



Why was Colorado's Future formed?

Colorado's Future is committed to resolving three obstacles that hinder public decision making in Colorado: constitutionally based fiscal policy, the weakening of representative government, and the erosion of public trust in government. Our work builds upon the University of Denver's Colorado Economic Futures Panel, which concluded that in order to "create a sound economic future, and thus a favorable quality of life, four conditions are desirable...

- An informed, flexible process for making public policy;
- A strong and effective system of government;
- A renewal of public trust through increased government accountability;
- A competitive fiscal policy based on information, shaped by investment perspective and grounded in equality."

Colorado's Future is a coalition of individuals and partner organizations, including Colorado Concern, Colorado Forum, Club 20, Action 22, Progressive 15, and the Institute on the Common Good. We are dedicated to the mission of Colorado's Future to build public trust in representative government and improve the process of public policy decision-making in a way that will build a better Colorado.

Why is initiative reform needed?

During the past 25 years, Colorado has experienced a surge in the number of initiated ballot measures. In the last 17 years, our constitution was amended 35 times, adding detailed and sometimes conflicting budget provisions with far-reaching unintended consequences.

While most Coloradans support citizen initiatives, the lenient process and the ease by which the constitutional may be amended has caused some to ask whether it is time to change the process by which citizens may initiate ballot measures. There have been several attempts to enhance the requirements for initiated measures, but none successful for a variety of reasons.

What are the public's thoughts on initiative reform?

Beginning in March 2009, a collaboration of interests through Colorado's Future engaged in conversations with approximately 1200 key civic leaders of both political parties in meetings across the state around the issue of reforming our initiative process, fiscal challenges, and constitutional pressures. At these meetings, Colorado's Future engaged participants in discussions about the arguments both for and against initiative reform, options for improving our statutory and constitutional amendment process, and strategies for securing passage of any consensus recommendation.

Despite the diversity of participants, who represented many Colorado communities, a broad array of professional disciplines, civic interests, and political viewpoints, there was a shared sense that, while it is important for Colorado to retain its citizen initiative process, the ballot process should be reformed to make it more difficult to amend the state's constitution.

In the end, participants developed a strong agreement on a series of meaningful reforms to improve the initiative process. The following recommendations received at least seventy-five percent of support at all of the civic engagement meetings:

- Ballot language should be clear, concise and presented at an eighth grade reading level.
- The financial disclosure requirements for ballot initiative campaigns should be as strict as the requirements for candidate campaigns.
- Petitioners for a constitutional amendment should collect signatures from each congressional district.
- There should be more petition signatures required for proposed constitutional amendments than statutory amendments.
- Constitutional amendments should require a super-majority of the vote while statutory amendments should be allowed to continue to be adopted with a simple majority. The exception to this would be allowing existing constitutional provisions to be repealed with a simple majority.
- A constitutional review commission should be established to periodically review the provisions in the constitution and recommend to voters changes, including the correction of conflicting provisions.

When later asked, over ninety percent of civic engagement participants said they would vote to support all of these recommendations if contained in a single ballot measure.

How is Colorado's Future proceeding?

While Colorado's Future is continuing its civic engagement activity, the organization is now seeking a referred measure from the General Assembly that would amend the requirements for citizen initiated constitutional amendments. Colorado's Future has already engaged both Republican and Democratic legislative leaders on this issue. They are receptive and supportive. We are in the process of finalizing bill sponsors. The goal is to have a referred measure passed this year for the *2012 ballot*.

What changes to the initiative process does Colorado's Future propose?

The measure proposed by Colorado's Future has the following components:

- **Sixty Percent Requirement** – The number of votes to pass a citizen initiated *constitutional* amendment would be increased to sixty percent. This does not change the requirement of a simple majority vote to pass a referred constitutional or statutory amendment or a citizen initiated statutory amendment.
- **Exemption from Sixty Percent Requirement** – Constitutional initiatives to repeal, in whole or in part, any constitutional provision adopted prior to January 1, 2013, would be exempt from the sixty percent requirement. These initiatives could be repealed by a simple majority. This exception would not apply to this measure or initiated measures attempting to amend existing constitutional provisions.
- **Safeguard for Statutory Amendments** – In order to encourage citizen initiated *statutory* amendments over constitutional amendments, the legislature would be prevented for three years from amending or repealing an initiated statutory amendment unless two-thirds of the each house approved the change. This restriction would not apply to referred statutory amendments.
- **Geographical Diversity for Signatures** – Signatures for a citizen initiated constitutional amendment petition must be gathered from each of the state's congressional districts. Specifically, seventy percent of the total number of valid petition signatures must be from each of the congressional districts in an equal amount. In other words, seventy percent of the total number of valid petition signatures divided by the number of congressional districts is the number of valid petition signatures required to be gathered from each of the congressional districts. The remaining signatures may be gathered from any and all congressional districts.

What are the next steps for Colorado's Future?

Our goal is achieve a bipartisan partnership among the members of the General Assembly, the Executive Branch and the people on a referred measure that will encourage a more thoughtful process for amending the state's constitution.

Attempts at Initiative Reform in Colorado and the Colorado's Future proposal

Issue	Current Process	1995 Referred Measure	Referendum 0	SCR 03 (2010)	Colorado's Future Proposal
Number of Valid Petition Signatures	5% of votes cast in prior Secretary of State election In 2009-2010, 76,047 signatures required.	No change	<i>Constitutional</i> – 6% of votes cast in prior gubernatorial election <i>Statutory</i> – 4% of votes cast in prior gubernatorial election	No Change	No Change
Geographic Distribution of Valid Petition Signatures	None	None	<i>Constitutional</i> – 8% be gathered from each congressional district <i>Statutory</i> – No change	<i>Constitutional</i> – 5% of minimum total signatures must be gathered from each congressional district. <i>Statutory</i> – No change	<i>Constitutional</i> – Signatures from each district must total 70% of the total number of required signatures divided by the number of districts; the remaining signatures may be gathered from any and all congressional districts. <i>Statutory</i> – No change
Super-Majority Requirement for Constitutional Amendments	None	60%	None	60%	60%

Issue	Current Process	1995 Referred Measure	Referendum 0	SCR 03 (2010)	Colorado's Future Proposal
Protections for Initiated Statutory Amendments	None	None	None	None	The General Assembly is prohibited from amending or repealing an initiated statute, unless two-thirds of each house approves the change.
Exceptions to the Super-Majority Requirement	None	Provisions adopted with less than 60% until 2003 may be repealed or amended with a simple majority vote.	None	Constitutional provisions in existence prior to 2011 may be repealed with a simple majority vote.	Constitutional provisions existing as of January 1, 2013 may be repealed, in whole or in part, by a simple majority, except for this measure.
Initiative Process	See HB 09-1326/1327	Initiatives and referendums may be run in even number year elections only.	(1) Extend the time to gather signatures for statutory initiatives. (2) Require an earlier submission of constitutional initiative drafts.	None	None

Colorado's Proposed Constitutional Amendments and a Super-Majority Requirement

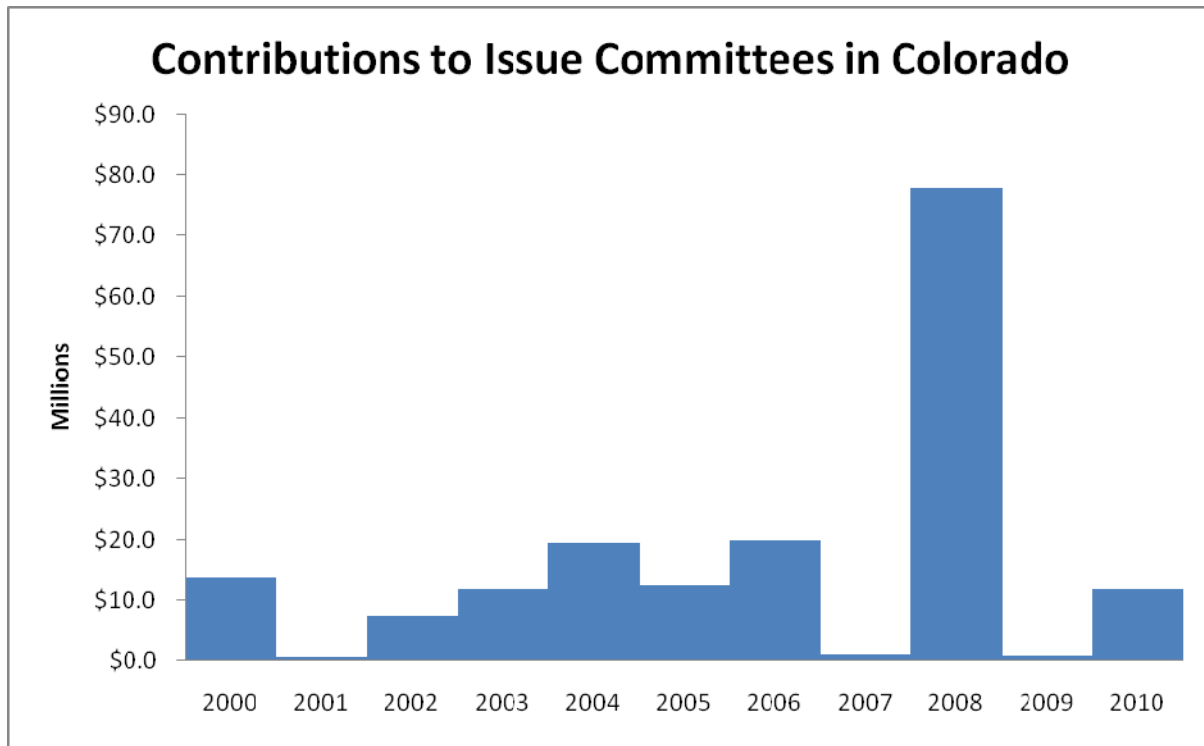
Colorado voters considered ninety-four constitutional amendments from 1990 through 2010. Of these proposed constitutional amendments, fifty-three received less than a simple majority of the vote. Of the forty-one amendments that received a simple majority, twenty received more than sixty percent of the vote.

Below is a table showing election results for constitutional amendments in Colorado during this time period.

Election Results for Proposed Colorado Constitutional Amendments				
Year	No. of Constitutional Amendments on Ballot	Received less than 50.0%	Passed with 50.0%-59.9%	Passed with 60.0% and greater
2010	7	6	1	0
2008	13	8	3	2
2006	9	4	2	3
2004	5	3	0	2
2003	2	2	0	0
2002	7	4	0	3
2000	8	3	3	2
1998	6	4	1	1
1996	11	6	5	0
1994	11	7	2	2
1992	11	5	3	3
1990	4	1	1	2
Total	94	53	21	20

2000-2010 Contributions to Campaigns in Colorado¹

Year	Democratic Candidates	Republican Candidates	Issue Committees	All Others ²
2000	\$3,828,929.81	\$3,172,477.90	\$13,811,026.35	\$5,940,598.47
2001	\$959,851.64	\$3,630,971.49	\$659,412.82	\$3,507,526.18
2002	\$5,267,589.97	\$6,257,629.49	\$7,483,919.76	\$30,308,046.37
2003	\$185,135.56	\$287,010.90	\$11,923,944.13	\$1,758,619.35
2004	\$3,400,029.44	\$2,564,546.65	\$19,574,464.08	\$4,696,277.48
2005	\$1,066,458.03	\$2,702,421.82	\$12,408,285.34	\$1,922,860.31
2006	\$10,476,380.59	\$9,490,381.63	\$19,863,940.22	\$9,496,229.98
2007	\$929,973.34	\$265,877.08	\$970,688.23	\$3,541,833.79
2008	\$5,339,635.31	\$4,394,707.25	\$77,922,988.55	\$16,944,314.53
2009	\$920,052.17	\$1,231,396.85	\$950,827.21	\$6,210,656.48
2010	\$9,582,108.60	\$4,711,452.56	\$11,775,963.30	\$31,477,665.96
TOTAL	\$41,956,144.46	\$38,708,929.06	\$177,345,459.99	\$115,804,628.90



¹ As reported to the Colorado Secretary of State. Information retrieved from <http://tracer.sos.colorado.gov/PublicSite/Quickstats.aspx> on December 29 and 30, 2010

² Includes political committees, federal PACs, political party committees, 527 organizations, and small donor committees.