

Colorado Legislative Council Staff

FISCAL IMPACT STATEMENT

Date: May 14, 2002

Fiscal Analyst: Harry Zeid (303-866-4753)

BALLOT TITLE: SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF COLORADO AMENDMENTS TO ARTICLES VI, XVIII, XX, AND XXVII OF THE CONSTITUTION OF THE STATE OF COLORADO, CONCERNING THE REPEAL OF CERTAIN OBSOLETE PROVISIONS IN THE CONSTITUTION OF THE STATE OF COLORADO.

Summary of Assessment

This referendum seeks approval from the voters at the November 2002 General Election to eliminate certain obsolete provisions of the State Constitution.

The referendum repeals the following provisions of Article VI:

- the provision that addresses the transfer of cases from the county court to the district court during the transition from the county court to the district court as the court of general jurisdiction in January 1965;
- the provisions specifying that probate court and juvenile court judges shall initially be elected by the qualified electors of the City and County of Denver at the 1964 general election;
- the provision addressing sitting judges' remaining time in office during the state's transition to the current method for filling judicial vacancies;
- the provision regarding the General Assembly's power to provide simplified procedures in county courts for the trial of misdemeanors and the specification that the General Assembly only has such authority for claims not exceeding \$500; and
- the effective date provision regarding retirement and removal of justices and judges.

The referendum repeals the following provisions of Article XVIII:

- expired sections of the limited gaming provision; and
- a congressional term limit amendment held unconstitutional by the Colorado Supreme Court in 1998.

The referendum repeals the following provisions of Article XX:

- expired provisions that address annexation of property attached to the City and County of Denver or the City of Lakewood or the City of Aurora from April 1, 1974 through December 20, 1974; and

- the provision that provided a remedy to the administration of the functions of the City and County of Denver that set into operation a temporary or provisional government which the people of the City and County of Denver could perpetuate in their charter.

The referendum repeals the following provisions of Article XXVII:

- provisions that identify the allocation of moneys from the Great Outdoors Colorado Program (GOCO) to the Conservation Trust Fund and the Division of Parks and Outdoor Recreation on a quarterly basis through FY 1997-98.

Since the referendum eliminates obsolete provisions that do not affect state or local revenues or expenditures, the referendum is assessed as having no fiscal impact. The referendum takes effect upon approval by the voters at the November 2002 General Election.