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mation of interest to every automobile driver and should be of great help to tourists. It will emphasize the most important parts of the Traffic Code and will contain numerous illustrations and diagrams in explanation of its contents. Plans call for an initial printing of 250,000 books. The handbook will be approximately 5x7 inches in size and will contain about 60 pages in four colors.

Since the adoption of the new code and with an objective to improve and keep abreast of Denver's traffic problems, Mayor Newton has appointed a continuing committee known as the Mayor's Official Co-ordinating Committee. The committee consists of about seventeen members representing the various departments of the city government, also the schools of the city. The committee holds frequent meetings to study, discuss, and recommend solutions for traffic problems as they arise.

STRENGTHENING HOME RULE IN COLORADO— PROPOSED AMENDMENT NO. 1

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The proposed amendment No. 1, the so-called home rule amendment to article 20 of our state constitution would authorize legislative bodies of home rule towns and cities to submit charter change proposals to the electorate. The right in the people to initiate charter amendments by petition would be retained.

What is home rule? It is the right of urban residents to manage municipal affairs locally, i.e., to adopt a charter of their own liking and to legislate on all matters, local and municipal in character, free of state dictate and control. Home rule is based on the premise that the local community in purely local matters is best able to determine its own needs and to devise ways of solving them.

Home rule came to Colorado towns and cities in 1902 through the adoption of the 20th amendment to our constitution by the people of Colorado.

Most of us have grown up under home rule and we are prone to take it pretty much for granted. Not so the residents of a number of large American cities where local laws are enacted only within the permissive limits laid down by rural-dominated legislatures. Residents of Denver during the eighties and nineties were well aware of what this meddling in local affairs by the state meant. Before the city was emancipated by the 20th amendment, our police and firemen were under control of a state board appointed by the Governor. This was likewise true in the case of all public works

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undertaken in the city of Denver. A recent example of the state legislature's attempt to interfere and exercise control in local matters occurred as late as the last General Assembly. There a bill was passed by the house to set the pay of a class of employees in the towns and cities of Colorado. The resultant tax bill would have, of course, been sent to you. Only a loud hue and cry that such legislation on local affairs would be an unconstitutional inter-meddling in home rule matters deterred the senate from enacting the bill.

Possessing the privilege of home rule, we are alone responsible for developing an efficient, business-like governmental machine which will perform municipal tasks with dispatch, economically, and fairly. Possessing home rule, we can justify no other quality than the best because the authority and responsibility for local, municipal government reposes within the corporate limits of the home rule city or town and not at the doors of the White House, the halls of Congress or, the soon to be, golden dome of our state house.

If affairs municipal are not as the majority would have them, the way is open through the ballot or the petition to change the administration or the form of the municipal machinery itself.

THE OBJECT OF THE PROPOSED CHANGE

It is the exercise of the latter privilege, that of changing the form and detail of the municipal machinery, as expressed in our city charters that is considered herein. Moreover, Amendment No. 1 has not been proposed with the idea that the basic forms of government presently effective in Colorado home rule municipalities are wrong.

Speaking of Denver, our method of administering civic affairs is the envy of most municipal officers and students of government throughout the country. It has been developed through the trial and error method by Denver citizens over nearly half a century. Responsibility is narrowly placed, in City Council in matters legislative, and in the Mayor in matters administrative. There are no dual sets of officers, county and municipal, to split authority and facilitate buck passing, no multiplicity of shoulders upon which to pass over and dilute the effect of criticism. It's Mr. Mayor or Mr. Councilman to the aggrieved resident of Denver.

Major charter changes of the past which have altered Denver's form of government several times have been accomplished within the framework of the 20th amendment as it is now written. That has been possible because proposed changes of our basic government have interested large numbers of the citizenry, and the circulation of petitions to bring about the necessary Charter amendments has been comparatively easy. Other innovations have occurred over the years usually because the particular proposal possessed unusual

color and voter appeal, or because a strong pressure group was behind the measure. For every one of those changes there are several needed changes which, because they lack drama and color and because of the trouble and expense entailed in circulating petitions, never reach the people for their consideration. Such experience-dictated needed changes are, as a rule, as dull and uninteresting as barnacles on a ship's underside. Issues of this nature do not stir members of the Chamber of Commerce, the Exchange Club, the A. F. of L. or the Society for the Prevention of Cruelty to Animals to beat the streets for petition signatures; consequently, nothing is done. But like barnacles, unless attended to, Charter needs slow down and eventually stop forward progress.

So I say that this fine looking municipal ship of state—of proper dimensions, balanced, perfectly rigged—has, through changing conditions over the years, become loaded down with the barnacles of time. However, these barnacles are below the water line where they are not readily seen, and most of us go on satisfied, mistakenly believing that all is well. These charter inadequacies demand attention—your attention—if your responsibility for making municipal government work is to be discharged. They will not come under the existing petition method of proposing amendments. The best proof of this statement lies in the simple fact that corrections have not been made in the past.

EXAMPLES OF NEEDED CHARTER CHANGES

Let me mention but a few of the needed changes which will go unattended unless the petition method of submitting proposed charter changes is supplemented by an easier, more practical method of bringing governmental needs before the electorate. The illustrations must of necessity concern the Denver charter.

In 1916 the Department of Safety and Excise was created. It would appear that the people of Denver believed it wise to provide for a civilian head to coordinate the activities of the Police and Fire Departments much like the Federal scheme is to provide a civilian head of cabinet rank, the Secretary of Defense, to administer the affairs of the military departments of governments. Unfortunately, excise duties were moved from the Finance Department and placed on the shoulder's of the Manager of Safety and Excise. The result today is that such time as he may devote to the important police functions and of the city is merely incidental to the manager's duties of granting and revoking licenses and collecting fees.

A similar misfitting of activities occurs in the Department of Health and Charity. The present Manager of Health and Charity is Dr. Florence Sabin, a woman of national renown in the field of Health. Dr. Sabin would be the first to admit her lack of specific knowledge or interest in welfare matters. Time has enhanced this mismating of functions. In 1915, the year before this combined

Department was setup under the broad Speer Amendment, the budget of the Welfare Department reads as follows:

*Expenditures for Year 1915—
Department of Social Welfare*

Municipal Coal Yard.....	\$	1,995.63
Municipal Lodging House.....		4,806.27
Social Welfare.....		9,251.23
Support of Poor.....		44,211.00
Mother's Compensation.....		10,039.53

\$ 70,303.66

In 1949, the Welfare Budget provided:

Administration	\$	614,730.00
Tuberculosis		111,848.22
A. D. C.....		2,073,746.85
Aid to Blind.....		101,238.10
General Assistance.....		1,341,616.05
Child Care.....		44,986.66
Old Age Pensions.....		11,040,208.22

\$15,328,374.10

Without going into details, it is obvious that a split-up of the sprawling Department of Improvements and Parks should be made for the sake of more efficient operations. But, who of you would become sufficiently aroused to want to trudge the streets with petitions to present these needed administrative reorganization plans to the electorate when the chances of approval by the voters, based on past experienced, stand two to one against approval?

City officials' salaries, I need only to mention. After all, who is interested except a handful of public servants, some of whom can and others cannot afford the luxury of engaging in public service. The high turnover in the cabinet positions will continue and will cost many times over the difference between the 1904 scale of salaries still being paid and what they fairly should be.

I could go on with such examples, but I trust that those given will suffice to illustrate the driftwood which clogs and prevents the smooth flow of local government together with the dime-store rake which is at hand to clear away the accumulated slug of the past 46 years, Denver's Charter having been adopted in 1904.

THE CHARTER, A CONSTITUTION

Forty-six years may not seem long when compared with our 161-year-old Federal Constitution, which, after adoption of the Bill of Rights, has only been subjected to 21 Amendments, or with our 74-year-old state constitution. However, we are talking about two different kinds of instruments.

The Federal Constitution was a masterpiece of governmental organization. It sets up a bare framework of basic government and wisely left it to Congress to fill in detail with power to change the methods based upon the needs of the times. No so in the case of most city charters. Ours of 1904 was loaded down with a maze of administrative detail molded for the needs of 1904. Three pages of the Charter are devoted to methods of creating and administering viaducts and tunnel districts; four pages of exacting detail concerning sidewalks and sewers; fifteen pages for a Philadelphia lawyer to construe in setting up local improvement districts.. Yes, there is even a provision governing the pay of a man with a team of two horses (so it is not exaggeration to say that it is a horse-and-buggy charter). Therefore, because of the character of the instrument, it resembles more a legislative act, such as an ordinance or statute which needs frequent revision, than it does a framework of basic government such as we look for in a constitution. However, a charter is the constitution of the municipality and *should* resemble a constitution.

I trust that the importance of the proposed amendment No. 1 is now becoming apparent. As I mentioned earlier, the amendment proposes a simpler method of proposing charter amendments. Under it the present petition route is retained, but, in addition, the city councils of home rule cities may initiate Charter changes. The action of Council would not in itself bring about a Charter change; Council's favorable action would merely place the proposed amendment before the people of the home rule city for their consideration. It is the people who in the end decide whether or not the proposal has merit and should be contained in the Charter.

True, only a majority vote of Council is required in the first instance, but in Denver the Mayor's power to veto continues, and if exercised, a two-thirds vote of Council is necessary to override the veto.

There is nothing novel in the idea of granting this additional power to Council. The legislative method of initiating constitutional change has existed in Federal and State Constitutions since their adoption.

The Model City Charter, published in 1941 by the National Municipal League, includes the following:

Amendments may also be proposed and submitted by ordinance passed by a vote of a majority of the members of the City Council, or by a petition signed by not less than 10% of the qualified electors of the City, setting forth any proposed amendment.

Twenty-eight states have granted home rule to their municipalities. Of these only four—Colorado, West Virginia, Minnesota and South Carolina—restrict the initiating of Charter amendments to the petition method; three restrict solely to councilmanic action; and the remaining twenty-one offer the alternative methods which we, the Colorado Home Rule Cities seek, i. e. both the petition and councilmanic methods.