



Rates the Legislature



The Taxpayer's Voice

Since 1976



Sixty-fourth General Assembly, 2003 Report • Prepared by the Colorado Union of Taxpayers

Congratulations! 2003 Taxpayer Champions*

Senate Champions

Doug Lamborn 59%

(R) Colorado Springs

Andy McElhany 59%

(R) Colorado Springs

House Champions

Bill Cadman 88%

(R) Colorado Springs

Kevin Lundberg 88%

(R) Berthoud

Senate Guardian

Ron May 57%

(R) Colorado Springs

House Guardian

David Schultheis 83%

(R) Colorado Springs

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

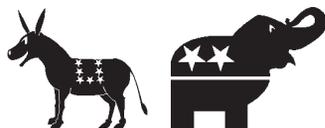
Colorado Union of Taxpayers Rates the 2003 Legislature

The Legislature gets a C- for its efforts this year on behalf of protecting Colorado taxpayers. The Legislature expects to increase the state budget 6% per year which it was unable to do this year; thus, the whining about budget/program cuts. As we taxpayers realize and accept, when revenues decline, spending should decline proportionately. Not so in government. While all during the Session, media and legislators exclaimed about a "crisis" and draconian "budget cuts," the fact is that FY 2003 total state spending is estimated to be higher than FY2002. This was accomplished by fee increases (see review of SB317 and HB1378), new fees (see review of SB266), raiding cash and trust funds (see review of SB271, SB190, and SB191), "Enron" accounting gimmicks (see review of SB197 and SB196) and reversing the senior property tax credit (see review of SB265). Most of these antics would land those in the private sector to be brought before the accounting review board or challenged in court. What is wrong with just spending less?

Passing a voucher bill which will help minority children get out of failing schools was a plus for Coloradans! (see review of HB1160) Stepping up to prevent local governments from "takings" was also a positive. (see review of SB251) There was some help for health insurance for small business. Passing a bill which gives companies the option of increasing premiums to companies who continuously withdraw from insuring employees and then reinsuring to cover risks when desired will help keep small businesses insured. (see review of HB1294)

CUT continues to urge leadership and the legislature to reduce spending and adopt a policy of "lower taxes and less government". We steadfastly support TABOR and are thankful for the restraint imposed which kept Colorado from budget woes which are being experienced by other states most notably California. Join us in the effort "to reasonably restrain most the growth of government."

Please take time to carefully review the detailed information in this "2003 CUT Rates the Legislature Report," including "Key Bill Summaries." Get involved! Be proactive to affect proposed legislation before it can do harm to you, your family, and your business in Colorado!



How Did the Parties Score?

Senate

Democrats33%
Republicans.....45%

House

Democrats26%
Republicans.....54%

High Scoring Democrats

Senator Groff53%
Representative Paccione42%

Low Scoring Republicans

Senator Entz.....20%
Representative Johnson.....29%

Complete Listing and Scores Inside

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Key Bill Summaries

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Year to Year?

Overall the Senate scored 39%, up from 35% last year. The House scored 41%, up from 33% last year. See the CUT Grid on page 8.

Governor's Score...

See Page 4



KEY BILL SUMMARIES

SB-115 Transfer tax on water sales

A water court may impose a charge on the purchasers of water rights to offset anticipated declines in the seller's property value, and therefore future property taxes. It also allows local governments to impose a new sales tax to purchase water rights. **PASSED.** Senate 24/11, House 65/0 (Sen. Hillman/Rep. Young). Governor **SIGNED.** **CUT votes NO.** Creates a new tax, but calls it a "mitigation payment" that can last for 30 years. Imposed without a vote of the taxpayer, in violation of TABOR. It also allows for socialization of private property to be held by government, the antithesis of private enterprise. The most fundamentally wrong-headed assumption is that an owner of something productive that contributes to the economy, may never sell it unless the non-owners get a benefit. Can someone say "collectivism?"

SB-139 Contest Bond Debt Elections Grounds

This bill sets the procedure for contesting the result of an election approving the creation of a financial obligation when certain information is withheld from the voters. **PASSED.** Senate 35/0, House 43/20. (Sen. Andrews, Rep. Lundberg) Governor **SIGNED.** **CUT votes YES.** In light of the fiasco at the St. Vrain School District which withheld information regarding their huge deficit until after their bond issue was passed by voters, this bill gives voters the capability of challenging such elections and possibly reversing them.

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 2003 Rating Scorecard:

Score	Senator	Pledge	Party	District	Home
59.09	Lamborn, Doug	P	R	9	Colorado Springs
59.09	McElhany, Andy		R	12	Colorado Springs
57.14	May, Ron		R	10	Colorado Springs
54.55	Hillman, Mark D	P	R	1	Burlington
54.55	Jones, Ed		R	11	Colorado Springs
52.94	Groff, Peter		D	33	Denver
47.62	Cairns, Bruce E		R	28	Aurora
45.45	Johnson, Steve		R	15	Fort Collins
45.45	Owen, David T	P	R	13	Greeley
45.45	Teck, Ronald J		R	7	Grand Junction
42.86	Andrews, John (President)		R	27	Centennial
42.86	Arnold, Ken		R	23	Westminster
42.86	Evans, John		R	30	Parker
42.86	Isgar, Jim		D	6	Hesperus
42.86	Nichol, Alice J		D	24	Denver
42.86	Taylor, Jack		R	3	Steamboat Springs
42.11	Linkhart, Doug		D	31	Denver
40.91	Dyer, Jim		R	26	Littleton
40.91	Grossman, Dan		D	32	Denver
38.10	Hagedorn, Bob		D	29	Aurora
38.10	Sandoval, Paula		D	34	Denver
38.10	Tupa, Ron		D	18	Boulder
36.36	Chlouber, Ken		R	4	Leadville
33.33	Anderson, Norma		R	22	Lakewood
33.33	Windels, Sue		D	19	Arvada
31.82	Kester, Kenneth		R	2	Las Animas
31.82	Tapia, Abel J.		D	3	Pueblo
28.57	Gordon, Ken		D	35	Denver
28.57	Hanna, Deanna		D	21	Lakewood
27.27	Takis, Stephanie		D	25	Aurora
26.09	Phillips, Terry		D	17	Louisville
23.81	Fitz-Gerald, Joan		D	16	Golden
22.73	Reeves, Peggy		D	14	Fort Collins
20.00	Entz, Lewis H		R	5	Hopper
18.18	Keller, Maryanne		D	20	Wheat Ridge
14.29	Tate, Pennfield		D	33	Denver

P = Taxpayer Pledge Signer

Overall Senate Score 39%

SB-190 Use Tobacco Moneys to Augment General Fund

This bill transfers a total of \$39,502,939 from the Tobacco Litigation Settlement Cash Fund (\$29.0 million), Tobacco Litigation Settlement Trust Fund (\$6.1 million), Children's Basic Health Plan Trust Fund (\$2.2 million), and Colorado Veterans Trust Fund (\$2.0

million) to augment the General Fund. **PASSED.** Senate 28/7, House 52/11 (Sen. Owen, Rep. Witwer) Governor **SIGNED.** **CUT votes NO.** These funds were established with specific purposes. With no assurance of a timely payback, if at all, the robbing of these funds to enhance the General Fund is viewed with alarm and considered deceitful.

SB-191 Augment FY 2002-03 General Fund Revenues

This bill enables the Legislature to transfer certain moneys to the General Fund. ie. establish Cash Funds and summarily RAID Cash Funds. PASSED. Senate 34/1, House 38/25. (Sen. Owen, Rep. Young) Governor SIGNED. **CUT votes NO.** In tight budget years the Legislature should spend less not use every trick of the game to find more money to spend which this bill enabled. New cash funds were created and then existing and newly created cash funds were raided by transferring the dollars to the General Fund.

SB-196 Accounting of Medicaid Reimbursements

In order to preserve spending \$155 million, an estimate of this year's Medicaid expenses will no longer be made, but only recognized when the bills arrive. The measure gives a one-time boost to the budget to allow more spending in the fiscal year just ended. PASSED. Senate 35/0, House 48/15 (Sen. Teck, Rep. Witwer). Governor SIGNED. **CUT votes NO.** Colorado statutes require accrual accounting, so that expenses incurred and revenues raised in the same year are recognized in the same way. It is a standard urged on states by the governmental accounting standards board. This bill ignores that proven practice by moving expenses into the next fiscal year. It is designed with the sole purpose of avoiding budget cuts in other areas, and is another example of the legislature's procrastination in making hard budget decisions. It will have to eventually correct the structural deficit.

How Our Rating Is Done

Each Colorado Legislator is rated on his or her tax, spending, or government intrusion votes.

In this rating 24 bills of key importance to the taxpayer were selected. For a bill to be chosen, it must have a split vote, with votes both for and against the bill.

On Page 8 you'll find the **CUT Grid** which shows all legislators and their individual voting on all 24 key bills used for the CUT Ratings.

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.

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 2003 Rating Scorecard:

Score	Representative	Pledge	Party	District	Home
87.50	Cadman, Bill		R	15	Colorado Springs
87.50	Lundberg, Kevin	P	R	49	Berthoud
83.33	Schultheis, David	P	R	14	Colorado Springs
82.61	Rhodes, Pam	P	R	31	Thornton
78.26	Lee, Don	P	R	28	Littleton
78.26	Mitchell, Shawn		R	33	Broomfield
70.83	Harvey, Ted		R	43	Highlands Ranch
69.57	Brophy, Greg	P	R	63	Wray
66.67	Clapp, Lauri		R	37	Littleton
66.67	Cloer, Mark		R	17	Colorado Springs
66.67	Crane, Bill	P	R	27	Arvada
66.67	King, Keith	P	R	21	Colorado Springs
62.50	Decker, Richard D		R	19	Fountain
58.33	Hefley, Lynn		R	20	Colorado Springs
54.17	Sinclair, William		R	16	Colorado Springs
50.00	Larson, Mark		R	59	Cortez
50.00	Wiens, Tom J		R	45	Castle Rock
45.83	Fairbank, Rob	P	R	22	Littleton
45.83	Rose, Ray		R	58	Montrose
45.83	Spence, Nancy		R	39	Centennial
45.83	White, Al		R	57	Winter Park
43.48	Stafford, Debbie		R	40	Aurora
43.48	Young, Brad		R	64	Lamar
41.67	Fritz, Timothy S		R	51	Loveland
41.67	Paccione, Angie V		D	53	Fort Collins
41.67	Spradley, Lola (Speaker)		R	60	Beulah
40.91	May, Mike		R	44	Parker
40.00	Sanchez, Desiree		D	2	Denver
39.13	Stengel, Joe		R	38	Littleton
38.89	Carroll, Terrance		D	7	Denver
37.50	Briggs, Bob		R	29	Westminster
37.50	Hall, Dale K		R	48	Greeley
37.50	Hoppe, Diane		R	65	Sterling
37.50	McCluskey, Bob		R	52	Fort Collins
37.50	Miller, Carl		D	56	Leadville
37.50	Rippy, Gregg P		R	61	Glenwood Springs
37.50	Weissmann, Paul		D	12	Louisville
33.33	Berry, Gayle		R	55	Grand Junction
33.33	Coleman, Fran		D	1	Denver
33.33	Garcia, Michael		D	42	Aurora
33.33	McFadyen, Buffie		D	47	Pueblo West
33.33	Ragsdale, Ann F		D	35	Westminster
33.33	Smith, Matt		R	54	Grand Junction
33.33	Williams, Tambor	P	R	50	Greeley
33.33	Witwer, John		R	25	Evergreen
29.17	Johnson, Ramey		R	23	Lakewood
29.17	Tochtrop, Lois		D	34	Westminster
27.27	Marshall, Rosemary		D	8	Denver
25.00	Borodkin, Alice		D	9	Denver
25.00	Frangas, K. Jerry		D	4	Denver
25.00	Hodge, Mary		D	30	Brighton
25.00	Madden, Alice		D	10	Boulder
25.00	Salazar, John T		D	62	Manassa
21.74	Veiga, Jennifer		D	3	Denver
20.83	Boyd, Betty		D	26	Lakewood
20.83	Butcher, Dorothy		D	46	Pueblo
20.83	Jahn, Cheri		D	24	Wheat Ridge
20.83	Merrifield, Mike		D	18	Manitou Springs
20.83	Vigil, Valentin J		D	32	Thornton
20.83	Williams, Suzanne		D	41	Aurora
20.00	Cerbo, Michael		D	2	Denver
20.00	Groff, Peter		D	7	Denver
16.67	Plant, Tom		D	13	Nederland
16.67	Pommer, John V		D	11	Boulder
16.67	Romanoff, Andrew		D	6	Denver
13.64	Weddig, Frank		D	36	Aurora
12.50	Judd, Joel		D	5	Denver

P = Taxpayer Pledge Signer

Overall House Score 41%

SB-197 Changing State Employees' Pay Day

This bill moved the June 30 pay date to July 1 and created an exception to the requirement that the determination of the General Fund surplus be based upon the accrual system of accounting for payment of monthly salaries of state employees for the month of June. PASSED. Senate 33/2, House 64/0. (Sen. Owen, Rep. Young) Governor SIGNED. **CUT votes NO.** One cannot say the Colorado Legislature and the Governor didn't learn from ENRON. This is ENRON accounting at its best! And does absolutely nothing for the budget woes reported almost daily during the session. This merely obfuscates the problem which, of course, is too much spending! Oh, that business could just decide to change their accounting method to suit their reporting needs.

SB-204 Supplemental Appropriation Department of Higher Education

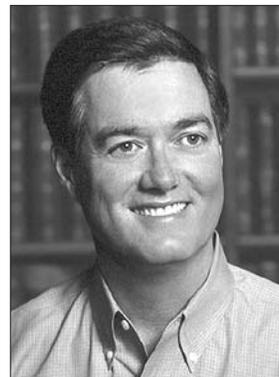
This Bill was an Amendment to Senate Bill 03-170 concerning a supplemental appropriation to the Department of Higher Education. The 30 page bill details the complicated financing of the higher education establishment. PASSED. Senate 29/5, House 42/22 (Sen. Owen, Rep. Young) Governor SIGNED. **CUT votes YES.** Without going into greater detail, the \$1.626 billion funding was slashed by \$82.57 million to \$1.543 billion; a 5.44 % decrease. The legislators involved in developing this bill had a lot of hard work, and it was necessary to exercise much judgment in detailing the cuts, department by department. This bill indicated a serious attempt by the legislators to spend money within their means.

SB-246 Administrative Fee for Public Program Recipients

This bill establishes a monthly administrative fee to specified public assistance recipients receiving benefits via the electronic benefits transfer service. PASSED. Senate 22/13, House 42/23. (Sen. Owen, Rep. Witwer) Governor SIGNED. **CUT votes NO.** Yet another fee being charged to help enable the Legislature to maintain spending excesses. This time the fee (tax) is assessed to welfare recipients specifically.

SB-251 Concerning a Prohibition on the Use by Local Governments of Amortization to Eliminate Nonconforming Uses of Property.

This bill stops the practice of certain local governments adopting ordinances, resolutions, or regulations that infringe upon the rights of property owners by eliminating or terminating nonconforming uses of property that were lawful uses at their inception through amortization without providing just compensation to the property owners. PASSED. Senate 22/13, House 42/22. (Sen. Hagedorn/Rep. Mitchell). Governor SIGNED. **CUT votes YES.** Amortization was an abusive sophistry. Governments used the trick to evade their duty to pay for the damage they cause to small business when property is re-zoned (the re-zoning is often for the purpose of aiding some big business). This bill prohibits local government "takings" by insisting upon just compensation for the taking of private property for public use.



Governor Bill Owens

How did the Governor Rate?

35%

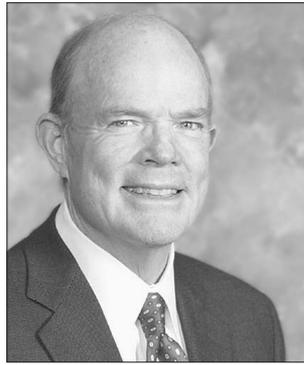
Governor Owens continued to demonstrate leadership when he made the necessary spending cuts to balance the budget. A staunch supporter of "TABOR," Governor Owens agrees with tax and spending limits that keep the growth of government at the same level as the growth of the private economy. He believes tax relief is reasonable and responsible and that Coloradoans should be allowed to keep more of their own money. He accepts that "TABOR" restraints in the "good" years prevented runaway spending which eliminated the profound challenges that other states without spending limits face.

However, CUT disagrees with some of the tactics used to balance the budget in which the Governor often times took the lead --specifically, raiding cash funds, fee increases, lease-purchase agreements, and the change of the state payday.

Bill Summaries Continue on Page 7



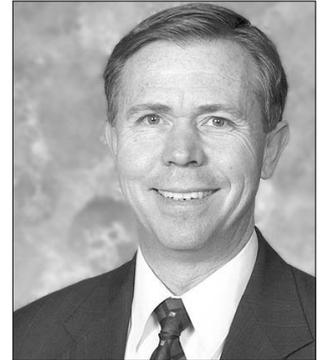
Senator Doug Lamborn
59%



Senator Andy McElhany
59%



Rep. Bill Cadman
88%



Rep. Kevin Lundberg
88%

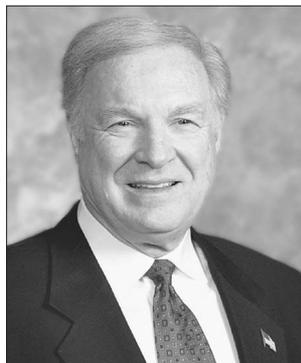
2003 Taxpayer Champions

“CUT provides an invaluable service for the Taxpayers of Colorado - for both promoting less spending and smaller government, and for holding Legislators’ feet to the fire when they depart from that ideal.

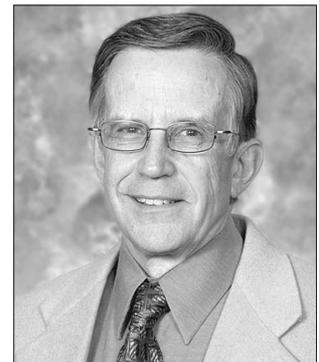
There are so few conservative organizations that do this kind of rating that it becomes all the more important for the public to be aware of the ratings that CUT publishes. Taxpayers can see who is really helping them in Colorado.” - *Senator Doug Lamborn*



2003 Taxpayer Guardians



Senator Ron May
57%



Rep. David Schultheis
76%

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

*Take Action...Help Support TABOR***Warning: New Attacks on TABOR**

The Taxers and Spenders are leaving no stone unturned in trying to convince Colorado citizens that TABOR must be repealed or modified so that more taxes can be extracted from Coloradoans.

Nine fiscal years have passed since TABOR went into effect in 1993. A comparison of these years with the nine years *preceding* is very interesting.

Pre-TABOR, Colorado revenues and outlays (spending) grew at a rate well over twice population-plus-inflation growth. With TABOR, it stayed within the growth percentage, indicating TABOR significantly restrained government growth.

What is interesting is that in these Pre-TABOR years, government employment grew at a rate 20% more than non-government employment growth. Big government got much bigger. By comparison, in the nine years *since* TABOR passed, **non-government employment** grew more than 88% faster than government employment.

What's even more interesting, is that in comparing Gross State Product Growth in the nation during the 90s, Colorado is third from the top of all the States! From 1993, Colorado grew at just about 100%!

TABOR has done exactly what it was supposed to do - slow government growth and taxes, so that resources could be used to grow the private sector.

Contact your representatives and tell them you want TABOR to continue working as the Citizens of Colorado expected when they first voted for it.

CUT CALL TO ACTION:**Vote NO on Amendment 32**

This would amend the "Gallagher Amendment" by freezing the residential assessment rate at 8 percent effective 2005. This is effectively a property tax increase as the rate is slightly lower than 8 percent and if it isn't frozen, it would continue to go down. Contrary to what is being said, this amendment is NOT a benefit to business.

**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

An Invitation: Join Us at CUT's 26th Annual Awards Breakfast

Saturday October 11, 2003 • Metropolitan Club, 7800 E. Orchard Road, Denver

Registration - 8:00 a.m. Breakfast & Program 9:00 a.m. Price \$20.00

Master of Ceremonies – Jon Caldara,
President Independence Institute

KEYNOTE SPEAKER
GROVER NORQUIST
PRESIDENT
AMERICANS FOR TAX REFORM

-AND -

Presentation of Awards to the
2003 Legislative Champions
and Guardians
and Release of the 2003 CUT
Ratings of the Legislature

HURRY - MAKE YOUR RESERVATION TODAY

Your Check is Your Reservation if received by October 9, 2003

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 2003 CUT Contribution.

Here's an extra donation to CUT of \$_____. For Information, call 303-366-3408 or 303-425-9171.

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) 366-3408



SB-265 Reduce Senior Property Tax Exemption

This bill lowers the 50% tax exemption on the first \$250,000.00 of the value of the residential property for qualified seniors down to zero. The definition of a qualified senior is a person aged 65 or older and living at their owner-occupied residence for 10 years or longer. PASSED. Senate 18/17, House 42/23 (Sen. Teck/ Rep. Young) Governor SIGNED. **CUT votes NO.** A recently passed constitutional amendment mandated this exemption. This was a vote of the people. The amendment did, however, leave a provision allowing the Legislature to lower the exemption in case of fiscal emergency. The Legislature declared a "fiscal emergency" and wiped out the exemption. So where politicians insist on needlessly duplicating expensive Federal programs while at the same time being unable to reduce spending, it is the elderly who are forced to bear the increased burden of economic adversity.

SB-266 Nursing Facility Provider Fees & Program

This bill imposes a nursing facility provider fee to certain medicaid providers in order to establish nursing facility-related programs, the nursing facility quality of care grant program, and the state nursing facility service program for specified legal immigrants. PASSED. Senate 33/2, House 62/2. (Sen. Reeves, Rep. Young) Governor SIGNED. **CUT votes NO.** Fees are tax increases which evade voter approval. This particular fee is also guilty of taking from one group and transferring to another. This bill also establishes a cash fund; however, the Legislature demonstrated this year that cash funds are fair game for General Fund spending.

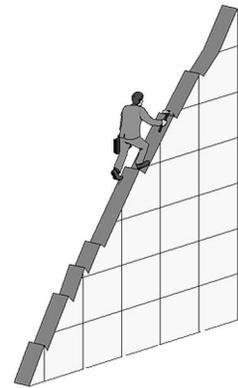
SB-271 Augment General Fund through Cash Transfers

This bill requires the State Treasurer to transfer \$5,500,000 from the Victims & Witnesses Assistance & Law Enforcement Fund in FY 2002-03, and a similar amount, along with \$6,101,613 from four other Cash Funds, totaling \$11,601,613 in FY2003-04 to the General Fund. PASSED. Sen. 33/1, House 41/24 (Sen. Owen, Rep. Young) Governor SIGNED. **CUT votes NO.** These funds were established for a specific purpose. With no assurance of a timely payback, if at all, the robbing of Cash Funds to enhance the General Fund is viewed with alarm and considered deceitful.

SB-317 Reduction of Vendor Fees

This bill reduces from 3 1/3% to 2 1/3% (a full one per cent) the amount vendors are allowed to keep from taxes collected to cover their cost of administering and collection. PASSED. Senate 25/10, House 43/21. (Sen. Chlouber, Rep. Young) Governor SIGNED. **CUT votes NO.** This is in effect a tax increase on all Colorado vendors and is especially onerous to small businesses. Collecting, filing, and paying of these taxes is time consuming, requires tax expertise, and is burdensome to business. Remuneration for this service should not be reduced. What should be reduced is spending by the legislature!

Bill Summaries Continue on Page 12



Climbing Taxes?

Study the CUT Grid that appears on the next page.

It reveals how your Colorado Legislators are either helping CUT your tax burden or making taxes an even steeper challenge to Coloradans.



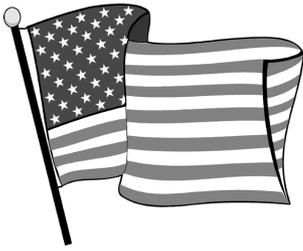
Colorado Union of Taxpayers Signers of the 2002 Candidate/Legislator Pledge

Greg Brophy	HD-63	Republican	7/10/02
Mike Coffman	State Treasurer	Republican	7/10/02
Bill Crane	HD-27	Republican	4/9/02
Rob Fairbank	HD-22	Republican	4/9/02
Steve F. Gresh	HD-20	Libertarian	3/27/02
Mark Hillman	SD-1	Republican	7/15/02
Keith King	HD-21	Republican	7/31/02
Doug Lamborn	SD-9	Republican	7/20/02
Don Lee	HD-28	Republican	4/9/02
Kevin Lundberg	HD-49	Republican	2/2/02
Pam Rhodes	HD-31	Republican	7/10/02
David Schultheish	HD-14	Republican	7/5/02
Tambor Williams	HD-50	Republican	7/7/02

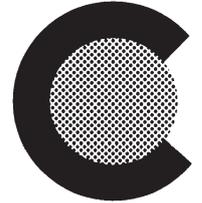
Is your Candidate or Legislator listed here?

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: _____

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Revised 2/2000





Speak Up

Call and Write Your
Elected Representatives.

Write Your Newspaper
and TV News Editors.

Tell Them You
Want Better Government,
with Less Waste and
More Responsibility.

HB-1007 Medical Malpractice Damage Limits

This bill limits non-economic damages for certain physical injuries in medical malpractice actions to \$250,000. PASSED. House 33/32, Senate 20/15 (Rep. T. Williams, Sen. Hillman) Governor SIGNED. **CUT votes YES.** The ever-increasing amounts of judgments against doctors sued in malpractice suits is deemed excessively punitive. In fact, these inordinate judgments are driving doctors away from practicing medicine. This attrition is considered unacceptable for the health and welfare of Colorado citizens. This bill is a positive corrective measure.

HB-1018 Increase County Bonded Indebtedness

This bill doubles the permissible level of bonding from 1.5% to 3.0%, but it uses actual value, not assessed value! This second provision is far more liberal, since it would increase the formula by more than three times the old. PASSED. House 58/6, Senate 35/0 (Rep. Miller, Sen. Chlouber) Governor SIGNED. **CUT votes NO.** A very simple bill with large implications. The result is that, depending on the county concerned, the amount of debt it could incur could skyrocket. TABOR includes a requirement that any relaxing of statewide constraints needs to be approved by the taxpayers in a statewide vote. Logic demands such a vote, but the legislative interpretation is to force a vote only within a county asking for more dollars. Have you ever seen the government interpret a provision to protect the taxpayer, or only to "protect" the government?

HB-1082 TABOR Elections Only in November

This bill was written requiring that regular elections for all measures arising under the Taxpayers' Bill of Rights (TABOR) would be held in November. DEFEATED. House 20/43, Sen. No Vote (Rep. Crane, Sen. Cairns). **CUT votes YES.** Special districts normally schedule elections for board members in the first week of May and there is a tendency for districts to include a vote to de-TABOR their tax revenue at this same election. This happens because with very low turnout for special district elections, it is easier to influence election outcomes when only two or three percent of the registered voters go to the polls. If Districts can have all of their employees and relations turn out for the vote, they can sway the election. With two or three percent of the vote effectively changing the Constitution, the result for the citizens affected is taxation without representation. Unfortunately, county clerks and special district lobbyist killed the bill.

HB-1137 Tax Credit for Contributions for Education

This bill would establish a credit against state income tax for contributions to nonprofit organizations who then forward the contribution to a certified nonprofit educational assistance organization that will use the contribution to provide scholarships or other specified forms of assistance to income-qualified students who attend eligible schools. House 35/30, Senate Appropriations 6/4, DEEMED LOST. (Rep. King, Sen. Hagedorn). **CUT votes YES.** Such contributions provide savings for taxpayers in that the state does not count these pupils in the per pupil financing to public schools. This bill encourages taxpayers to contribute to non-profit educational organizations by giving them a state income tax credit and benefits poor students trapped in failing schools by providing funds for them to attend successful schools.

HB-1160 Providing Aid to Disadvantaged Pupils

This bill creates an "opportunity scholarship" or "voucher" pilot program for some poor children currently trapped in ineffective government schools. The child's family must be so poor that the child is eligible for the free school lunch program. PASSED. House 35/29, Senate 18/17 (Rep. Spence/Sen. Anderson) Governor SIGNED. **CUT votes YES.** Depending on the grade level of the child, the child must have unsatisfactory academic achievement, based on various standardized measures, meet certain risk factors, or reside in a neighborhood where the school is rated low or unsatisfactory on the state's accountability reports. Any school district may choose to participate, but the program is mandatory only for eleven government school districts with eight low-performance schools. This bill is a good first step towards true educational choice, in which families can choose the best school for the children, rather than being economically coerced into sending their children to failing schools.

HB-1209 Right to Work

This bill prohibits employers requiring employees to become or remain a member of any labor organization or to pay dues, fees, assessments, or other sums of money to a labor organization. FAILED House 35/28, Senate 13/22 (Rep Harvey, Sen May). **CUT votes YES.** This is a fundamental right for employees to work in jobs without expenses unrelated to employment but required by unions.

HB-1238 Accrual Accounting for General Fund Surplus

This bill requires that the General Fund Surplus be determined based upon the accrual system of accounting as enunciated by the Governmental Accounting Standards Board. PASSED. House 65/0, Senate 35/0. (Rep. Brophy, Sen. McElhany) Governor SIGNED. **CUT votes YES.** Accrual accounting is generally thought to produce more accurate and valid income/expense results. This bill requires recording general fund surplus in the period in which it actually occurs.



Spread the Word

Share the CUT Ratings
with your friends and associates.

Ask them to
join you in supporting the
Colorado Union of Taxpayers.

HB-1256 Lease Purchases for CSPII and Fitzsimons

A law giving the State authority to enter into lease-purchase agreements, and, in connection therewith, authorizing lease-purchase agreements for a high-custody correctional facility and for the University of Colorado Health Sciences Center at Fitzsimons. PASSED. House 41/23, Senate 23/12 (Rep. Spradley, Sen. Anderson) Governor SIGNED. **CUT votes NO.** Pay-as-you-go for new government buildings; that's responsible fiscal conservatism. Additionally, Colorado's citizens demand the right to vote on government proposals for new debt. This law violates that restriction by using "certificates of participation" so that state government can create long-term debt without having to recognize it as debt. While the need for a prison and Fitzsimons buildings may be great, this law is another way of avoiding making budget decisions. Politicians break their trust with citizens in order to "protect" them, then wonder why we don't believe that they will play it straight with anything.

HB-1294 Concerning Health Insurance for Small Business

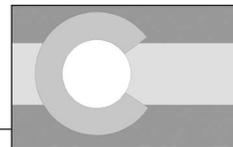
This bill is designed to keep small businesses insured by providing companies the option of increasing premiums to companies who continuously withdraw from insuring employees and then reinsuring to cover risks when desired. PASSED House 52/12, Senate 34/1 (Rep. Stafford, Sen. McElhany). Governor SIGNED. **CUT votes YES.** This is not a tax cut but it provides stability for state insurance companies that will help keep insurance companies in Colorado, providing more competition and long-term lower premiums for organizations.

HB-1295 Renewable Energy Resource Standard

This bill would require the Public Utilities Commission to impose quotas for the purchase or generation of "renewable" energy by electric utilities. "Renewable" is defined as biomass, geothermal energy, solar energy, small hydroelectricity, and wind energy. The quotas would begin in 2006, and reach a maximum in 2020. Utilities would be authorized to pass their additional costs on to electricity consumers. House 43/20, POSTPONED INDEFINITELY. Senate Business Affairs & Labor Comm. 4/3. (Rep. Spradley/Sen. Kester). **CUT votes NO.** This bill would force Colorado consumers to pay more for electricity, by forcing them to consume electricity generated from sources which are not economically competitive. Colorado consumers currently have the option of voluntarily paying more to buy electricity from wind farms. Consumers who do not want to pay extra should not be forced to do so.

HB-1378 Criminal Docket Fee Increase

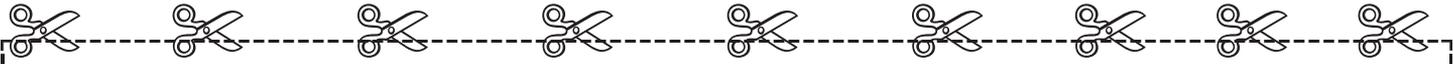
This bill increases the docket fees for criminal and traffic actions and appropriates the moneys in the Judicial Performance Cash Fund to the General Fund. PASSED. House 55/10, Senate 33/2. (Rep. Hefley, Sen. Anderson) Governor SIGNED. **CUT votes NO.** Increasing fees is in effect a tax increase. TABOR did not cover fees; consequently, the Legislature may vote increases without going to the people. Raiding yet another cash fund enabled the Legislature to spend more.



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. The program was very successful—with about one-third of the entire general assembly signing the pledge. CUT's pledge signers are shown with a "P" on Pages 2 and 3. Congratulate them for their high scores and integrity in following through on their campaign promise to be fiscally conservative.



Help CUT to Stop the *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. Government excess is evidence that we are still overtaxed. Please help by supporting CUT today. CUT is saving you money by lobbying for lower taxes.

Yes

Name: _____

Address: _____

City: _____ Zip: _____

Phone: _____
(H) (W)

- 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.

Please make checks payable to CUT • Mail to: CUT - 1685 S. Colorado Blvd., Unit "S", PMB 162, Denver, CO 80222-4040



How Coloradans in US Congress Scored

US Senate
 (R) Allard, W66%
 (R) Campbell, B52%
Senate Score Average59%

US House of Representatives
 (D) DeGette, D26%
 (R) Hefley, J65%
 (R) McInnis, S61%
 (R) Schaffer, B63%
 (R) Tancredo, T71%
 (D) Udall, M23%
House Score Average52%

*Source: National Taxpayers Union, 2002 Congressional Rating Supplement - Washington, D. C.

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2003 CUT Ratings

from the Colorado Union of Taxpayers

Help CUT Grow!

CUT has published ratings of the Colorado Legislature since 1977 - 27 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.

Liberty - Responsibility - Limited Government

From CUT President Penn Pfiffner:

The Colorado Union of Taxpayers advocates for individual liberty, personal responsibility and limited government.

Our members want government to operate efficiently. They want elected officials to use common sense. And they want elected officials to follow the letter and spirit of the decision that the people of Colorado made to limit taxing and spending by enacting the Taxpayers Bill of Rights.

More broadly, CUT members believe that state and local governments should act as servant and not master to the people. What we expect from government and the power we give government must have reasonable limits. Government has a legitimate role in some functions which promote the common good--such as building roads which everyone can use, or providing fire protection.

It is wrong for government to take property from one group of people and give it to another group of people. It is wrong for government to condemn the home or business of a poor or middle-

class person, and give the property to a big corporation which wants to build a shopping center. It is wrong for government to take money from individuals and give to powerful corporations in the form of corporate welfare. It is wrong for government to use tax policy, or any other policy, to

redistribute income from one group of people to another.

It is wrong for government to use the coercive power of taxation to acquire money and give the money to individuals or organizations--no matter how worthy--which ought to receive their donations from charitable choice, not from force and compulsion.

CUT members support strong protection for property rights, and they understand that

property rights are one of the pillars of a free society.

America was founded in liberty and one of our fundamental precepts as a people is that Americans are a self-governing people, capable of handling their own affairs and of lending help to those who are needy. CUT members still trust the American people to do the right thing.

The Colorado Union of Taxpayers is a bunch of volunteers. We get along on a limited budget that includes no professional staff and no salaries for officers and directors. We are always looking for supporters to become involved and to help, particularly with outreach and fundraising. We would also like to increase our outreach to grow our supporting members and to provide more and more information to concerned citizens who want to know about tax and spending legislation. Another project that we wish to expand is the notification of political activists of how their state representative and state senator have (or have not) protected their interests.

Please sign up as a regular member and send in your most generous contribution. Please ask to stay on our notification list about doings at the Capitol and within CUT. Please volunteer to help us with a project, become a local Advocate and/or be a regular contributor of your time.

- Penn R. Pfiffner

**Call Your Colorado Legislators
See Phone Numbers on Page 6**

PRESIDENT'S INSIGHTS



Penn R. Pfiffner