Integrated Solutions: Politics is the Art of the Possible

Background: Some people believe that a significant part of Colorado's budget problems arise from the long-term interactions among Gallagher, TABOR, Amendment 23 and/or Arveschoug-Bird. Others argue that the whole problem stems from only one of these, or the recession. And some feel there isn't really a problem. For those who support a solution involving changes to more than one amendment or statute, there are some particular legal and political difficulties that this section will attempt to explain.

Single-Subject Rule: In 1994, voters passed a legislatively-referred measure requiring that future initiatives be limited to a "single subject." This meant that initiatives could deal with only one subject that is clearly expressed in the ballot title. Like many other pre-1994 initiatives, TABOR deals with many subjects. Any attempt at major changes to TABOR may require several initiatives to conform to the single-subject rule requirements.

There are two ways to get a measure on the ballot: a citizen initiative or a referendum referred by the legislature. Citizen initiatives must first be cleared by the "Title Board" to ensure that the initiative is unambiguous and deals with a single subject. There is also potential for a Colorado Supreme Court challenge prior to the issue going before the voters. On the other hand, legislatively referred measures do not require the tight scrutiny of the Title Board. Once passed, they can be challenged, but the courts may be less likely to overturn a measure with proven voter and legislative support. However, a two-thirds majority of both houses is required to refer a measure to the voters. And is a legislatively-referred measure the best vehicle for change, or might voters see this as self-serving?

What partial or integrated solutions do you propose in order to improve the fiscal health of Colorado?