

Proposed Amendment (Number2016#34) to the Constitution of the State of Colorado,

Be it Enacted by the People of the State of Colorado:

SECTION 1. In Article III of the constitution of the state of Colorado, add the following:

Section 2. Findings:

- (1) Recent scientific advances in medical science have made the act of dying more complicated than it used to be. Modern technologies and techniques are curing many formerly fatal conditions, but making little progress in fighting other diseases, causing some Coloradoans to decide that the best way to shorten their dying period is to obtain Medical Aid In Dying.
- (2) Despite the fact that both the Declaration of Independence and the constitution of the state of Colorado proclaim that certain natural rights –such as life, liberty and the pursuit of happiness – are so fundamental as to be self-evidently inalienable, Coloradoans do not currently have the liberty to pursue happiness by obtaining a medical professional’s assistance in achieving a peaceful death through the administration of oral or intravenous drugs.

Section 3 Declarations. The people of Colorado hereby proclaim that mentally competent adult residents of Colorado are responsible for the management of personal medical decisions, a status hereinafter called “citizen-sovereign,” and have the liberty at life’s end to set the time and tone of their own death, requiring permission of no person or organization.

- a. The people of Colorado hereby further declare that any person or group assisting a citizen-sovereign obtain Medical Aid In Dying is immune from criminal prosecution and civil liability upon presentation of documentation of the voluntary nature of the action.
- b. The citizen-sovereign’s right to obtain Medical Aid In Dying is not limited to the maintenance of mental competency only, but can be durable into incompetency if desired and documented.
 - (I) While mentally competent a citizen-sovereign can arrange, by well-documented agreement with the medical professional involved, to receive MAID at some future date, even though the citizen-sovereign would no longer be mentally competent by the time the conditions in the contract were met. Such MAID shall be called Conditional MAID.
 - (II) Conditional Medical Aid In Dying can only be provided to an individual who is no longer a mentally competent citizen-sovereign. Participation in MAID and Conditional MAID is always voluntary and can be rescinded by the citizen-sovereign involved at any time. Conditional MAID shall be subject to the same

documentation requirements as determined by the General Assembly for Medical Aid In Dying. Conditional MAID and Medical Aid In Dying shall have the same provisions for dealing with the death of any or all witnesses in such a manner as to not interfere with fulfillment of the citizen-sovereign's wishes.

Section (4) Legislation may be enacted to facilitate the operation of this article, but in no way shall such legislation limit or restrict the provisions of this Article or the rights and powers herein declared.

Section 5. Definitions. As used in this Article.

- ⓪ "Medical Professional" means a person who, pursuant to a license, certification, registration, or other authority granted in state law, is authorized to administer health care or dispense medication in ordinary course of business or practice of a profession. The term includes a health care facility.
- ⓪ "Medical Aid in Dying" means helping a citizen-sovereign succeed in the voluntarily pursued goal of achieving a peaceful death. The term "Medical Aid in Dying" refers solely to the use of prescription drugs administered either orally or intravenously.
- ⓪ "Citizen-sovereign" means a mentally competent adult resident of Colorado who has near ultimate authority over the day-to-day decisions of their personal life. A citizen-sovereign could be said to be the Duke or Duchess of his or her own castle, there being almost no authority over them.
- ⓪ "Mental Competency" applies to any adult resident of Colorado who possess the necessary and sufficient decisional ability to be responsible for their own decisions and actions.
- ⓪ "Voluntary" means proceeding, or acting, or done of one's own free will and consent, unintimidated by coercion or compulsion from others.
- ⓪ "Acceptable Documentation" means artifacts that comply with the requirements to be set forth by legislation that will be designed to verify that the citizen-sovereign voluntarily requested MAID, but in no way shall such legislation limit or restrict the provisions of this Section or the inalienable rights of the citizen-sovereign of liberty and self-determination herein declared.
- ⓪ "Immunity" means freedom from penalties, payments or legal requirements, that could arise from assisting a suicide or attempted suicide because, under the provisions of this Section, MAID is not suicide or assisting a suicide.

(6) Effective Date. The General Assembly shall complete its work so this Amendment can become effective on March 1, 2016.

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natural right of self-determination is becoming more complicated as medical science advances more and more rapidly, often blurring the line between life and death.

- (1) These recent advances in medical science are often producing harsh contrasts between winners and losers, leading some Coloradans to the conclusion that the treatment is not extending life, but only prolonging the act of dying. Some conditions and diseases virtually disappearing, while other