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THE INITIATIVE AND REFERENDUM
IN COLORADO

A SURVEY PREPARED BY THE
LEGISLATIVE REFERENCE OFFICE
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DENVER

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THE INITIATIVE AND REFERENDUM IN COLORADO *

Although the legislative power of the State of Colorado is vested by the state constitution in the General Assembly, the people, through the adoption of the initiative, reserved to themselves the power to propose amendments to the constitution and statutory laws, and to enact or reject the same at the polls. And likewise, through the adoption of the referendum, they reserved to themselves the power, at their own option or if so ordered by the General Assembly, to approve or reject at the polls any act, item, section or part of any act of the General Assembly, with certain limitations on the type of legislation referred, which will be noted later. However, neither the initiative nor the referendum deprives the General Assembly of the right to enact any law, within constitutional limitations of course, or even of the right to repeal or amend any initiated or referred law approved by the people, though the veto power of the governor does not extend to measures initiated by the people or to measures referred to the people by the General Assembly.

Colorado is one of twenty states which have the initiative or referendum, or both, in one form or another. The initiative and referendum provisions to the Constitution of the State of Colorado (1) were adopted by the people at the general election held in 1910, by a vote of 89,141 for to 28,698 against. The first proposals to be voted upon by the electorate under these provisions appeared on the ballot at the 1912 general election. Since that election, up to and including the 1938 general election, 124 measures have been voted on, of which 73 were constitutional amendments (2), 48 statutory measures, and 3 were proposals for the holding of constitutional conventions to revise the constitution (2). Of these, 19 amendments were adopted, 19 laws adopted or approved, and all three constitutional convention proposals were defeated.

* Note: The Legislative Reference Office has had numerous requests for information regarding the operation of the Initiative and Referendum Provisions of the Constitution of the State of Colorado, and for a summary and analysis of constitutional amendments and initiated and referred acts voted upon by the people of the state since the adoption of the amendment. This article has been prepared for distribution in response to such requests.

- (1) Constitutional amendment appears at Article V, Section 1, of the state constitution; supplementary statutory law appears at Chapter 86, 1935 Colorado Statutes Annotated.
- (2) Constitutional amendments referred to the people by the General Assembly, and proposals for the holding of constitutional conventions, are provided for under Article XIX of the state constitution, and not under the initiative and referendum amendment. These amendments and proposals are included in this study only for the purpose of giving a complete picture of all measures appearing on the ballot since 1912.

THE INITIATIVE

Colorado has what might be called a direct, unlimited initiative -- direct in that no initiated law need first be submitted to the legislature, and if rejected by that body, only then submitted to the people, as is the case in several states; and unlimited in that any amendment or law can be initiated by the people, within constitutional limitations of course. Six states prohibit the use of the initiative to propose certain types of legislation, such as appropriation bills, local and special laws, taxation measures, and Montana even denies the use of the initiative for the proposal of constitutional amendments. Hence, with no such limitations, the initiative in Colorado can be used to as great an extent as in any state of the United States.

Technical requirements for the preparation, circulation and filing of initiated petitions

The first step, of course, in the operation of the initiative is the preparation of the amendment or law on which petitions are to be circulated. When this is done it must be submitted, with a copy thereof and without any title, ballot title or submission clause, to the secretary of state. Within three days thereafter the secretary of state is charged by law to call to his assistance the attorney general and reporter of the supreme court, the three of whom, or a majority, shall within five days designate and fix a proper and fair title, and also a ballot title and submission clause for said proposed measure. The original copy with its title, ballot title and submission clause is then returned to the parties who presented the measure, and the copy retained by the secretary of state. If the presenting parties are not satisfied with the titles and submission clause as fixed, they may file a motion for reconsideration with the secretary of state. Further appeal can be made by the presenting parties direct to the supreme court, if no agreement can be reached at the rehearing on the fixing of a fair title, ballot title and submission clause.

Petitions for circulation must be printed on sheets 8½x14", and the sheets on which signatures are to be obtained must have ruled lines numbered consecutively, which shall be attached to a complete copy of the proposed measure, headed by its title, ballot title and submission clause, and the words "Be It Enacted by the People of the State of Colorado." Petitions may consist of any number of signature sheets providing they are attached to the head sheet containing the proposed measure. Also on the head sheet must be printed the names and addresses of not less than three nor more than five persons who agree to represent the signers of such petitions in all matters affecting the same, and in plain black letters at the top of every petition

must be printed the words: "WARNING - It is a felony for anyone to sign any initiative or referendum petition with any name other than his or her own, or to knowingly sign his name more than once for the same measure, or to sign such petition when not a qualified elector."

The petitions are then ready for circulation. Petitions can be signed only by qualified electors - "in their own proper person only" - to which must be added the address of such signer, including street and number if any, and the date of signing. Eight percent of the legal voters of the state are required to sign initiated petitions for any one measure before it can be placed on the ballot. The number of votes cast for secretary of state at the regular general election last preceding the filing of any petition is the basis on which the number of legal voters necessary to sign such petition is counted. In 1912 when the initiative and referendum first became operative, the total number of votes cast for secretary of state was 253,635, whereas in 1936, a comparable presidential election year, the total vote was 467,707, so that today under ordinary conditions nearly twice as many signatures are required to get a measure on the ballot than were required the first year the initiative was operative.

After the required number of signatures have been obtained, there must be attached to each petition a sworn affidavit of some qualified elector, usually the circulator of the petition, to the effect that each signature thereon is the signature of the person whose name it purports to be, and that to the best of the knowledge and belief of the affiant, each of the persons signing said petition was at the time of signing a qualified elector. Initiative petitions must be filed with the secretary of state at least four months before the election at which they are to be voted upon, and within six months from the date that the title, ballot title and submission clause were fixed by the secretary of state.

All petitions so filed and duly verified to are deemed by the secretary of state to be sufficient if they appear to be signed by the requisite number of voters, unless a protest, under oath and in writing, is filed with him by some qualified elector within fifteen days after the filing of the petitions. Such protest must set forth specifically the grounds therefor and the names protested to. A date for a hearing on the protest is fixed by the secretary of state, and the protesting parties and the persons named on the petitions as representing the signers are notified in writing of the hearing, which must be held not less than five nor more than twenty days after such notification. Hearings are public and must be concluded within forty days after the filing of the petitions protested to. If the petitions are declared to be insufficient as to form or number of signatures, they may be withdrawn and within fifteen days thereafter be amended or additional names signed thereto, and refiled as original petitions. Appeal may be made from any

decision of the secretary of state as to the sufficiency of petitions, to any state court of general jurisdiction, with final review by the supreme court.

Persons convicted of illegally circulating or signing petitions, or governmental officials found guilty of willfully violating the law concerning the initiative and referendum, are subject to a fine of not less than five hundred dollars or to imprisonment in the state penitentiary not exceeding two years, or to both such fine and imprisonment. Appointed officers and employees in the service of the state government are prohibited by law from preparing, circulating, or influencing any person to sign or not to sign any petition, under penalty of a fine not to exceed one hundred dollars, and removal from their respective positions.

THE REFERENDUM

As stated before, the reference of all constitutional amendments to the people which are proposed by the General Assembly has been obligatory since the adoption of the original constitution (Art. XIX, Sec. 1). Therefore through the adoption of the referendum, the people actually reserved to themselves only the right to vote upon statutory legislation, or any item, section or part thereof approved by the General Assembly, either by their own petition or when so ordered by the General Assembly. In addition, limitations have been placed upon the type of legislation that can be referred. No appropriation bills "for the support and maintenance of the department of state and state institutions" can be referred. The courts have not had occasion to rule on the words "department of state" but they have generally been construed to refer to any department of the state government. Likewise, no law which the General Assembly states is "necessary for the immediate preservation of the public peace, health and safety" can be referred. The General Assembly, particularly in the last twenty years has attached this so-called "safety clause" to a great majority of measures enacted, and the supreme court has held that whether a law is necessary for the immediate preservation of the public peace, health and safety is exclusively for the General Assembly to decide. (1) Moreover, even though an act carries the emergency clause (a clause designed to have an act go into effect immediately upon signature of the governor), but does not carry the safety clause, the act cannot go into effect for ninety days after adjournment of the legislature, as the supreme court

(1) In Re Senate Resolution #4, 54 Colorado 262

has held that within that ninety day period the act is subject to reference to the people, and to have it go into effect immediately would defeat the referendum provision of the constitution, which is the last amendment adopted concerning the effective date of certain statutory laws. (2) Hence the practice of attaching both the safety and emergency clauses to most acts adopted by the General Assembly has probably been used to so great an extent in order that such acts can go into effect immediately upon signature by the governor.

Since the adoption of the referendum it is significant to note that the General Assembly has never ordered an act approved by it, or any part thereof, to be referred to the people. And only thirteen of the forty-eight statutory measures appearing on the ballots since 1912 have been referred measures by petition of the people themselves. Twelve of these were during the years 1912 to 1916 and one in the year 1932. The use of the referendum in Colorado might therefore be considered negligible since 1916, though, of course, constitutional amendments proposed by the General Assembly must continue to be referred to the people under Article XIX.

Technical requirements for the circulation and filing
of referendum petitions.

Under the referendum, if the General Assembly were to order an act adopted by it, or any part thereof, to be referred to the people, it would be so stated in the act itself, and no petitions would need to be circulated or filed. In referring an act by petition of the people, the technical requirements for the printing and circulation of petitions are essentially the same as those for initiative petitions. The complete act as adopted by the General Assembly, or part thereof referred, must be printed on the head sheet of all petitions. The title to the act is the title as adopted by the General Assembly. While the statutes do not provide for the preparation of a title and submission clause by the secretary of state, attorney general and reporter of the supreme court for referred measures as in the case of initiated measures, undoubtedly if the title as adopted by the General Assembly were misleading and did not express the true intent of the referred act, the sponsors of the referendum petitions could petition the secretary of state to fix a fair title and submission clause.

In the case of the referendum only five per cent of the legal voters are required to place a measure on the ballot, as compared to eight per cent in the case of the initiative. Affidavits must be

(2) In Re Interrogatories of the Governor, 66 Colorado 319.

attached to all petitions as to the authenticity of signatures appearing thereon. Petitions to refer laws to the people must be filed with the secretary of state within not more than ninety days after the final adjournment of the session of the legislature that passed the act on which referendum is demanded. The procedure of protesting against the sufficiency of referendum petitions is the same as in the case of initiative petitions, and likewise penalties for convictions under the referendum statutes are the same as under the initiative.

PUBLICATION AND BALLOT REQUIREMENTS, VOTE UPON AND EFFECTIVE DATE OF INITIATED AND REFERRED MEASURES

Measures referred to the people under the initiative and referendum can be voted upon only at the biennial regular general elections. Before such election it is necessary that all measures which will appear on the ballot be published, under the direction of the secretary of state, in two issues of two newspapers of opposite political faith in each county of the state. The two publications must be made at least one week apart, and not less than three nor more than five weeks before the election. Provision is made in the statutes for the publication of arguments for or against any measure by persons, committees or organizations interested in a particular measure. Such publication of arguments, however, has never been used, as the cost would be prohibitive. Under the law such arguments would have to be placed in the hands of every known registered elector in addition to newspaper publication.

All measures appear on the official ballots by ballot title only, which makes it essential that the ballot title and submission clause give a true, fair and complete synopsis of the measure to be voted upon. Measures are numbered consecutively in the order in which they have been filed and are printed both in the newspaper publications and on the official ballots in that order and by number. To the right and opposite the ballot title, the words "yes" and "no" are printed, where the voter may record his vote.

A measure becomes a law or a part of the constitution when approved by a majority of the votes cast thereon. All adopted measures become effective from and after the date of the official declaration of the vote thereon by proclamation of the governor, but not later than thirty days after the vote has been canvassed. In the case of the adoption of conflicting measures, that one which receives the greatest number of affirmative votes prevails in all particulars which conflict.

At this point the significance of the fact that a measure becomes a law or a part of the constitution "when approved by a majority of the votes cast thereon", should be emphasized. As an extreme but pointed illustration, two voters could enact or approve a measure if there were only one dissenting vote, and vice versa. No matter how small the combined "yes" and "no" vote on any measure may be, a majority of the votes cast thereon determines its enactment or rejection, and this majority, as can be seen in the digest of measures voted upon in Colorado appearing at the end of this study, may be very much less than the majority of the electorate voting at a particular election. Experience in Colorado and other states has shown that the voters do not vote on all measures appearing on the ballot, disregarding all or certain ones either because of lack of interest or lack of understanding of the provisions of the measures, and the votes of those voting at the election who fail to vote on a particular measure are actually affirmative votes for the measure under the Colorado initiative and referendum amendment. As an actual example, in 1914 the combined vote on one amendment which was adopted was 104,660, (this amendment dealt with the rather technical question of the equalization of tax assessments), while the combined vote on another amendment which was likewise adopted was 247,606, (this provided for statewide prohibition). The combined vote for secretary of state was 248,379. The tax assessment amendment was adopted by approximately 56,000 votes, some 6,000 less than one-fourth of the votes cast at the election. The prohibition amendment required a vote of approximately 119,000 ayes to enact it, or nearly one-half of the votes cast at the election.

While most states which have the initiative and referendum have a similar provision to Colorado that a majority of the votes cast on a measure can adopt or reject it, some states require a majority of those voting at the election at which the measure is submitted. This provision, however, is the other extreme, since many voters do not vote on initiated and referred measures, and the votes of those voting at the election but not voting for or against a particular measure are counted against it. In order, therefore, to get an adequate and fair expression of the electorate on initiated and referred measures, some states have written into their initiative and referendum statutes the provision that a measure in order to be approved must receive a majority of the votes cast thereon and likewise a percentage, varying from thirty to forty, of the total vote cast in the election.

ANALYSIS OF AMENDMENTS AND ACTS

Included in this article is a digest of initiated and referred constitutional amendments and laws voted upon by the people since the adoption of the initiative and referendum amendment, covering the period from 1912 to 1938 inclusive. In analyzing these measures it is necessary

to classify them into major groups. Some measures placed in one group necessarily overlap into another group and where such overlapping occurs, the measure is placed in that group with which it is considered to be most particularly concerned. It is also necessary to make a distinction between constitutional amendments and initiated and referred laws, since an approved constitutional amendment can only be removed or amended by another vote of the people, whereas initiated and referred acts, when approved, may be subsequently amended or repealed by the General Assembly. Constitutional amendments therefore acquire a permanency which cannot be said to apply to initiated and referred measures.

Constitutional Amendments

1. Bonded Indebtedness. The people of the state have not been adverse to creating reasonable bonded indebtedness for the purpose of building and maintaining the highways of the state, but have refused to create such indebtedness for other purposes. In 1912 a measure authorizing bonded indebtedness for highways was defeated, but in 1920 and 1922, bond issues of \$5,000,000 and \$1,500,000, respectively, were created for highway purposes. A measure creating a bond issue to pay a bonus to soldiers and sailors was defeated in 1924, and a \$60,000,000 highway bond issue was defeated in 1928.

2. Affecting business and professions. The only attempt, by constitutional amendment, to regulate business or professions was made in 1938, when a measure attempting to broaden the practice of the healing arts was decisively defeated at the polls.

3. Cities and towns. Of three amendments designed to affect government in cities and towns, only one, that providing for home rule in certain classes, received approval. Proposals to extend the redemption period for city and town indebtedness, and to establish eminent domain for city planning and zoning purposes, were defeated.

4. State civil service. In placing state civil service in the constitution, the people, by their vote, did an about face. An amendment in 1916 was decisively defeated, whereas in 1918 a two to one vote of approval was recorded. A subsequent measure amending the civil service constitutional amendment in 1934, was defeated three to one.

5. Courts and juries. Four amendments have been before the people which relate to the courts and procedure. Only one was successful.

In 1912, the people approved the establishment of juvenile courts in cities of the state of over 100,000 population. Other measures relating to contempt of court, increasing the number of county judges and women serving on juries, were defeated.

6. Education and schools. Five amendments affecting education and educational institutions have been voted upon. Of these, only two were approved. The voters sanctioned an increase in the constitutional mill levy of one mill for the support of educational institutions, and approved an amendment which permitted the change in location of institutions, but refused to approve amendments changing the control of schools, requiring payment of ad valorem tax upon real property as a qualification for voting at school bond elections, and establishing a board of education in lieu of the state superintendent of public instruction.

7. Elections and publication. Attempts by amendment of the constitution to provide for the holding of special elections to vote upon initiated and referred measures were before the voters in 1912 and 1914, but were defeated in each instance. Attempts to limit the submission of measures and making certain requirements of publication were also defeated in those years. It was not until 1918 that the people approved an amendment which established requirements for the publication of amendments and proposed initiated and referred bills.

8. Legislature. Having reserved to themselves the power of the initiative and referendum, the people were not disposed to limit that power by granting exceptions to the General Assembly. In 1918, an amendment reduced the period for the introduction of bills in the General Assembly from twenty-five to fifteen days, but attempts in 1922 to give the legislature power to fix property rights of aliens, and to fix salaries of county and precinct officers to be paid from fees collected or other county funds, and to enact laws for separate taxation of motor vehicles, were defeated. In 1928, the people gave the legislature power to fix the salaries of the governor, his secretary and supreme and district court judges.

9. Prohibition. At the election in 1912, an amendment was submitted establishing state-wide prohibition. The amendment lost by 40,000 votes. Again the amendment was submitted in 1914, and the people reversed their opinion, adopting it by an 11,000 majority. Having placed prohibition in the constitution, an amendment to declare beer non-intoxicating was decisively defeated in 1916, and another amendment

granting power of manufacture was likewise defeated in 1926. Repeal of the prohibition amendment was voted in 1932 by a majority of 50,000.

10. Public utilities. Every attempt to place in the state constitution any additional regulations or provisions regarding public utilities have been consistently defeated by the people. Amendments designating mining and smelting businesses to be public utilities, and one creating a public utilities court, were defeated in 1912. In 1914, an amendment designating newspapers as public utilities was also defeated. In 1922, an attempt to establish a constitutional public utilities commission also failed of approval, and a similar amendment was again defeated in 1926.

11. Roads and highways. In line with the desire to provide adequate funds for highways, an amendment providing that all motor fuel taxes and motor vehicle license funds be used for highway purposes was approved and written into the constitution in 1934, although a previous initiated act in 1926 had failed of passage.

12. State and county government. It is not possible to analyze all constitutional amendments which have been submitted pertaining to state and county government. Although fourteen such amendments have been submitted which have included the fixing of salaries of state and county officers, providing special funds for special departments, changing the terms of elected officers, establishing a state printer, and establishing the short ballot, only two have been adopted -- the amendment for recalling elected officers, adopted in 1912, and the right of the General Assembly to fix the salaries of the governor, his secretary and supreme and district court judges, in 1928. The latter was only granted after numerous attempts.

13. State conservation. An attempt was made to provide in the constitution for the construction of tunnels through the Continental Divide, known as the Moffat, Monarch and San Juan tunnels, which failed. The Moffat Tunnel was later constructed by authorization of an act of the General Assembly which created an improvement district for the purpose.

14. Social measures and public welfare. The people of the state of Colorado have shown more interest in writing into their constitution and statutes measures which provide for improved conditions for its labor class and dependents, than in any other class. Proposals concerning aid to the blind, dependents, labor, wages and hours and old age pensions, have without exception received the support and approval

of the electorate. Twelve proposals of this nature have been submitted, of which eleven were initiated or referred measures, and one a constitutional amendment. The constitutional amendment was the \$45.00 Old Age Pension Amendment, approved in 1936, and which the people refused to repeal in 1938.

15. Taxation. The subject of taxation has been the basis of numerous attempts to amend the state constitution, but the majority of such proposals have failed of passage. Attempts to provide for the levying of an income tax were submitted to the people, from 1922 to 1936, seven times before the now existing amendment was adopted. Other amendments approved by the people concern exemption of real and personal property of churches, schools and cemeteries, the establishment of an ownership tax upon motor vehicles in lieu of ad valorem taxes. In 1914 an amendment providing for the assessing of property at full cash value was adopted, but otherwise all attempts to abolish the state tax commission, limit the taxation of motor fuels and eliminate the "uniformity clause" of the constitution, have failed.

In recent years the people have used the initiating of constitutional amendments as a means of establishing, in the constitution, fixed taxes for specified purposes, thereby prohibiting the use of those taxes for any other purpose. Particular examples of this use of constitutional amendments are the amendment which requires the use of all taxes upon motor fuels and license fees upon motor and other vehicles, for highway purposes, and the use of 85% of all license fees and taxes of whatever nature upon intoxicating liquors and 85% of all excise taxes levied upon sale and purchase transactions and upon the storage use and consumption of commodities and products, for old age pensions.

Initiated and Referred Acts

Because of the fact that initiated and referred acts are subject to repeal and emendation by the General Assembly, no attempt is made here to analyze the measures which have been voted upon by the people. Social welfare is the basis of ten of the nineteen acts voted approval in the period. Acts concerning labor conditions, wages and hours, and the care and treatment of the sick, blind and insane have been written in the state statutes by vote of the people. Many of these measures have been repealed and amended from time to time by the General Assembly to meet new and changing conditions.

A study of the attached summary of initiated and referred acts warrants a conclusion that the electorate have not made as much use of

the constitutional provision regarding initiated and referred acts as was expected at the time the provision was placed in the constitution, since there has been a gradual decrease in the number of measures initiated and referred. Since 1918 only one measure has been referred to the people. The number of initiated acts has decreased from eighteen in 1912, to one in 1938, with several years in which no initiated or referred measures were voted upon.

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DIGEST OF INITIATED AND REFERRED CONSTITUTIONAL AMENDMENTS AND LAWS VOTED UPON BY THE ELECTORATE OF COLORADO FROM 1912 TO 1938, BOTH INCLUSIVE

* Designates constitutional amendments referred by the General Assembly to the people.
All other amendments were initiated by the people.
Legal citations of those amendments which were adopted are to the Constitution of the State of Colorado.

** Designates laws referred to the people by petition of the people.
All other laws were initiated by the people.
No law has been referred to the people by the General Assembly since the adoption of the referendum.

1912

Constitutional Amendments

<u>Subject</u>	<u>Vote</u>	
	<u>For</u>	<u>Against</u>
* 1. Designating mining and smelting business as affected with the public interest.	35,997	<u>37,953</u>
* 2. Creating a state tax commission in lieu of the state board of equalization and continuing county boards of equalization.	32,548	<u>40,012</u>
* 3. Providing that salaries of county, precinct and other officers need not be paid entirely from fees collected by said officers. 15,574	28,889	<u>41,622</u>

1912 Cont.

<u>Subject</u>	<u>Vote</u>	
	<u>For</u>	<u>Against</u>
* 4. Raising limitation on county debts, based upon assessed valuation of taxable property in county.	29,741	<u>47,284</u>
5. Providing for state-wide prohibition.	75,877	<u>116,774</u>
6. Providing special funds for the state immigration bureau.	30,359	<u>54,272</u>
7. Granting home rule to cities and towns. (Art. XX, Sec. 6)	<u>49,596</u>	44,778
8. Providing recall from office. (Art. XXI)	<u>53,620</u>	39,564
9. Providing for the holding of special elections for voting on proposed constitutional amendments and initiated and referred laws.	33,413	<u>40,634</u>
10. Defining contempt of court and providing for trial by jury for contempt in certain cases.	31,850	<u>41,855</u>
11. 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	<u>51,820</u>
12. Providing wider control of the schools by the people.	38,318	<u>55,691</u>
13. Providing for juvenile courts in cities and counties of over 100,000 population. (Art. VI, Sec. 1) (See note below)	<u>55,416</u>	40,891
14. Authorizing a bonded indebtedness for public highways.	36,636	<u>53,327</u>

Note: This amendment as adopted also gave the supreme court the sole power to declare laws unconstitutional, and provided for over-ruling such decisions by a vote of the people. These provisions were held unconstitutional by the supreme court.

Totals - 14 amendments voted upon; 3 adopted; 11 rejected.

1912 Cont.

Initiated and Referred Laws

	<u>Subject</u>	<u>Vote</u>	
		<u>For</u>	<u>Against</u>
** 1.	Eight hour law for work in underground mines, smelters, coke ovens, etc.	<u>69,489</u>	30,992
** 2.	Concerning the branding and marking of live-stock.	37,387	<u>37,740</u>
** 3.	Relating to the custody and management of public funds.	20,968	<u>44,322</u>
** 4.	Establishing teachers' summer normal schools.	23,521	<u>63,266</u>
** 5.	Concerning examinations for teachers.	25,369	<u>54,086</u>
** 6.	Concerning water rights and irrigation.	22,931	<u>47,614</u>
7.	Enforcement of prohibition laws by search and seizure.	64,616	<u>79,190</u>
8.	Women's eight hour employment law.	<u>108,959</u>	32,019
9.	Providing for the regulation of public service corporations.	30,347	<u>64,138</u>
10.	Establishing a state fair.	49,102	<u>52,462</u>
11.	Reducing costs of publishing constitutional amendments, initiated and referred laws, and publishing arguments for and against.	39,551	<u>50,635</u>
12.	Amending election laws.	37,616	<u>38,537</u>
13.	Amending election laws, and providing for a "headless" ballot.	<u>43,390</u>	39,504
14.	Mothers' compensation act and aid to dependent and neglected children.	<u>82,337</u>	37,870
15.	Relating to civil service and amending said law.	<u>38,426</u>	35,282
16.	Eight hour law for work in underground mines, smelters, mills and coke ovens.	<u>52,525</u>	48,777

1912 Cont.

<u>Subject</u>	<u>Vote</u>	
	<u>For</u>	<u>Against</u>
17. Giving state highway commission control of certain funds.	44,568	<u>45,101</u>
18. Construction of tunnel through James Peak.	45,800	<u>93,183</u>
Totals - 18 laws voted upon; 6 adopted; 12 rejected.		

Constitutional Amendments 1914

* 1. Providing sixty years for redemption of city and town indebtedness.	38,589	<u>65,206</u>
* 2. Concerning the equalization of tax assessments at full cash value, by the state and county boards of equalization. (Art. X, Sec. 15)	<u>55,987</u>	55,275
* 3. Concerning publication of constitutional amendments and initiated and referred laws.	48,301	<u>56,259</u>
4. Providing that initiated measures rejected by people cannot again be initiated for six years, and if two conflicting measures be adopted at same election, one receiving largest affirmative vote shall prevail.	55,667	<u>112,537</u>
5. Providing for state-wide prohibition. (Repealed in 1932)	<u>129,589</u>	118,017
6. Providing for a three-fourths jury verdict in civil cases, and permitting women to serve on juries if they desire.	67,130	<u>77,488</u>
7. Giving people right to petition governor to call special elections for submitting measures under the initiative and referendum.	40,643	<u>80,977</u>
8. Designating newspapers as public utilities.	35,752	<u>91,426</u>
Totals - 8 amendments voted upon; 2 adopted; 6 rejected.		

1914 Cont.

Initiated and Referred Laws

<u>Subject</u>	<u>Vote</u>	
	<u>For</u>	<u>Against</u>
** 1. Relating to the financing and capitalization of public utilities.	39,703	<u>65,182</u>
** 2. Providing for the licensing and regulation of commission merchants.	39,448	<u>67,454</u>
** 3. Relieving employees from assuming risk of injury or death.	<u>69,006</u>	<u>28,046</u> 29,448
** 4. Concerning the appointment of peace officers.	49,116	<u>66,836</u>
** 5. Relating to the financing and capitalization of public utilities.	37,633	<u>63,603</u>
6. Providing for codification of laws relating to women and children.	68,242	<u>72,122</u>
7. Increasing state road fund by half mill levy for highway construction.	<u>117,146</u>	53,844
8. Permitting probation in criminal cases for minors and first offenders.	62,561	<u>68,512</u>

Totals - 8 laws voted upon; 2 adopted; 6 rejected.

1916

Constitutional Amendments

1. Placing state civil service in the constitution.	62,458	<u>96,561</u>
2. Declaring beer non-intoxicating and providing for its manufacture and sale.	77,345	<u>163,134</u>

Totals - 2 amendments voted upon; both rejected.

Initiated and Referred Laws

** 1. Regulating the practice of medicine.	<u>96,879</u>	82,317
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1916 Cont.

<u>Subject</u>	<u>Vote</u>	
	<u>For</u>	<u>Against</u>
2. Providing for the care and treatment of insane persons.	<u>164,220</u>	39,415
3. Abolishment of the state tax commission.	80,362	<u>84,011</u>
4. Regulating the running of stock at large.	85,279	<u>155,134</u>
5. Providing for the investment of public school funds in certain securities.	<u>102,956</u>	66,058

Totals - 5 laws voted upon; 3 adopted; 2 rejected.

Note: The proposition of holding a constitutional convention to revise the state constitution was rejected by a vote of 53,530 to 69,579, at the 1916 general election.

24805

1918

Constitutional Amendments

* 1. Concerning the publication of proposed constitutional amendments and initiated and referred laws. (Art. XXIII)	<u>98,715</u>	12,237
* 2. Limiting time for introduction of legislative bills from 25 to 15 days. (Art. V, Sec. 19)	<u>67,693</u>	19,901
3. Placing state civil service in the constitution. (Art. XII, Sec. 13)	<u>75,301</u>	41,287

Totals - 3 amendments voted upon; all adopted.

Initiated and Referred Laws

1. "Bone-dry" prohibition law.	<u>113,636</u>	64,740
2. Relief of adult blind.	<u>131,469</u>	9,440

Totals - 2 laws voted upon; both adopted.

1920

Constitutional Amendments

	<u>Subject</u>	<u>Vote</u>	
		<u>For</u>	<u>Against</u>
* 1.	\$5,000,000 bond issue for construction of public highways. (Art. XI, Sec. 3)	<u>100,130</u>	70,997
* 2.	Increasing number of county judges.	35,095	<u>97,398</u>
* 3.	Increasing salaries of governor, his secretary, and supreme and district court judges.	49,313	<u>112,878</u>
4.	Providing additional one mill levy for state educational institutions. (Art. X, Sec. 11)	<u>160,268</u>	52,324
5.	Providing for the construction of the Moffat, Monarch and San Juan tunnels, and bond issue therefor.	101,841	<u>126,099</u>

Totals - 5 amendments voted upon; 2 adopted; 3 rejected.

Initiated and Referred Laws

1.	Fixing hours of employment in city fire departments.	<u>113,286</u>	82,596
2.	Relating to the practice of chiropractic, and providing for the regulation and licensing thereof.	84,286	<u>109,385</u>
3.	Creating the county of Limon.	34,881	<u>141,239</u>
4.	Creating the county of Flagler	33,295	<u>140,363</u>
5.	Appropriating \$350,000 from the general fund for the establishment of the Psychopathic Hospital and Laboratory.	<u>155,049</u>	50,295

Totals - 5 laws voted upon; 2 adopted; 3 rejected.

Constitutional Amendments 1922

* 1.	Location and control of educational institutions. (Art. VIII, Sec. 5)	<u>87,282</u>	58,315
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1922 Cont.

<u>Subject</u>	<u>Vote</u>	
	<u>For</u>	<u>Against</u>
* 2. Four year terms for certain elected county officers.	37,945	<u>105,782</u>
* 3. Four year terms for certain elected state officers.	40,081	<u>100,367</u>
* 4. Giving legislature power to provide for property rights of aliens ineligible to citizenship.	43,074	<u>95,219</u>
5. \$1,500,000 bond issue for construction of public highways. (Art. XI, Sec. 3)	<u>131,271</u>	66,536
6. Creating a public utilities commission, prescribing its powers and duties, and defining public utilities.	75,061	<u>107,655</u>
7. Giving legislature or people power to exempt certain intangibles from ad valorem taxation, and to impose an income tax in lieu thereof.	42,466	<u>120,355</u>

Totals - 7 amendments voted upon; 2 adopted; 5 rejected.

Initiated and Referred Laws

1. Concerning experimental operations on human beings and dumb animals.	35,476	<u>178,120</u>
2. Revising apportionment of members of legislature.	61,502	<u>101,537</u>

Totals - 2 laws voted upon; both rejected.

Note: The proposition of holding a constitutional convention to revise the state constitution was rejected by a vote of 53,015 to 93,081, at the 1922 general election.

1924

Constitutional Amendments

* 1. Providing for creation of bond issue to pay bonus to soldiers and sailors.	91,510	<u>119,586</u>
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1924 Cont.

<u>Subject</u>	<u>Vote</u>	
	<u>For</u>	<u>Against</u>
* 2. Giving legislature power to fix salaries of state officers.	67,230	<u>129,344</u>
3. Establishing the office of state printer, and a printing building committee.	32,150	<u>225,505</u>

Totals - 3 amendments voted upon; all rejected.

Initiated and referred Laws - None voted upon.

1926

Constitutional Amendments

* 1. Giving legislature power to fix salaries of governor, his secretary, and supreme and district court judges.	95,625	<u>104,709</u>
* 2. Giving legislature power to fix salaries of county and precinct officers, such salaries not necessarily to be paid only from fees collected.	60,086	<u>118,284</u>
* 3. Giving legislature power to enact laws for motor vehicle registration taxes and fees in lieu of ad valorem taxes.	68,459	<u>134,292</u>
* 4. Giving legislature power to provide for manufacture and sale of intoxicating liquors for intrastate use, subject to federal constitution.	107,749	<u>154,672</u>
5. Creating a public utilities commission and prescribing its powers and duties.	35,137	<u>161,372</u>

Totals - 5 amendments voted upon; all rejected.

Initiated and Referred Laws

1. Amending law to permit dentists licensed in other states to practice in Colorado without examination.	56,433	<u>182,816</u>
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1926 Cont.

<u>Subject</u>	<u>Vote</u>	
	<u>For</u>	<u>Against</u>
2. 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	<u>145,482</u>

Totals - 2 laws voted upon; both rejected.

1928

Constitutional Amendments

* 1. Giving legislature power to fix salaries of governor, his secretary and supreme and district court judges. (Art. V. Sec. 30)	<u>134,724</u>	119,060
* 2. Making payment of ad valorem tax on real estate a qualification for voting school bonded indebtedness.	69,005	<u>155,018</u>
* 3. Amending eminent domain provisions to facilitate better city planning and zoning.	32,294	<u>157,973</u>
4. 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	<u>157,889</u>
5. Providing for a \$60,000,000 bond issue for the construction of highways.	82,422	<u>173,881</u>

Totals - 5 amendments voted upon; 1 adopted; 4 rejected.

Initiated and Referred Laws - None voted upon.

1930

Constitutional Amendments

1. 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	<u>149,770</u>
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Total - 1 amendment voted upon; it was defeated.

1930 Cont.

Initiated and Referred Laws - None voted upon.

Note: The proposition of holding a constitutional convention to revise the state constitution was rejected by a vote of 93,879 to 97,826, at the 1930 general election.

1932

Constitutional Amendments

<u>Subject</u>	<u>Vote</u>	
	<u>For</u>	<u>Against</u>
* 1. Four year terms for certain elected county officers.	102,117	<u>169,703</u>
2. 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	<u>225,713</u>
3. Giving legislature power to provide for a limited income tax and a classified personal property tax, to be used for public schools.	101,438	<u>214,464</u>
4. Limiting taxation of motor fuel and ad valorem taxation of motor vehicles.	124,610	<u>248,801</u>
5. Repealing state-wide prohibition, subject to national repeal. (Art. XXII)	<u>233,311</u>	182,771
Totals - 5 amendments voted upon; 1 adopted; 4 rejected.		

Initiated and Referred Laws

** 1. Increasing tax on oleomargarine from 10 to 15¢ per lb.	134,313	<u>217,671</u>
2. Reapportionment of members of legislature.	<u>162,871</u>	144,037
Totals - 2 laws voted upon; 1 adopted; 1 rejected.		

1934

Constitutional Amendments

	<u>Subject</u>	<u>Vote</u>	
		<u>For</u>	<u>Against</u>
* 1.	"Short ballot" amendment, vesting centralized authority in governor.	47,265	<u>200,366</u>
* 2.	Amending civil service constitutional amendment.	60,745	<u>192,140</u>
* 3.	Amending revenue and taxation sections of constitution, principally by eliminating the "uniformity clause", and boards of equalization.	107,457	<u>161,952</u>
4.	Giving people sole power to impose or approve imposition of excise taxes through the initiative and referendum.	126,649	<u>149,098</u>
5.	Concerning the taxation of petroleum products and registration of motor vehicles, and providing that such taxes and fees be used exclusively for roads.	<u>160,482</u>	132,944
6.	Limiting tax on motor fuel to 3¢ per gallon.	87,090	<u>187,720</u>
Totals - 6 amendments voted upon; 1 adopted; 5 rejected.			

Initiated and Referred Laws

1.	Imposing license fees on chain stores.	<u>197,144</u>	156,147
Total - 1 law voted upon; it was adopted.			

1936

Constitutional Amendments

* 1.	Providing that women shall serve on juries.	129,872	<u>184,204</u>
* 2.	Giving legislature power to provide for a graduated income tax. (Art. X, Sec. 17)	<u>167,268</u>	159,143

1936 Cont.

<u>Subject</u>	<u>Vote</u>	
	<u>For</u>	<u>Against</u>
* 3. Exempting real and personal property of churches, schools and cemeteries, in certain cases, from taxation, unless otherwise provided for by law. (Art. X, Sec. 5)	<u>227,254</u>	111,123
4. 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	<u>283,583</u>
5. Providing for ownership tax on motor vehicles in lieu of ad valorem taxation thereon, and for the distribution thereof. (Art. X, Sec. 6)	<u>218,795</u>	108,270
6. Amending revenue sections of constitution, principally by giving legislature power to provide for an income tax within limitations.	67,155	<u>262,022</u>
7. Providing \$45.00 per month old age pensions and designating certain taxes for the payment thereof. (Art. XXIV)	<u>239,289</u>	134,377

Totals - 7 amendments voted upon; 4 adopted; 3 rejected.

Initiated and Referred Laws

1. Amending workmen's compensation act to benefit of employee.	<u>203,195</u>	114,733
2. Providing for public assistance to indigent tubercular residents.	<u>176,872</u>	133,516

Totals - 2 laws voted upon; both adopted.

1938

Constitutional Amendments

<u>Subject</u>	<u>Vote</u>	
	<u>For</u>	<u>Against</u>
1. 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	<u>315,174</u>
2. Repeal of \$45.00 old age pension amendment and giving legislature power to provide for pensions.	157,975	<u>274,598</u>

Totals - 2 amendments voted upon; both defeated.

Initiated and Referred Laws

1. Repeal of chain store tax act.	167,109	<u>264,700</u>
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Total - 1 law voted upon; it was defeated.

1940
1942
1944

RECAPITULATION OF NUMBER OF PROPOSALS
VOTED UPON BY YEARS

<u>Year</u>	<u>Total Number Voted Upon</u>	<u>Constitutional Amend- ments Voted Upon</u>			<u>Laws Voted Upon</u>		
		<u>Total</u>	<u>Adopted</u>	<u>Defeated</u>	<u>Total</u>	<u>Adopted</u>	<u>Defeated</u>
1912	32	14	3	11	18	6	12
1914	16	8	2	6	8	2	6
1916*	7	2	0	2	5	3	2
1918	5	3	3	0	2	2	0
1920	10	5	2	3	5	2	3
1922*	9	7	2	5	2	0	2
1924	3	3	0	3	0	0	0
1926	7	5	0	5	2	0	2
1928	5	5	1	4	0	0	0
1930*	1	1	0	1	0	0	0
1932	7	5	1	4	2	1	1
1934	7	6	1	5	1	1	0
1936	9	7	4	3	2	2	0
1938	<u>3</u>	<u>2</u>	<u>0</u>	<u>2</u>	<u>1</u>	<u>0</u>	<u>1</u>
Totals	121	73	19	54	48	19	29

*Proposals for the holding of a constitutional convention were voted on in 1916, 1922 and 1930.