

Colorado Rates the Legislature

The Taxpayer's Voice
Since 1976



Sixty-seventh General Assembly, 2007 Report • Prepared by the Colorado Union of Taxpayers

CONGRATULATIONS!

2007 Taxpayer Champions*

Senate Champion
Dave Schultheis 100%
R - Colorado Springs

Senate Guardians (Tie)
Ron May 88%
R - Colorado Springs
Scott Renfroe 88%
R - Greeley

House Champions (Tie)
Bill Cadman 100%
R - Colorado Springs
Kent Lambert 100%
R - Colorado Springs

House Guardians (Tie)
Kevin Lundberg 96%
R - Berthoud
Jerry Sonnenberg 96%
R - Sterling

* Highest score in each house.
(rounded)

Colorado Union of Taxpayers Rates the 2007 Legislature

Liberty, property, and the Colorado Constitution were under assault during the 2007 Legislative session. And nannyism reigns supreme now that Colorado is a blue state. With Democrats in charge of both Houses of the State Legislature and the Governor's Office for the first time in many, many years, it is really taxpayers and citizens beware. Starting off with HB1072 the anti-business, pro-union bill that would have forced union membership and dues on workers without their consent, meddling continuously in healthcare, pushing all renewable energy options except the ones economically sound, taking money from some and transferring it to others, increasing fees (taxes for which taxpayers have no say) on almost everything imaginable, and ending with the most egregious of all legislating an illegal property tax increase. CUT gives the Legislature an F!

CUT Call To Action

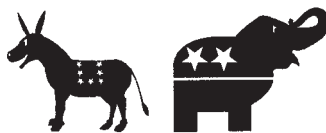
The illegal tax increase approved by the Legislature and signed by the Governor is a flagrant violation of the Colorado Constitution and TABOR. We are pleased to join with the Independence Institute and others in bringing suit to halt this abomination. Please write letters to editor and call talk radio to express your outrage. Make contributions to the legal fund by contacting the Independence Institute. We must all work together to halt this abuse of TABOR!

Key Bill Summaries
Begin on Page 2

Year to Year?

Overall the Senate scored 32%, up from 31% last year. The House scored 31%, same as last year. See the **CUT Grid** on pages 6-7.

Governor's Score...
See Page 4



How Did the Parties Score?

<u>Senate</u>	<u>House</u>
Democrats 7%	Democrats 8%
Republicans 69%	Republicans 64%

High Scoring Democrats

Senators Sandoval, Schwartz, Tupa	12%
Representative Michael Garcia	28%

Low Scoring Republicans

Senator Kenneth Kester	33%
Representative Al White	25%

Complete Listing and Scores Inside

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KEY BILL SUMMARIES

SB-1 Concerning a Generic and Non-patented Prescription Drug Program, and Making an Appropriation Therefor.

This bill creates a welfare program for some Coloradans to receive state-subsidized generic or non-patented prescription drugs. Initially, drug welfare recipients must be above the threshold for Medicaid, not have health insurance, and have incomes less than 300% of the poverty level. Pharmacies which participate in the program must sell the drugs to the drug welfare recipients at a price set by the state. The program is funded by small user fees for the welfare recipients, plus general revenues. PASSED. Senate 28/7, House 57/7/1, (Sen. Hagedorn/Rep. Madden). Governor SIGNED. **CUT votes NO.** The socialization of medicine over the last four decades has led to massive price increases and harmed the quality of care. Medical welfare programs, once established as entitlements, almost always end up costing the taxpayers much, much more than proponents promised.

SB-2 Concerning Extending Medicaid Eligibility for Persons Who Are in the Foster Care System Immediately Prior to Emancipation, and Making an Appropriation Therefor.

This bill extends Medicaid eligibility for persons who are in foster care immediately prior to emancipation (reaching the age of eighteen.) PASSED. Senate 31/3/1, House 56/8/1, (Sen. Sandoval/Rep. Stafford). Governor SIGNED. **CUT votes NO.** Emancipation means emancipation! As the individual is emancipated by reaching the age of eighteen, so should the taxpayer be emancipated from the continual burden of taxes to support the new adult.

SB-8 Concerning Expansion of the Water Efficiency Grant Program

This bill provides state funding to aid the planning and implementation of water conservation plans. PASSED. Senate 34/0/1, House 54/10/1, (Sen. Taylor/Rep. Curry). Governor SIGNED. **CUT votes NO.** Water conservation is good and

Senate Scores: Friend or Foe?

Highest to Lowest - Who is representing your best interest as a taxpayer? Here's what Members of Colorado's Senate earned on CUT's 2007 Ratings Scorecard:

Score	Senator	Pledge	Party	District	Home
100.00	Schultheis, David	P	R	9	Colorado Springs
88.00	May, Ron		R	10	Colorado Springs
88.00	Renfroe, Scott	P	R	13	Greeley
76.00	Brophy, Greg	P	R	1	Wray
76.00	Kopp, Mike	P	R	22	Littleton
76.00	Wiens, Tom		R	4	Castle Rock
73.91	Mitchell, Shawn		R	23	Broomfield
70.83	Harvey, Ted	P	R	30	Highlands Ranch
68.00	McElhany, Andy		R	12	Colorado Springs
68.00	Penry, Joshua		R	7	Grand Junction
62.50	Johnson, Steve		R	15	Fort Collins
60.00	Ward, Steve		R	26	Littleton
50.00	Spence, Nancy		R	27	Centennial
40.00	Taylor, Jack		R	8	Steamboat Springs
33.33	Kester, Kenneth		R	2	Las Animas
12.00	Sandoval, Paula		D	34	Denver
12.00	Schwartz, Gail		D	5	Snowmass Village
12.00	Tupa, Ron		D	18	Boulder
8.33	Fitz-Gerald, Joan		D	16	Golden
8.33	Hagedorn, Bob		D	29	Aurora
8.00	Groff, Peter		D	33	Denver
8.00	Shaffer, Brandon		D	17	Longmont
8.00	Tapia, Abel		D	3	Pueblo
8.00	Windels, Sue		D	19	Arvada
4.17	Keller, Maryanne		D	20	Wheat Ridge
4.00	Bacon, Bob		D	14	Fort Collins
4.00	Boyd, Betty		D	21	Lakewood
4.00	Gordon, Ken		D	35	Denver
4.00	Isgar, Jim		D	6	Hesperus
4.00	Morse, John		D	11	Colorado Springs
4.00	Romer, Chris		D	32	Denver
4.00	Takis, Stephanie		D	25	Aurora
4.00	Tochtrop, Lois		D	24	Thornton
4.00	Veiga, Jennifer		D	31	Denver
4.00	Williams, Suzanne		D	28	Aurora

P = Taxpayer Pledge Signer

Overall Senate Score 32%

everyone's business, yet water is a commodity. Individuals, guided by market prices, are much better judges of water use. Rationing is better determined by individual needs than centrally controlled and funded by the general population.

SB-22 Concerning PUC Low Income Regulatory Consideration

This bill enables the PUC to set utility energy rates to favor certain low income households. PASSED. Senate 21/13/1, House 40/22/3, (Sen. Veiga/Rep. Frangas). Governor SIGNED. **CUT votes NO.** Rather than examining the existing program, which helps the poor with utility costs, to see if it

needed any improvements, the Legislature voted to follow the guidance of Karl Marx who said: "From each according to his abilities, to each according to his needs" (1875). Thus it lowers utility rates for some while raising middle class rates to cover the

Key Bill Summaries continue on page 3



costs. The power company benefits since its revenues are increased due to the on time payments of responsible customers, and so do those who contributed to the old program who now pay nothing. Talk about cost shifting.

SB-26 Concerning the Authorization of Additional School District Revenues to Fund Costs Associated with Full-Day Kindergarten Programs.

This bill authorizes school districts to raise additional revenues through tax increases to fund excess full-day kindergarten costs. PASSED. Senate 21/14, House 53/12, (Sen. Bacon/Rep. Pommer).Governor SIGNED. **CUT votes NO.** There are 176 school districts in Colorado. While the people of a district may increase taxes upon themselves, it seems inappropriate for the central government to be passing such "nanny state" legislation.

SB-36 Concerning the Inclusion of Certain Additional Mental Disorders in the Mandatory Health Insurance Coverage for Mental Illness, and, in Connection Therewith, Making an Appropriation.

This bill requires the inclusion of some mental disorders in the mandatory health insurance coverage for mental illness. First year fiscal impact \$31,459.00. PASSED. Senate 25/9/1,House 45/19/1, (Sen. Keller /Rep. Stafford/). Governor SIGNED. **CUT votes NO.** While mental illness is a serious problem, CUT believes that a contract for health insurance coverage is something that should be negotiated between the insurance company and

House Scores: Friend or Foe?

Highest to Lowest - Who is representing your best interest as a taxpayer? Here's what Members of Colorado's House earned on CUT's 2007 Rating Scorecard:

Score	Representative	Pledge	Party	District	Home
100.00	.....Cadman, Bill.....	P	R	15	.....Colorado Springs
100.00	.....Lambert, Kent.....	P	R	14	.....Colorado Springs
96.00	.....Lundberg, Kevin.....	P	R	49	.....Berthoud
96.00	.....Sonnenberg, Jerry.....	R	R	65	.....Sterling
92.00	.....Gardner, Cory.....	P	R	63	.....Yuma
80.00	.....Looper, Marsha.....	R	R	19	.....Calhan
76.00	.....McNulty, Frank.....	R	R	43	.....Highlands Ranch
75.00	.....Swalm, Spencer.....	P	R	37	.....Centennial
72.00	.....Gardner, Bob.....	R	R	21	.....Colorado Springs
72.00	.....Liston, Larry.....	P	R	16	.....Colorado Springs
72.00	.....Stephens, Amy.....	R	R	20	.....Monument
69.57	.....Rose, Ray.....	R	R	58	.....Montrose
64.00	.....Hicks, Stella.....	R	R	17	.....Colorado Springs
64.00	.....May, Mike.....	R	R	44	.....Parker
60.00	.....Kerr, Jim.....	R	R	28	.....Littleton
60.00	.....King, Steve.....	R	R	54	.....Grand Junction
57.89	.....Balmer, David.....	P	R	39	.....Centennial
52.00	.....Summers, Ken.....	R	R	22	.....Lakewood
48.00	.....Vaad, Glenn.....	R	R	48	.....Mead
47.83	.....Stafford, Debbie.....	R	R	40	.....Aurora
43.48	.....Marostica, Don.....	R	R	51	.....Loveland
40.00	.....Mitchell, Victor.....	R	R	45	.....Castle Rock
40.00	.....Witwer, Robert.....	R	R	25	.....Genesee
32.00	.....Massey, Tom.....	R	R	60	.....Poncha Springs
28.00	.....Garcia, Michael.....	D	D	42	.....Aurora
28.00	.....Roberts, Ellen.....	R	R	59	.....Durango
25.00	.....White, Al.....	R	R	57	.....Winter Park
20.00	.....Weissmann, Paul.....	D	D	12	.....Louisville
16.00	.....Judd, Joel.....	D	D	5	.....Denver
16.00	.....McKinley, Wes.....	D	D	64	.....Walsht
16.00	.....Riesberg, Jim.....	D	D	50	.....Greeley
12.50	.....Buescher, Bernie.....	D	D	55	.....Grand Junction
12.00	.....Fischer, Randy.....	D	D	53	.....Fort Collins
12.00	.....Gibbs, Dan.....	D	D	56	.....Silverthorne
12.00	.....Kefalas, John.....	D	D	52	.....Fort Collins
9.09	.....Butcher, Dorothy.....	D	D	46	.....Pueblo
9.09	.....McFadyen, Buffie.....	D	D	47	.....Pueblo West
8.33	.....Frangas, K.Jerry.....	D	D	4	.....Denver
8.00	.....Borodkin, Alice.....	D	D	9	.....Denver
8.00	.....Carroll, Morgan.....	D	D	36	.....Aurora
8.00	.....Carroll, Terrance.....	D	D	7	.....Denver
8.00	.....Gagliardi, Sara.....	D	D	27	.....Arvada
8.00	.....Jahn, Cheri.....	D	D	24	.....Wheat Ridge
8.00	.....Labuda, Jeanne.....	D	D	1	.....Denver
8.00	.....Marshall, Rosemary.....	D	D	8	.....Denver
8.00	.....Pommer, Jack.....	D	D	11	.....Boulder
8.00	.....Primavera, Dianne.....	D	D	33	.....Broomfield
8.00	.....Solano, Judy.....	D	D	31	.....Brighton
8.00	.....Todd, Nancy.....	D	D	41	.....Aurora
7.69	.....Green, Gwyn.....	D	D	23	.....Golden
4.35	.....Gallegos, Rafael.....	D	D	62	.....Antonito
4.17	.....Casso, Edward.....	D	D	32	.....Thornton
4.17	.....Curry, Kathleen.....	D	D	61	.....Gunnison
4.17	.....Merrifield, Michael.....	D	D	18	.....Manitou Springs
4.00	.....Benefield, Debbie.....	D	D	29	.....Arvada
4.00	.....Cerbo, Michael.....	D	D	2	.....Denver
4.00	.....Hodge, Mary.....	D	D	30	.....Brighton
4.00	.....Kerr, Andy.....	D	D	26	.....Lakewood
4.00	.....Levy, Claire.....	D	D	13	.....Boulder
4.00	.....Madden, Alice.....	D	D	10	.....Boulder
4.00	.....McGihon, Anne.....	D	D	3	.....Denver
4.00	.....Peniston, Cheryl.....	D	D	35	.....Westminster
4.00	.....Rice, Joe.....	D	D	38	.....Littleton
4.00	.....Romanoff, Andrew.....	D	D	6	.....Denver
4.00	.....Soper, John.....	D	D	34	.....Thornton

P = Taxpayers Pledge Signer

Overall House Score31%

A SPECIAL BREED

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. Over the years fewer legislators are signing the Pledge. CUT's pledge signers are shown with a "P" on pages 2-3. Notice how our winners are always pledge signers! Check it out and congratulate them for their high scores and integrity in following through on their campaign promise to be fiscally conservative.

the insured. It should be done on such terms as would seem the most satisfactory to all parties involved, with State playing no role. The legislature's insistence that it can contribute something useful to this process should in and of itself be considered a form of collective mental illness!

SB-41 Concerning the Creation of the "Public School Facilities Act" to Address Capital Construction in Colorado Public Schools, and Making an Appropriation Therefor.

This bill authorizes creation of an advisory committee within the Department of Education for the purpose of "developing facility and safety priorities to be used in assessing applications for grants of capital construction money to school districts", therefore, it is claimed "the money will be used in completing high-quality beneficial projects". PASSED. Senate 20/14/1, House 45/16/4, (Sen. Schwartz/Rep. Massey). Governor SIGNED. **CUT votes NO.** The Legislature has established yet another advisory committee, which will be used, according to the JBC analysis, to justify spending as much as \$10,000,000.00 for capital construction and will concentrate more decision making in the hands of State Government at the expense of the local School Boards.

SB-98 Concerning Exemption from the Statutory Limitation on the Total Sales and Use Tax That May be Imposed for a County Tax to Fund Open Space and Park Land.

This bill allows counties to exceed constitutional spending limits with existing open space revenues. This action completely ignores our Constitution. Also, authorizes counties to further exceed TABOR spending limits by one half of one percent, if voter-approved. PASSED. Senate 20/13/2, House 46/17/2, (Sen. Fitz-Gerald/Rep. White). Governor SIGNED. **CUT votes NO.** With plentiful funding from Colorado Lottery, already exempt from spending caps, on top of existing sales and use taxes, why must we further increase the tax burden to struggling Colorado families?

SB-111 Concerning the Exemption of a Marketing and Promotion Tax Levied by a Local Marketing District from the Limitation on the Total Amount of Sales or Use Tax.

This bill exempts county sales and use tourism tax revenues from constitutional spending limits, thereby violating TABOR. PASSED. Senate 25/10, House 43/19/3, (Sen. Johnson/Rep. Marostica). Governor SIGNED. **CUT votes NO.**

Government operated tourism authorities have clearly misused taxpayer funds in the past. Legislative audits from the Colorado Tourism and Travel Authority revealed "...remaining cash is significantly less than expected...without explanation of the shortfall...severance packages were excessive...Authority has been unable to account for \$27,000 in airline tickets...Authority failed to issue 1099's to prize recipients...IRS fine..."The tourism industry is most efficient and profitable when operated by the free market. The government can still get their hands on more money and taxpayers will not have to worry about abuse of funds.

SB-124 Concerning Revisions to the "Colorado Housing and Finance Authority Act".

This bill might be called a 'general housekeeping' measure except that it greatly expands the eligibility requirement for housing assistance. PASSED. Senate 21/13/1, House 44/21 (Sen. Isgar, Rep. Marshall) Governor SIGNED. **CUT votes NO.** Contrary to the intent of the voters who specified, in the 11/06 election that marriage shall be between one man and one woman, the legislature has decided to redefine marriage, by Statute, as any combination of ANY two individuals who live, or might at some future time, live together. The 'full faith and credit of the State of Colorado' should not be used to promote the homosexual agenda. It also expands the definition of "low-income family and low-to moderate income family, plus changes the voting structure of the Authority from majority of the Authority to majority of those present.

SB-139 Concerning the Per Diem Expense Allowance for Members of the General Assembly.

This bill authorizes the increase of per diem paid to legislators. Those outside the Metro Area receive increase from \$99 to about \$150. Legislators in the Metro Area receive increase from \$45 to \$75. In short, distant legislators will receive an extra \$4,500/month tax free for "extra living expenses." PASSED. Sen. 30/4/1, House 43/21/1. (Sen. Taylor/Rep. Curry). Governor SIGNED. **CUT votes No.** The increase for non-Metro Legislators is excessive. Why is this non-taxable? Fiscal note states an appropriation of \$301,947 first year; however, zero was appropriated.

SB-199 Concerning the Financing of Public Schools and Making an Appropriation Therefor.

This bill illegally includes a tax increase on property owners. TABOR requires all tax increases be submitted to a vote of the people.

PASSED. Sen 19/15/1, House 41/20/4. (Sen. Windels/Rep. Pommer). Governor SIGNED. **CUT votes NO.** The Governor and his accomplices in the Legislature have thumbed their collective noses at the Colorado Constitution and taxpayers. Selling this as the "Colorado Children's Amendment" and promising dollars for schools, the Governor and Legislature go against the Constitution. And worse yet, a closer look at the details reveals the bulk of money will not even go to schools. Whoa! What did amendment 23 accomplish?

SB-236 Concerning Government Efficiency Study.

A second supplemental appropriation bill run late in the session increased the amount to spend for the Governor's office. It specifically allocates \$700,000 for a study of how government can become more efficient. PASSED. Senate 25/10 House 47/18, (Sen. Tapia/Rep. Buescher) Governor SIGNED. **CUT votes NO.** From the Grace Commission in the 1980s, to Colorado's own Privatization Commission in the 1990s, lots of ideas have

Key Bill Summaries continue on page 8



Governor Bill Ritter

How did the Governor Rate?

8%

Governor Ritter had a whopping 8% down from Governor Owens 50% last year. As a candidate, Governor Ritter wooed Coloradoans by masquerading as a moderate, pro-business Democrat. As Governor he teamed with the Democrat-controlled Legislature to create and pass laws which move toward socialized medicine, transfer dollars from one group to another, and put government more "in your face" than ever before. He did, at least, veto the union "payback" bill; but, has been working since to make it up to them.

2007 Taxpayer Champions



**Senate Champion
David Schultheis**

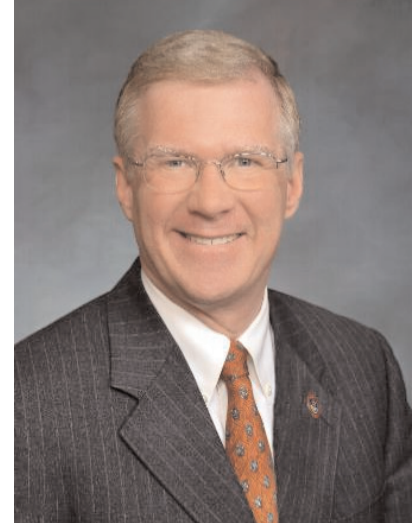
“Government will always grow to absorb every dime it can confiscate from taxpayers, ...and then will want still more. Politicians' will to spend money is insatiable; their will to reduce spending, almost not-existent. Finding one that will treat taxpayer money as his own is rare indeed.”



**House Champions
Bill Cadman and Kent Lambert**

“I am honored to receive this recognition by CUT. Their objective evaluation of State spending is the barometer that Coloradoans have come to know and trust.”

-Bill Cadman



“With Colorado now dominated by the most anti-business and anti-free market regime in its history, an orgy of unnecessary government growth and spending is being forced onto the backs of all taxpayers and consumers. If we want to keep more of our hard-earned money for our own family needs and dreams, we have to oppose those who want to grab it by force to fuel their pet political whims.”

- Kent Lambert

2007 Taxpayer Guardians



Senate Guardians Ron May and Scott Renfroe



House Guardians Kevin Lundberg and Jerry Sonnenberg

been proposed to get more out of government, or to get the same services at lower cost. There are three different organizations sponsored by state legislatures that have studied, and will continue to study, the issue and make recommendations for all 50 states, not to mention the research done on behalf of the 50-state Governors Association. What about challenging our state universities to conduct the research? And isn't running the Executive Branch departments well exactly what we pay cabinet officers to do? This Colorado state spending is way over the line for foolishness, and money should not be spent on a go-it-alone quest.

HB-1008 Concerning Workers' Comp Coverage Firefighter Cancer

This bill requires that the "Worker's Compensation Act" cover all Firefighters who contract certain types of cancer unless the State can prove, with 'a preponderance of evidence', that it is not responsible for their conditions. PASSED. House 36/28/1, Senate 18/17 (Rep. Cerbo/Sen. Fitz-Gerald) Governor SIGNED. **CUT votes NO.** With reckless disregard for the solvency of the Workers' Comp Fund, the legislature voted to shift the 'burden of proof' (which is now raised to new and lofty heights) of many cancer claims from a favored few, i.e. firefighters, to the state.

Since the majority of cancer cases are idiopathic, that is of unknown cause, and thus not previously covered by the state we shall soon see a large increase in Workers' Comp costs which will be ultimately charged to the taxpayer. Yet another example of cost shifting.

HB-1036 Concerning Restrictions on the Ability of Governmental Bodies to Acquire Specified Water Rights Through the Exercise of the Power of Eminent Domain.

This bill would have prohibited the state and specified political subdivisions otherwise possessing the power of eminent domain as provided by law from exercising such power that results in the acquisition of appropriated water rights. FAILED. House 34/30/1, Senate 14/21. (Rep. Sonnenberg/Sen. Shaffer) **CUT votes YES.** Water is a precious commodity in Colorado. The livelihood of farmers and ranchers depends on keeping their already limited water rights. Their water rights determine whether they can put food on our table and theirs. It is shortsighted to allow government bodies the right to take water rights as they lustfully seek more revenue through development. Should we bankrupt a farmer so we can subsidize another big box store? The sale and lease of water rights is a suitable solution, no government strong-arming is necessary. Unfortunately,

Key Bill Summaries continue on page 9



Legislative Phone Numbers Call Your Colorado Legislators

Representatives

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

Senators

Democrats: (303) 866-2316
Republicans: (303) 866-2316

HOW OUR RATING IS DONE

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. The bill must have a full vote in one chamber and at least a committee vote or full vote in the second chamber. Each legislator's percentage is calculated by the number of votes cast. Year-to-year comparisons indicate that CUT is accurately measuring whether a legislator favors lower taxes and less government, is a friend of the taxpayer, or continues with higher spending and creating more government intrusion in our lives.

CUT Board of Directors ruled that Taxpayer Champions must score 75% or better to be identified as a Taxpayer Champion.

Colorado Union of Taxpayers Rewards Our State Legislators

You are invited to help us honor The Outstanding Legislators of 2007

Meet us at the Cool River Café for Breakfast
8000 E Belleview Ave.
Denver, Colorado

Saturday, October 6, 2007

Time: 9:00 A.M., Registration: 8:30 A.M.

Cost: \$18 per person
RSVP: Ruth Prendergast
303-759-9936 303- 366-3408



**Keynote Speaker
Bob Schaffer**
candidate for U.S. Senate

through legislative shenanigans, this bill was left to die.

HB-1060 Concerning the Advancement of Bioscience Discoveries at Colorado Research Institutions.

This bill puts the State in the organic chemistry research business for the improvement of agriculture, quality of human life, the environment, and anything else that comes to mind. PASSED. House 49/14/2, Senate 30/5 (Rep. Riesberg/Sen. Shaffer) Governor signed. **CUT votes NO.** Despite current findings that Biofuels production takes more energy to produce than it generates, distorts the price structure for food stuffs, and generates even more summer time air pollution, the legislature, looking for more ways to spend excess revenues, has decided to divert \$2.5 million of Limited Gambling money to a fund which will provide grants to research institutions and some start up companies throughout the state. Rather than let the market assess the risks and rewards of capital

allocation, grants are to be widely scattered in the hope of creating a host of new 'Green' related companies. Recipient research progress reports must be sent in all directions, even to local primary school teachers. This bill also bypasses the 6% spending growth cap.

HB-1072 Concerning the Elimination of the Requirements for a Vote Ratifying an All-Union Agreement.

This bill eliminates the requirement that, in order to validly enter into an all-union agreement, the all-union agreement must be approved by the affirmative vote of at least a majority of all the employees eligible to vote or three-quarters or more of the employees who actually voted, whichever is greater. PASSED. House 35/29/1, Senate 19/15/1. (Rep. Garcia/Sen. Veiga) Governor VETOED. **CUT votes NO.** This was payback time to the Unions for all of those generous campaign contributions. Democrats steamrolled this bill favoring unions through early in the session inviting no dialogue with the business

community. The bill vividly demonstrates that this Democrat-controlled Legislature is anti-business. This bill would have forced workers to join unions without their consent and pay union dues. Colorado would have lost its attraction as a business-friendly state.

HB-1159 Concerning Special District Ballot Issue Elections

This bill regulates the manner in which Special Districts conduct 'Ballot Issue' elections. It requires that Tax issues be on General, or biennial local, or by Mail Ballot elections to prevent 'Stealth' elections; that is elections held in obscure locations, at unusual times, with little publicity in the hopes of slipping a fast one past the electorate. PASSED. House 58/7, Senate 32/3 (Rep. Summers/Sen. Williams) Governor SIGNED. **CUT votes YES.** This bill will ensure that the largest number of voters will be aware of the substance of the issue as well as its existence and vote accordingly.

Key Bill Summaries continue on page 10

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 higher priorities, and not fund spending with new 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 property rights from "takings" by government or by regulation.
- Payroll Deductions** to oppose 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: _____

HB-1203 Concerning Grants Administered by the Governor's Office of Energy Management and Conservation.

This bill encourages the creation of a 21st century 'carbon source' Doomsday Book by the CSU ecology laboratory and a future universal energy requirement forecast to be done by the CU law school. PASSED. House 41/21/3, Senate 25/9/1 (Rep. Fischer/Sen. Romer) Governor SIGNED. **CUT votes NO.** The requirements of this bill seem to be far beyond the ken of the designated agencies and appear to duplicate efforts being done at the national level. There are far better ways to spend scarce taxpayer money than on future fears and speculation.

HB-1206 Concerning Increasing Gaming Moneys for Film Commission

This bill increases the amount of money destined to the film incentives cash fund to \$600,000 by sending it there directly from limited gaming funds and adds a yearly increase for currency inflation. PASSED. House 53/11/1, Senate 25/9/1, (Rep. Massey/Sen. Hagedorn). Governor SIGNED. **CUT votes NO.** Continuing with its infatuation with the Film Industry, the legislature for the 3rd consecutive year, has decided to dedicate scarce funds to out of state entities who meet certain requirements. Monies from the casinos will flow directly to the producers, thus bypassing that portion of the 6% spending increase cap on the General Fund. Even more moneys, which were originally dedicated for the benefit of Colorado citizens, may now be used for a state sponsored Porn Flick - or worse.

HB-1256 Concerning In-state Tuition for Persons Who Move to Colorado as a Result of an Economic Development Incentive.

This bill provides in-state tuition status to employees and their children coming to Colorado for state approved projects. PASSED. House 56/7/2, Senate 25/10 (Reps. Massey & Butcher/Sen. Williams) Governor SIGNED. **CUT votes NO.** Following the Prussian Educational Model of producing well-trained cogs for its economic engine, the Legislature has decided to create a class of hereditary nobility with special taxpayer funded benefits, which will work on government favored programs regardless of their commercial viability. Colorado does not need a state planned Socialist Economy.

HB-1288 Concerning the Sustainable Management of Discarded Resources, and, in connection therewith, Imposing Fees to Fund Grants to Promote Economic Development.

This bill imposes a new tax on the disposal of solid waste at regulated disposal facilities. The bill requires that the tax be passed on to waste disposal customers. The tax is labeled as a "user fee" in order to evade the voter approval requirement of TABOR. Some of tax revenues will pay for the solid waste regulators at the Department of Public Health and the Environment. The other part of the tax revenues will be distributed as welfare to recycling corporations and local governments. PASSED. House 39/24/2, Senate 22/10/3 (Rep. Solano/Sen. Shaffer). Governor SIGNED. **CUT votes NO.** It is contrary to the state Constitution to take money from one business and give the money to another business, and it is dishonest to characterize the redistribution as a "user fee" on the first business. The free market price system indicates when recycling makes sense, and free-market recycling (e.g. of aluminum cans) has been going on for many years without need for corporate welfare. The subsidies will distort the recycling business, by encouraging companies to develop skills in parasitism rather in efficient use of resources.

HB-1335 Concerning a Requirement that Tobacco Litigation Settlement Moneys be Used to Supplement the State Contribution to the State Group Health Benefit Plan Premiums of Lower-Income State Employees Who Have at Least One Dependent Other than a Legal Spouse.

This bill reallocates a portion of the above-allocated spending to supplement low-income state employees' health insurance plans. The state employees benefiting are those below the 300 % of federal poverty level employees and available funds will be applied to the lowest income levels first i.e. those under 200% of the poverty level. The amount estimated available for supplements is \$ 914,586 in FY 2008-9. Additionally the Bill provides for a \$ 160,000 grant for a pilot childhood asthma program which can pay for co-payments for asthma drugs and "specialty pulmonary supervision." PASSED. House 48/13/4, Senate 31/3/1. (Rep. McGihon/Sen. Romer) Governor SIGNED. **CUT votes No.** However meritorious the planned uses, this overall plan depletes the general fund and establishes a precedent for continued growth of government spending especially in light of increased numbers of state employees, pay raises already implemented,

and an overly-generous retirement program in the form of PERA.

HB-1344 Concerning the Authority of a Local Government to Levy an Increased Increment of Sales Tax to Finance Local Improvement Expenditures.

This bill authorizes Boards of County Commissioners to impose sales taxes of up to 2%, for public safety-broadly defined as including not only police and fire, but also "public health" (e.g., anti-smoker propaganda). The sales tax would need to be approved by county voters, pursuant to TABOR. House 48/17, Senate 22/12/1 (Rep. Merrifield/Sen. Kester). Governor SIGNED. **CUT votes NO.** The bill allows politicians to conduct a bait-and-switch: they can run a ballot issue with a title about new taxes for "public safety improvements." Then, the new revenues can be used to pay for the same old public safety programs; the general revenues that were formerly spent on public safety can be diverted to additional spending on corporate welfare or other dubious programs. Nothing in the bill requires that all or any of the new taxes imposed for "public safety improvements" actually lead to greater spending on public safety improvements.

HB-1355 Concerning the Limitation of Specific Case Characteristics that May be Used by an Insurance Carrier to Determine the Premium Rate for Small Employers, and Changing the Requirements for Reports by the Insurance Commissioner to the General Assembly Concerning the Effect of Limitations on Case Characteristics in the Small Group Market.

This bill hamstring the opportunity for small employer insurance carriers to openly compete for business. Nothing brings buyers better quality of product at lower prices than the free market. In essence, HB-1355 is another example of "nanny state" leadership. PASSED. House 42/21/2, Senate 19/16 (Rep. McGihon/Sen. Hagedorn). Governor SIGNED. **CUT votes NO.** This bill makes it impossible for small employer insurance carriers to provide coverage in Colorado. Not only has the Legislature mandated "one-size fits all" coverage; now, they are dictating insurance premium rating policy. Limiting insurance carriers from rating based upon claims experience is insane. Look for carriers to flee Colorado.



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. It is saving you money by reducing your taxes.

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**How Coloradoans in
US Congress Scored***

Senate Results

(R) Allard, W	A	84%
(D) Salazar, K	F	20%

State Scoring Average 52%

** Source: National Taxpayers Union,
2006 - Ratings for the 2nd Session of
the 109th Congress*

House Results

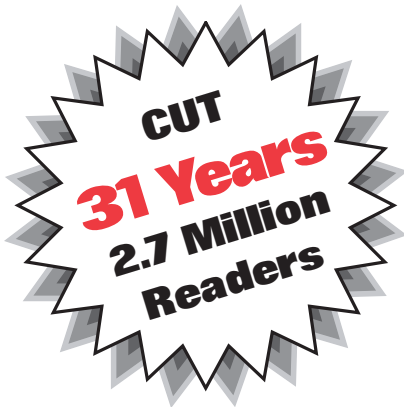
(R) Beauprez, B	A	73%
(D) DeGette, D	F	14%
(R) Hefley, J	A	80%
(R) Musgrave, M	A	75%
(D) Salazar, J	D	25%
(R) Tancredo, T	A	76%
(D) Udall, M	F	16%

State Scoring Average 51%

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from the Colorado Union of Taxpayers

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From CUT President Penn Pfiffner



President's Message

It should worry all of us that our elected representatives and senators took an oath to uphold the Constitution of the State and then ignored that commitment. You and I know that any new law passed by the General Assembly is presumed to be constitutional. But this year, those leaders thumbed their collective noses at you and said something to the effect that the Constitution means anything they want it to and we can spend lots of money and effort in court to prove them wrong.

There goes respect for reason, for the plain meaning of words, for their commitment to truth and to their oath of office, out the window.

There will be an increase in what many people would otherwise pay in next year's property taxes, but you won't get to vote on it. The legislators said they consider it not to affect the requirements under the Taxpayer's Bill of Rights.

Also, these 100 leaders arrogantly presume to know better than you how to conserve. They ignore the very important message that the need to subsidize their pet ideas means that the market does not support them. This year, they started to shape the Colorado economy in their radical image of environmental utopia without a sideways glance at the hidden taxes you now will have to pay for their vision.

The Colorado Union of Taxpayers stands for limited government, strict accountability of elected officials, greater individual liberty, and greater reliance on individuals and families. Think about how volunteering could help make you more effective in the political arena. Our group is supported by its members and none of our funds are spent for offices, paid staff and other overhead. That means we rely on the assistance and involvement of our membership. Please consider sending in a membership, found on page 11 of this Ratings, along with your annual dues. Please help us out at the legislature, in producing the Ratings, work on our ballot issues, or help us to run the organization. We invite your participation, encouragement, and support.

- Penn R. Pfiffner