

STATEMENT BEFORE THE JOINT SELECT COMMITTEE FOR CONSTITUTIONAL REVISION

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The League of Women Voters nationally has analyzed, recommended and championed causes of good government as part of its role encouraging citizen participation in government. The League of Women Voters of Colorado has studied the Colorado Constitution since 1963. We believe the cause of good government is advanced with a constitution characterized by “**clarity** of language and **suitability** of topic and detail in proposed constitutional amendments”. To that end, Colorado’s constitution should be broad enough to allow for changing conditions, a concise, understandable, and integrated statement of basic law, free of statutory detail and obsolete provisions, logically organized, and internally consistent, and it should provide methods to amend, revise or replace the Constitution. I think most of us – committee and interested parties – are here because we believe the Colorado constitution has deviated from all of those characteristics.

The League would support measures to encourage the use of statutory rather than constitutional amendments as long as there is at least a two year waiting period before change can be made after which a simple majority vote would suffice. Waiting periods of 2 or 4 years coincide with election cycles and would be long enough to see if an initiated statute really caused problems requiring legislative fixes. Waiting periods much longer than that may be counter productive. The League recognizes that exceptions might be made for Supreme Court review on constitutionality and for technical amendments.

In 1995, the League adopted a position calling for support for more stringent requirements for the passage of constitutional amendments than for initiated statutes and protection from legislative change for initiated statutes for a minimum of two years, and over the years, we have supported efforts to make such changes. Our 1995 position study supporter a greater number of signatures for an initiated constitutional amendment than for an initiated statute. Today, conditions have changed and we question the effectiveness of signature thresholds, whether greater number of signatures or geographical distribution of them, in really making a constitutional amendment harder to get on the ballot than a statutory one. We do think a super majority vote of the people for the passage of all (initiated or referred) constitutional amendments except for removing obsolete provisions may provide an viable incentive for citizen initiatives to be statutory rather than constitutional. Various other methods of encouraging citizens to use statutory rather than constitutional avenues to petition government that have been suggested by previous presenters could also be effective.

A final comment: the University of Denver Colorado Constitution Panel of 2007 recommendation number eight calls for the encouragement of “private, independent nonprofit organizations ...to conduct analyses of initiated or referred proposals and share their conclusions with the public”. The League of Women Voters of Colorado could be such an organization.

Thank you for the opportunity to present our positions relating to your task, and for addressing this most important issue.