

Rates the Legislature

The Taxpayer's Voice
Since 1976



Sixty-fifth General Assembly, 2005 Report • Prepared by the Colorado Union of Taxpayers

CONGRATULATIONS!

2005 Taxpayer Champions*

Senate Champion
Mark Hillman 83.3%
© Burlington

Senate Guardians (Tie)
Doug Lamborn 82.6%
© Colorado Springs

Andy McElhany 82.6%
© Colorado Springs

House Champion
Bill Cadman 96%
© Colorado Springs

House Guardians
Dave Schultheis 92%
© Colorado Springs

* Highest score in each house.
Rounded.

Colorado Union of Taxpayers Rates the 2005 Legislature

Annually CUT reports on how the Legislature treated the citizens. CUT gives the Legislature a D again this year for what it did to the Colorado taxpayers. The Democrats took control of both the Senate and House and the whining mantra of not having enough of your money to spend went up several decibels. With help from the local media, there was something almost every day on TV or in the locals about budget cuts (read couldn't spend as much as wanted), TABOR caused all of the "problems" which Colorado faces (read we want more to spend), and the sky is falling and Colorado will never recover (read supposed crisis that is a lie). Never mind that by the end of the session Colorado was the envy of many states in the US for its miraculous recovery from the recession. And we learn Colorado is among the Top 10 states in creating jobs. Still the liberals scream like stuck pigs about how government doesn't have enough money. (read to turn us into a socialist state).

We always try to find something good about the session. There was only one bill selected for rating that CUT took a "yes" position. That was legislation to prohibit cash fund use for general fund purposes. (See review of HB1001). You might remember that last year the Legislature raided every cash fund available. CUT did support a bill by Representative Schultheis (HB 1271) which required a state or county agency to provide non-emergency services or public benefits only to citizens of the United States and persons legally present in the United States. It failed in committee. Another measure that would have asked voters to set a sunset date of 2011 on the 18 tax credits that currently drain TABOR surpluses and would have required voter approval for any future tax credits did not get the two-thirds votes.

But, the very worst action of this Legislature was to give us Referenda C&D. (See review of HB 1194 and HB 1333). With the Governor's help, all of the Democrats, and some Republicans these two issues will be voted in November and, if passed, cost taxpayers upward of \$6 BILLION over the next five years.

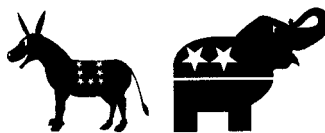
CUT is a non-partisan citizen group working on behalf of taxpayers for lower taxes and less government. CUT is thankful that we have TABOR and pleased that TABOR has done exactly what it was intended to do - cap spending and control the growth of government. We need you to join us! See CUT membership information on Page 15.

Key Bill Summaries
Begin on Page 2

Year to Year?

Overall the Senate scored 29%, down from 32% last year. The House scored 33%, down from 41% last year. See the **CUT Grid** on page x.

Governor's Score...
See Page 4



How Did the Parties Score?

<u>Senate</u>	<u>House</u>
Democrats 5%	Democrats 8%
Republicans 57%	Republicans 63%

High Scoring Democrats

Senator Groff	13%
Representative McKinley	28%
Senator Hagadorn	13%

Low Scoring Republicans

Senator Kester	18%
Representative Larson	13%

Complete Listing and Scores Inside

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KEY BILL SUMMARIES

SB-61 RTD lower portion of private contractors to 35%.

This bill would have reduced the percentage of private business operators of the Regional Transportation District (RTD) vehicles. PASSED. Senate 19/16, House 34/29 (Sen. Takis, Rep. Ragsdale) Governor VETOED. **CUT votes NO.** Years ago, privatization of RTD services was introduced as 20% of total service. Quickly recognized as a significant operating cost savings, the percentage has been increased much to the benefit of the taxpayer, without impairing service. This bill clearly responds to pacify the labor unions.

SB-69 County Employee Salary Publication

This bill regards public notice of salaries of county public employees. The public notice would only include title and gross salary paid, but conceals the name of the employees. PASSED. Senate 22/13, House 33/29 (Sen. Tochtrop, Rep. Brophy) Governor VETOED. **CUT votes NO.** CUT believes full disclosure, including names of public employees, is only proper.

SB-71 Concerning Charter Schools

This bill expands the ground on which a local school board could deny charter applications. It significantly weakens our charter school gains and reverses critical reforms in education by granting additional oversights and limitations to school boards who do not favor charter schools. FAILED. Senate 20/15, House 27/37 (Sen. Windels, Rep. Merrifield) **CUT votes NO.** CUT supports charter schools and opposes underhanded attempts to weaken existing charters and preventing new ones from being established.

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 2005 Rating Scorecard:

Score	Senator	Pledge	Party	District	Home
83.33	Hillman, Mark D		R	1	Burlington
82.61	McElhany, Andy	P	R	12	Colorado Springs
82.61	Lamborn, Doug	P	R	9	Colorado Springs
75.00	May, Ron	P	R	10	Colorado Springs
75.00	Jones, Ed		R	11	Colorado Springs
66.67	Evans, John		R	30	Parker
63.16	Mitchell, Shawn		R	23	Broomfield
60.00	Dyer, Jim		R	26	Littleton
58.33	Weins, Tom J.		R	4	Castle Rock
52.17	Spence, Nancy		R	27	Centennial
52.00	Owen, David T		R	13	Greeley
44.00	Teck, Ronald J		R	7	Grand Junction
41.67	Taylor, Jack		R	8	Steamboat Springs
37.50	Johnson, Steve		R	15	Fort Collins
36.00	Anderson, Norma V		R	22	Lakewood
33.33	Entz, Lewis H		R	5	Hopper
18.18	Kester, Kenneth		R	2	Las Animas
12.50	Groff, Peter C		D	33	Denver
12.50	Hagedorn, Bob		D	29	Aurora
8.33	Hanna, Deanna		D	21	Lakewood
8.33	Tochtrop, Lois		D	24	Westminster
8.00	Keller, Maryanne		D	20	Wheat Ridge
8.00	Tapia, Able		D	3	Pueblo
4.35	Gordon, Ken		D	35	Denver
4.17	Sandoval, Paula		D	34	Denver
4.17	Shaffer, Brandon C		D	17	Longmont
4.17	Takis, Stephanie		D	25	Aurora
4.00	Grossman, Dan		D	32	Denver
4.00	Viega, Jennifer		D	31	Denver
4.00	Williams, Suzanne		D	28	Aurora
0.00	Bacon, Bob		D	14	Fort Collins
0.00	Fitz-Gerald, Joan		D	16	Golden
0.00	Isgar, Jim		D	6	Hesperus
0.00	Tupa, Ron		D	18	Boulder
0.00	Windels, Sue		D	19	Arvada

P = Taxpayer Pledge Signer

Overall Senate Score 30%

SB-89 Deceptive Trade Unfair Drug Pricing

This bill deals with the "problem" of "unfair" drug pricing. The unfair pricing is defined as "charging the consumer the unconscionable amount for the sale of a drug". There are three vague examples when "unfair" drug pricing occurs, but there is no definition of the term "unconscionable". If Colorado State Government determines that the drugs which are "critical to the public safety" are sold at these "unconscionable" prices, it will declare an emergency "for the purpose of preventing the practice of unfair drug pricing". The Colorado General Assembly

seem to consider only the supply side and completely ignores the demand side of the drug market in our state. This is a classic Socialist economic miscalculation found in all "planned" economies of Eastern Europe and the Soviet Union. This law will allow the Government to declare an "emergency" almost at will, thus creating permanent shortage of drugs, which will ultimately lead to the emergence of the black market in drugs. PASSED. Senate 19/16, House 46/17 (Sen. Hanna , Rep Paccione) Governor SIGNED. **CUT votes NO.** CUT also suggests that the Colorado legislature take two, still reasonably priced, aspirins and give this issue some more thought.

SB-174 County Open Space & Parks Sales & Use Tax

This bill exempts the counties from the statute of limitations, which will enable counties to raise sales & use taxes not to exceed one half of one percent for the specific purpose to purchase lands for parks and open space. This is an attempt to bypass TABOR. PASSED. Senate 27/8, House 46/17 (Sen. Grossman, Rep. White) Governor VETOED. **CUT votes NO.** With funds from the Lottery to go to County and State Parks, it is difficult to understand the need to obtain additional funds in an underhanded way.

SB-182 Granting Authority to RTD to Condemn and Take Private Property for Transit Projects.

This bill gives eminent domain authority to RTD equal to the Department of Transportation's. Essentially, this bill grants RTD takings power over private property. PASSED. Senate 35/0, House 34/29. (Sen. Williams/Rep. Ragsdale). Governor SIGNED. **CUT votes NO.** Granting yet another fiefdom the ability to take private property from citizens and businesses is just another step in the complete erosion of our 5th Amendment rights under the US Constitution. It also allows RTD, another government agency to buy property, adding to the government portfolio, costing taxpayers even more money.

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. CUT's pledge signers are shown with a "P" on pages 2-3. Check it out and congratulate them for their high scores and integrity in following through on their campaign promise to be fiscally conservative.

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 2005 Rating Scorecard:

Score	Representative	Pledge	Party	District	Home
96.00	Cadman, Bill	P	R	15	Colorado Springs
92.00	Schultheis, David	P	R	14	Colorado Springs
88.00	Brophy, Greg	P	R	63	Wray
88.00	Lundberg, Kevin	P	R	49	Berthoud
84.00	King, Keith		R	21	Colorado Springs
80.00	Welker, Jim	P	R	51	Loveland
79.17	Balmer, David	P	R	39	Centennial
78.26	Harvey, Ted	P	R	43	Littleton
76.19	Knoedler, Matt	P	R	22	Lakewood
76.00	Crane, Bill	P	R	27	Arvada
73.91	May, Mike		R	44	Parker
69.57	Hefley, Lynn		R	20	Denver
68.18	Witwer, John		R	25	Evergreen
68.00	Clapp, Lauri		R	37	Littleton
68.00	Decker, Richard		R	19	Fountain
64.00	Penry, Joshua		R	54	Grand Junction
60.87	Rose, Ray		R	58	Montrose
60.00	Stengel, Joe		R	38	Littleton
58.33	Kerr, Jim		R	28	Littleton
58.33	Cloer, Mark		R	17	Colorado Springs
54.17	Liston, Larry	P	R	16	Colorado Springs
52.00	Stafford, Debbie		R	40	Aurora
48.00	Hall, Dale		R	48	Greeley
45.83	Hoppe, Diane		R	65	Sterling
42.86	Sullivan, James		R	45	Larkspur
40.00	Massey, Tom		R	60	Denver
40.00	McCluskey, Bob		R	52	Fort Collins
32.00	Berens, Bill		R	33	Broomfield
29.17	White, Al		R	57	Winter Park
28.00	McKinley, Wesley		D	64	Walsht
24.00	Weissmann, Paul		D	12	Louisville
20.00	Ragsdale, Ann F		D	35	Westminster
17.39	Gallegos, Rafael		D	62	Antonito
16.00	Garcia, Michael		D	42	Aurora
16.00	Paccione, Angela		D	53	Fort Collins
13.04	Green, Gwyn		D	23	Golden
12.50	Larson, Mark		R	59	Cortez
12.00	Borodkin, Alice		D	9	Denver
12.00	Hodge, Mary		D	30	Brighton
12.00	Soper, John		D	34	Thornton
8.33	Butcher, Dorothy		D	46	Pueblo
8.00	Benefield, Debbie		D	29	Arvada
8.00	Carroll, Terrance		D	7	Denver
8.00	Coleman, Fran		D	1	Denver
8.00	Lindstrom, Gary		D	56	Breckenridge
8.00	Marshall, Rosemary		D	8	Denver
8.00	Romanoff, Andrew		D	6	Denver
4.17	Frangas, K. Jerry		D	4	Denver
4.00	Carroll, Morgan		D	36	Aurora
4.00	Cerbo, Michael		D	2	Denver
4.00	Curry, Kathleen		D	61	Gunnison
4.00	Jahn, Cheri		D	24	Wheat Ridge
4.00	Judd, Joel		D	5	Denver
4.00	McFadyen, Buffie		D	47	Pueblo West
4.00	McGihon, Anne		D	3	Denver
4.00	Merrifield, Michael		D	18	Manitou Springs
4.00	Pommer, Jack		D	11	Boulder
4.00	Solano, Judy		D	31	Brighton
4.00	Todd, Nancy		D	41	Aurora
4.00	Vigil, Valentin J		D	32	Thornton
0.00	Boyd, Betty		D	26	Lakewood
0.00	Buescher, Bernie		D	55	Grand Junction
0.00	Madden, Alice		D	10	Boulder
0.00	Plant, Tom		D	13	Nederland
0.00	Riesberg, Jim		D	50	Greeley

P = Taxpayers Pledge Signer

Overall House Score33%

SB-209 Appropriations (Long) Bill

This legislation determines how the state government will spend its funds for the next fiscal year. PASSED. House 43/20, Senate 26/9 (Sen. Tapia, Rep. Plant) Governor SIGNED. **CUT votes NO.** Budget makers must respect the limits placed on them by the people, but this bunch continued to do everything possible to prop up spending. They did not consider new ways to solve problems. This budget bill is an embarrassing declaration of a system out of ideas and eager to continue dead-end ideas.

SB-210 Controlled Maintenance Trust Fund

This legislation completes a year-long process to allocate funds for new buildings and expenditures for maintenance of existing buildings throughout the state government holdings. It also includes setting priorities and allocating moneys to the various campuses in the state colleges and universities. PASSED. House 54/11, Senate 24/11 (Sen. Tapia, Rep. Plant) Governor SIGNED. **CUT Votes NO.** The legislature will use unfulfilled demands to urge more taxes, rather than find other priorities and solutions. While a \$7.5 million garage goes up for part-time legislators, what is being done to answer lawsuits? Why are 122 properties setting unused and unsold?

HB-1001 Prohibit Cash Fund Use for General Fund Purposes

This bill prohibits the diversion of money in various state cash funds for unrelated purposes. The state government administers a variety of cash funds, such as the Petroleum Storage Tank Fund, the Unclaimed Property Trust Fund, and the Workers Compensation Trust Fund. These funds receive their money from special, dedicated taxes, or from other special sources. The bill would prohibit the General Assembly from raiding these special cash funds to pay for general, unrelated spending. PASSED. House 51/14, Senate 21/13 (Rep. Garcia/Sen. Sandoval). Governor VETOED. **CUT votes YES.** The bill, which was a top priority for State Treasurer Mike Coffman, would enforce the basic principle that money held in trust for one purpose should be not be spent or borrowed for another purpose. A trustee of a private trust fund who misappropriated money from a

trust would be guilty of crime. Government trust funds should also be protected against improper raids.

HB-1025 Presumptive Eligibility Under Medicaid

This bill provides a 'Fast Track' to public medical assistance for a pregnant woman prior to the verification of her eligibility. PASSED. House 43/18, Senate 33/0, (Rep. Stafford, Sen. Hagedorn) Governor SIGNED. **CUT votes NO.** As medical costs in general are rapidly rising and Medicare and Medicaid are the fastest growing sections of the budget, save in cases of medical emergencies, it is not prudent to open a door for all claimants and then to attempt to recover costs from the ineligible later.

HB-1064 Authorize Regional Trans Authority

This is a bill authorizing establishment of RTD districts throughout Colorado. The bill enables cloning throughout the State of the Denver Metro RTD system. This expansion of government would be accompanied by new taxes for those new districts. These new RTD districts could also issue their own revenue bonds, collect \$ 10 per auto fee (i.e. "tax"), collect up to 1 % sales/use tax in addition to existing sales taxes, take a share of hotel taxes, and create improvement districts with the power to levy property tax assessments. PASSED. House 53/12, Senate 27/7 (Rep. M May, Sen. Williams) Governor SIGNED. **CUT votes NO.** This ill-conceived bill replicates an existing system already over-burdening on Denver Metro taxpayers and that will be even less effective in rural areas where population densities are much lower.

HB-1066 Obesity Treatment Under Medicaid

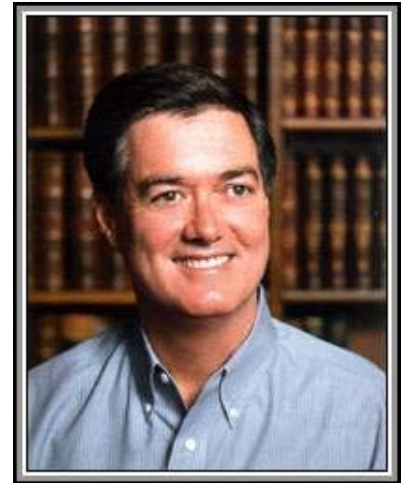
This bill would put the state of Colorado in business of treating the Medicaid recipients in our state from the scourge of obesity. The potential client of this program is a person "who has a body mass index that is equal to or greater then thirty (?)". The State Department of Health Care Policy will treat the recipients through the use of "behavioral modification, self-management training and medication". PASSED. House 46/18, Senate 21/ (Rep. Madden / Sen. Sandoval) 14

Governor SIGNED. **CUT votes NO.** CUT feels that the situation when the poor (the Medicaid recipients) are fat, is itself absurd. It is also a well known fact that obesity is best dealt with by means of individual's self discipline, exercise, diet and not by creating more expensive government programs. CUT strongly suggest that the Colorado General Assembly should itself consider a strict fiscal diet.

HB-1070 Water Conservation

This bill would have Draconically dictated water restriction policy. PASSED. House 41/23, Senate 25/10 (Rep. Weissman, Sen. Grossman) Governor VETOED. **CUT votes NO.** CUT prefers to let individuals choose and market prices of water guide water use restrictions.

Key Bill Summaries continue on page 9



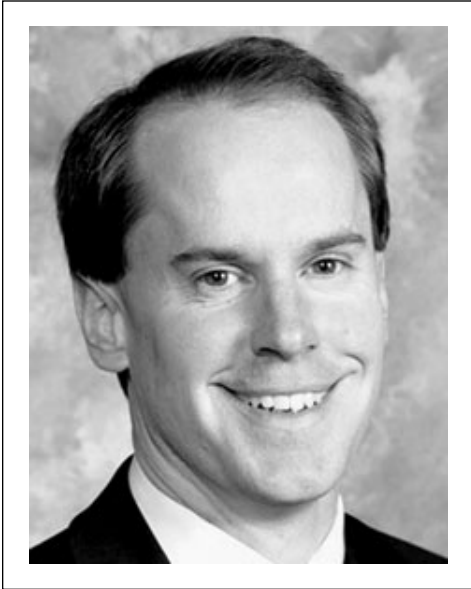
Governor Bill Owens

How did the Governor Rate?

41%

The Governor had 41% up from 33% last year. Governor Owens used his veto to kill six of the bills objectionable to CUT. With the liberal-controlled Legislature, the Governor's vetoes were paramount in stopping some very bad legislation. Unfortunately, Governor Owens teamed with the Democrats to give us Referenda C & D which would eviscerate TABOR and breaks his Taxpayer Pledge signed in 1998.

2005 Taxpayer Champions



**Senate Champion
Mark Hillman**



**House Champion
Bill Cadman**

2005 Taxpayer Guardians



Senator Doug Lamborn



Senator Andy McElhany



Rep. David Schultheis

CALL TO ACTION

VOTE NO on Referendum C!! If passed, Referendum C will give us the largest tax increase in the history of Colorado. It started as a \$3.1 Billion tax grab and is now estimated to be \$3.7 Billion. That's a 20% increase! Look for the amount to get even larger as Colorado's economy continues to improve. There is no revenue crisis, there is a spending crisis! This is a money grab with no cap and no end. This is a tax increase in perpetuity.

VOTE NO Referendum D! If passed, Referendum D will give us the second largest increase in the history of Colorado. It enables the state to borrow \$2.1 Billion before interest which means the total will be much higher. This supposedly identifies the projects for spending the billions; however, there is no guarantee how the billions will be spent. The Legislature can change everything with a simple vote. Don't sign up for a "mortgage" when the terms are unknown.



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 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, 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; therefore, there is no Senate Taxpayer Champion. The Senator with the highest CUT rating is a Senate Taxpayer Guardian.

An Invitation: Join Us at CUT's 29th Annual Awards Breakfast

Saturday, October 15, 2005
at the El Jebel Shrine Center
4625 West 50th Avenue

Registration 8:00 AM
Breakfast & Program 8:30 AM
Cost \$20 per person

Plus! Awards Presentation To Our Annual Legislative
Champions In The Colorado Senate And House

Contact Numbers:
Renee Welch 303-366-3408 or
Joe Chaves 303-650-5757



Keynote Speaker
John Fund

of the Wall Street Journal

Topic
"Visitors Guide to an Alien Planet"

HB-1086 Reinstatement of Medicaid For Legal Immigrants

This bill reauthorizes the spending of \$10,300,000 (FY '05 - '06) to pay for medical services for legal immigrants. PASSED. House 49/16, Senate 30/5 (Rep. Plant, Sen. Tapia) Governor SIGNED. **CUT votes NO.** It's difficult to understand when, supposedly, there is not enough funding for existing programs, the Legislature would establish yet another entitlement on an already over-burdened Medicaid system. Sure, a "fund" is being established with tobacco dollars; however, the tobacco settlement dollars only go so far and this strays a long way from rehabilitating tobacco users.

HB-1133 Concerning Measures to Promote Energy Efficiency

This bill would have set up funding mechanisms to encourage Colorado's public utilities to reduce emissions or air pollutants

and to increase energy efficiency. The bill offers a 2% subsidy or payoff for participation and, in addition, recovery of costs incurred for energy efficiency and conservation programs. PASSED. House 34/31, Senate 25/8 (Rep. Plant, Sen. Gordon) Governor VETOED. **CUT votes NO.** This is the Legislature mucking around in private enterprise and trying to pay for desired outcomes rather than letting the market decide.

HB-1145 Concerning the Regulation of Plumbers

This bill would have introduced another layer of licensing for and fee collection from plumber. PASSED. House 42/23, Senate 21/13 (Rep. White, Sen. Tochtrop) Governor VETOED. **CUT votes NO.** Again, the Legislature is creating a fee-charging bureaucracy which adds a cost layer and interferes with an eons-years old industry for no real benefit except to add to the coffers of the State. CUT believes fees are taxes.

HB-1146 Incentives for Motion Picture Industry

This bill mandates State Patrol assistance at the Patrol's expense, tax credits for individuals, and tax breaks for film producers if certain spending thresholds are met. PASSED. House 59/5, Senate 32/2, (Rep. Massey, Sen. Hagedorn). Governor SIGNED. **CUT votes NO.** In times when revenues are supposedly scarce, additional burdens on State employees, along with tax breaks for individuals and producers (special interests) are not wise, nor is the possibility of a Colorado state sponsored Porn Flick. How this measure qualifies for emergency status is a mystery.

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 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-1152 Lower Cost of Prescription Drugs

This bill states that "uninsured and underinsured residents of Colorado pay a disproportionately greater share of their income for prescription drugs". "The General Assembly, therefore, declares that it is necessary to provide a mechanism for individuals to purchase lower-cost prescription drugs". This bureaucratic "mechanism" is to be called "Colorado Cares Rx" and it must enter into agreement with the University of Colorado Health Sciences Center which will in turn contact various profitless corporations "for the development, administration and implementation", as well as providing "outreach and educational programs to the medical community" for this new government program. The State Board is given the power to "promulgate any rules necessary for the implementation" of this program. In the fiscal year beginning July 1, 2005 Colorado Cares Rx gets a cash fund in the amount of \$250,000 or "so much thereof as may be necessary", the Department of Health Care Policy and Financing gets \$250,000 or "so much thereof as may be necessary" also the executive director's office at the same Department gets the additional \$28,688 and 0.5 FTE or "so much thereof as may be necessary". PASSED. House 60/4, Senate 20/14, (Rep. Frangas, Sen. Hagedorn) Governor VETOED. **CUT votes NO.** To summarize, we are looking at the creation of a new bureaucracy with large databases, more government rules, administrative fees, preferred drug lists and mountain of additional paperwork. None of these measures will result in lowering the drug prices.

HB-1162 Concerning Energy Efficiency Standards for Specified Devices

This bill, in concern for our dwindling energy supplies, attempted to set efficiency standards peculiar to Colorado for home and small business: electrical appliances, lighting, air conditioners, heaters, and transformers. PASSED. House 40/21, Senate 23/12, (Rep. Borodkin, Sen. Gordon), Governor VETOED. **CUT votes NO.** Standards should be written at the national level. Otherwise the listed equipment will become very expensive or nonexistent due to the limited size of our market. Also the nation has at least four centuries of coal supplies.

HB-1194 Concerning Referring to the Voters a Measure that Authorizes the State to Retain TABOR Excess for Five Years.

This bill eviscerates TABOR and if approved, will be the largest tax increase in the history of Colorado. It is a money grab with no cap and no limit. PASSED. House 46/19, Senate 26/9, (Rep. Romanoff, Sen. Johnson) REFERRED MEASURE. **CUT votes NO.** First, there is no budget crisis in Colorado. There is a spending crisis. An already bloated government which runs loose with your tax dollars wants even more! Just say NO! to the largest tax increase in history.

HB-1255 Excess Costs Tuition for Special Ed

This bill obligates the local school district of a disabled child to pay any and all excess costs incurred in the Special Education of that child in another location. PASSED. House 47/15, Senate 22/13. (Rep. Benefield, Sen. Williams) Governor VETOED. CUT votes NO. This is an unfunded mandate of the state which, with no spending limit, could be ruinous to the financial viability of a small or poor district. If such a district had two such students the results would be fiscally disastrous. At present a parent may select the most expensive treatment in the country (or perhaps the world) and stick all the costs on the local school board.

HB-1256 CO Waste Reduction & Recycling Act

This bill would have established a statewide goal to divert at least 30% of sold waste to recycling, composting, and other waste management strategies by the year 2008 and at least 50% by the year 2015, authorized the department of local affairs to designate a county or municipality as a recycling market development zone, imposed a fee on persons who dispose of solid waste at attended solid waste disposal sites, and created the integrated waste management commission as an enterprise in the department of public health and environment. POSTPONED INDEFINITELY SENATE APP. House 40/25, Sen. App. 2/8. (Rep. Paccione, Sen. Gordon) CUT votes NO. CUT believes this bill was fraught with government loftiness of purpose, added fees to consumers, and creation of another state bureaucracy.

Colorado citizens are fortunate this bill was killed.

HB-1266 Increase Wildlife Fees

Apparently this is an attempt to load the wildlife coffers with additional funds. Many of these fees are punitive and many have doubled. PASSED. House 40/25, Sen. 22/13. (Rep. Stengel, Sen. Isgar) Governor SIGNED. **CUT votes NO.** A tax is a tax - although they call it fees - to get around TABOR.

HB-1333 Allow Financing for Critical State Needs

This is a bill that establishes the "Critical Needs Financing Corporation" a state government instrumentality created for the sole purpose of issuing bonds. The entity is controlled strictly by a board composed of five (5) government officials including the state Planning/Budgeting Director, State Controller, State Treasurer, Joint Budget Committee representative, and the Chair of the Capital Development Committee of the General Assembly, and \$ 250,000.00 is initial budget for expenses, executive director, and staff, growing dramatically thereafter. There is NO private sector member on the Board. The Board may liberally delegate its duties to an Indenture Trustee that would administer bond and bond issuance.

Bonds would be for a maximum maturity of 25 years and issued pursuant to voter-approved ballot issues. For example, Referendum C has authorization for payment of interest on approximately \$ 2.1 billion of bonds. However, although there is discussion of uses for "transportation" as a general category, no specific amounts are dedicated to roads or transportation. PASSED. House 41/22, Senate 26/8. (Rep. Buescher, Sen. Isgar) Governor SIGNED. **CUT votes NO.** This new creature is the debt-mechanism of the state government controlled by the Legislature and the Governor to issue bonds for multi-year expenditures referred by them to the voters. Accordingly, this along with Referendum C is another blank check given to the Legislators to spend; however, this spending voucher allows the current legislature to spend for multiple years without telling the voters where specifically these bond funds will be spent, although there is a \$ 600 million limit ending 12/31/06.



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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%
(R) Campbell, B B 67%

State Scoring Average 76%

** Source: National Taxpayers Union, 2004 -
Ratings for the 2nd Session of the 108th
Congress*

House Results

(R) Beauprez, B B+ 72%
(D) DeGette, D F 11%
(R) Hefley, J A 77%
(R) McInnis, S B 63%
(R) Musgrave, M A 77%
(R) Tancredo, T A 81%
(D) Udall, M F 13%

State Scoring Average 56%

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2005 CUT Ratings

from the Colorado Union of Taxpayers

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From CUT President
Penn Pfiffner



President's Message

Interesting times are perplexing times, and I'm feeling very uncertain these days. After all, Colorado is in the midst of defining itself politically.

Does the majority want to live lives dependent on government programs, or do we have the will, the fortitude and the courage to handle our own problems and society's problems, ourselves? Passage of Referendum C will undoubtedly declare that we are too tired, too dependent as a people and that we welcome an intrusive, suffocating state. Along this path lies a people and an economy in decline. Defeat of Ref. C by contrast would declare loudly that Coloradoans believe in themselves and the powerful energy that comes from making liberty our guiding star.

We saw too much offered this year by a legislature that fears personal freedom and capitalist free markets, dismisses personal responsibility and puts its faith in an elite who would be glad to run your life.

The Colorado Union of Taxpayers stands for limited government, strict accountability of elected officials, greater individual liberty and greater reliance on individuals and families. Win or lose at the ballot this fall; win or lose at legislation next year, the members and supporters of this organization will fight on. We invite your participation, encouragement and support.

- Penn R. Pfiffner