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MEMORANDUM

December 2, 2011

TO: Roland Aranjó and Geri Aranjó

FROM: Legislative Council Staff and Office of Legislative Legal Services

SUBJECT: Proposed initiative measure 2011-2012 #47, concerning designating a "Colorado Peace Day"

Section 1-40-105 (1), Colorado Revised Statutes, requires the directors of the Colorado Legislative Council and the Office of Legislative Legal Services to "review and comment" on initiative petitions for proposed laws and amendments to the Colorado constitution. We hereby submit our comments to you regarding the appended proposed initiative.

The purpose of this statutory requirement of the Legislative Council and the Office of Legislative Legal Services is to provide comments intended to aid proponents in determining the language of their proposal and to avail the public of knowledge of the contents of the proposal. Our first objective is to be sure we understand your intent and your objective in proposing the amendment. We hope that the statements and questions contained in this memorandum will provide a basis for discussion and understanding of the proposal.

Purposes

The major purpose of the proposed amendment appears to be to designate September 21 as "Colorado Peace Day", commencing in 2013.

Technical Comments:

The following comments address technical issues raised by the form of the proposed initiative. These comments will be read aloud at the public meeting only if the proponents so request. You will have the opportunity to ask questions about these comments at the review and comment meeting. Please consider revising the proposed initiative as suggested below.

1. Standard drafting practice requires each constitutional and statutory section being amended, repealed, or added to be preceded by a separate amending clause explaining how the law is being changed. For example, "In the constitution of the state of Colorado, **add** section 16 to article XVIII as follows:". This amending clause follows the enacting clause ("Be it Enacted by the People of the State of Colorado:").
2. Standard drafting practice for formatting a proposed initiative includes adding a headnote after the amending clause and before the text of the amendment. The headnote briefly describes the contents of the section and should follow the section number, should be in bold-faced type, and should be in lowercase letters. For instance, "**Section 16. Colorado Peace Day.**" The text of the proposed initiative follows the headnote in the form of full sentences.

Substantive Comments and Questions

The substance of the proposed initiative raises the following comments and questions:

1. Is it the proponents' intent that Colorado Peace Day become a legal holiday pursuant to section 24-11-101, Colorado Revised Statutes?