

Amended #6

RECEIVED

DEC 14 2005

CH. OFF. M. WCC

To the Director: Office of the Legislative Council
To the Director: Office of Legislative Legal Services
Colorado State Capitol
Denver, Colorado, 80203

ELECTIONS / LICENSING
SECRETARY OF STATE

Delivered by Hand: December 13, 2005

Sirs:

In response to the Memorandum dated December 13, 2005, and electronically sent to the Proponents of initiated measure 2005-2006 #66, the following changes have been made without substantial amendment to the proposed measure:

1. The inclusion of "Be it Enacted by the People of the State of Colorado," in the preamble of the proposed Labor Rights Amendment.
2. The usage of an amending clause stating: "An Amendment to the Constitution of the State of Colorado to read:"
3. To number Sections of the proposed Amendment. As the proposed Amendment is a proposed Amendment to the Constitution and not merely a redefinition of an existing Statute, proponents failed to see the necessity of capitalizing "new language."
- 4 The proponents agree to write out numerical terms in the customary vernacular.
5. The proponents agree to change the usage of the term of "no less than," to the usage of the term "at least."
6. The Proponents agree to delete the word "time," from the phrase "time period."
7. The proponents agree to no longer capitalize the word "Article."
8. The proponents have included a specific effective date to the Amendment's passage.

In response to the substantive questions put forth the proponents respond:

1. The proponents have included the term "disciplinary" prior to the word "penalties." As the penalties shall be "disciplinary" as opposed to being "criminal", the process used would be one administrative in nature, and all hearings will be held in accordance with 24-4-106 C.R.S., as well as 8-3-110 (8) C.R.S.
- 2 As plainly stated in the proposed Amendment, it is the intent of the proponents to acknowledge a distinction between a "specific trade," and a "specific workplace."
3. The proponents will not include a definition of the terms of "employer," or "employee." The rights enumerated in the proposed Amendment are to "all citizens," of Colorado. No distinction is made to exclude any class of individual from engaging in those rights simply by where, or in what capacity they are employed. The definition of the terms "employee" and "employer" is a matter of common knowledge, common usage, and common law. The master-servant relationship is well defined under 8-40-202, 8-40-203, and 8-70-103 CRS, and it is the proponents' intent that those sections of law will serve as definition of those terms.
4. The definition of the term "Lockout" is one of common knowledge, common usage, and common law,