



2008 Cut Ratings

from the Colorado Union of Taxpayers

Help CUT Grow!

CUT has published ratings of the Colorado Legislature since 1977-32 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.

President's Message



From CUT President
Marty Neilson

The 2008 Ratings publication is a look back at how the Legislature performed. I must now urge you to look forward to August 12 Primary Election and November 4 General Election. Elections are always important; but, this year more than any other, your liberty and security are at risk. We must elect a President, State Senator, and Congressmen who will respect the U. S. constitution, honor our men and women in the military, secure our Nation, and protect U. S. sovereignty.

We must send men and women to the State House who will respect the individual, enhance business opportunity, protect our pocketbooks, let us be responsible for our children's education and well being, who will work to reduce government bureaucracy, protect our property rights, and just plain not meddle.

Taxpayers and the State Constitution enjoyed victory when District Court Judge Christina Habas ruled to uphold the Constitution declaring the illegal property tax increase unconstitutional. Not to worry says the Governor, he will appeal to the State Supreme Court. Expect the final ruling after the November election.

Please take note of the "Call to Action" on page 1. These are important ballot issues. Become informed and vote accordingly. Not certified as of press is Representative Romanoff's ballot initiative which will dismantle the Taxpayers Bill of Rights. Disguised as education funding, "It's for the children.", if adopted there will be no more TABOR refunds. EVER! VOTE NO!

For 32 years CUT has been fighting the battle for Colorado taxpaying citizens. This is done with an all-volunteer organization and limited funding. During the Legislative Session, we pro-actively lobby for/against bills which affect taxpayers. The Candidate/Legislator Pledge found on page 11 is the basis for the bills selected for rating. CUT stands for support of the Taxpayers Bill of Rights, limited government, educational choice, privatization to reduce cost, petition rights, property rights, and legislative accountability. This Rating is done to alert taxpayers on the voting habits of their State Senators and Representatives. The Colorado Union of Taxpayers needs your help to improve our "product" and attract members to join us in the fight! Let us know what we must do to earn your support. Help us do a better job.

Marty Neilson

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CUT Rates the Colorado Legislature

The Taxpayer's Voice
since 1976



Sixty-eighth General Assembly • 2008 Report • Prepared by Colorado Union of Taxpayers

CONGRATULATIONS!

2008 Taxpayer Champions*

Senate Champion
Dave Schultheis 92%
R-Colorado Springs

Senate Guardian
Bill Cadman 89%
R-Colorado Springs

House Champion
Douglas Bruce 93%
R-Colorado Springs

House Guardian
Kent Lambert 82%
R-Colorado Springs

*Highest score in each house. (rounded)

Colorado Union of Taxpayers Rates the 2008 Legislature

F! Another failing grade for the Colorado Legislature! FasTracks is a dismal failure, over budget, behind schedule so increase the RTD Board's annual compensation. (SB46). Give credit where credit is warranted. Allowing schools to create an "innovation school zone" and opt out of the heavy-handed union rule and choking regulations will help enable schools to improve and deliver better end results. (SB130). The Centennial Health Care Choices program to reform health care in Colorado attempts universal coverage which the State admits it cannot fund. (SB217) Why not more freedom in healthcare choices? An assault on your right to initiate and petition your government will go to the November ballot. (SCR-03). Establishment of the Governor's Energy Office gives us bureaucratic interference into energy solutions. (HB1025). The School Finance Act works to push youngsters out of the home and into extended government-controlled classrooms. (HB-1388). Other bills passed to re-distribute dollars from you to special interest groups, increase fees, bypass accountable oversight, and fundamentally attack your liberty.

CUT CALL TO ACTION!

Amendment 47 Prohibition on Certain Conditions of Employment (Right to Work)
CUT urges a YES vote! No one should be forced to join a union or pay union dues as a condition of employment. Right to Work will strengthen Colorado's economy, create jobs, and make Colorado more competitive.

Amendment 53 Ethical Standards for Government Entities
CUT urges a YES vote! Governments no longer would be able to bundle money to special interest groups.

Referendum O Initiative Petition Requirements
CUT urges a NO vote! This is an assault on citizen initiative petition rights. If adopted, citizens will face a greater challenge in putting measures on the ballot. It increases the number of signatures needed and requires signatures to be gathered by Congressional District.

How Did the Parties Score?

Senate	House
Democrats9%	Democrats13%
Republicans . .52%	Republicans48%

High Scoring Democrats

Senators Tupa, Tochtrop	13%
Representative Paul Weissmann	48%

Low Scoring Republicans

Senator Kenneth Kester	15%
Representative Tom Massey	15%

Complete Listing and Scores Inside

Directory

Party Scores	1
Year to Year Comparison	1
Senate Scores: High to Low	2
House Scores: High to Low	3
How did the Governor Rate?	4
Taxpayer Champions and Guardians	5
Key Bill Summaries	
• Senate Bills	2-4
• House Bills	4, 8-10
CUT's Rating Grid	6-7
How CUT ratings are determined	8
Legislator Phone Numbers	8
Coloradoans in US Congress	10
Candidate/Legislator Pledge Form	11
CUT President's Insights	12

Key Bill Summaries Begin on Page 2

Year to Year?

Overall the Senate scored 27%, down from 32% last year. The House scored 27%, down from 31% last year. See the CUT Grid on pages 6-7.

Governor's Score... See Page 4

KEY BILL SUMMARIES

SB-46 Increase in Compensation for Members of the RTD Board of Directors

The bill raises the pay of RTD Directors to \$12,000 per year. PASSED. Senate 18/15/1/1 abstention, House 33/31/1. (Sen. Veiga/Rep. Judd). Governor SIGNED. **CUT votes NO.** It would be difficult to imagine a group of Directors who are less deserving of a pay increase than the RTD Board. The Directors sold the FasTracks tax increase to the public with a reckless series of deceptions and frauds. Now, with FasTracks costs far exceeding RTD's bogus estimates, bus services are being cut back, and the taxpayers are receiving less and less for their enormous subsidies to RTD. Even worse, the RTD Directors have refused to restrain RTD's use of eminent domain to acquire land ostensibly for transportation, but then to develop it for commercial and retail purposes, robbing the land-owners of development rights at low prices through an insider-run valuation system.

SB-126 Repeal Higher Ed Cash Fund Limit.

This bill, sponsored by the Joint Budget Committee (JBC), removes the requirement that State institutions of higher education limit the amount of cash funds revenue they collect to the amount annually appropriated in the Long Bill. PASSED. Senate 33/0/2, House 58/5/2. (Sen. Johnson/ Rep. White) Governor SIGNED. **CUT votes NO.** As a reward for exceeding the 10 percent limit on expenditures of Colorado taxpayer funds, Western State College, Mesa State College, and Adams State College have been rewarded and will not face legislative oversight through the appropriations process and will not face any accountability for continuing with unauthorized spending of taxpayer funds.

To keep enterprise status, no state institution can receive more than 10 percent of its revenue from state sources. Due to capital construction appropriations, Western State College, Mesa State College, and Adams State College will exceed the 10 percent limit and lose enterprise status in FY 2007-08. Once this status is lost, these three institutions will be required to have all their cash funds appropriated in addition to current

Senate Scores: Friend or Foe?

Highest to Lowest - Who is representing the best interests of taxpayers? Here's what Members of Colorado's Senate earned on CUT's 2008 Ratings Scorecard:

CUT SCORE	Senators	Pledge	Party	District	Hometown
92.31	Schultheis, Dave	P	R	9	Colorado Springs
88.46	Cadman, Bill	P	R	10	Colorado Springs
65.38	Harvey, Ted	P	R	30	Highlands Ranch
61.54	Renfroe, Scott	P	R	13	Greeley
60.00	Kopp, Mike	P	R	22	Littleton
60.00	McElhany, Andy	P	R	12	Colorado Springs
57.69	Wiens, Tom J		R	4	Castle Rock
50.00	Brophy, Greg	P	R	1	Wray
48.00	Mitchell, Shawn	P	R	23	Broomfield
44.44	Ward, Steve		R	26	Littleton
40.00	Penry, Joshua		R	7	Grand Junction
40.00	Taylor, Jack		R	8	Steamboat Springs
36.00	Spence, Nancy		R	27	Centennial
23.08	Johnson, Steve		R	15	Fort Collins
14.81	Kester, Kenneth		R	2	Las Animas
13.04	Tupa, Ron		D	18	Boulder
13.04	Tochtrop, Lois		D	24	Westminster
12.00	Sandoval, Paula		D	34	Denver
11.54	Veiga, Jennifer		D	31	Denver
9.09	Romer, Chris		D	32	Denver
8.00	Hagedorn, Bob		D	29	Aurora
8.00	Isgar, Jim		D	6	Hesperus
7.69	Boyd, Betty		D	21	Lakewood
7.69	Gibbs, Dan		D	16	Silverthorne
7.69	Gordon, Ken		D	35	Denver
7.69	Groff, Peter C		D	33	Denver
7.69	Keller, Maryanne		D	20	Wheat Ridge
7.69	Morse, John		D	11	Colorado Springs
7.69	Schwartz, Gail		D	5	Snowmass Village
7.69	Shaffer, Brandon C		D	17	Longmont
7.69	Takis, Stephanie		D	25	Aurora
7.69	Tapia, Abel		D	3	Pueblo
7.69	Williams, Suzanne		D	28	Aurora
7.69	Windels, Sue		D	19	Arvada
7.41	Bacon, Bob		D	14	Fort Collins

Overall Senate Score 27%

appropriations, and the General Assembly will be required to set appropriations for these schools differently from the other state institutions.

SB-128 Elimination of the Statutory Limit on the Total Amount of Sales or Use Tax that May be Levied by Certain Governmental Entities.

This bill removes the statutory limit on sales taxes imposed by the State of Colorado, any county, city, or town. It leaves in place a 1% limit on Regional Library Authorities, multi-

jurisdictional housing authorities, and county sales tax on vehicles. PASSED. Senate 19/12/4, House 38/26/1(Sen. Isgar/Rep. Hodge). Governor SIGNED. **CUT votes NO.** This opens the door to any sales tax increases that can be proposed to the taxpayers subject only to TABOR limitations. Since Sales Taxes hit directly the pocket books of all taxpayers including low-income taxpayers, this new measure opens the door to widespread negative regressive taxation of all Colorado citizens.

Key Bill Summaries continued on page 3

CANDIDATE/LEGISLATOR PLEDGE

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

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

Signature: _____ Date: _____

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

COLORADO UNION OF TAXPAYERS REWARDS OUR STATE LEGISLATORS

You are invited to Breakfast to honor The Outstanding Legislators of 2008



Duane Parde

Hotel DoubleTree Denver
 3203 Quebec St., Denver CO
 Saturday, October 4, 2008
 Time: Registration: 8:00 A.M., Breakfast: 9:00 A.M.,
 Cost: \$20 per person
 Guest Speaker
 Duane Parde
 President
 National Taxpayers Union
 RSVP: 303-759-9936; 303-366-3408



How Congress Voted*

Senate Results

Allard, W	A	86%
Salazar, K	F	9%

State Average 47%

House Results

DeGette, D	F	6%
Lamborn, D	A	93%
Musgrave, M	B+	83%
Perlmutter, E	F	6%
Tancredo, T	A	93%
Udall, M	F	5%

State Average 40%

*Source: National Taxpayers Union, 2007- Ratings for the 1st Session of the 110th Congress

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HB-1388 School Finance.

The annual update that provides for next year's funding of government K-12 schools. Earmarks added this year designate \$60 Million for full-day kindergarten and \$10 Million increases each year for five years. Also sets up state funding of kindergarten buildings. It boosts spending \$19.72 per student above Amendment 23 minimum requirements. One provision directs a new study of the fixed costs of running a school district, specifically considers the affects of charter schools on districts that experience declines in enrollments. **PASSED.** House 58/5/2, Senate 22/13 (Rep. Pommer, Sen. Windels) Governor **SIGNED.** **CUT votes NO.** The best recent information shows that the benefits of early childhood education disappear by the 3rd grade and there is no discernable difference between children who had enrolled in the programs and those who had not. Why then, the huge push to get kids out of the home and into an extended government school program? Especially when the cost is so out-of-proportion, the programs should be cut back and revisited, not expanded willy-nilly. Coloradans have expected local districts to fund their own schools, so the new procedure for the State to build the schools is very misguided to overturn 132 years of good precedent. The study appears to be an assault on charter schools and is a threat that should be taken very seriously.

HB-1389 Increased Oversight of Health Insurance Rates.

This Bill claims that its purpose is to help provide "accessible and affordable" insurance coverage for all Coloradans as well as making sure that insurance rate increases are not "excessive, inadequate or unfairly discriminatory". In order to ascertain if the rates are "excessive, inadequate or unfairly discriminatory" the insurance companies will be required to inform the Insurance Commissioner about great many items of their internal company information. Among these are: profits, dividends, executive salaries, etc. In practical terms it is a huge power grab by the Government bureaucracy in the area of health insurance. **PASSED.** House 39/25/1, Senate 22/13, (Rep. Carroll M/Sen. Sandoval). Governor **SIGNED.** **CUT votes NO.** This Bill is nothing more than the Government attempt to introduce the Socialist Medicine through the back door. Any one with even modest understanding of economics can see that the only possible result will be the further increase of medical costs and decrease of available medical services. This Bill is literally dangerous for our health!

HB-1390 Cover Colorado Long Term Funding.

This bill establishes a new funding structure for the Cover Colorado program beginning January 1, 2009, as follows: 1. 50 percent from premiums, grants, and donations; 2. 25 percent from the unclaimed property trust fund; and 3. up to 25 percent from special fees assessed against insurers. **PASSED.** House 47/17/1, Senate 26/8/1, (Rep. McGihon/Sen. Isgar) Governor **SIGNED.** **CUT votes NO.** Program cost is shifted from the Unclaimed Property "trust" fund to an insurance company "fee" per insured person causing an additional \$13 million in insurance cost to the consumer in 2009 and \$30 million in 2010.



SB-130 Authorization of School District Boards of Education to Implement Policy Innovation in Public Schools, and, in Connection therewith, Enacting the "Innovation Schools Act of 2008".

This Bill is designed to make it easier for groups of public schools as well as individual schools to create "an innovation school zone". In practical terms, it means that the schools will be able to get out of the collective bargaining agreement with the teachers unions as well as multitude of government regulations which have been destroying the Public Education in America for more then half a century. **PASSED.** Senate 35/0, House 53/11/1, (Sen. Groff/Rep. Witwer). Governor **SIGNED.** **CUT votes YES.** While this Bill is a good start, Coloradans must remember that as long as Public Education remains, in fact, a state monopoly, the Government bureaucracy will always attempt to subvert it, turning it in to a "Dead Letter" and denying our children quality education.

Key Bill Summaries continued on page 4

A SPECIAL BREED

A special breed of legislators is demonstrating election year campaign pledges are not simply political rhetoric. In 1998, CUT established a ten-point Candidate/Legislator 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. CUT Champions and Guardians are almost always pledge signers. Be sure to 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 the best interests of taxpayers? Here's what Members of Colorado's House earned on CUT's 2008 Ratings Scorecard:

CUT

SCORE	Representatives	Pledge	Party	District	Hometown
92.59	Bruce, Douglas	P	R	15	Colorado Springs
81.48	Lambert, Kent D	P	R	14	Colorado Springs
77.78	Lundberg, Kevin	P	R	49	Berthoud
66.67	Sonnenberg, Jerry		R	65	Sterling
62.96	Gardner, Cory	P	R	63	Yuma
59.26	McNulty, Frank		R	43	Highlands Ranch
55.56	Balmer, David	P	R	39	Centennial
51.85	Kerr, Jim		R	28	Littleton
51.85	Stephens, Amy		R	20	Monument
51.85	Witwer, Robert		R	25	Golden
48.15	Looper, Marsha		R	19	Calhan
48.15	Weissmann, Paul		D	12	Louisville
44.44	King, Steve		R	54	Grand Junction
44.44	Liston, Larry	P	R	16	Colorado Springs
44.00	May, Mike		R	44	Parker
42.31	Rose, Ray		R	58	Montrose
40.74	Gardner, Bob		R	21	Colorado Springs
40.74	Garza-Hicks, Stella		R	17	Colorado Springs
40.74	Swalm, Spencer	P	R	37	Centennial
37.04	Vaad, Glenn		R	48	Mead
36.00	Summers, Ken		R	22	Lakewood
34.62	Mitchell, Victor	P	R	45	Castle Rock
29.63	White, Al		R	57	Winter Park
22.22	Green, Gwyn		D	23	Golden
22.22	Marostica, Don		R	51	Loveland
22.22	Roberts, Ellen		R	59	Durango
19.23	Buescher, Bernie		D	55	Grand Junction
19.05	McKinley, Wesley		D	64	Walsht
18.52	Jahn, Cheri		D	24	Wheat Ridge
18.52	Judd, Joel		D	5	Denver
18.52	Kefalas, John		D	52	Fort Collins
18.52	Primavera, Dianne		D	33	Broomfield
15.38	Butcher, Dorothy		D	46	Pueblo
15.38	Frangas, K.Jerry		D	4	Denver
15.38	McFadyen, Buffie		D	47	Pueblo West
15.38	Scanlan, Christine		D	56	Dillon
14.81	Casso, Edward		D	32	Thornton
14.81	Curry, Kathleen		D	61	Gunnison
14.81	Gagliardi, Sara		D	27	Arvada
14.81	Gallegos, Rafael		D	62	Antonito
14.81	Marshall, Rosemary		D	8	Denver
14.81	Massey, Tom		R	60	Poncha Springs
14.81	Merrifield, Michael		D	18	Colorado Springs
14.81	Riesberg, Jim		D	50	Greeley
14.81	Romanoff, Andrew		D	6	Denver
12.50	Carroll, Terrance		D	7	Denver
11.54	Labuda, Jeanne		D	1	Denver
11.54	Stafford, Debbie		D	40	Aurora
11.11	Borodkin, Alice		D	9	Denver
11.11	Carroll, Morgan		D	36	Aurora
11.11	Ferrandino, Mark		D	2	Denver
11.11	Fischer, Randy		D	53	Fort Collins
11.11	Hodge, Mary		D	30	Brighton
11.11	Levy, Claire		D	13	Boulder
11.11	Madden, Alice		D	10	Boulder
11.11	Peniston, Cherylin		D	35	Westminster
11.11	Pommer, Jack		D	11	Boulder
11.11	Rice, Joe		D	38	Littleton
11.11	Solano, Judy		D	31	Brighton
11.11	Todd, Nancy		D	41	Aurora
8.70	McGihon, Anne		D	3	Denver
7.69	Middleton, Karen		D	42	Aurora
7.41	Benefield, Debbie		D	29	Arvada
7.41	Kerr, Andy		D	26	Lakewood
7.41	Soper, John		D	34	Thornton

Overall Senate Score 27%

SB-133 Math and Science Scholarships for Teachers

This bill gives financial incentives to those with skills in math, science, special ed, language acquisition, and foreign languages who aspire to teach, creates a Teach Colorado Grant Initiative, and makes an appropriation therefor. PASSED. Senate 29/2/3/1 Absent, House 57/7/1 (Sen. Shaffer, Rep. Kerr, A) Governor SIGNED. **CUT votes NO.** While this bill gives scholarships to those with special skills who aspire to teach and who will 'student teach' in rural or high poverty areas, there appears to be no requirement in it for a graduate to teach in this, or any other, state. The goal should be to pay qualified teachers to apply their skills in needed areas, not to fill the approved teaching programs.

SB-170 Increase Years for Tax Increment Financing.

Allows governments that establish Tax Increment Financing (TIFs) to extend the life of those schemes by 20 years, for a total of 50 years. PASSED. Senate 26/8/1 House 52/12/1 (Sen. Bacon, Rep. Buescher) Governor SIGNED. **CUT votes NO.** When governments set up development subsidies, they are picking the winners and losers in our economy. Projects that must have subsidies to go forward are likely to be a poor investment of scarce resources. Elected leaders should review these schemes with an eye towards eliminating them. With this legislation, the subsidies last not only for 30 years in current law, which is the usual time to fully depreciate a real estate development, but a government extends the damage to an entire half-century.

SB-214 Local Government Medicaid Provider Fees

This bill makes changes to the process local governments can use to impose a provider fee on hospitals and home health agencies for the purpose of obtaining federal financial participation through Medicaid. PASSED. Senate 22/13, House 44/19/2 (Sen. Shaffer/Rep. Frangas,) Governor SIGNED. **CUT votes NO.** The inclusion of government institutions makes it likely local governments will use the fee to generate revenue causing the institution to seek greater taxpayer funding. Because the fee is based on aggregate gross or net revenue, the addi-

tional funds will accelerate the fees in a never ending cycle of increased cost to the taxpayer.

SB-217 Centennial Health Care Choices

This bill creates a framework for developing the 'Centennial Care Choices Program' to reform the health care system in Colorado and makes an appropriation therefor. It acknowledges that the State lacks the funds for such a program of universal coverage, so it looks for Federal funds as well as public/private partnerships, health care providers, and any one else under the sun for its conception. Its form is to be called a VBP (Value Benefit Plan) which will mimic the least costly commercial plan and include preventive care, health info tech, and ed materials as well. Such VBP's may be allowed to enforce mandatory enrollment in coverage for all. It further creates a 5+ member board to arrive at a design to present to the Legislature by 3/01/09. PASSED. Senate 24/10/01, House 42/22/01 (Sen. Hagedorn, Rep. McGihon) Governor SIGNED. **CUT votes NO.** Having despaired at creating a financially viable program of its own, the Legislature has said to the private sector: 'You create one' or else. Colorado does not need a heavy handed bureaucratic program which enslaves its citizens and unduly burdens its economy. Rather the state should move to the freedom of more choices in health care.

SCR-003 Limit Change Init CRS & Filing Deadline (Revise Citizen Ballot Initiatives)

This measure is an assault on the citizen initiative/petition process. It raises the threshold for ballot access by linking the required number of signatures to the previous Governor's race vote total, increasing the number required for amendments and decreasing the number for statutes. Among other changes, it also requires that a specified number of signatures come from each Congressional district. PASSED. Senate 26/9, House 58/6/1 (Sen. Tapia, Rep. White) **CUT votes NO.** The Legislature does not need the Amendment Process, the people do. However in a rare show of bipartisan unity, the legislature has decided to cripple the Initiative Process. The ballot initiative is the only check which the citizen has on the Legislature. Its use should not be made more difficult.


HB 1001 Bioscience Research Grant Program

This bill supports partnerships of industry and state institutions, as well as companies of limited means, in order to commercialize new developments in the areas of, but not limited to, therapeutic and diagnostic products, agriculture, and biofuels, thus helping the State in the future. It makes an appropriation therefor which derives its funds from Limited Gaming revenue, thus bypassing the General Fund 6% spending increase cap. PASSED. House 53/10/2, Senate 25/9/1, (Rep. Riesberg, Sen. Bacon). Governor SIGNED. **CUT votes NO.** At a time when the Chinese Government is targeting bioscience development, and when state revenues are poised to drop, the State should not put \$2.5M - \$5M into infrastructure for

Key Bill Summaries continued on page 5

How did the Governor Rate?

8%



Governor Bill Ritter

Governor Ritter's 8% rating is the same as last year. We had hoped for improvement. No more masquerading as a moderate, pro-business advocate. The mask is off and the real Bill Ritter is disclosed. Make it up to the unions he did with his stealth Executive Order paving the way for unionization of State workers. Remember that "Colorado Promise"? When the District Court ruled against his illegal property tax increase, his arrogance and outright disdain for the lower court decision reveals his confidence that the Colorado Supreme Court will ignore the Constitution. No need to be concerned about the \$118 million illegal taxes already collected and spent. Ritter governs by fiat which is bad for Colorado and devastating for taxpayers.

HB-1350 Financing Renewable Energy.

Extends funding by a state development authority to retrofit of existing buildings and for "improvements" that produce "renewable" energy. The major feature vastly expands which governments are allowed to set up similar programs. The State Board may now establish independent Improvement Districts, and cities may set up their own Authorities. PASSED. House 55/9/1, Senate 32/3, (Rep. Madden, Sen. Romer). Governor SIGNED. **CUT votes NO.** Whether it is central planning of the socialists or the industrial policy of the fascists, it is still government direction of the economy. It takes a tremendous conceit for an elected official to presume that he or she knows how to guide the energy economy through select subsidies, and to use your money to do it. If citizens value it enough to demand it, they will pay entrepreneurs who will willingly supply it. Colorado will come to regret the day we gave state government so much power over power generation.

HB-1354 Authorize RTD Private Activity Bonds

This bill authorizes RTD to issue certain types of bonds to finance transportation projects constructed and/or owned by the district or by private businesses. It further authorizes any other form of state or local government, large or small, to make loans or grants to private businesses for transportation related projects. PASSED. House 58/5/2, Senate 30/4/1 (Rep. Levy, Sen. Mitchell, S). Governor SIGNED. **CUT votes NO.** Fresh from its valiant attempt to protect property owners from RTD's Eminent Domain abuses (HB1278 postponed), the Legislature then reversed itself and decided to put RTD in the Investment Banking business, where it (and every other governmental village, middlesex, and farm) could provide loans to favored businesses for transportation related projects. This bill appears to violate Article XI, Sections 1 & 2 of the Colorado Constitution which deal with lending and joint ownership. What an incentive for abuse.

HB-1375 State Budget

More commonly referred to as "the long bill", this is the fiscal budget. PASSED. House 39/23/3, Senate 21/14, (Joint Budget Committee) Governor SIGNED. **CUT votes NO.** The 2008 state budget was an astounding \$1.43 BILLION increase over

the previous year bloated budget! Ref C dollars and the illegal tax increase are flowing into State coffers. The bureaucracy continues to expand yet taxpayers who bear the brunt of the increase see schools still failing, poor transportation solutions, high energy costs, stifling regulations, and unionization of state workers which potentially could increase costs 30%. When is enough enough?

HB-1386 School Leadership Academy Program

This bill creates a school leadership program, for present and future school Principals, within the Department of Education, and makes an appropriation therefor. PASSED. House 45/20, Senate 27/8 (Rep Merrifield, Sen. Spence) Governor SIGNED. **CUT votes NO.** Why should the state continue to find new uses for excess Ref. C money? In this case a 'Charm School' s being created for aspiring Principals, complete with a 14 member board composed almost entirely of members drawn from the Educational Establishment. Those looking for advancement should pay their own way.

HB-1387 Energy-Related Assistance to Low-Income Households from Severance Tax Trust Fund.

Extends low-income energy assistance out three years and provides funding for home energy efficiency improvements through the Governor's Energy Office for households at or below 100% of the area median income. PASSED. House 55/9/1, Senate 34/1 (Rep. Buescher, Sen. Veiga). Governor SIGNED. **CUT votes NO.** This bill shifts energy efficiency renovation costs to the taxpayers for property they don't even own, and is a welfare program for households at 100% of the area median income. The need for low-income energy assistance is being increased by the legislature's instruction to the Colorado Oil & Gas Conservation Commission to rewrite industry rules, causing natural gas wells to be shut down during the winter months, thereby driving up the cost of natural gas. This bill would not be necessary if the legislature would work to reduce natural gas and electricity prices instead of working to raise them.

Key Bill Summaries continued on page 10

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. Please help by supporting CUT today. It is saving you money by reducing your taxes.

Yes, I want to support CUT. \$20 Annual Dues/6 years \$100

I want to do more! Here is my additional donation of \$_____

Taxes are too high! I cannot afford the suggested amount, but here is my donation of \$_____. Please keep me informed.

Total Donation Amount \$_____

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

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Email _____

of the least objectionable ways to spend taxpayer funds, it is still a 60% increase in one year. We prefer that local governments exercise authority over local revenues and local services, not centralize everything in Denver. There are many expensive taxpayer funded programs already at the state level, and no thought given to the right level and method of helping the elderly poor, including reliance on private action.

HB-1110 Income Tax Deduction for Landowner's Direct Costs in Performing Wildfire Mitigation

This bill principally benefits owners of mountain property. This bill authorizes an income tax deduction for landowner's direct cost incurred in performing wildfire mitigation measures. PASSED. House 61/3/1; Senate 33/1/1 (Rep. Witwer / Sen. Kopp). Governor SIGNED. **CUT votes NO.** Protection of personal private property is the individual property owner's direct responsibility, regardless of the location of the property. One of the known hazards of living in wooded mountainous areas is the risk of wildfires. We do not believe the general public should be burdened with the obvious cost-shifting by the few who personally and voluntarily choose to build in areas of known fire hazards. Fire mitigation should be borne by the benefiting landowner personally, not distributing this expense across the general public.

HB-1225 Increase in Business Personal Property Tax Exemption.

Gradually raises the business personal property tax exemption. PASSED. House 63/0/2, Senate 34/0/1, (Rep. Rice/Sen. Williams) Governor SIGNED. **CUT votes YES.** This bill, by increasing the exemption, reduces the amount of personal property being re-taxed every year.

HB-1255 Teacher Loan Forgiveness.

Expands the Teacher Loan Forgiveness Program to more rural areas, extends the expiration date out six more years, and increases the amount teachers may qualify for by 25%, to \$10,000 over four years. PASSED. House 61/3/1, Senate 32/2/1, (Rep. Gardner, Sen. Gibbs). Governor SIGNED. **CUT votes NO.** One of the most objectionable provisions of this bill states that "At the end of any fiscal year, all unexpended and unencumbered moneys in the fund shall remain therein and shall not be

credited or transferred to the general fund or any other fund." This means that if teachers stop taking advantage of the program, or if the program otherwise proves to be over-funded, the money just sits there, unavailable for other state expenses, thereby possibly increasing the burden on taxpayers above and beyond the program's \$148,000 annual price tag beginning in 2010. CUT also objects to special legislation benefiting only one small group.

HB-1278 Exercise Power of Eminent Domain by Regional Transportation District

The bill requires that RTD only use its eminent domain power to acquire property for public transportation and for related purposes such as parking garages. Requires RTD to follow, the extent practicable, the same eminent domain procedures as the Colorado Department of Transportation. Prohibits RTD from selling to private parties the property rights it acquires by eminent domain. House 60/1/4. Senate Committee on Local Government 0/6/1 POSTPONED INDEFINITELY (Reps. Summers/Sen. Tochtrop). **CUT votes Yes.** RTD has abused its eminent domain powers by acquiring property for office building and retail development, thus robbing the property owners of their own rights to develop the property. Further, RTD's eminent domain procedures are rigged so that RTD can take property at unfairly low prices.

HB-1335 Building Excellent Schools Today Act.

In summary, the bill consolidates several sources of revenue currently used for capital construction into one account, the Public School Capital Construction Assistance Fund. The Colorado Department of Education (CDE) is authorized to enter lease purchase agreements or issue grants from the fund with school districts or Boards of Cooperative Services (BOCES). PASSED. House 63/1/1, Senate 29/ 5/1, (Rep. Romanoff, Sen. Groff). Governor SIGNED. **CUT votes NO.** This legislation eliminates an eleven year \$190 million expenditure on capital construction for school district capital improvements and replaces it with an unlimited and ongoing obligation of \$20 million each year. It also removes caps on Department of Labor inspection fees. Both changes will increase the taxpayer burden in the form of a new entitlement and increased "fees."

Key Bill Summaries continued 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 This 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.

2008 Taxpayer Champions



Senate Champion Dave Schultheis

Taxes are the fertilizer of government growth. Stop feeding it and it will begin to atrophy. Provide government less tax dollars and more freedom will result. As government grows, it usurps the roles of charities, churches, families, etc. Government continues to abuse the taxpayer by blatant mismanagement of its resources and an unwillingness to restrain itself and will never seek efficiency and prioritize unless it has less money from which to operate. Since savings are never returned to the taxpayer, any effort that "saves" money only allows those "saved" dollars to be used for more inefficient programs or to increase existing programs. "



House Champion Douglas Bruce

"OK, now you know the secret of my notoriety. I keep my chats with the tax-and-spend crowd very short. I just say "no." It is my favorite word."

2008 Taxpayer Guardians



Senate Guardian Bill Cadman

"I am thrilled to be recognized by CUT as a protector of Colorado taxpayers. With personal budgets being squeezed so tightly, government needs to tighten its belt -- not grow its WASTE-LINE."



House Guardian Kent Lambert

"The pressure to vote for more big government has never been greater. CUT is the best organization to give citizens an objective summary of how their elected officials set their priorities on spending and voting. Taxpayers should be outraged!"

untried processes conceived by inexperienced start-up firms, nor should it require that the processes be sent to lower school teachers. Commercial success is optional. This is an emergency bill?

HB-1025 Governor's Energy Office

This bill establishes the Governor's Energy Office. Colorado is the home of the National Renewable Energy Laboratory (NREL) and many private-sector Colorado-based companies specializing in energy and conservation issues. PASSED. House 56/7/2, Senate 20/13/2 (Rep. Weissmann / Sen. Tupa). Governor SIGNED. **CUT votes NO.** When Colorado has been blessed with so many public and private sector organizations addressing energy and conservation needs, this bill is viewed as a blatant unnecessary increase in governmental bureaucracy.

HB-1033 Tax Credit for Historic Preservation.

Extends for 10 years an income tax credit for qualified costs incurred in preservation of historic properties. PASSED. House 57/7/1, Senate 32/2/1, (Rep. Levy, Sen. Sandoval) Governor SIGNED. **CUT votes NO.** This bill shifts renovation costs to the taxpayers for property they don't even own. Since this bill reduces State revenue, there is less money available to be transferred to the Highway Users Tax Fund for transportation projects, a major priority for Coloradoans. HB-1033 will cost taxpayers \$565,000 in fiscal year 2009/10, and \$1,130,000 annually from 2010/11 through 2018/19.

HB 1049 Extension Income Tax Credit for Child Care Facilities

This bill concerns the extension of years for which a taxpayer may claim the income tax credit for child care facilities. PASSED. House 61/2/2; Senate 32/2/1 (Rep. Benefield / Sen. Groff). Governor SIGNED. **CUT votes NO.** CUT is opposed to all tax credits that benefit the few at the expense of cost-shifting on the general public.

HB-1108 Increase Funds to Older Coloradans.

Boosts by \$3 Million funding to local agencies to buy home-delivered meals, private transportation and personal care for the elderly. PASSED. House 50/14/1, Senate 27/7/1 (Rep. Reisberg, Sen. Morse), Governor SIGNED. **CUT votes NO.** One

Key Bill Summaries continued on page 8

