

# Colorado Union of Taxpayers

## Rates the Legislature Fifty-Fifth General Assembly 1985 - 1985

### MID TERM REPORT CARD

The 1985 interim rating of the Colorado Legislature, as always, is based on the bills described in this publication. These bills were selected by the board of directors and executive committee of C.U.T. for being distinct taxpayer issues.

Unlike previous ratings, we have not let legislators off the hook for being absent from recorded votes. Our feeling is that legislators are paid by the taxpayers to serve in the Legislature. If they do not vote, for whatever reason, they are not performing their mission. Thus absences and wrong votes carry the same weight.

There were several pro taxpayer bills that

were considered for use in the rating which were shelved because of amendments that offset the benefits. i.e. "Padding". One of the best examples of this was S.B. 82.

This bill prohibits payment of disability benefits to covered members of the state Firefighters and Police pension plan who are disabled by drug abuse, self inflicted injury, or while committing a felony. This is good.

However, it also makes members on leave of absence eligible for those benefits. That's bad!

We wonder why it is so hard for the Legislature to do right by the taxpayer

without doing him in at the same time.

Members of C.U.T. originally considered 175 bills. Our full spending study, which will be the subject of another newsletter, used 88 votes in the Senate and 94 votes in the House.

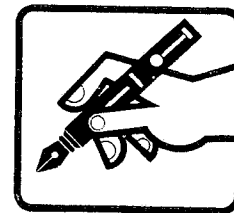
The unanimous impression of those of us who worked on this study was that special interests and lobbyists have placed their thumbprints on virtually all legislation we reviewed.

Some may say that nobody is watching the henhouse. We disagree. The henhouse is being guarded by the finest group of foxes money can buy.

Senate		
Name		
Durham	R	Colorado Springs 52%
Allard	R	Loveland 48%
Dodge	R	Denver 38%
Hefley	R	Colorado Springs 33%
McCormick	R	Cannon City 33%
Bishop	R	Grand Junction 29%
Arnold	R	Littleton 24%
Brandon	R	Akron 24%
Lee	R	Lakewood 24%
R. Powers	R	Colorado Springs 24%
Rizzuto	D	Swink 24%
Wattenberg	R	Walden 24%
Winkler	R	Castle Rock 24%
Cole	R	Littleton 19%
Noble	R	Norwood 19%
P. Powers	R	Denver 19%
Traylor	R	Wheatridge 19%
Glass	D	Frisco 14%
Wells	R	Colorado Springs 14%
Beatty	R	Fort Collins 10%
Beno	D	Pueblo 10%
Callihan	D	Gunnison 10%
Donley	R	Greeley 10%
Ezzard	R	Englewood 10%
Fowler	R	Boulder 10%
Mendez	D	Longmont 10%
Strickland	R	Westminster 10%
Baca	D	Thornton 5%
Fenlon	R	Aurora 5%
Gallagher	D	Denver 5%
Groff	D	Denver 5%
Meiklejohn	R	Arvada 5%
Martinez	D	Commerce City 0%
Peterson	D	Denver 0%
Sandoval	D	Denver 0%

Berry	R	Colorado Springs 30%
Faatz	R	Denver 30%
Gillis	R	LaMar 30%
D. Williams	R	Grand Junction 30%
Fish	R	Lakewood 26%
Minahan	R	Security 26%
Moore	R	Lakewood 26%
Owens	R	Aurora 26%
Philips	R	Colorado Springs 26%
Singer	R	Aurora 26%
Artist	R	Greeley 22%
Bryan	R	Loveland 22%
Green	R	Aurora 22%
P. Hernandez	D	Denver 22%
Herzog	R	Colorado Springs 22%
Hover	R	Parker 22%
Mielke	R	Lakewood 22%
Schauer	R	Littleton 22%
Strahle	R	Fort Collins 22%
Webb	D	Denver 22%
K. Williams	R	Thornton 22%
Bowen	D	Denver 17%
Campbell	D	Ignacio 17%
Entz	R	Hooper 17%
Groff	D	Westminster 17%
Hamlin	R	Fort Morgan 17%
T. Hernandez	D	Denver 17%
Markert	D	Aurora 17%
McInnis	R	Glenwood Springs 17%
Mutzebaugh	R	Lakewood 17%
Reeser	D	Commerce City 17%
Scherer	R	Idaho Springs 17%
Swensen	R	Longmont 17%
Tanner	D	Denver 17%
Trujillo	D	Pueblo 17%
Underwood	R	Olathe 17%
Wham	R	Denver 17%
Younglund	R	New Raymer 17%
Allison	R	Edgewater 13%
Bath	R	Arvada 13%
Bond	D	Greeley 13%
Brown	R	Fort Collins 13%
Dambman	R	Colorado Springs 13%
Grant	R	Denver 13%
Kirscht	R	Pueblo 13%
Neale	R	Denver 13%
Paulsen	R	Englewood 13%

Skaggs	D	Pueblo 13%
Taylor-Little	R	Arvada 13%
Wright	D	Boulder 13%
M.C. Bird	R	Colorado Springs 9%
Carpenter	R	Grand Junction 9%
Johnson	D	Pueblo 9%
Kopel	D	Denver 9%
Schoemaker	D	Cannon City 9%
Hume	R	Boulder 4%
Knox	D	Denver 4%
Romero	D	Pueblo 0%



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#### IN THIS ISSUE

Senate Bills	Page 2
House Bills	Page 2
General Fund Overview	Page 4
Skewered Taxpayer Award	Page 4

House of Representatives		
Name		
Ericson	R	Fort Lupton 74%
Armstrong	R	Grand Junction 52%
Pankey	R	Littleton 52%
Tebedo	R	Colorado Springs 43%
M.L. Bird	R	Commerce City 39%
Grampas	R	Golden 39%
Bledsoe	R	Hugo 35%

## S.B. 21

### Medically Indigent Program

Correct vote: No (as follows)

#### House

No proper votes in House

**Senate** Dodge, Durham

This expands the function now served by Denver General Hospital so as to place indigent patients in clinics and hospitals throughout the state. The increase in cost to the taxpayers will only be matched by the wining and dining costs run up by lobbyists hired by medical facilities from every nook of Colorado determined to get a nice slice of this pie.

## S.B. 34

**Raises the debt limit** for the Colorado Housing Finance Authority by 50%.

Correct vote: NO (as follows)

**House** M.L. Bird, Erickson, Muttelbaugh, Pankey

#### Senate

No proper vote in Senate

One special group gets low interest loans, the rest of us pay the bill.

## S.B. 100

**Deregulation of motor vehicle carriers.**

Correct vote: YES (as follows)

**House** Allison, Armstrong, Artist, Bath, Berry, Bledsoe, Brown, Bryan, Campbell, Dambman, Entz, Erickson, Faatz, Fish, Gillis, Grampsas, Grant, Green, Groff, Hamlin, Hover, Kirscht, McInnis, Mielke, Minahan, Moore, Mutzebaugh, Neale, Owens, Pankey, Paulson, Philips, Reeser, Schauer, Scherer, Singer, Skaggs, Strahle, Swenson, Tanner, Taylor-Little, Tebedo, Underwood, Webb, Wham, K. Williams, Wright, Younglund.

**Senate** Allard, Arnold, Baca, Beatty, Beno, Brandon, Callihan, Dodge, Durham, Ezzard, Fowler, Glass, Groff, Hefley, Lee, Mendez, P. Powers, R. Powers, Rizzuto, Traylor, Wattenburg.

This deregulates such services as limosines, delivery courriers, and tour busses. The expected benefit here is lower prices due to increased competition as well as the more efficient operation that always accompanies it.

The only bleeding heart pitch we have heard in opposition to the bill was that limosines could be in such high demand on prom night that the poor teenager might be gouged. Welcome to the real world, Student!

## S.B. 101

**El Paso County Land Swap.**

Correct vote: NO (as follows)

**House** Armstrong, Bond, Bowen, Grampsas, P. Hernandez, Markert, Tanner, Webb, D. Williams, Wright.

**Senate** Cole, Durham, Lee.

Approximately 40 acres in the Briargate section of Colorado Springs was swapped for about 320 acres of state land in an undeveloped area. Sound fair? After the swap was shepherded through the legislature it was revealed that a major commercial artery, Powers Boulevard, is planned to be extended straight through the property. Also the land is on the agenda for annexation by Colorado Springs, thus giving the future values of the former Colorado properties an enormous boost. The legislature fell for this hus-

tle. We wonder why. Perhaps if the legislature paid more attention to real estate dealings in behalf of Colorado taxes would not have to be raised.

## S.B. 117

**Extension of tax reduction for gasahol.**

Correct vote: NO (as follows)

**House** Artist, Berry, M.L. Bird, Faatz, Fish, Grant, P. Hernandez, Herzog, Hover, McInnis, Mielke, Minahan, Owens, Pankey, Philips, Schauer, Singer, Strahle, Tebedo, Wham.

**Senate** Arnold, Dodge, Lee, Strickland, Traylor, Wells.

If it is not competitive it's not economic. Why subsidize a dead horse?

## S.B. 117

**Creates the office of Volunteerism.**

Correct vote: NO (as follows)

**House** Armstrong, M.L. Bird, Erickson, Faatz, Gillis, Green, Pankey, Scherer, Tebedo.

**Senate** Allard, Durham, Hefley, Lee, R. Powers.

C.U.T. approves of voluntarism. Many of our members volunteer for civic activities. All C.U.T. workers are volunteers.

This bill creates a bureaucracy consisting of a director, advisory board, directors for each region of the State. It is an insult to volunteers throughout the state of Colorado. We do not need the government poking its nose into the last refuge of our independence.

## S.B. 122

**Increase of salaries for elected State officials.**

Correct vote: NO (as follows)

**House** Armstrong, Berry, M.L. Bird, Bledsoe, Erickson, Fish, Gillis, Green, Minahan, Pankey.

**Senate** Arnold, Bishop, Hefley, McCormick, Noble, Traylor.

The only way these folks deserve an increase in pay is by earning it by making government smaller and more efficient. This session does not exactly qualify. See ratings to see if they earned it!

## S.B. 152

**Expands Colorado health facilities bonding authority.**

Correct vote: NO (as follows)

**House** M.L. Bird, Erickson, Grampsas, Pankey.

**Senate** Arnold.

This is another example of growth of government by increasing the borrowing authority of a department. It is similar to giving an alcoholic the key to the liquor store.

## S.B. 193

**Appropriates \$1,000,000 to the State department of corrections.**

Correct vote: NO (as follows)

**House** Armstrong, Erickson, Groff, McInnis, Tebedo, Trujillo, Webb, D. Williams.

**Senate** Durham, Hefley, Wattenburg.

For needs, analysis, planning, site selection, architectural fees, engineering fees and program design for a new diagnostic center to house 150

persons in the Denver Metropolitan area.

The appropriation works out to \$6,666.67 per person before the first brick is laid.

## S.B. 200

**Doubles the take of the land commissioners from 5% to 10%.**

Correct vote: NO (as follows)

**House** Armstrong, Bond, Bowen, Entz, Faatz, Groff, P. Hernandez, T. Hernandez, Johnson, Knox, Markert, Reeser, Shoemaker, Tanner, Tebedo, Trujillo, Webb, D. Williams.

**Senate** Dodge.

For sale, lease or other use of State lands. It also appropriates \$235,173 for their expenses.

We find no evidence that such bountiful rewards are deserved. Indeed, our impression is that the State comes out on the short end of the stick more often than not following the efforts of this group.

## S.B. 256

**Increases the expense allowance for State Legislators.**

Correct vote: NO (as follows)

**House** Allison, Armstrong, Berry, M.C. Bird, M.L. Bird, Bond, Bryan, Erickson, Faatz, Fish, Gillis, Green, Herzog, Minahan, Owens, Pankey, Philips, Schauer, Taylor-Little, Tebedo, Wham, K. Williams.

**Senate** Allard, Bishop, Brandon, Cole, McCormick, Mendez, P. Powers, R. Powers, Rizzuto, Winkler.

From \$20 to \$35 for commuters and from \$40 to \$70 for out-of-towners — PER DAY!

Representatives and Senators have very few expenses. Lobbyists often (maybe more like always) buy the breakfast, lunch, supper and entertainment in a *grande vivante* style. Thus, the expense allowance increase appears to us as merely a thinly disguised method of gaining extra pay from the taxpayers without being taxed on it. Those of us in the private sector go to jail for similar methods of tax avoidance.

# HOUSE BILLS

## H.B. 1033

**Increases the maximum mill levy** for library purposes from 2½ to 4 mills.

Correct vote: NO (as follows)

**House** Armstrong, M.L. Bird, Bledsoe, Erickson, Faatz, Owens, Pankey, Singer, D. Williams.

**Senate** Allard, Brandon, Cole, McCormick, Winkler.

This would require a vote of the district voters. Of course, the election will be kept as obscure as possible by the promoters of the tax increase.

Libraries are a black hole for dollars. There are always hundreds of reasons why libraries should be improved. When all the shelves are full, construction is needed; then more books, then more construction . . . ad infinitum. Of course, more employees are needed at every step along the way.

Libraries are nice, but their appetites are voracious.

# THE RATINGS

## H.B. 1034

**Creates the Colorado Health Data Commission** and appropriates 200,000 dollars for openers.

Correct vote: NO (as follows)

**House** Erickson, Herzog.

**Senate** Allard, Durham, Noble, Rizzuto, Wattenburg.

For those of you who felt there was too much bureaucracy in the government's involvement in the health care industry before now, this new Big Brother layer of government should really raise hackles!

## H.B. 1036

**Forces strict fire codes on rural citizens.**

Correct vote: NO (as follows)

**House** (No good votes in house)

**Senate** Allard, Bishop, Brandon, Dodge, Donley, Durham, Hefley, McCormick, P. Powers, R. Powers, Wells, Winkler.

It expands regulatory authority at the expense of those who do not want the "service". Of course, ranchers represented by lobbyists are exempted.

## H.B. 1093

**Colorado crime victim compensation act.**

Correct vote: NO (as follows)

**House** Artist, Bledsoe, Erickson, Grampas, Younglund.

**Senate** Allard, Beno, Bishop, Callihan, McCormick, Rizzuto, Wattenburg.

While sounding good on the surface, this bill does not require robbers to compensate their victims. Rather, it sets up a pool whereby minor traffic offenders pay increased fines by 30% to 133%. Compensation even includes mental health counseling — A Pandora's box in itself.

The administration procedures involved in this bill are a bureaucrat's delight.

The piece de resistance is the repeal of the automatic termination date of the act.

C.U.T. wants felons to compensate their victims. We oppose Government getting this big a slice of the action at the expense of ordinary citizens not guilty of the actual crimes.

## H.B. 1107

**Creates the Public Safety Inspection Fund.**

Correct vote: NO (as follows)

**House** M.L. Bird, Bryan, Erickson, Moore, Pankey, Phillips.

**Senate** Allard, Bishop, Dodge, McCormick, Noble.

Appropriates initial funding and earmarks a 400% increase in application and renewal fees for explosive permits \$200 fee per inspection of public school buildings (probably right after the firemen's inspection).

C.U.T. opposed the creation of this department in the previous assembly. At that time the department was created without funding and was justified by legislators as not being a cost to the taxpayer. Now the chickens (and the invoices) are coming home to roost.

## H.B. 1204

**Exclusion of nonproducing mineral deposits from Rest Estate Tax Assessment.**

Correct vote: YES (as follows)

**House** Armstrong, Artist, Bath, Berry, M.C. Bird, M.L. Bird, Bledsoe, Bond, Bowen, Brown, Bryan, Campbell, Carpenter, Dambman, Entz, Erickson, Faatz, Fish, Gillis, Grampas, Grant, Green, Groff, Hamlin, P. Hernandez, T. Hernandez, Herzog, Hover, Hume, Johnson, Kirscht, Kopel, McInnis, Mielke, Minahan, Moore, Mutzebaugh, Neale, Owens, Pankey, Paulson, Phillips, Reeser, Romero, Schauer, Scherer, Shoemaker, Singer, Skaggs, Strahle, Swenson, Taylor-Little, Tebedo, Trujillo, Underwood, Webb, Wham, D. Williams, K. Williams, Wright, Younglund.

**Senate** Allard, Arnold, Beatty, Bishop, Brandon, Cole, Dodge, Donley, Durham, Ezzard, Fenlon, Fowler, Glass, Hefley, Lee, McCormick, Meiklejohn, Noble, P. Powers, R. Powers, Rizzuto, Strickland, Traylor, Wattenburg, Wells, Winkler.

When minerals are extracted, there is a severance tax. That's enough. This bill rights a wrong of the previous legislature.

## H.B. 1216

**Older Coloradan's Act.**

Correct vote: NO (as follows)

**House** Erickson, Grampas, Moore, Pankey, Strahle.

**Senate** No proper votes in Senate.

This new law creates a state office on aging. It also sets policy at the state level for older Coloradans. It designates area agencies on aging and specifies the duties of such agencies. A new Pandora's Bureaucracy is born.

This exercise in paternalism is an insult to older Coloradans!

## H.B. 1311

**Superconducting Supercollider Accelerator.**

Correct vote: NO (as follows)

**House** No proper votes in House.

**Senate** Dodge, Durham, Gallagher, Glass.

This appropriation is for \$3 million in tax dollars to lure an expensive Federal program of dubious potential to Colorado. This way, Colorado taxpayers get fleeced at both the Federal and State level for the same deal.

## H.B. 1315

**Early Childhood education of handicapped or non-English speaking children.**

Correct vote: NO (as follows)

**House** Allison, Armstrong, Erickson, Gillis, Grampas, Groff, Markert, Reeser, Underwood, D. Williams.

**Senate** Durham.

A study.

A report.

An appropriation . . . (The Big Three).

This bill directs documentation for a pre-conceived notion — Should the Public Education system be expanded to 3 year olds? Initially it would be for non-English speaking or handicapped children. We envision the next step could be to encompass all 3 year olds or to include all non-English speaking Coloradans — like all 1 year olds.

Continued

## I WANT TO HELP

I approve of your volunteer work for taxpayers. Overspending has become a bureaucratic pastime! Coloradans need a counterbalancing force to the spending lobbies.

I wish to support CUT with a contribution of \$10  \$15  \$20  \$25  \$50  \$100 .  
(This includes me on the mailing list for newsletters & ratings for at least 1 year.)

I wish to order 25  50  100  200  Other \_\_\_\_\_ ratings at 10¢ each.

I want to be on the CUT team, please let me know how I can help.

Annual Dues - \$ 10.00  
C.U.T. Booster - \$ 25.00  
C.U.T. Patron - \$100.00  
Life Member - \$500.00

Name \_\_\_\_\_ Phone(s) \_\_\_\_\_

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City/State/Zip \_\_\_\_\_

**H.B. 1334**

**Environmental and Chronic Disease Control.**

Correct vote: NO (as follows)

**House** Bledsoe, Erickson, Tebedo.  
**Senate** Allard, Durham, Hefley, Winkler.

This new expansion of the department of Health establishes and operates new programs for detection prevention and control of environmental and chronic diseases. Broncomania and Feyline Fever come to mind.

Absent in this bill is any approach to attacking the problem of the cancerous growth of the medical bureaucracy.

**H.B. 1374**

**Pankey Amendment**

Correct vote: YES (as follows)

**House** Armstrong, Artist, Bath, Berry, Bledsoe, Bowen, Campbell, Carpenter, Entz, Erickson, Grampsas, Hamlin, T. Hernandez, Hover, Kirscht, Kopel, Mielke, Moore, Owens, Pankey, Paulson, Phillips, Schauer, Singer, Skaggs, Swenson, Tebedo, D. Williams, K. Williams, Younglund.

**Senate** (House only)

The original bill was an authorization for the construction of a correction facility. Rep. Pankey

attempted to amend the bill such that it could be either bought or leased; depending upon which method of financing would be most advantageous to the taxpayer.

Defeated.

**H.J.R. 1024 (Joint Resolution)**

**Requests federal Government to extend Federal Renewable Energy Credits.**

Correct vote: NO (as follows)

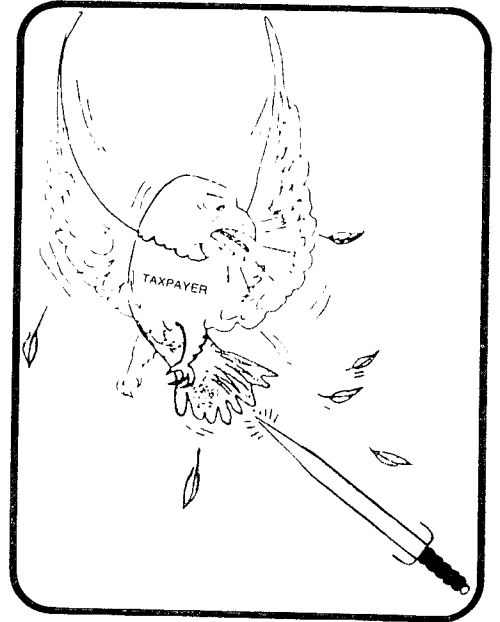
**House** Armstrong, Berry, Bledsoe, Brown, Bryan, Campbell, Dambman, Erickson, Faatz, Fish, Gillis, Grampsas, Hamlin, P. Hernandez, T. Hernandez, Herzog, Hover, Markert, Mielke, Minahan, Moore, Mutzebaugh, Neale, Owens, Phillips, Romero, Schauer, Scherer, Singer, Strahle, Swenson, Tanner, Tebedo, Trujillo, Underwood, K. Williams.

**Senate** (House only)

These kinds of subsidies have never created lasting benefits for the free enterprise system and invariably act in its detriment.

We note another resolution, H.J.R. 1010 urges Congress to take steps to decrease the federal deficit. We declined to use H.J.R. 1010 in the present rating because of its obvious hypocrisy.

# SKEWERED TAXPAYER AWARD



Several legislators deserve Skewered Taxpayer awards for the latest ratings period. Worst Democrats at 0 were senators Martinez, Peterson and Sandoval as well as Representative Romero. Republicans most deserving of this distinction are Senators Fenlon and Meiklejohn and Representative Hume, each of whom generously managed one pro taxpayer vote among the rated bills.

We particularly commend Representative Erickson for being the most consistent champion of the taxpayer. Sometimes it is a lonely position; especially when a steam roller is gathering speed in his direction.

## GENERAL FUND OVERVIEW FOR FY 1985-86

The following data from a Legislative Council memorandum dated June 7, 1985 is referenced.

Plus Additions Due to HB 1375		Millions
Indexation @ 103%;	Suspend	42.3
½% Credit		
Fiat 5% Corporate Tax for 1986 & 1987		6.1
Continue 5¢ Cigarette Tax		17.3
Less Interest Losses		<1.9>
Plus HB 1188, Tax Compliance		5.0
Less Continuation of HUTF @ Capped Level		0.0
Less HB 1010, Unitary Tax Modification		<5.3>
Less HB 1131, Newspaper Supplement Sales Tax		<0.2>
TOTAL Adjustments		63.3

A good example of special interests gaining at the expense of others occurred when the Colorado legislature during the 1985 session enacted tax increases of \$70.7 million. A reduction of indexing amounting to a tax increase of \$42.3 million and the elimination of the first \$100,000 exemption for all corporations from a corporate tax resulting in a tax increase of \$17.3 were of the most concern to taxpayers. Early dealing to completely eliminate indexing aroused the dander of C.U.T. as well as others and we assume this taxpayer pressure stopped the legislature from completely dissolving what was probably the most courageous and honest piece of legislation enacted in recent Colorado history. The elimination of the \$100,000 exemption was a significant loss suffered by the vast majority of businesses, particularly small and new businesses.

In summary, C.U.T. does not consider a tax increase of \$70.7 million, justified by shifting taxes of \$5.5 million from special interests (multinationals and newspapers), a good deal for the other 99% of Colorado's taxpayers. Special treatment freeing mul-

tinational and other special interests from paying taxes results in a tax shift which increases the taxes of all others, unless there is an accompanying budget cut, which of course there was not. C.U.T. understands multinationals do not like government reports and paperwork, particularly involving activities and information outside Colorado. This dislike is shared by many other Colorado taxpayers and businesses. In the final analysis, there is only one way to reduce the growth of size and cost (taxes) of government, and that is to reduce the government's spending of our nation's, or state's, real earnings or wealth. To be sure, those taxes that are necessary should be justly administered in a structure designed with equal treatment of all taxpayers before the law.

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**COLORADO UNION OF TAXPAYERS**

Allied with National Taxpayers Union