

The Legislative Process

Statutes are laws that are introduced and voted on by legislators, but may be written by

- officers and agencies of State and local government
- interest groups and lobbyists, and
- private individuals.

Voters can propose constitutional amendments or propose statutes by **initiative**, which involves submitting signed petitions.

A **referendum** is a process by which a legislative measure is decided upon by the State's voters.

What it takes in Colorado

- A minimum of 5% of all voters in last election for Secretary of State (currently 86,105) must sign initiative petition.
- Initiatives must be limited to a single subject
- Simple majority required for passage

History of Initiatives

- Initiative amendments passed during the late 1800s as a response to distrust of politicians mostly by farmers who had been bankrupted by bankers who charged high interest rates and railroads who gauged farmers on shipping costs.
- Populists (organization representing farmers' interests) felt that giving citizens the power to enact laws would provide a check on corrupt politicians who supported business interests over those of their constituents.

What would the founders say?

- Federalist 10

“...a chosen body of citizens, whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations.”

- Anti-federalist

“In a pure democracy the people are the sovereign, and their will is declared by themselves; for this purpose they must all come together to deliberate, and decide.”

Colorado State Law

<p>Constitutional Law (Fundamental)</p>	<p>The basis for:</p> <ul style="list-style-type: none">- how a government is organized- protected rights and Freedoms- how powers are separated, Distributed, and checked	<p>Standard: proposed by legislature (2/3), ratified by citizens (simple majority)</p> <p>Initiative: proposed by petition (5%), ratified by citizens (simple majority)</p>
<p>Statute Law</p>	<p>The basis for:</p> <ul style="list-style-type: none">- specific regulations, criminal, and civil laws carried out by the executive branches	<p>Standard: proposed by legislators (any number), passed by simple majority</p> <p>Initiative: proposed by petition (5%), ratified by citizens (simple majority)</p>
<p>Case Law</p>	<p>The basis for:</p> <ul style="list-style-type: none">- interpretation of constitutionality of statutes	<p>Court system</p>