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SENATE CONCURRENT RESOLUTION 06-002

BY SENATOR(S) Owen, Bacon, Kester, Lamborn, May R., Mitchell, and Taylor;
also REPRESENTATIVE(S) Coleman, Carroll M., and Ragsdale.

SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF COLORADO
AMENDMENTS TO ARTICLES XVII, XX, AND XXIV OF THE
CONSTITUTION OF THE STATE OF COLORADO, CONCERNING THE
ELIMINATION OF OBSOLETE PROVISIONS OF THE STATE CONSTITUTION.

Be It Resolved by the Senate of the Sixty-fifth General Assembly of the State of Colorado, the House of Representatives concurring herein:

SECTION 1. At the next election at which such question may be submitted, there shall be submitted to the registered electors of the state of Colorado, for their approval or rejection, the following amendment to the constitution of the state of Colorado, to wit:

Section 5 of article XVII of the constitution of the state of Colorado is amended to read:

Section 5. Exemption in time of peace. No person having conscientious scruples against bearing arms shall be compelled to do militia duty in time of peace. ~~provided, such person shall pay an equivalent for~~

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

~~such exemption.~~

Section 7 of article XX of the constitution of the state of Colorado is amended to read:

Section 7. City and county of Denver single school district - consolidations. The city and county of Denver shall alone always constitute one school district, to be known as District No. 1, but its conduct, affairs and business shall be in the hands of a board of education consisting of such numbers, elected in such manner as the general school laws of the state shall provide. ~~and until the first election under said laws of a full board of education which shall be had at the first election held after the adoption of this amendment, all the directors of school district No. 1, and the respective presidents of the school boards of school districts Nos. 2, 7, 17 and 21, at the time this amendment takes effect, shall act as such board of education, and all districts or special charters now existing are hereby abolished.~~

The said board of education shall perform all the acts and duties required to be performed for said district by the general laws of the state. Except as inconsistent with this amendment, the general school laws of the state shall, unless the context evinces a contrary intent, be held to extend and apply to the said "District No. 1".

Upon the annexation of any contiguous municipality which shall include a school district or districts or any part of a district, said school district or districts or part shall be merged in said "District No. 1", which shall then own all the property thereof, real and personal, located within the boundaries of such annexed municipality, and shall assume and pay all the bonds, obligations and indebtedness of each of the said included school districts, and a proper proportion of those of partially included districts.

Provided, however, that the indebtedness, both principal and interest, which any school district may be under at the time when it becomes a part, by this amendment or by annexation, of said "District No. 1", shall be paid by said school district so owing the same by a special tax to be fixed and certified by the board of education to the council which shall levy the same upon the property within the boundaries of such district, respectively, as the same existed at the time such district becomes a part of said "District No. 1", and in case of partially included districts such tax shall be equitably

apportioned upon the several parts thereof.

Section 2 (a), (b), (c), and (e) of article XXIV of the constitution of the state of Colorado are amended to read:

Section 2. Moneys allocated to fund. There is hereby set aside, allocated and allotted to the old age pension fund sums and money as follows:

(a) ~~Beginning January 1, 1957,~~ Eighty-five percent of all net revenue accrued or accruing, received or receivable from any and all excise taxes now or hereafter levied upon sales at retail, or any other purchase transaction; together with eighty-five percent of the net revenue derived from any excise taxes now or hereafter levied upon the storage, use, or consumption of any commodity or product; together with eighty-five percent of all license fees imposed by the provisions of sections ~~138-6-1 to 138-6-42, both inclusive,~~ of ARTICLE 26 OF TITLE 39, Colorado Revised Statutes, 1953, and amendments thereto; provided, however, that no part of the revenue derived from excise taxes now or hereafter levied, for highway purposes, upon gasoline or other motor fuel, shall be made a part of said old age pension fund.

(b) ~~Beginning January 1, 1957,~~ Eighty-five percent of all net revenue accrued or accruing, received or receivable from taxes of whatever kind upon all malt, vinous, or spirituous liquor, both intoxicating and non-intoxicating, and license fees connected therewith.

(c) ~~All unexpended money in any fund of the state of Colorado, or political subdivision thereof, as of January 1, 1957, which prior to said date has been allocated to the payment of an old age pension:~~

(e) ~~All inheritance taxes and incorporation fees appropriated under 101-2-2 to 101-2-4, both inclusive, Colorado Revised Statutes 1953, for old age pensions:~~

Section 3 of article XXIV of the constitution of the state of Colorado is amended to read:

Section 3. Persons entitled to receive pensions. ~~From and after January 1, 1957,~~ Every citizen of the United States who has been a resident

of the state of Colorado for such period as the general assembly may determine, who has attained the age of sixty years or more, and who qualifies under the laws of Colorado to receive a pension, shall be entitled to receive the same; provided, however, that no person otherwise qualified shall be denied a pension by reason of the fact that ~~he~~ THE PERSON is the owner of real estate occupied by ~~him~~ THE PERSON as a residence; nor for the reason that relatives may be financially able to contribute to ~~his~~ THE PERSON'S support and maintenance; nor shall any person be denied a pension for the reason that ~~he~~ THE PERSON owns personal property which by law is exempt from execution or attachment; nor shall any person be required, in order to receive a pension, to repay, or promise to repay, the state of Colorado any money paid to ~~him~~ THE PERSON as an old age pension.

Section 5 of article XXIV of the constitution of the state of Colorado is amended to read:

Section 5. Revenues for old age pension fund continued. The excise tax on sales at retail, together with all license fees levied by ~~the provisions of sections 138-6-1 to 138-6-42, both inclusive~~ ARTICLE 26 OF TITLE 39, Colorado Revised Statutes, 1953, and amendments thereto, are hereby continued in full force and effect beyond the date on which said taxes and license fees would otherwise expire, and shall continue until repealed or amended; provided, however, that no law providing revenue for the old age pension fund shall be repealed, nor shall any such law be amended so as to reduce the revenue provided for the old age pension fund, except in the event that at the time of such repeal or amendment, revenue is provided for the old age pension fund in an amount at least equal to that provided by the measure amended or repealed during the calendar year immediately preceding the proposed amendment or repeal.

Section 9 of article XXIV of the constitution of the state of Colorado is repealed as follows:

Section 9. Effective date. ~~This article shall be in force and effect from and after January 1, 1957.~~

SECTION 2. Each elector voting at said election and desirous of voting for or against said amendment shall cast a vote as provided by law either "Yes" or "No" on the proposition: "AMENDMENTS TO ARTICLES XVII, XX, AND XXIV OF THE CONSTITUTION OF THE STATE OF COLORADO,

CONCERNING THE ELIMINATION OF OBSOLETE PROVISIONS OF THE STATE CONSTITUTION."

SECTION 3. The votes cast for the adoption or rejection of said amendment shall be canvassed and the result determined in the manner provided by law for the canvassing of votes for representatives in Congress, and if a majority of the electors voting on the question shall have voted "Yes", the said amendment shall become a part of the state constitution.

Joan Fitz-Gerald
PRESIDENT OF
THE SENATE

Andrew Romanoff
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES