Referred	Cesar Chavez legal holiday.	275,947	1,062,780
2003	32	Constitution	Citizens	Taxable value of residential property.	203,449	702,829
2003	33	Constitution	Citizens	Video lottery / tourism promotion.	180,959	766,893
2003	A	Statute	Referred	Revenue bonds for water projects.	307,412	627,716
2004	34	Constitution	Citizens	Construction liability.	469,566	1,533,002
2004	35	Constitution	Citizens	Tobacco tax.	1,258,086	791,627
2004	36	Constitution	Citizens	Selection of presidential electors.	696,770	1,306,834
2004	37	Statute	Citizens	Renewable energy requirement.	1,066,023	922,577
2004	A	Constitution	Referred	State personnel system.	696,007	1,080,136
2004	B	Constitution	Referred	Obsolete constitutional provisions.	1,247,998	560,811
2005	C	Statute	Referred	Loosen constitutional limits on state spending.	600,222	552,662
2005	D	Statute	Referred	Authorize additional state borrowing.	567,540	581,751

- 1) "Citizens" means drafted by citizens and placed on the ballot by initiative petition.
- 2) "Referred" means drafted by legislators and placed on the ballot by legislators for citizen approval.
- 3) "Constitution" means measure seeks to amend the Colorado Constitution.
- 4) "Statute" means measure seeks to amend the Colorado Revised Statutes.
- 5) Beginning in 1992, referred measures are designated with an alpha character.
- 6) Beginning in 1998, initiated measures are numbered continuously thru the years.

APPENDIX – C

Ballot Titles

1996 – Referendum A – Voter Approval – Constitutional and Statutory

Shall there be an amendment to articles V and XIX of the constitution of the state of Colorado, concerning ballot measures, and, in connection therewith, requiring voter approval of proposed constitutional amendments by sixty percent of the votes cast thereon, permitting, until January 1, 2003, a simple majority of votes to approve amendments to amend or repeal any provision that was previously adopted with less than sixty percent of the votes cast thereon, prohibiting the General Assembly from amending or repealing any law enacted by the initiative within four years of adoption unless approved by two-thirds of all the members elected to each house of the General Assembly, and requiring that initiated and referred measures to amend the constitution be submitted to the electors at a general election and not at an election held in an odd-numbered year?

1996 – Referendum B – Mailing of Ballot Information

Shall there be an amendment to section 20 of article X of the constitution of the state of Colorado, increasing the time period for mailing ballot information to registered voters before a ballot issue election?

1996 – Referendum C – County Sheriffs -- Qualifications

Shall there be an amendment to article XIV of the constitution of the state of Colorado, concerning the office of county sheriff, and, in connection therewith, authorizing the general assembly to establish qualifications for the office of county sheriff?

1996 – Referendum D – Unemployment Compensation Insurance

Shall there be an amendment to section 20 of article X of the constitution of the state of Colorado, concerning the exclusion of funds for unemployment compensation from fiscal limitations, and, in connection therewith, modifying the definition of “fiscal year spending” to exclude unemployment compensation funds, excluding actions relating to charges imposed to fund unemployment compensation from the voter-approval requirement for tax increases, and requiring a one-time reduction in district bases to exclude a portion of a district’s fiscal year spending from unemployment compensation funds?

1996 – Amendment 11 – Property Tax Exemption

Shall there be an amendment to the Colorado constitution concerning property tax exemptions, and, in connection therewith, eliminating any property tax exemptions for real property used for religious purposes, real property used for for-profit schools, real property used for charitable purposes other than for community corrections facilities, orphanages, or for housing low-income elderly, disabled, homeless, or abused persons, and real property used for nonprofit cemeteries; continuing the property tax exemption for real property used for nonprofit schools, community corrections facilities, orphanages, and housing low-income elderly, disabled, homeless, or abused persons, unless otherwise provided by general law; continuing the property tax exemptions for personal property used for religious worship or strictly charitable purposes, unless otherwise provided by general law; and decreasing the property tax rate to prevent a net revenue gain to any taxing entity as a result of the elimination of exemptions, unless otherwise provided by general law?

1996 – Amendment 12 – Term Limits

Shall there be an amendment to the Colorado Constitution concerning congressional term limits, and, in connection therewith, specifying a proposed amendment to the U.S. Constitution that limits U.S. senators to two terms, former and incumbent U.S. senators to one additional term, U.S. representatives to three terms, and former and incumbent U.S. representatives to two additional terms; instructing Colorado’s state senators and representatives to vote to apply for an amendment-proposing convention; instructing Colorado’s U.S. senators and representatives to pass said term limits amendment; requiring that all elected ballots have “disregarded voter instruction on term limits” next to the name of an incumbent U.S. senator or representative or incumbent state senator or representative when such senator or representative fails to take specific actions in support of said term limits amendment; providing that non-incumbent candidates for U.S. and state senator and representative be given an opportunity to take a pledge in support of said term limits amendment; requiring that primary and general election ballots have “declined to take pledge to support term limits” next to the name of a non-incumbent candidate who

has not signed such pledge; authorizing the Secretary of State to determine whether the terms of this amendment have been complied with and whether such designations should appear on the ballot; and allowing any legal challenge to this amendment to be filed with the Supreme Court of Colorado as an original action?

1996 – Amendment 13 – Petitions

Shall there be an amendment to the Colorado Constitution concerning petitions, and, in connection therewith, changing initiative and referendum rights and procedures; extending petition powers to registered voters of all local governments; limiting initiative ballot titles to 100 words; limiting the annual number of newly enacted laws that governments may exclude from possible referendum petitions; establishing standards for review of filed petitions; requiring voter approval for future petition laws and rules and for changes to certain future voter-approved petitions; and authorizing lawsuits to enforce the amendment?

1996 – Amendment 14 – Prohibited Methods of Taking Wildlife

Shall there be an amendment to the Colorado Constitution concerning prohibited methods of taking wildlife, and, in connection therewith, prohibiting the use of leghold traps, instant-kill body-gripping design traps, poisons, or snares; providing an exception for the use of such methods by certain governmental entities for the purpose of protecting human health or safety or managing fish or other non-mammalian wildlife; providing an exception for the use of such methods to control birds or to control rodents other than beaver and muskrat, as otherwise authorized by law; providing an exception for the use of such methods on private property, under certain conditions, to reduce damage to crops or livestock; providing an exception for the use of certain non-lethal snares, traps, or nets to take wildlife for purposes of scientific research, falconry, relocation, or medical treatment under rules of the Colorado Wildlife Commission; providing that the measure shall not apply to the taking of wildlife with firearms, fishing equipment, archery equipment, or other implements in hand as authorized by law; incorporating the current statutory definitions of the terms “taking” and “wildlife”; and requiring the General Assembly to enact implementing legislation by May 1, 1997?

1996 – Amendment 15 – Campaign Finance

Shall there be an amendment to the Colorado Revised Statutes concerning campaign reform, and, in connection therewith, limiting the amount of campaign contributions to candidate committees, political committees, and political parties; prohibiting candidate committees and political parties from making or accepting certain contributions; specifying who may contribute to a candidate committee; limiting the amount of unexpended campaign contributions that a candidate can carry over from one campaign to another campaign; creating voluntary campaign spending limits and attendant disclosure requirements; and reenacting, with amendments, current campaign reform law definitions and provisions regarding deposits of contributions, limits on cash contributions and expenditures, the prohibition on contributions reimbursement, uses of unexpended contributions, notice and disclosure of independent expenditures, reporting of contributions and expenditures, registration requirement for candidates and committees, civil and criminal sanctions and penalties, expenditures for political advertising, encouraging withdrawal from a campaign, home rule counties and municipalities, and contribution limits on state and political subdivisions and lobbyists?

1996 – Amendment 16 – State Trust Lands

Shall there be an amendment to the Colorado Constitution concerning the management of state assets related to the public lands of the state held in trust, and, in connection therewith, providing that the board shall serve as the trustee for the lands granted to or held by the state in public trust; adding to the board’s duties the prudent management and exchange of lands held by the board; requiring the board to manage lands held by the board in order to produce reasonable and consistent income over time, and to recognize that economic productivity and sound stewardship of such lands includes protecting and enhancing the beauty, natural values, open space, and wildlife habitat thereof; providing for the establishment of a long-term stewardship trust of up to 300,000 acres of land; requiring the board to take other actions to protect the long-term productivity and sound stewardship of the lands held by the board, including incentives in agricultural leases which promote sound stewardship and sales or leases of conservation easements; authorizing the board to undertake non-simultaneous exchanges of land; authorizing the General Assembly to adopt laws whereby the assets of the school fund may be used to assist public schools to provide necessary building, land, and equipment; providing opportunities for school districts in which lands held

by the board are located to lease, purchase, or otherwise use such lands for school building sites; requiring the board, prior to a land transaction for development purposes, to determine that the income from the transaction will exceed the fiscal impact of the development on local school districts; allowing access by the public schools for outdoor education purposes without charge; expanding the state board of land commissioners to five members and requiring a diversity of experience and occupation on the board; reducing the terms of office of the members of the board to four years; directing the board to hire a director and a staff; and providing for personal immunity of the individual board members from liability in certain situations?

1996 – Amendment 17 – Parental Rights

Shall there be an amendment to the Colorado Constitution concerning parental rights, and, in connection therewith, specifying that parents have the right to direct and control the upbringing, education, values, and discipline of their children?

1996 – Amendment 18 – Limited Gaming in Trinidad

Shall there be an amendment to the Colorado Constitution to permit limited gaming, subject to a future local vote, in original or reconstructed historic buildings in the national historic district of the City of Trinidad and to allocate tax and fee revenues from such limited gaming?

1997 – Amendment 1 – Transportation Needs Act

Shall state taxes be increased \$172.8 million annually in the first full fiscal year of implementation, and by whatever additional amounts are raised annually thereafter, until the earlier of December 21, 2010, or the completion of projects described in the program approved on August 15, 1996 by the Colorado Transportation Commission, by an amendment to the Colorado Revised Statutes concerning transportation funding, and, in connection therewith, increasing the fuel excise tax by 5 cents per gallon; increasing the motor vehicle registration fee by \$10; imposing a new tax of \$100 on the initial registration of certain motor vehicles; creating the Colorado Long Term Highway Needs Account and the Colorado Long Term Multi-modal Transportation Needs Account; authorizing the study and implementation, if feasible, of toll roads to the extent that the revenues available are not sufficient to carry out the proposes of the measure; specifying the revenues to be deposited therein, the amount of revenues allocated to the state, counties, and municipalities, the transportation purpose for which the revenues may be expended, and that such revenues be collected and spent by the state, counties, and municipalities as a voter-approved revenue change under Article X, section 20 of the Colorado constitution?

1998 – Amendment 11 – Partial-Birth Abortion

Shall there be an amendment to the Colorado Revised Statutes concerning a prohibition against partial-birth abortions, and, in connection therewith, specifying that no one shall knowingly or intentionally perform a partial-birth abortion; allowing a medical procedure to prevent the death of the pregnant woman, if every reasonable effort is made to preserve the lives of the woman and the infant; defining partial-birth abortion as an abortion during which the person performing the abortion deliberately and intentionally causes to be delivered into the vagina a living human fetus or any substantive portion thereof for the purpose of performing any procedure the person knows will kill the fetus and kills the fetus before completing delivery; specifying that “fetus” and “infant” mean the biological offspring of human parents and may be used interchangeably throughout the measure; establishing specified civil remedies for certain persons; establishing criminal penalties for violations after February 14, 1999; and stating that the amendment cannot be amended except by a vote of the people?

1998 – Amendment 12 – Parental Notification for Abortion

Shall there be an amendment to the Colorado Revised Statutes concerning parental notification when an unemancipated minor seeks an abortion, and, in connection therewith, specifying that no abortion shall be performed upon an unemancipated minor until at least 48 hours after written notice of the pending abortion has been delivered to the parent of the minor; identifying exceptions to the notice requirement; defining abortion as the use of any means to terminate the pregnancy of a minor with knowledge that the termination by those means will, with reasonable likelihood, cause the death of that person’s unborn offspring at any time after fertilization; establishing criminal penalties for performing an abortion in violation of the requirement to provide notice to the parent and for counseling a minor to furnish a physician with false information to induce the physician to perform an abortion without providing the notice; and establishing a judicial bypass provision, which shall be effective under certain circumstances, pursuant to which a court may determine that giving the notice will not be in the best interests of the minor or that the minor is sufficiently mature to decide whether to have the abortion?

1998 – Amendment 13 – Uniform Regulation of Livestock Operations

Shall there be an amendment to the Colorado Constitution requiring the uniform application of laws to livestock operations, and, in connection therewith, mandating that laws and regulations concerning livestock operations be uniform and based upon the similarity in the potential impact on the environment of the livestock operation; making unconstitutional any state law or regulation that does not treat livestock operations uniformly based upon the similarity in the potential impact on the environment of the livestock operation; allowing the general assembly to make a distinction between livestock feeding on the range and livestock feeding in a concentrated animal feeding operation; permitting the general assembly to make a distinction between concentrated animal feeding operations that are smaller than one thousand animal units and those that are larger than one thousand animal units; specifying that one animal unit be considered to be a cow and all other livestock to be fractions of a cow as determined by the general assembly; and defining livestock as cattle, sheep, goats, swine, mules, poultry, horses, and all other animals raised or kept for profit?

1998 – Amendment 14 – Regulation of Commercial Hog Facilities

Shall there be an amendment to the Colorado Revised Statutes concerning regulation of housed commercial swine feeding operations which can house 800,000 or more pounds of swine or which are deemed commercial under local law, and, in connection therewith, conditioning operation, construction, or expansion of a housed commercial swine feeding operation on receipt of an individual discharge permit from the department of public health and environment; directing the water quality control commission to adopt rules regarding the construction, operation, and management of and waste disposal by such operations; providing that such rules shall require that land application of waste from such operations shall not exceed the nutritional requirements of the plants on that land and shall minimize runoff and seepage of such waste; providing that such rules shall require that such operations not be permitted to degrade the physical attributes or value of state trust lands, make immediate reports of spills or contamination to state and county health departments, and monitor land-applied waste from such operations and report thereon to the state health department; authorizing fees on such operations to offset direct and indirect costs of the program; authorizing local governments to impose more restrictive requirements; requiring that such operations employ technology to minimize odor emissions; requiring operations to cover waste impoundments that do not use air or oxygen in their waste treatment method, and to recover, incinerate, or manage odorous gases therefrom; establishing minimum distances between new land waste application sites or impoundments and occupied dwellings, schools, and municipal boundaries; and providing for enforcement of these provisions by the state or any person who may be adversely affected?

1998 – Amendment 15 – Water Meters in the San Luis Valley

Shall there be an amendment to the Colorado Revised Statutes concerning a requirement for the installation of water flow meters on any nonexempt well in the unconfined aquifer in Water Division 3 (which is located in whole or in part in Conejos, Alamosa, Rio Grande, Mineral, Saguache, and Costilla counties) on or before April 1, 1999, and, in connection therewith, requiring that the water flow meters be certified by the state engineer; requiring the state engineer to read the water flow meters monthly at the well owner's expense; and directing the state engineer to prevent the operation of any well that does not have a functioning water flow meter?

1998 – Amendment 16 – Payments for Water by the Rio Grande Water Conservation District

Shall there be an amendment to the Colorado Constitution requiring the Rio Grande Water Conservation District, which is located in whole or in part in Conejos, Alamosa, Rio Grande, Mineral, and Saguache counties, to pay fees for all water that has been, is being, or will in the future be pumped from aquifers underlying state trust lands pursuant to Water Decree W-3038 in Water Division 3 (including all or part of Conejos, Alamosa, Rio Grande, Mineral, Saguache, and Costilla counties) for purposes of the "Closed Basin Project", and, in connection therewith, setting such fees at thirty dollars per acre-foot, payable to the state's

public school fund, and ten dollars per acre-foot, payable to the school districts in Water Division 3, based upon the State Department of Education's student count for such districts; directing the State Auditor to determine the amounts of such fees payable each year and requiring payment of such amounts within thirty days after such determination, subject to interest at eighteen percent on late payments; requiring the Rio Grande Water Conservation District to assess those irrigators with water rights in the Rio Grande River, in proportion to their water right, an amount equal to the amount of water used and attributable to the water pumped from beneath such state trust lands; and providing that monies paid to the school districts in Water Division 3 shall be in addition to monies made available for public school children and shall not be considered by the general assembly when determining such amount?

1998 – Amendment 17 – Income Tax Credit for Education

Shall there be an amendment to the Constitution of the state of Colorado concerning the establishment of an income tax credit for parents or legal guardians of children enrolled in public, non-public schools and non-public home-based educational programs, and, in connection therewith, requiring the General Assembly to establish an income tax credit for income tax years beginning in 1999; specifying the methods for determining the amount of such credit; establishing priorities for eligibility for such credit; establishing an educational opportunity fund to be used to offset the entire costs of such credit; prohibiting reductions in current per-student public school expenditures as a result of the measure or as a result of the transfer of students to non-public schools; prohibiting the state or any political subdivision thereof from using this section to increase their regulatory role over the education of children in non-public schools beyond that exercised and existent on January 1, 1998; and eliminating eligibility for the income tax credit of parents or legal guardians who send children to certain non-public schools, including those that illegally discriminate on the basis of race, ethnicity, color or national origin or teach hatred?

1998 -- Amendment 18 – Voluntary Congressional Term Limits

Shall there be an amendment to the Colorado Constitution concerning term limits declarations that may be voluntarily submitted by candidates for the U.S. Congress, and, in connection therewith, specifying when such declarations must be submitted to the secretary of state; providing that a candidate shall not be refused placement on the ballot if the candidate does not submit a declaration; providing that candidates may voluntarily declare that the candidate will not serve more than three terms as a U.S. Representative or more than two terms as a U.S. Senator or may voluntarily declare that the candidate has chosen not to accept term limits; allowing candidates who have made such a declaration to voluntarily authorize placement of an applicable ballot designation next to the candidate's name on congressional election ballots and government-sponsored voter education material; specifying how terms are calculated; allowing candidates to change a declaration; requiring that ballots and voter education material contain the applicable ballot designation following the name of a candidate; specifying that service in office for more than one-half of a term is deemed service for a full term; prohibiting a candidate from having more than one declaration and ballot designation in effect at the same time; specifying that a candidate may authorize the applicable ballot designation only if the candidate has made the voluntary declaration; and authorizing the secretary of state to provide declarations and implement this amendment by rule?

1998 – Referendum A – Health Care

Shall there be an amendment to article XI of the constitution of the state of Colorado, authorizing a county, city, town, township, or special district to provide any lawfully authorized health care function, service, or facility in joint ownership or other arrangement with any person or company, public or private, without incurring debt and without pledging its credit or faith; requiring any county, city, town, township, or special district entering into such joint ownership or other arrangement to own its just proportion; and providing that any such entity or relationship established for such purpose shall not be deemed a political subdivision, local government, or local public body for any purpose?

1998 – Referendum B – Excess Revenue

Shall the state of Colorado be permitted to annually retain up to two hundred million dollars of the state revenues in excess of the constitutional limitation on state fiscal year spending for the 1997-98 fiscal year and for four succeeding fiscal years for the purpose of funding school district capital construction projects, state and local transportation needs, and capital construction projects of state colleges and universities, notwithstanding any restriction on spending, revenues, or appropriations, including without limitation the restrictions of section 20 of article X of the state constitution and the statutory limitation on state

general fund appropriations, and, in connection therewith, requiring annual transfers of such excess revenues, for these purposes, specifying the allocation of such excess revenues for these purposes, specifying the fund to which a portion of the excess revenues is to be transferred for school district capital construction, establishing a special account in the capital construction fund to which a portion of the excess revenues is to be transferred for higher education capital construction, and specifying the allocation of the portion of the excess revenues transferred to the Highway Users Tax Fund for state and local transportation needs?

1998 – Referendum C – City and County of Broomfield

Shall there be an amendment to Article XX of the constitution of the state of Colorado, concerning the creation of the City and County of Broomfield?

1999 – Referendum A -- Trans Bonds

Shall state of Colorado debt be increased up to \$1,700,000,000, with a maximum repayment cost of \$2,300,000,000, with no increase in any taxes, for the purpose of addressing the critical, priority transportation needs in the state by financing transportation projects that qualify for federal funding through the issuance of revenue anticipation notes, and shall earnings on the proceeds of such notes constitute a voter-approved revenue change?

2000 – Amendment 20 – Medical Use of Marijuana

Shall there be an amendment to the Colorado Constitution authorizing the medical use of marijuana for persons suffering from debilitating medical conditions, and, in connection therewith, establishing an affirmative defense to Colorado criminal laws for patients and their primary care-givers relating to the medical use of marijuana; establishing exceptions to Colorado criminal laws for patients and primary care-giving in lawful possession of a registry identification card for medical marijuana use and for physicians who advise patients or provide them with written documentation as to such medical marijuana use; defining “debilitating medical condition” and authorizing the state health agency to approve other medical conditions or treatments as debilitating medical conditions; requiring preservation of seized property interests that had been possessed, owned, or used in connection with a claimed medical use of marijuana and limiting forfeiture of such interests; establishing and maintaining a confidential state registry of patients receiving an identification card for the medical use of marijuana and defining eligibility for receipt of such a card and placement on the registry; restricting access to information in the registry; establishing procedures for issuance of an identification card; authorizing fees to cover administrative costs associated with the registry; specifying the form and amount of marijuana a patient may possess and restrictions on its use; setting forth additional requirements for the medical use of marijuana by patients less than eighteen years old; directing enactment of implementing legislation and criminal penalties for certain offenses; requiring the state health agency designated by the governor to make application forms available to residents of Colorado for inclusion on the registry; limiting a health insurer’s liability on claims relating to the medical use of marijuana; and providing that no employer must accommodate medical use of marijuana in the workplace?

2000 – Amendment 21 – Tax Cuts

Shall there be an amendment to the Colorado Constitution establishing a \$25 tax cut to lower each 2001 state and local tax in each tax bill for each utility customer and occupation tax and franchise charge, vehicle sales, use, and ownership tax, income tax, property tax, income and property tax equal to yearly revenue from sales and use taxes on food and drink other than tobacco and alcohol, and income tax equal to yearly revenue from estate taxes, and, in connection therewith, increasing the tax cut \$25 yearly; specifying that the tax cuts and state replacement of local revenue shall not lower state or local excess revenue; allowing the state to limit local acts increasing replacement costs; and providing that attorney fees and costs shall always be paid to successful plaintiffs only?

2000 – Amendment 22 – Background Checks at Gun Shows

Shall there be an amendment to the Colorado Revised Statutes concerning a requirement that background checks be conducted on prospective firearms transferees if any part of the transaction occurs at a gun show, and in connection therewith, directing that a gun show vendor require a background check on a prospective transferee and obtain approval of the transfer from the Colorado Bureau of Investigation; defining a “gun show vendor” as any person who exhibits, offers for sale, or transfers a firearm at a gun show, requiring gun show promoters to arrange of the services of federally licensed gun dealers to

obtain background checks at gun shows; prohibiting the transfer of a firearm if a background check has not been obtained by a federally licensed gun dealer; requiring record keeping and retention by federally licensed gun dealers who obtain background checks; permitting federally licensed gun dealers to charge a fee of up to ten dollars for conducting each background check at gun shows; requiring gun show promoters to prominently post notice of the background check requirement; establishing criminal penalties for violations of these requirements; exempting transfers of certain antique firearms, relics, and curios from the background check requirement; and requiring the appropriation of funds necessary to implement the measure?

2000 – Amendment 23 – Funding for Public Schools

Shall there be an amendment to the Colorado Constitution concerning increased funding for preschool through twelfth-grade public education, and, in connection therewith, requiring the statewide base per pupil funding for public education and funding for specifically defined categorical programs to grow annually by at least the rate of inflation plus one percentage point for fiscal years 2001-02 through 2010-11 and annually by at least the rate of inflation for fiscal years thereafter; creating a state education fund and exempting appropriations from the fund and expenditures of said appropriations from constitutional and statutory limitations; requiring the state to deposit in the state education fund all revenues collected by the state from a tax of one-third of one percent on federal taxable income of every individual, estate, trust, and corporation and exempting those revenues from the constitutional limitation on fiscal year spending; limiting the use of moneys in the state education fund to increasing the statewide base per pupil funding for public education and funding for categorical programs and to funding specified education programs, including public school building capital construction; specifying that moneys appropriated from the state education fund shall not be used to supplant the level of general fund appropriations existing on the effective date of the measure for total program education and categorical program funding; and, for fiscal years 2001-02 through 2010-11, requiring the general assembly to increase annually the general fund appropriation for total program funding under the “Public School Finance Act of 1994”, or any successor act, by at least five percent of the prior year’s general fund appropriation for total program, except in fiscal years in which personal income grows less than four and one-half percent between the two previous calendar years?

2000 – Amendment 24 – Voter Approval of Growth

Shall there be an amendment to the Colorado Constitution concerning the management of development, and, in connection therewith, specifying that local governments, unless otherwise exempted, shall approve development only within areas committed to development or within future growth areas in accordance with voter-approved growth area maps, requiring such local governments to delineate areas committed to development, requiring local governments proposing a future growth area to submit a growth area map to a vote at a regular election, specifying the content of growth impact disclosures to be distributed to voters in connection with such elections, and specifying the type of allowed action or development within growth areas, committed areas, or outside such areas?

2000 – Amendment 25 – Requirements for Consent to Abortion

Shall there be an amendment to the Colorado Revised Statutes concerning the requirement that any woman who is considering an abortion give voluntary, informed consent prior to the abortion, and, in connection therewith, defining several pertinent terms so that “abortion” includes termination of a known pregnancy at any time after conception, specifying the information a physician must provide to insure that a woman’s consent to an abortion is voluntary and informed, requiring a physician except in emergency cases, to provide the specified information to the woman at least twenty-four hours prior to performing an abortion, requiring the department of public health and environment to provide specified informational materials for women who are considering abortions, establishing procedures for emergency situations, requiring physicians to annually report specified information, requiring the department of public health and environment to annually publish a compilation of the physicians’ reports, and providing for the administration and enforcement of the amendment’s provisions?

2000 – Referendum A – Property Tax Reduction for the Elderly

Shall there be an amendment to article X of the constitution of the state of Colorado, establishing a homestead exemption for a specified percentage of a limited amount of the actual value of owner-occupied residential real property that is the primary residence of an owner-occupier who is sixty-five years of age or older and has resided in such property for ten years or longer, and, in connection therewith, allowing the general assembly by law to adjust the maximum amount of actual value of such

residential real property of which such specified percentage shall be exempt, requiring the aggregate statewide valuation for assessment that is attributable to residential real property to be calculated as if the full actual value of all owner-occupied primary residences that are partially exempt from taxation was subject to taxation for the purpose of determining the biennial adjustment to be made to the ratio of valuation for assessment for residential real property, requiring the general assembly to compensate local governmental entities for the net amount of property tax revenues lost as a result of a homestead exemption, specifying that said compensation shall not be included in local government fiscal year spending, authorizing a permanent increase in state fiscal year spending to defray the cost to the state of said compensation, and specifying that said compensation shall not be subject to any statutory limitation on general fund appropriations?

2000 – Referendum B – Legislative Reapportionment Timetable

Shall there be an amendment to section 48 of article V of the constitution of the state of Colorado, concerning the timetable for adoption of a redistricting plan for the general assembly?

2000 – Referendum C – Selection of County Surveyors

Shall there be an amendment to section 8 of article XIV of the constitution of the state of Colorado, which requires the selection of county surveyors by election, to also allow the appointment of county surveyors?

2000 – Referendum D – Outdated Constitutional Provisions

Shall there be an amendment to the constitution of the state of Colorado, concerning the repeal of outdated provisions of the state constitution resulting from obsolescence and applicability to particular events or circumstances that have already occurred?

2000 – Referendum E – Multi-State Lotteries

Shall the Colorado lottery commission be authorized to enter into multistate agreements allowing Colorado residents to play multistate lottery games, and, in connection therewith, transferring a portion of the net proceeds from all lottery programs, including multi-state lottery games, from the general fund to the state public school fund as contingency reserve for supplemental assistance to school districts for capital expenditures to address immediate health and safety concerns within existing school facilities exempt from any restriction on spending, revenues, or appropriations, including, without limitation, the restrictions of section 20 of article X of the state constitution?

2000 – Referendum F – Excess State Revenues for Math and Science Grants

Shall the state of Colorado be permitted to annually retain up to fifty million dollars of the state revenues in excess of the constitution limitation on state fiscal year spending for the 1999-2000 fiscal year and for four succeeding fiscal years for the purpose of funding performance grants for school districts to improve academic performance, notwithstanding any restriction on spending, revenues, or appropriations, including without limitation the restriction of section 20 of article X of the state constitution and the statutory limitation on state general fund appropriations?

2001 – Amendment 26 – Monorail Study

Shall there be an amendment to the Colorado Revised Statutes concerning the funding of a testing and planning program for a high-speed fixed guideway transportation system, and, in connection therewith, requiring \$50 million of excess state revenues collected during the 2000-2001 state fiscal year to be credited to a newly created fixed guideway technology development fund; authorizing the Colorado Intermountain Fixed Guideway Authority to expend moneys from the fund until December 31, 2004, to design and test a high-speed fixed guideway transportation system, including but not limited to a monorail system, to ensure review and approval of the system under federal safety standards, and to conduct planning studies, including studies of the design, finance, construction, and operation of a fixed guideway system connecting Denver International Airport and Eagle County Airport; requiring any moneys in the fund not expended by the authority to be refunded to the state on January 1, 2005; exempting the authority from constitutional revenue and spending limitation; authorizing the authority to expend any state funds that it may receive; and delaying the termination of the authority from January 1, 2004 until January 1, 2005?

2001 – Referendum A – GOCO Bonds for Open Space

Shall the state board of the Great Outdoors Colorado trust fund debt be increased \$115,000,000, with a maximum repayment cost of \$180,000,000, with no increase in any taxes, for the purpose of enhancing the great outdoors Colorado trust fund's ability to address urgent and permanent land acquisition priorities, including the acquisition of perpetual conservation

easements, in order to protect the state's wildlife, park, river, trail, and open space heritage through the issuance of bonds, and shall earnings on the proceeds of such bonds constitute a voter-approved revenue change?

2002 – Amendment 27 – Campaign Finance

Shall there be an amendment to the Colorado constitution concerning campaign finance, and, in connection therewith, reducing the amount of campaign contributions that persons may make to candidate committees, political committees, and political parties; establishing contribution limits for small donor committees; prohibiting candidate committees and political parties from making or accepting certain contributions; restricting the amount of contributions political parties and political committees may accept from certain sources; limiting contributions and expenditures that may be made by corporations or labor organizations; creating voluntary campaign spending limits; providing for a periodic adjustment of contribution and voluntary spending limits; specifying the treatment of unexpended contributions; requiring the disclosure of information about persons making electioneering communications above a specified amount; defining electioneering communications as certain near-election communications that unambiguously refer to a candidate and are targeted to voters; and incorporating into the constitution existing statutory provisions, with amendments, regarding definitions, deposits of contributions, limits on cash contributions, notice and disclosure of independent expenditures, reporting of contributions and expenditures, civil penalties, and duties of the secretary of state?

2002 – Amendment 28 – Mail Ballot Elections

Shall there be an amendment to the Colorado Revised Statutes concerning the conduct of elections using mail-in ballots, and, in connection therewith, replacing existing statutory provisions relating to mail ballot elections with provisions governing “automatic absentee ballot elections”; requiring that, after January 1, 2005, any election held on the same day as any primary, general, congressional vacancy, special legislative, partisan officer recall, or other November coordinated election, be conducted as an automatic absentee ballot election; permitting other elections and elections held before January 1, 2005 to be conducted as automatic absentee ballot elections; requiring an election official who conducts an automatic absentee ballot election to submit a plan for the election to be approved by the secretary of state; specifying requirements for the delivery and return of ballots in an automatic absentee ballot election, including provisions for ballot drop-off sites, polling booth locations, and the issuance and return of replacement ballots; specifying requirements for ballot qualification in an automatic absentee ballot election, including the verification of voters’ signatures and the counting of such ballots; specifying that interference with the delivery of a ballot in an automatic absentee ballot election to the designated election official is an election offense; and increasing penalties for specified election offenses?

2002 – Amendment 29 – Selecting Candidates for Primary Elections

Shall there be an amendment to the Colorado revised statutes concerning the use of petitions to provide candidate access to the primary election ballot, and, in connection therewith, requiring that all candidates for nomination at a primary election be placed on the primary election ballot by petition; eliminating the candidate designation and certification process from state, county, and district assemblies; specifying the signature requirements for nominating petitions for access to the primary election ballot; allowing a candidate to include a personal statement on his or her nominating petition; providing for examination of nominating petitions by the designated election official; and setting forth a procedure to protest the election official’s decision regarding the sufficiency of nominating petitions?

2002 – Amendment 30 – Election Day Voter Registration

Shall there be an amendment to the Colorado constitution concerning election day voter registration, and, in connection therewith, allowing an eligible citizen to register and vote on any day that a vote may be cast in any election beginning on January 1, 2004; specifying election day voter registration locations; specifying that an eligible citizen who registers to vote on election day shall register in person and present a current and valid Colorado driver’s license or state identification card or other approved documentation; and directing the Colorado general assembly, in implementing election day voter registration, to adopt necessary protections against election fraud?

2002 – Amendment 31 – English Language Education

Shall there be an amendment to the Colorado constitution concerning English-language education in Colorado public schools, and, in connection therewith, requiring children to be taught by using the English language in their classrooms and

requiring children who are learning English to be placed in an English immersion program that is intended to last one year or less and, if successful, will result in placement of such children in ordinary classrooms; exempting from such requirements those children whose parents or legal guardians obtain annual waivers allowing the children to transfer to classes using bilingual education or other educational methodologies, but making such waivers very difficult to obtain because the school can grant them only in very restrictive circumstances and can deny them for any reason or no reason thereby reducing the likelihood that bilingual education will be used; requiring schools that grant any waivers to offer bilingual education or other educational methodologies when they have at least 20 students in the same grade who receive a waiver and in all other cases permitting students to transfer to a public school in which bilingual education or other methodologies are offered, with the cost of such transfer, excluding transportation, to be provided by the state; allowing a parent or legal guardian to sue public employees granting a waiver if the parent or guardian later concludes that the waiver was granted in error and injured the child's education; creating severe legal consequences identified in the amendment for such public employees who willfully and repeatedly refuse to implement the amendment; and requiring schools to test children learning English, enrolled in second grade or higher, to monitor their progress, using a standardized nationally-normed test of academic subject matter given in English?

2002 – Referendum A – Exempt Elected District Attorneys from Term Limits

Shall there be an amendment to the constitution of the state of Colorado, exempting district attorneys from constitutional term limits?

2002 – Referendum B – Public / Private Ownership of Local Health Care Services

Shall there be an amendment to section 2 of article XI of the constitution of the state of Colorado, concerning the authorization for local governments to become a partner with a public or private entity in the provision of health care services, and, in connection therewith, authorizing a local government to become a subscriber, member, or shareholder in or a joint owner with any person or company, public or private, in order to provide such health care without incurring debt?

2002 – Referendum C – Qualifications for County Coroners

Shall there be an amendment to article XIV of the constitution of the state of Colorado, concerning the authority of the general assembly to establish qualifications for the office of county coroner?

2002 – Referendum D – Repeal of Obsolete Constitutional Provisions

Shall there be amendments to articles VI, XVIII, XX, and XXVII of the constitution of the state of Colorado, concerning the repeal of certain obsolete provisions in the constitution of the state of Colorado?

2002 – Referendum E – Cesar Chavez State Holiday

Shall the thirty-first day of March be designated a legal holiday for observing the birthday of Cesar Estrada Chavez as “Cesar Chavez day”?

2003 – Amendment 32 – Taxable Value of Residential Property

Shall there be an amendment to section 3 (1) (b) of article X of the constitution of the state of Colorado, concerning the ratio of valuation for assessment for taxation of residential real property, and in connection therewith, setting the ratio at eight percent of actual value for property tax years commencing on or after January 1, 2004, and eliminating the annual adjustment of the ratio that insures that the percentage of the total statewide assessed value attributable to residential real property remains the same as it was in the previous year?

2003 – Amendment 33 – Video Lottery / Tourism Promotion

Shall there be an amendment to the Colorado constitution concerning the generation of additional state revenues through the authorization of video lottery terminals, and, in connection therewith, directing the lottery commission to allow video lottery terminals designated racetrack locations and limited gaming establishments; after the allocation of net proceeds from video lottery terminals to the Great Outdoors Colorado program, allocating up to \$25 million of such net proceeds in a fiscal year to an existing fund to promote tourism in Colorado; imposing a one-time \$500 license fee on each video lottery terminal and allocating such license fees to the tourism promotion fund; exempting net proceeds and license fees from video lottery terminals from all restrictions on spending, revenues, and appropriations; and repealing this measure on July 1, 2019?

2003 – Referendum A – Revenue Bonds for Water Projects

Shall the state of Colorado debt be increased \$2 billion, with a repayment cost of \$4 billion, maximum total state cost, by an amendment to the Colorado Revised Statutes providing for drought relief by the financing of improvements to water infrastructure in Colorado, and, in connection therewith, authorizing the Colorado Water Conservation board to issue revenue bonds for the construction of private or public water infrastructure projects costing \$5 million or more that have been approved by the Governor; authorizing the water conservation board to recommend projects, including at least two projects from different river basins with a start date of 2005, and requiring the Governor to approve at least one such project; setting aside \$100 million of bond proceeds to finance projects, or portions of projects, that augment or improve existing facilities or conserve existing water supplies without creating new storage facilities; exempting the bond proceeds, the proceeds of sales by the board of water, power, or other assets from facilities financed by the bonds, and any earnings from all such proceeds, from the revenue and spending limits imposed by article X, section 20 of the state constitution and article 77 of title 24, Colorado Revised Statutes; and requiring the general assembly and executive branch agencies to adopt by July 1, 2004, any necessary statutes and rules, respectively, to ensure the marketability of the bonds authorized by this measure?

2004 – Amendment 34 – Construction Liability

Shall there be an amendment to the Colorado constitution concerning recovery of damages relating to construction of real property improvements, and, in connection therewith, prohibiting laws that limit or impair a property owner's right to recover damages caused by a failure to construct an improvement in a good and workmanlike manner; defining "good and workmanlike manner" to include construction that is suitable for its intended purposes; and permitting exceptions for laws that limit punitive damages, afford governmental immunity, or impose time limits of specified minimum lengths on filing lawsuits?

2004 – Amendment 35 – Tobacco Tax Increase for Health-related Purposes

Shall the state taxes be increased \$175 million annually through additional tobacco taxed imposed for health related purposes, and, in connection therewith, amending the Colorado constitution to increase statewide taxes on the sale of cigarettes by wholesalers of three and two-tenths cents per cigarette and on the sale, use, consumption, handling, or distribution of other tobacco products by distributors at the rate of twenty percent of the manufacturers' list price; increasing such tobacco taxes effective January 1, 2005; requiring annual appropriations of specified percentages of the additional tobacco tax revenues to expand eligibility for and increase enrollment in the children's basic health plan, to fund comprehensive primary medical care through certain Colorado qualified providers, tobacco education programs, and prevention, early detection, and treatment of cancer and cardiovascular and pulmonary diseases, to compensate the state general fund, the old age pension fund, the old age pension fund, and local governments for tobacco tax losses resulting from reduced sales of cigarettes and tobacco products; specifying that the appropriations of additional tobacco tax revenues shall be in addition to and not substituted for appropriations for such programs on January 1, 2005; allowing the use of additional tobacco tax revenues for any health related purpose and to serve populations enrolled in the children's basic health plan and the Colorado medical assistance program as of January 1, 2005, upon a declaration of a state fiscal emergency by two-thirds of the members of each house of the general assembly and the Governor; prohibiting the repeal or reduction of existing taxes imposed on cigarettes and other tobacco products; excluding all additional tobacco tax revenues from fiscal year spending for purposes of section 20 of article X of the Colorado constitution; and exempting appropriations of additional tobacco tax revenues from the statutory limitation on general fund appropriations growth or any other existing spending limitation?

2004 – Amendment 36 – Selection of Presidential Electors

Shall there be an amendment to the Colorado constitution concerning popular proportional selection of presidential electors, and, in connection therewith, creating procedures for allocating Colorado's electoral votes for president and vice-president of the United States, based on the proportion of ballots that are cast in this state for each presidential ticket; making the terms of the proposed amendment effective so that popular proportional selection of presidential electors applies to the 2004 general election; setting forth procedures and timelines that govern the certification of election results and the potential recounting of votes in elections for presidential electors and in the election on this proposed amendment; granting the Colorado supreme court original jurisdiction for the adjudication of all contests concerning presidential electors and requiring that such matters be heard and decided on an expedited basis; and authorizing the general assembly to enact legislation to change the manner of

selecting presidential electors or any of the procedures contained in this amendment?

2004 – Amendment 37 – Renewable Energy Requirement

Shall there be an amendment to the Colorado revised statutes concerning renewable energy standards for large providers of retail electric service, and, in connection therewith, defining eligible renewable energy resources to include solar, wind, geothermal, biomass, small hydroelectricity, and hydrogen fuel cells; requiring that a percentage of retail electricity sales be derived from renewable sources, beginning with 3% in the year 2007 and increasing to 10% by 2015; requiring utilities to offer customers a rebate of \$2.00 per watt and other incentives for solar electric generation; providing incentives for utilities to invest in renewable energy resources that provide net economic benefits to customers; limiting the retail rate impact of renewable energy resources to 50 cents per month for residential customers; requiring public utilities commission rules to establish major aspects of the measure; prohibiting utilities from using condemnation or eminent domain to acquire land for generating facilities used to meet the standards; requiring utilities with requirements contracts to address shortfalls from the standards; and specifying election procedures by which the customers of a utility may opt out of the requirements of this amendment?

2004 – Referendum A – State Personnel System

Shall there be amendments to sections 13, 14, and 15 of article XII and section 22 of article IV of the constitution of the state of Colorado, concerning reform of the state civil service system, and, in connection therewith, modifying the merit principle, exempting certain positions from the system, modifying the number of eligible applicants from which an appointment is to be made, modifying the residency requirement, expanding the duration of temporary employment, specifying the rule-making authority of the state personnel board and the state personnel director, allowing the general assembly to reallocate the rule-making authority of the state personnel board and the state personnel director, authorizing a modification to the veterans' preference, and making conforming amendments?

2004 – Referendum B – Obsolete Constitutional Provisions

Shall there be amendments to articles IV, VII, and IX of the constitution of the state of Colorado, concerning the elimination of obsolete provisions of the state constitution?

2005 – Referendum C – State Spending

Without raising taxes and in order to pay for education; healthcare; roads, bridges, and other strategic transportation projects, and retirement plans for firefighters and police officers, shall the state be authorized to retain and spend all state revenues in excess of the constitutional limitation on state fiscal year spending for the next five fiscal years beginning with the 2005-06 fiscal year, and to retain and spend an amount of state revenues in excess of such limitation for the 2010-11 fiscal year and for each succeeding fiscal year up to the excess state revenues cap, as defined by this measure?

2005 – Referendum D – State Borrowing

Without increasing any tax rates or imposing any new taxes, shall the state be authorized to address critical state needs by issuing notes in total amounts of up to \$2,072,000,000, with a maximum total repayment cost of up to \$3,225,000,000, and with maximum total annual principal and interest payments of \$55,000,000 in state fiscal year 2005-06, \$95,000,000 in state fiscal year 2006-07, and \$125,000,000 in each subsequent state fiscal year of which a maximum of \$25,000,000 per state fiscal year may be used to pay notes issued for nontransportation purposes, only if voters of the state approve referendum C at the November 2005 statewide election; shall note proceeds and earnings thereon constitute a voter-approved revenue change; shall the general assembly be authorized to make annual appropriations from the state general fund that are exempt from the statutory limitation on total annual state general fund appropriations and from other legally available funds to pay the principal, interest, and necessary costs of the notes; and shall the notes be issued in the following maximum amounts and for the following purposes:

- \$1,700,000,000, with maximum annual principal and interest payments of \$30,000,000 in state fiscal year 2005-06, \$70,000,000 in state fiscal year 2006-07, and \$100,000,000 in any subsequent fiscal year, to be used to repair and replace highways and bridges and accelerate the completion of strategic transportation projects included in the strategic transportation project investment program of the department of transportation;

- \$147,000,000 to be credited to the school capital construction expenditures reserve and used to repair, maintain, make safe, and replace deteriorating public school facilities;
- \$50,000,000 to be credited to the capital construction fund and used to repair, maintain, make safe, and replace state university, college, and community college facilities; and
- \$175,000,000 to be credited to the fire and police members' benefit fund to address shortfalls in state funding of pensions for police officers and firefighters?

APPENDIX – D
Safety Clause Declaration Examples

1995

- HB 1003 – Unlawful Vehicle Registration
- HB 1007 – Regulation of Nurses
- HB 1009 – Egg Regulation
- HB 1011 – Hearing Aid Dealers
- HB 1020 – Repeal Outdated Laws
- HB 1023 – Cemetery District Taxes
- SB 001 – Truck Regulation
- SB 004 – Regulation of Psychiatric Technicians
- SB 005 – Measurement Standards Act
- SB 010 – Regulation of Chiropractors
- SB 027 – Labeling Automotive Lubricants

1996

- HB 1020 – Snowmobile Registration
- HB 1024 – Fees for Explosive Permits
- HB 1046 – Bingo-Raffle License
- HB 1137 – Telephone Solicitations
- HB 1231 – Sheriff Fees
- HB 1311 – Divorce Fees
- HB 1353 – Cruelty to Animals
- HB 1371 – Publication of Colorado Revised Statutes
- SB 080 – Making State Prisons Free of Tobacco
- SB 114 – Moffat Tunnel
- SB 130 – Compensation of Teachers at School for Deaf and Blind
- SB 134 – Regulation of Fireworks
- SB 150 – Bingo
- SB 231 – Renovation of State Office Buildings

1997

- HB 1006 – Fire and Police Pension Plan
- HB 1007 – Drug Dealer Liability
- HB 1008 – Parental Role in School Activities
- HB 1011 – Electric Journeyman to Apprentice Ratio

- HB 1013 – Emergency Prescriptions
- HB 1017 – Chiropractors Limited Prescription Authority
- HB 1024 – Telecommunication Service for Colleges
- HB 1027 – Enforcement of Pest Control Act
- SB 004 – Small Business Procurement Contracts
- SB 009 – Jury and Witness Service Travel
- SB 010 – Compensation of Elected City Officers
- SB 011 – Women in the Military Memorial
- SB 019 – Education in U.S. History
- SB 024 – Optician's Use of Certain Terms
- SB 028 – Student Fees

1998

- HB 1014 – Continuation of Plumbing Board
- HB 1019 – Minimum Hospital Stay after Childbirth
- HB 1027 – Prohibition of Cruising
- HB 1028 – Continue Bingo Regulation
- HB 1037 – Mileage Allowance for State Employees
- HB1043 – Regulation of Notaries
- SB 011 – Prohibit Sex Offenders on School Board
- SB 019 – Horse Racing Regulation
- SB 071 – Charitable Donations by Cities
- SB 089 – Dangerous Dogs
- SB 101 – Regulation of Electricians
- SB 106 – Anti-Hazing
- SB 153 – Pet Care

1999

- HB 1002 - Sales and Use Tax Exemption for Farm Equipment
- HB 1009 – Tax Exemption for Coins and Bullion
- HB 1010 – Bingo
- HB 1015 – Vending Machine Sales Tax Exemption
- HB 1022 – No Passing in School Zones
- HB 1024 – Private Towing of Abandon Vehicles
- HB 1025 – Reporting Impaired Drivers

SB 001 – Western Presidential Primary Election
SB 010 – Aid to Needy Disabled Program
SB 018 – Art in Juvenile Facilities
SB 019 – Temporary License for Shriners’ Hospital
SB 029 – Limited Gaming Fund Distributions
SB 033 – Enterprise Zone Objectives
SB 036 – Expansive Soils Disclosure

2000

HB 1012 – Recouping License Plate Mailing Costs
HB 1019 – Sales and Use Tax Exemption for Child Care
HB 1024 – Prove Insurance for Vehicle Registration
HB 1058 – Unprofessional Medical Conduct
HB 1069 – Remote Weather Systems for Aircraft
HB 1099 – Health Standards for Jails
HB 1111 – Identity Theft
HB 1118 – Parental Access to Child Library Records
SB 013 – Sentences of Aged Criminals
SB 015 – Electronic Motor Vehicle Titles
SB 016 – Oil and Gas Commission Personnel
SB 022 – Inspection of Child Care Facilities
SB 033 – Safe Drinking Water Act Exemptions
SB 034 – Disease of Obesity Prevention
SB 048 – Male Mammography

2001

HB 1013 – Wildlife License Fees
HB 1053 – Group Home Terminology
HB 1054 – County Pest Control
HB 1055 – Title Insurance Fees
HB 1069 – Animal Forfeiture
HB 1071 – Eliminate Front License Plate
HB 1106 – Cathode Ray Tube Disposal Recycling Fee
SB 004 – Recommendation on Gaming Structures
SB 010 – The Family Advocate
SB 014 – Foster Care Accreditation
SB 059 – Bicycle Traffic Regulations
SB 068 – Trustees for Ft. Lewis College
SB 069 – Spousal Tuition Assistance
SB 102 – City and County of Broomfield

2002

HB 1018 – Posting Child Care Licensing Information
HB 1021 – Inmate Parole Waiver
HB 1046 – Relocating Criminal Sentencing Statutes
HB 1065 – Double Traffic Penalty Wildlife Crossing

HB 1095 – Governor Ralph Carr Day
HB 1247 – Gas Theft
HB 1325 – Podiatrists Verify Disabled Parking Tag
HB 1400 – Photo Radar Traffic Tickets
HB 1405 – Charitable Organization Financial Info
SB 003 – Korean War Vet Special License Plate
SB 023 – Colorado National Guard Decorations
SB 034 – Recognition of Long-Term Marriages
SB 035 – Women in the National Guard
SB 074 – Sexual Orientation Discrimination
SB 083 – Electrician Continuing Education
SB 116 – BB Gun Not a Deadly Weapon
SB 208 – Regulation of Home Inspectors
SB 220 – License Plate Distribution
SB 229 – Rules Publication

2003

SB 027 – Outfitter Licensing Board
SB 031 – Commercial Vehicle Insurance Verification
SB 041 – Central Filing System
SB 045 – Water Well Contractor Regulation
SB 066 – Motor Vehicle Air Conditioning
SB 107 – Simulcast Facilities for Greyhound Races
SB 148 – Electronic Filing Income Tax Return
SB 181 – Increase Well Permit Fees
SB 188 – Eliminate Presidential Primary Election
SB 228 – Moneys for License Plates
SB 274 – Transfer Gaming Revenue to General Fund

2004

HB 1003 – Peace Officer Impersonation
HB 1004 – Internet Protection for Library Users
HB 1020 – State Employee Incentive Program
HB 1021 – Alcohol Consumption
HB 1025 – New Diesel Vehicle Emissions Inspections
HB 1057 – Newspaper Theft
HB 1102 – Regulation of Dentists and Hygienists
HB 1341 – Sheriff Prisoner Processing Fees
HB 1393 – Ski Safety
SB 088 – To Encourage and Recognize Breastfeeding
SB 186 – Authorize Roadside Memorials
SB 207 – Modify Pet Animal Protection Programs
SB 254 – Wine Festivals

2005

HB 1011 – Trash Recycling

HB 1032 – Cell Phones as Prison Contraband
HB 1059 – Unsolicited Facsimiles
HB 1066 – Obesity Treatment
HB 1126 – Regulate Waste Tire Haulers
HB 1140 – Motor Vehicle Registration Renewal
HB 1146 – Incentives for Motion Picture Industry
HB 1178 – Toy Vehicles Pocket Bikes
HB 1197 – Abuse of a Corpse
HB 1218 – Bicycle Traffic Rules
HB 1338 – Increase Penalty Prostitution Offenses
HB 1313 – Navy Special License Plates
HB 1324 – Food Distribution Administrative Fees
SB 020 – Obsolete Statutes
SB 032 – Later Count Date for Preschool Students
SB 034 – Ban Alcohol Without Liquid Devices
SB 055 – Limited Distribution Raw Milk
SB 088 – Kindergarten Programs
SB 163 – Judicial Division Retirees
SB 164 – High School Dropout Parental Notice
SB 188 – County Elected Officials’ Salary
SB 194 – Admission Standard Fort Lewis College
SB 235 – Domestic Partner Benefits
SB 247 – State Weed Coordinator