

Colorado Rates the Legislature

The Taxpayer's Voice
Since 1976



Sixty-third General Assembly, 2002 Report • Prepared by the Colorado Union of Taxpayers

Congratulations! 2002 Taxpayer Champions*

Senate Champion
Doug Lamborn 90%
(R) Colorado Springs

House Champion
Mark Paschall 93%
(R) Arvada

Senate Guardian
Bruce E. Cairns 85%
(R) Aurora

House Guardian
Bill Cadman 76%
(R) Colorado Springs

*Champions scored the highest CUT rating in each house. Guardians obtained best runner-up scores. Scores rounded.

Key Bill Summaries Begin on Page 2

Year to Year?

Overall the Senate scored 35%, up from 34% last year. The House scored 33%, down from 37% last year. See the CUT Grid on page 6.

How CUT Ratings are Determined

Each state legislator is rated on his or her tax, spending, or government intrusion votes. For a bill to be chosen, it must have a split vote, with votes both for and against the bill. Year-to-year comparisons indicate that CUT is accurately measuring whether a legislator favors lower taxes and less government or bigger government with higher taxes.

Colorado Union of Taxpayers Rates the 2002 Legislature

The Legislature gets a "D" for its efforts this year to protect the interest of taxpayers. In all fairness it must be acknowledged that our elected representatives face an increasing proportion of the general fund— 62%— (mostly Medicaid and K-12 education) that is nondiscretionary. Even so, on the whole they were no more heroic in wrestling with parameters of a down economy than they were restrained in dealing with surpluses in past sessions. They used several stratagems for avoiding the hard choices necessary to good government. These ranged from the fiscally irresponsible tactic of raiding cash funds —Unclaimed Property, Tobacco Settlement, Unemployment Support, and Major Medical for worker's compensation— to attempt to balance the budget (see review of HB 1444), to the constitutionally questionable reinterpretation of the TABOR's (Taxpayers' Bill of Rights) calculation of the growth dividend. (See review of HB 1310). The later, by the way, will result in an additional tax burden of \$300mm.

On the bright side of an otherwise dim performance this session undid some past mischief by prohibiting the use of future revenues to offset debt (see review of HB 1015); and, in the "it could have been worse" department it sloughed off an attempt to eliminate the Arveschoug-Byrd 6% spending cap.

CUT continues as the tribune of the taxpayer both in monitoring the legislature and promoting lower taxes and less government. We can't do it alone, though. Please take time to carefully review the detailed information in this "2002 CUT Rates the Legislature Report," including "Key Bill Summaries." Then, get involved, whether it's joining CUT or becoming more active. It's your government and your money.

How Did the Parties Score?

Senate

Democrats12%
Republicans.....60%

House

Democrats15%
Republicans.....46%

High Scoring Democrats

Senator Tupa20%
Representative Sanchez26%

Low Scoring Republicans

Senator Entz.....37%
Representative Berry.....24%

Complete Listing and Scores Inside

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KEY BILL SUMMARIES

SB 81 PRESCRIPTION DRUGS FOR SENIOR CITIZENS

This bill would have embarked the state in a very complicated program of providing medical prescriptions to senior citizens. It would try to coordinate with existing Medicare and Medicaid programs. It would enter into a regional bulk buying of prescription medicines. It would monitor pharmacies, and generally become involved in determining if certain medicines should be used for medical recipients. Senate 21/13, **KILLED** in House Committee of Health, Environment, Welfare and Institutions 4/7. (Sen. Hagedorn, Rep. Boyd). **CUT votes NO.** This bill had all the makings of a bureaucratic nightmare.

SB 102 IMPACT FEES

Authorizes local governments, including public school districts to levy impact fees. Allows impact fees as a funding source for capital construction projects for public schools. Senate 18/16, **KILLED** in House Committee on Local Government 8/2. (Sen. Perlmutter, Rep. Vigil) **CUT votes NO.** School district budgeting should already be sufficient to cover capital construction needs. To further tax the people beyond budgetary necessities is totally inappropriate.

SB 131 MANDATED INSURANCE COVERAGE FOR MENTAL DISORDERS

This bill would have required group health insurance to provide coverage for mental disorders. Senate 18/14, **KILLED** in House Committee on Health, Environment, Welfare and Institutions 11/0. **CUT votes NO.** Chalk this under the heading of "unfunded mandates". Technically there is no fiscal impact...on the state, that is. But those of us who pay for medical insurance would pay for this baby if it ever became law. It would require coverage for mental disorders in group health plans. Our health care system is already a Gordian Knot of non-market driven forces that continually escalate costs. There is a difference between a heart attack and a panic attack. A consumer might want to cover

Senate Scores: Friend or Foe?

Highest to Lowest - Who is representing your best interest as a taxpayer? See how Members of Colorado's Senate represented the taxpayer on CUT's 2002 Rating Scorecard:

Score	Senator	Pledge	Party	District	Home
90.00	Lamborn, Doug	P	R	9	Colorado Springs
85.00	Cairns, Bruce E		R	28	Aurora
83.33	May, Ron		R	10	Colorado Springs
77.78	Andrews, John		R	27	Centennial
76.19	McElhany, Andy		R	12	Colorado Springs
68.42	Hillman, Mark D	P	R	2	Burlington
66.67	Anderson, Norma V		R	22	Lakewood
63.16	Dyer, Jim		R	26	Littleton
57.89	Arnold, Ken		R	23	Westminster
57.14	Musgrave, Marilyn		R	1	Fort Morgan
52.63	Owen, David T	P	R	16	Greeley
47.06	Epps, Mary Ellen		R	11	Colorado Springs
44.44	Evans, John		R	30	Parker
42.11	Teck, Ronald J		R	7	Grand Junction
38.10	Taylor, Jack		R	8	Steamboat Springs
36.84	Chlouber, Ken		R	4	Leadville
36.84	Entz, Lewis H		R	5	Hooper
20.00	Tupa, Ron		D	18	Boulder
19.05	Nichol, Alice J		D	24	Denver
19.05	Takis, Stephanie		D	25	Aurora
15.79	Hagedorn, Bob		D	29	Aurora
15.79	Pascoe, Pat		D	32	Denver
15.79	Perlmutter, Ed		D	20	Denver
15.79	Reeves, Peggy		D	14	Fort Collins
15.79	Tate, Penfield		D	33	Denver
14.29	Phillips, Terry		D	17	Louisville
10.53	Hanna, Deanna		D	21	Lakewood
10.53	Isgar, Jim		D	6	Hesperus
10.53	Thiebaut, Bill		D	3	Pueblo
10.00	Windels, Sue		D	19	Arvada
9.09	Fitz-Gerald, Joan		D	13	Golden
5.56	Matsunaka, Stan		D	15	Loveland
5.26	Gordon, Ken		D	35	Denver
5.26	Hernandez, Rob		D	34	Denver
5.26	Linkhart, Doug		D	31	Denver

P = Taxpayer Pledge Signer

Overall Senate Score 35%

himself against the one without also paying for coverage against the other. Let the consumer choose.

SB 145 REHIRING OF RETIRED TEACHERS

This bill seeks to help with the shortage of available qualified teachers for school districts under 4,500 students. **SIGNED.** Senate vote 28/5. House vote 54/11. **CUT votes NO.** It is a very expensive way to hire teachers as it is

assumed the pay would be a the retirement rate. With present retirement procedures, school staff covered by PERA can retire at 55, and buy enough service credit to allow them retirement at full salary. Three times the number of teachers are retiring over a year ago, which shows the policy of allowing purchase of service credits contributes to teacher shortages in the state. This bill sanctions double dipping by the individuals involved.

SB 171 PAYROLL DEDUCTIONS

This bill would have provided authority for the state personnel director to authorize payroll deductions from state employees to employee organizations (unions) at the request of the employee organization. Senate vote 19/16. **KILLED** in House Committee of Business Affairs and Labor, 7/4. (Sen. Thiebaut, Rep. Grossman). **CUT votes NO.** If the state employee would not wish to have a payroll deduction made for payment to the union, the union would simply go ahead and ask the personnel director to deduct whatever amount from the employee. Unbelievable. It is interesting to note that Senate sponsor Bill Thiebaut, placed absolutely last in CUT's 2001 ratings.

SB 180 RENEWABLE ENERGY RESOURCE STANDARD

This bill sets requirements for energy providers to supply certain percentages of energy from renewable resources. House 44/21. Senate 22/13. (Sen. Phillips, Rep. Spradley) **CUT votes NO.** In a year of a supposedly tight budget \$173,119.00 was appropriated to implement an effort for which no ground work has been completed, no research to support the demands dictated by this monstrosity. For example by 2005 providers of electric services must generate 400 megawatts of energy from renewable resources; by 2021 twice that amount. We have legislators buying an unproven product with taxpayers dollars, demanding no accountability of themselves but ready to impose fines for failure to meet these arbitrary demands.

SB 189: CREATION OF A METROPOLITAN AFFORDABLE HOUSING DISTRICT

This bill would have created an affordable housing district with the identical boundaries of the metropolitan football stadium district. Senate 24/10; **KILLED** in House Local Government Committee 6/5). (Sen. Hernandez, Rep. Boyd) **CUT votes NO.** The governor-appointed board of directors for this entity would be poised to continue the stadium tax, when that tax expires, as a tax for affordable housing. The board, of course, would have to go to the voters to do so, but one could be sure if this ever becomes law that it would approach the voters when the fewest are looking. A nascent bureaucracy, a "district" formed for no better reason that it is already being taxed, a guaranteed attempt to get voter approval for continuing a tax. What's not to like...about saying "NO!!!" to this tax & spend legislation?

House Scores: Friend or Foe?

Highest to Lowest - Who is representing your best interest as a taxpayer? Check out how Members of Colorado's House performed on CUT's 2002 Rating Scorecard:

Score	Representative	Pledge	Party	District	Home
93.33	Paschall, Mark		R	29	Arvada
76.47	Cadman, Bill		R	15	Colorado Springs
70.59	Mitchell, Shawn		R	33	Broomfield
66.67	Lee, Don	P	R	28	Littleton
63.16	Clapp, Lauri		R	37	Littleton
57.89	Witwer, John		R	25	Evergreen
56.25	Fairbank, Rob	P	R	30	Littleton
55.00	Rhodes, Pam	P	R	31	Thornton
53.33	King, Keith	P	R	21	Colorado Springs
52.63	Cloer, Mark		R	17	Colorado Springs
52.63	Scott, Glenn E		R	62	Westminster
50.00	Harvey, Ted		R	64	Littleton
50.00	Schultheis, David	P	R	22	Colorado Springs
50.00	Spradley, Lola		R	44	Beulah
47.37	Crane, Bill	P	R	27	Arvada
47.37	Decker, Richard D		R	19	Fountain
47.37	Swenson, Bill		R	12	Longmont
47.06	Smith, Matt		R	54	Grand Junction
46.67	Hefley, Lynn		R	20	Denver
43.75	Fritz, Timothy S		R	51	Loveland
42.11	Kester, Kenneth		R	47	Las Animas
42.11	Stafford, Debbie		R	40	Aurora
41.18	Johnson, Steve		R	49	Fort Collins
41.18	Sinclair, William		R	16	Colorado Springs
41.18	Stengel, Joe		R	38	Littleton
38.89	Hoppe, Diane		R	65	Sterling
38.89	Webster, W H Bill		R	48	Greeley
37.50	Dean, Doug (Speaker)		R	18	Colorado Springs
35.29	Williams, Tambor	P	R	50	Greeley
35.29	Young, Brad		R	63	Lamar
33.33	Alexander, Kay L	P	R	58	Montrose
29.41	Lawrence, Joyce R		R	45	Pueblo
29.41	Rippy, Gregg P		R	57	Glenwood Springs
29.41	Snook, Jim		R	60	Alamosa
29.41	Spence, Nancy		R	39	Centennial
27.78	Larson, Mark		R	59	Cortez
27.78	White, Al		R	56	Winter Park
26.32	Sanchez, Desiree		D	2	Denver
25.00	Miller, Carl		D	61	Leadville
23.53	Bacon, Bob		D	53	Fort Collins
23.53	Berry, Gayle		R	55	Grand Junction
23.53	Coleman, Fran		D	1	Denver
23.53	Daniel, Kelly		D	23	Golden
23.53	Madden, Alice		D	14	Boulder
22.22	Boyd, Betty		D	26	Lakewood
22.22	Plant, Tom		D	13	Nederland
21.05	Tochtrop, Lois		D	34	Westminster
15.79	Romanoff, Andrew		D	9	Denver
15.79	Weddig, Frank		D	43	Aurora
12.50	Chavez, Nolbert D		D	5	Denver
12.50	Saliman, Todd		D	11	Boulder
12.50	Veiga, Jennifer		D	3	Denver
11.76	Garcia, Michael		D	42	Aurora
11.76	Groff, Peter C		D	7	Denver
11.76	Grossman, Dan		D	6	Denver
11.76	Hodge, Mary		D	36	Brighton
11.76	Jameson, Bryan		D	52	Fort Collins
11.76	Mace, Frana Araujo		D	4	Denver
11.76	Marshall, Rosemary		D	8	Denver
11.76	Tapia, Abel J		D	46	Pueblo
5.88	Jahn, Cheri		D	24	Wheat Ridge
5.88	Vigil, Valentin J		D	32	Thornton
5.88	Williams, Suzanne		D	41	Aurora
5.56	Borodkin, Alice		D	10	Denver
5.26	Ragsdale, Ann F		D	35	Westminster

P = Taxpayer Pledge Signer

Overall House Score 33%

CUT Call to Action**Vote NO on Referendum A**

REFERENDUM A - Exempt District Attorneys from Term Limits

Vote NO on Amendment 29

AMENDMENT 29 - Abolish the Caucus System

Evaluating the Governor of Colorado • Bill Owens*An "A Student" in a Mediocre Class*

Colorado's Governor Bill Owens has been called the best Governor in America, and CUT agrees with that assessment. Governor Owens has supported Colorado's tax and spending limits that have kept the growth of government in line with the growth of the private economy. That permitted the state to enact more than half a billion dollars in tax cuts and tax rebates during the boom years of the 1990's.

Colorado has not had to make the draconian cuts in state spending required in other states that allowed their spending to increase at unsustainable rates in those boom years. This year, when revenues fell 13% and the legislature submitted a budget calling for spending increase in excess of 7%, it was Governor Owens who made the difficult spending cuts required to balance the state budget.

If there ever was a time when Colorado needed a fiscally conservative Governor it is this year, and Governor Owens has ably fulfilled that role. That said, a good record (alas, the best for any governor in the nation) could have been made better. CUT docks Governor Owens for his support of HB 1310—which increases the budget by over \$300mm and tampers with TABOR.

An Invitation: Join Us at CUT's 25th Annual Breakfast**Saturday October 12, 2002 • Denver Marriott Southeast, 6363 Hampden Avenue, Denver****Registration - 8:15 a.m. Breakfast & Program 9:00 a.m. Price \$20.00****HURRY - MAKE YOUR RESERVATION TODAY**

Deadline for registration is Monday, October 7, 2002

Featured Events:

**Honoring the
2002 CUT Taxpayer
Champions and Guardians**

Keynote Speaker:**Lew Uhler**

President

National Tax Limitation Committee

 Yes, I will be attending the CUT Annual Breakfast!

There will be _____ person(s) in my party. @ \$20 each, the amount enclosed is \$_____.

 No, I cannot attend, but here is \$25.00 for my 2002 CUT Contribution. Here's an extra donation to CUT of \$_____.

Name: _____ Phone: _____ DAY - EVENING

Address: _____ City/State/Zip: _____

Please return to: CUT, 1685 S. Colorado Blvd., Unit "S", PMB 162, Denver, CO 80222-4040 • Tel: (303) 494-2400



Senator Doug Lamborn
90%



Rep. Mark Paschall
93%

2002 Taxpayer Champions

“Eight years ago I became a legislator, with expectations of trimming growth of government. But after eight years, the machinery of statism continues to increase at an alarming rate. Our economic freedom is inversely proportional to the money government takes as taxes and fees.”

“If it weren't for TABOR and the taxpayer advocates at CUT, Coloradoans would be paying over 30 % more in taxes to state and local governments. Thank you, CUT, for your defense of taxpayers.” - *Mark Paschall*



2002 Taxpayer Guardians



Rep. Bill Cadman
76%



Senator Bruce E. Cairns
85%

Champions achieved the highest score in each house. Guardians earned honorable mention for runner-up scores.



Colorado Union of Taxpayers' Signers of the 2002 Candidate/Legislator Pledge

David Aitken	Secretary of State	Libertarian	6/19/02
Kay Alexander	SD-6	Republican	7/7/02
Marti Allbright	Attorney General	Republican	7/10/02
W. Earl Allen	HD-33	Libertarian	6/30/02
Benjamin Ayerigg	HD-3	Libertarian	7/3/02
Biff Baker	US HD 5	Libertarian	7/30/02
Bob Beauprez	CD-7	Republican	7/11/02
Shari Bjorklund	HD-55	Republican	2/13/02
Dave Borstel	HD-32	Republican	7/9/02
Greg Brophy	HD-63	Republican	7/10/02
Tim Brown	HD-45	Republican	7/9/02
Mike Coffman	State Treasurer	Republican	7/10/02
Bill Crane	HD-27	Republican	4/9/02
Dave Dunnell	HD 30	Republican	7/26/02
Rob Fairbank	HD-22	Republican	4/9/02
R. Mike Faris	HD-7	Republican	7/21/02
Steve F. Gresh	HD-20	Libertarian	3/27/02
Lawrence Hamilton	HD-45	Libertarian	6/19/02
Desiree Hickson	Lt. Governor	Libertarian	6/23/02
Mark Hillman	SD-1	Republican	7/15/02
Mel Hilgenberg	Bd. of Education	Republican	7/30/02
Mark Holden	HD-38	Libertarian	6/17/02
David Hustvedt	HD-13	Republican	7/14/02
William Jambura	HD-16	Republican	2/13/02
Steve Jensen	SD-20	Republican	4/30/02
Karen Kataline	HD-2	Republican	7/8/02
Keith King	HD-21	Republican	7/31/02
Abba Krieger	HD 61	Natural Law	7/30/02
Howard Lambert	HD-13	Libertarian	6/26/02
Doug Lamborn	SD-9	Republican	7/20/02
Don Lee	HD-28	Republican	4/9/02
Kevin Lundberg	HD-49	Republican	2/2/02
Scott McKay	HD-26	Republican	4/9/02
Ben Mahrle	SD-15	Republican	1/28/02
Derk Maniscalco	HD-29	Republican	7/10/02
George "Bud" Martin	U.S. HD-7	Libertarian	6/14/02
Gregg Miller	HD-27	Libertarian	6/27/02
Rick O'Donnell	CD-7	Republican	7/11/02
Norm Olsen	U.S. HD-2	Libertarian	6/22/02
Dave Owen	SD-13	Republican	7/7/02
Jim Parker	HD-36	Republican	7/30/02
Pam Rhodes	HD-31	Republican	7/10/02
David Schultheish	HD-14	Republican	7/5/02
J. Brent Shroyer	U.S. HD-3	Libertarian	6/20/02
Dwayne Smilanich	HD-1	Libertarian	7/3/02
Ralph Snelvar	Governor	Libertarian	7/30/02
Richard Stanley	U.S. Senate	Libertarian	6/14/02
A1 Thomas	HD-2	Republican	7/13/02
Tambor Williams	HD-50	Republican	7/7/02

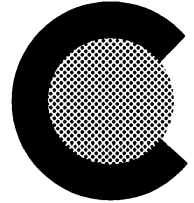
Is your Candidate or Legislator listed here?

If not, ask them to sign and return the Candidate/Legislator Pledge to CUT.
The Colorado Union of Taxpayers instituted the statewide pledge program in 1998.
Response continues to be phenomenal!

CUT will continue to update and publicize Candidate/Legislator pledge signers.



CANDIDATE / LEGISLATOR PLEDGE



I _____, candidate / legislator for _____
do hereby pledge to the Citizens of Colorado:

- Tabor*** to honor and uphold the spirit as well as the letter of TABOR.
- New Taxes*** to oppose any new net tax increase.
- Spending Limit*** to limit government spending to growth of Colorado population and inflation.
- Tax Surplus*** to support the refund of surplus taxes to the citizens of Colorado proportional to their contributions.
- Prioritize Spending*** to support prioritizing the budget by shifting spending from lower valued programs to the higher priorities, and not fund spending with new net taxes.
- Education*** to support educational alternatives such as vouchers to create competition and improve student results at a lower cost.
- Privatize*** to support privatization of government departments and functions to make them more efficient and less expensive.
- Property Rights*** to defend private property rights from "takings" by government or by regulation.
- Payroll Deductions*** to oppose unauthorized payroll deductions that are used for political purposes.
- Petition Rights*** to support the citizen's right to petition with rules as non-restrictive as possible.

Signature: _____ Date: _____

Sponsored by: Colorado Union of Taxpayers • 1685 S. Colorado Blvd., Unit "S", PMB 162, Denver, CO 80222-4040 • Tel (303) 494-2400
Revised 2/2000



SB 195 EXEMPTION OF TAXES EARMARKED FOR OPEN SPACE PURCHASES

This bill would have exempted increases of sales taxes earmarked to fund purchase of open space from the limitation on the total amount of sales tax or use tax that may be imposed. Senate passed 24/11, lost in House 31/33. (Sen. Fitzgerald, Rep. Daniel) **CUT votes NO.** So what's the logic here? Lets guess: "Purchasing open space is popular choice for the use of our tax dollars. So instead choosing to spend that way, and thereby preclude spending it another way, why lets just use that popularity to creep up the total amount of tax." Wrong approach. Open space should be purchased with money saved from other areas.

SB 218 OVERFUNDING OF EXCESS STATE REVENUES

Repeals the Colorado Constitutional requirement to refund excessive state sales tax by 105% of the calculated excessive tax. SIGNED. Senate 27/8. House 49/9. (Sen. Reeves, Rep. Stengel) **CUT votes NO.** The overtaxing of the people is wrong; to obtain the use of the people's money, at no interest expense is wrong. This excessive taxation, compounded by the desire to avoid just interest compensation, is blatantly unfair.

HB 1015 SURPLUS FUNDS TO BE REBATED

This Bill earmarks surplus funds that must be rebated to taxpayers, rather than placing those surplus funds in the general revenue fund. SIGNED. House 65/0. Senate 35/0. (Rep. Scott, Sen. Perlmutter) **CUT vote YES.** While it would be preferable if the Legislature simply rebated the TABOR surplus in the year it was generated, this Bill is at least a step in the right direction and should be supported.

HB 1101 CHILD CARE IN COURTS

This legislation appropriates money from the general fund to provide for child care in courts. SIGNED. House 59/5, Senate 22/12. (Rep. Williams, Sen. Gordon) **CUT votes NO.** Yes, it can be inconvenient if you have a child, limited means, and business before the court. Crying babies in the gallery can be as distracting as unprepared counsel. But why put the onus of providing day care, all of a sudden, on the courts? The vast majority of parties and defendants who go to court are there because of choices they have made. Another choice they can make is to provide for their children when they have a date with a judge.

HB 1129 FARMERS MARKET COUPONS FOR WOMEN AND CHILDREN.

This bill creates a whole new program to develop a state "food stamp program". These coupons would be available to women and children for purchases at farmers markets. It is estimated that first year usage would be 8000 participants at a cost of \$25 per person. SIGNED. House 64/0. Senate 24/10. (Rep. Tochtrop, Sen. Hanna) **CUT votes NO.** As with most new programs there are no residency requirements. The only requirement is income levels to qualify for national food stamp program. The bill does require some matching fund donations to equal state expenditures but we can look forward to ensuing years for these conditions to be dropped when they fail to materialize. Another camel with his nose under the tent. In a few years we will have the whole camel.

HB 1161 RURAL ENTERPRISE ZONES

Establishes rural enterprise zones to enhance economic development by use of income tax credits. SIGNED. House 61/2. Senate 27/7. (Rep. Young, Sen. Hillman) **CUT votes NO.** CUT is opposed to any income credits that do not reduce the cost of the activity to taxpayers. Tax credits is a shifting of an expense of a special interest group to the general population. For those not in the special interest group enjoying an income tax credit, it is truly a tax increase!

HB 1276 HEALTH CARE FOR OLD AGE PENSIONERS

This bill creates the Supplemental Health and Medical Care program above the current \$10 million current constitutional limit by the amount of \$5 million dollars. These funds are to come from state sales and use taxes. In addition to all moneys being currently appropriated for old age pensions and health this bill provides an additional \$1,800,000 for 2002/2003. SIGNED. House 57/3. Senate 32/2. (Rep. Mace, Sen. Epps) **CUT votes NO.** As demographers say, the older are the most financially well off. There is no reason for young families to be saddled with this additional expense. Call the world and tell them the place to retire is Colorado, there are no length of residency requirements. This is no more than a political handout to the most active voting bloc.

HB 1309 EDUCATION TAX CREDITS

This proposed legislation would have increased choices for parents in selecting how their children could be educated. It would have increased competition among schooling alternatives. The bill also would have sent more resources toward educational programs in government schools. An increase in the number of students in private schools likely would have resulted in lower costs to the taxpayer while educational achievement improved. House 37/25, KILLED in Senate Education Committee 5/3. (Rep. Spencer, Sen. Hernandez) **CUT votes YES.** The section on education within the C.U.T. Pledge states "Support educational alternatives...to create competition and improve student results at a lower cost." But the educational establishment and the teachers' unions want to hold control over education and too many legislators followed their wishes in stopping parents' opportunities to act in the best interests of their own children.

HB 1310 \$300 mm TAX INCREASE

This bill used a variety of accounting mechanisms to raise \$300 million dollars in extra tax revenue over the next several years, in contravention of the spirit of the Taxpayers Bill of Rights. The money will be spent on highways and capital construction projects. In addition, the bill authorizes the Regional Transportation District to conduct an initiative campaign to raise the RTD sales tax from .6 cents to 1.0 cents, a 67% increase. SIGNED Senate 29/6, House 50/14 (Rep. King, Sen. Fitzgerald) **CUT votes NO.** The bill means that Colorado families will, over the next several years, pay hundreds of dollars more in taxes.

A Special Breed Pledge Signers

A special breed of legislators is showing that their election year campaign pledges are not simply political rhetoric. In 1998, CUT established a ten-point Taxpayers Pledge for legislative candidates. CUT's pledge signers are shown with a "P" on pages 2-3. See new Signers and the Pledge on Pages 8 & 9. Call and congratulate your representatives for following through on their campaign promise to be fiscally conservative. You'll find their phone numbers on our Back Cover Page.

Help CUT Waste, Fraud, and Abuse of Your Tax Dollars:

Since 1976 CUT's awareness efforts have saved Colorado taxpayers hundreds of millions of dollars. Yet we have much to do. The huge surplus is evidence that we are still overtaxed. Please help by supporting CUT today. CUT is saving you money by lobbying for lower taxes.

- Yes, I want to support CUT. *Suggested donation amount: \$30.*
- I want to do more!* Here is my donation of \$_____.
- Taxes are too high. I cannot afford the suggested amount, but here is my donation of \$_____. Please keep me informed.

Name: _____
 Address: _____
 City: _____ Zip: _____
 Phone: (H) _____ (W) _____

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HB 1391 Transfers of Cash Funds to the General Fund

Government growth would otherwise be constrained in future years if the budget were smaller this year. That's the rule under the spending limits in the Constitution. With a companion bill, HB 1444, the legislature did some ugly and unusual accounting to allow government to grow more rapidly in the future. SIGNED. House 50/15, Senate 20 / 13 (JBC bill by Rep. Young and Sen. Reeves) **CUT votes NO.** The legislature took moneys that were collected as fees (cash funds) for specific purposes, and transferred them into the General Fund. Not only did they raid special funds meant for certain promised uses, but they did it with the sole intent of redesignating funds so that government spending would grow faster in ensuing years! Didn't any of the bill's proponents understand what the voters were saying with TABOR? Only government could come up with a dirty bookkeeping subterfuge so reprehensible that it could make an ENRON accountant blush.

HB 1399 ECONOMIC RECOVERY ACT

This is a complicated Bill with several different objectives: it increases the maximum term for government entities to enter into business incentive agreements; it provides that these agreements are submitted for approval by the Colorado Economic development Commission; and it negates legislation providing for termination of enterprise zones. SIGNED. House 54/10, Senate 33/1. (Rep. Spradley, Sen. Matsunaka) **CUT votes NO.** Enterprise zones are one of the more exploited forms of privilege seeking in the tax system (Basically the whole state has become an enterprise zone).

HB 1404 Reform of Property Forfeiture Laws

This bill made very substantial reforms in Colorado's property forfeiture laws. SIGNED. House 50/14, Senate 23/10 (Rep. Mitchell, Sen. Thiebaut) **CUT votes YES.** Although the bill was vehemently opposed by District Attorneys, large majorities in both houses voted in favor of: requiring (in most cases) a criminal conviction before a forfeiture can take place; making victim restitution the top priority for forfeiture funds; giving half of the remaining funds to drug treatment; giving the other half to local governments to be appropriated for law enforcement purposes. No longer will agencies be able to seize property from people who have been acquitted. Legislative bodies, rather than law enforcement agencies, will now decide how forfeiture revenues are spent, thus eliminating a serious conflict of interest.

HB 1420 THE LONG APPROPRIATIONS BILL

The Long Bill calls for increased expenditures in excess of 7%. PARTIALLY VETOED. House 50/10. Senate 27/8. **CUT votes NO.** The increase ensconced in the bill is basically irresponsible.

HB 1439 CONCERNING THE LIMITATION OF STATE SPENDING

This bill prohibits the total amount of state general fund appropriations for the 2002-03 fiscal year that are subject to the existing statutory limitation on general fund appropriations, other than general fund appropriations for required increases in statewide base per pupil funding and categorical programs, from increasing over the total amount of state general fund appropriations for the 2001-02 fiscal year that are subject to the statutory limitation. Further it would limit the total amount of state general

fund appropriations for the 2003-04 state fiscal year to the actual amount of spending for the 2002-03 fiscal year plus four percent as a temporary measure necessitated by economic conditions. Further it allows for increases upon a declaration of a state fiscal emergency. House 36/27; Senate, KILLED in Senate Business, Labor, and Finance Committee 4/3. (Rep. Hefley, Sen. Andrews) **CUT votes YES.** During this economic downturn, this bill would have shown some fiscal constraint by the legislature and actually held spending this fiscal year to the same level of 2001-02. It would not have cut spending, simply held it at the previous year level. A novel idea not to spend more when less is coming into the treasury. And, to hold next year's increase to 4% ! We would welcome fiscal constraint by the legislature just as Colorado families have been forced to cut back.

HCR 1005 REQUIREMENT TO DESIGNATE REVENUE SOURCE OF PETITIONS

This continuing resolution would require petition proponents to disclose the source of revenues for whatever they would be proposing. House 50/13. KILLED in Senate Business, Labor and Finance committee 5/6. (Rep. Dean, Sen. Matsunaka) **CUT votes NO.** This is another effort by the legislature to obstruct citizens' petition process. Concomitant with this bill are problems: 1) A petition submitted under guidelines of bill would be addressing two subjects, thus unconstitutional; 2) bill would take legislature out of the budget process; 3) there is no time established for setting the \$100,000 base – ten? twenty? fifty years? 4) expenditures would be estimated by whom? 5) the required statement "Shall there be a tax increase?" would apply no matter how limited the expenditure would be.

AG D02E MA

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2002 CUT Ratings

from the Colorado Union of Taxpayers

Help CUT Grow!

CUT has published ratings of the Colorado Legislature since 1977 - 26 years of ratings! Join us and help make a difference. A complimentary copy of the CUT Rating can be obtained by mailing a self-addressed, stamped envelope to the CUT address below. Send us the names and addresses of up to five other individuals whom you believe would like to receive CUT Ratings. We'll do the rest.

Protect our Liberty with Citizen Oversight

Fellow Citizens,

The legislature acted very tortured because tax revenues did not grow as in years past.

They said little was said about the overwhelming influence on the budget by the newly implemented Amendment 23, which mandated a greater proportion of funding to government schools. And legislators ignored the clear message of TABOR and the people's sense that government spends neither wisely nor well.

Our cover note speaks of the dastardly scheme to raise taxes about \$300 million a year, without approval by taxpayers, as is required by TABOR! Not only was

this a bad decision, but worse was the fact that legislators broke their trust with the people by defining away the restraints the people placed on government. They flaunted the rules and

used accounting definitions that would embarrass an

Enron executive.

Then, they created an unconstitutional deficit budget and then squawked when the Governor had to line-item veto several programs to bring the budget into required conformance. They transformed cash funds into general funds to allow higher overall spending, gave up their traditional control over R.T.D. taxes, and still managed to spend more than the TABOR limit contemplated. Whoever is running this show truly

believes that you want government to provide for you, to make decisions for you, to assist you to a very great and surprisingly intrusive degree.

Please take a look at our Pledge, consider our Rating, and ask yourself if you wouldn't want to see citizen oversight continue? It is oversight that represents not a single interest group but all taxpayers, and is based on first principles of limited government, individual liberty and self-governance, not the warmed over, big-government nanny state that we have been offered. If you want the review from this perspective, please join and support our efforts.

America was founded in liberty. We should insist that our leaders act on that.

- Penn R. Pfiffner

PRESIDENT'S INSIGHTS



How Coloradoans in Congress Score

US Senate	
(R) Allard, W.....	88%
(R) Campbell, B.....	79%
Senate Score Average	84%

107th Congress • 1st Session 2001
 Source: Most recent scores from National Taxpayer's Union, Washington, D. C.

US House of Representatives	
(D) DeGette, D	10%
(R) Hefley, J.....	78%
(R) McInnis, S.....	69%
(R) Schaffer, B.....	85%
(R) Tancredo, T.....	86%
(D) Udall, M	14%
House Score Average	57%

Legislative Phone Numbers



Call your Colorado Legislators

Senators

Democrats: (303) 866-4865
 Republicans (303) 866-4866

Representatives

Democrats: (303) 866-2904
 Republicans: (303) 866-2904