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## Colorado Constitutional Amendments

Denver Bar Association Record

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## *Colorado Constitutional Amendments*

### An Analysis

No. 1: Constitutional Amendment, seeking to amend Section 3 of Article V of State Constitution, whereby salaries of Governor, Governor's secretary, and judges of the Supreme and District Courts shall be fixed by the legislature rather than leave the situation as it now is, that is to say, with these salaries rigidly fixed by the constitution. Legislature originally had this power, but by constitutional amendment in 1882, these salaries were fixed and power to change them was taken from the General Assembly. As a result, salaries which were fixed forty-four years ago, still prevail.

This amendment has been endorsed by resolution of the Denver Bar Association.

No. 2: Constitutional Amendment, seeking to amend Section 15 of Article 14, relating to fees of county and precinct officers. Present constitution provides that salaries of said county and precinct officers be paid exclusively out of fees collected, while proposed amendment would permit the payment of salaries from the general fund in small counties where the fees are insufficient to pay the salary.

No. 3: Constitutional Amendment, seeking to change Section 6 of Article 10, of the present constitution, and which, if adopted, would allow the legislature to exempt motor vehicles from the property tax provisions and would allow the legislature to enact laws for the payment of motor vehicle registration license fees, which would not only include the present license fees, but would also be increased so as to include an amount in lieu of the present personal property tax on automobiles. At present, many motor vehicles are not listed on the tax books at all, and

taxes on many automobiles which are properly listed are not collected. The proposed amendment, particularly in connection with No. 8, which is an initiated act, is expected to obviate both these defects and to insure the collection of an amount approximately equal to present taxes, and to provide additional revenue for highway purposes.

No. 5: Constitutional Amendment, which would allow the legislature to provide for the manufacture, importation and sale of intoxicating liquor for personal, domestic, medicinal and sacramental purposes by or through the State, that is to say, under State control of some sort, provided, however, that this amendment would not be operative as long as it conflicts with the laws of the United States. At the present time, of course, it would conflict with the 18th Amendment as well as numerous federal laws.

No. 6: Initiated Act, which would amend the present laws of Colorado so as to allow any dentist licensed to practice dentistry in any state of the United States to practice in the State of Colorado, without taking an examination before the Board of Dental Examiners, and merely upon application therefor and the payment of a fee of \$10.00. The Bill also provides that the act shall not be construed to mean that it is unprofessional to advertise or to charge low fees. This act, while supported by advertising dentists, is generally opposed by other dentists and by state and local dentist societies.

No. 7: Constitutional Amendment, seeking to amend home rule provisions of the constitution, that is to say, Article 20, and seeking to create, by this amendment, a public utility commission of three members to be ap-

pointed by the Governor, with the consent of the Senate, for terms of six years. This commission would have sole and exclusive jurisdiction to regulate the business, charges, service and facilities of each and every public utility operating in whole or in part within the State of Colorado, or any city, city and county, municipality or other political subdivision of the state, excepting utilities owned and operated by municipalities and irrigation systems. The proposed amendment would give exclusive jurisdiction to the Supreme Court to review the acts of the commission. This amendment would do away with home rule in cities now granted by the constitution so far as control over privately owned public utilities is concerned.

No. 8: Initiated Act, proposed by State Highway Commission, County Commissioners Association and State Motor Club, and is intended to provide very material increases in present revenue which shall be used for the construction and maintenance of public highways. This act should be considered in connection with constitutional amendment which is measure No. 3. This measure would increase the present tax on gasoline from 2¢ per gallon to 3½¢ per gallon for all gasoline used for motor vehicles, with the exception of road rollers, track engines and farm machinery, railroad motor cars, aeroplanes and fire engines. The act also provides for automobile license fees, graduated according to the weight of the automobile, the license fee to range from \$10.00 for 2,000 pounds, or less, to \$55.00 for a car weighing between 6100 and 6500 pounds, and with proportionate rate increases for heavier vehicles.

It is expected that this act would increase the revenue from the use of automobiles from about 3½ millions to approximately 6¼ millions of dollars per year.

The amount collected from the gasoline tax under this act is to be divided four-sevenths to state highway fund, two-sevenths to counties in proportion to the mileage of state roads and highways, and one-seventh to incorporated cities and towns, according to population, this last amount to be used for the building and maintenance of streets through such towns which serve as connecting links between state and county highways. The amount going to the counties is to be expended under the direction of the boards of county commissioners. The revenue received from license fees shall be divided, 60% (first year 75%) to the state highway fund, and 40% to the counties where the license fees are collected. All the proceeds must be spent for the construction and maintenance of improved highways, and the portion going to the counties is to be spent under the direction of the boards of county commissioners.

The Legislative Committee of  
The Denver Bar Association.

### *New Addresses*

Many attorneys within the last few months have changed their addresses. Those who have are requested to send to the Secretary their new addresses in order that the Records of the Association may be corrected accordingly.

#### *Robert T. Cassell*

Mr. Robert T. Cassell, long a member of this Association passed away during October, and the sympathy of this Association was extended to Mrs. Cassell by the President, who also appointed a Committee composed of Messrs. L. F. Twitchell, Frank E. Gove and Robert J. Pitkin, to attend the funeral as representatives of this Association.