

STATE OF COLORADO

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MEMORANDUM

May 6, 2008

TO: Reed Norwood and Charles Bader

FROM: Legislative Council Staff and Office of Legislative Legal Services

SUBJECT: Proposed initiative measure 2007-2008 #124, concerning conditions of employment

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 purposes of the proposed amendment appear to be:

1. To amend the Colorado constitution by prohibiting an employer from requiring, as a condition of employment, that an employee join or pay dues, assessments, or other charges to or for a labor organization;
2. To define "labor organization" to mean any organization of employees that exists solely or primarily for a purpose other than dealing with employers concerning grievances, labor disputes, wages, rates of pay, employee benefits, hours of employment, or conditions of work; and

3. To state that the definition of "labor organization" shall prevail over any conflicting definition of "labor organization" in article XXVIII of the Colorado constitution, including any provision adopted at the 2008 general election.

Comments and Questions

The form and substance of the proposed initiative raise the following comments and questions:

Technical questions:

Each of the technical questions set forth in the review and comment memorandum on proposed initiative 2007-2008 #123 is applicable to proposed initiative 2007-2008 #124 and, as such, will not be repeated.

Substantive questions:

Each of the substantive questions set forth in the review and comment memorandum on proposed initiative 2007-2008 #123 is applicable to proposed initiative 2007-1008 #124 and, as such, shall not be repeated.