

## Amendment 60 Property Taxes

1 **Amendment 60 proposes amending the Colorado Constitution to:**

- 2       ♦ repeal the current voter-approved authority of local governments to  
3       keep property taxes above their constitutional limits;
- 4       ♦ establish expiration dates for future voter-approved property tax  
5       increases;
- 6       ♦ cut local property tax rates for public schools' operating expenses in half  
7       over ten years and replace this money with state funding each year;
- 8       ♦ require publicly owned enterprises to pay property taxes and reduce  
9       local property tax rates to offset the new revenue; and
- 10       ♦ provide new voting rights to certain property owners in Colorado and  
11       permit citizens to petition all local governments to reduce property  
12       taxes.

13 **Summary and Analysis**

14       Amendment 60 changes several aspects of Colorado's property tax system to  
15       reduce the amount of property taxes paid by individuals and businesses to school  
16       districts, counties, special districts, cities, and towns. The measure phases in a  
17       reduction in school district property taxes over ten years and requires that the reduced  
18       property taxes be replaced with state funding. Table 1 shows the projected impact of  
19       the amendment in today's dollars on an average homeowner and commercial  
20       business, school districts, and state government, in both the first year and when the  
21       measure is fully implemented. The fully implemented impacts provide the best  
22       projections of the measure's final effects.

23       In the first year, property taxes for school districts are expected to fall by  
24       \$337 million, which the measure requires the state to replace. This represents a  
25       property tax reduction of the same amount for individuals and businesses. An  
26       average homeowner's property tax bill is projected to fall by \$87 and the property  
27       taxes for an average commercial business are estimated to fall by \$1,181.

28       When the measure is fully implemented, the property tax reduction for school  
29       districts is estimated to increase the state's obligation for kindergarten through twelfth  
30       grade education (K-12) by \$1.5 billion, which represents a property tax decrease of the  
31       same amount for individuals and businesses. An average homeowner will pay  
32       \$376 less and an average commercial business will pay \$5,106 less in property taxes  
33       annually. In future years, the actual amounts will differ as inflation and growth  
34       increase the size of the economy, but the comparable budget impacts on taxpayers  
35       and governments are expected to remain consistent over time. Cities, towns,

1 counties, and special districts will also lose property taxes, but the amount will vary by  
 2 locality.

3 **Table 1. Selected Impacts of Amendment 60**

Impacted Group	Current Law	Amendment 60		Difference	
		First Year	Fully Implemented	First Year	Fully Implemented
<b>Impacts on Average Taxpayers</b>					
Property Tax Payment for Average Homeowner (\$295,000 home)	\$1,638	\$1,551	\$1,262	-\$87	-\$376
Property Tax Payment for Average Commercial Business Owner with a Value of \$1.1 million	\$22,254	\$21,073	\$17,148	-\$1,181	-\$5,106
<b>K-12 Education Funding Shift</b>					
Property Tax Collections for School Districts	\$3.3 billion	\$3.0 billion	\$1.8 billion	-\$0.3 billion	-\$1.5 billion
State Expenditures for K-12 Education	\$3.7 billion	\$4.0 billion	\$5.2 billion	\$0.3 billion	\$1.5 billion

20 **Background and current law.** Property taxes are based primarily on the value of  
 21 land, houses, other buildings, and business equipment. Individuals and businesses  
 22 pay property taxes to various local governments, such as cities, counties, school  
 23 districts, and special districts, each of which imposes its own tax rate on property.  
 24 School districts and counties receive approximately 77 percent of all property taxes  
 25 collected. Publicly owned enterprises, such as city water and sewer systems,  
 26 municipal airports, and most state universities, are exempt from paying property tax.

27 Property taxes are spent on a variety of local government services, including public  
 28 education, police and fire services, roads and bridges, public water and sewer  
 29 systems, parks and recreation facilities, hospitals, and libraries. The degree to which  
 30 local governments rely on property taxes to pay for services varies. Some special  
 31 districts, such as fire protection districts, get almost all of their revenue from property  
 32 taxes, while many city governments get less than 5 percent of their funding from  
 33 property taxes.

34 **Constitutional limits on property taxes.** The state constitution currently restricts  
 35 both the amount of total revenue and property tax revenue that a local government  
 36 can collect each year. Annual increases for each are capped at the rate of inflation  
 37 plus a measure of local growth, such as student enrollment in the case of a school  
 38 district. The constitution also requires voter approval for a local government to

1 increase property tax rates or to keep and spend total revenue or property tax revenue  
2 above the government's constitutional limit.

3 ***How does Amendment 60 change how public schools are funded?*** Public  
4 schools in Colorado are funded from a combination of federal, state, and local  
5 sources. Voters in some school districts have approved additional property taxes to  
6 repay loans used to build schools or other buildings. In these districts, there is a  
7 property tax for operating schools and a separate property tax to repay loans.  
8 Amendment 60 requires all districts to cut their 2011 property tax rates for operating  
9 schools in half by 2020. Property tax rates for repaying loans are unchanged. The  
10 required reduction in tax rates must be done in equal yearly amounts over ten years.  
11 Amendment 60 requires the local school district funding eliminated by this rate  
12 reduction to be replaced each year with state funding.

13 ***How does Amendment 60 affect the state budget?*** Currently, the state spends  
14 most of its general operating budget on: preschool through higher education; health  
15 care; prisons; the courts; and programs that help low-income, elderly, and disabled  
16 people. K-12 education funding accounts for 46 percent of this budget, which is  
17 primarily funded by sales and income taxes. Because Amendment 60 requires that  
18 the reduction in local property tax revenue be replaced with state funding, the  
19 obligation for public schools will increase to an estimated 67 percent of the state's  
20 general operating budget, once the measure is fully implemented. To meet this  
21 increased obligation to schools, the state will have to decrease spending and services  
22 in other areas, increase fees for services, or some combination of both.

23 ***How does Amendment 60 affect property taxes for all local governments?***  
24 Like school districts, cities, counties, and special districts are also funded from a  
25 combination of federal, state, and local sources. Under current law, taxpayers in many  
26 communities have voted to broadly exempt their local governments from the  
27 constitutional limit related to total revenue and spending. Currently, voters in  
28 76 percent of municipalities, 81 percent of counties, and 98 percent of school districts  
29 have voted to allow government to keep and spend revenue above the constitutional  
30 limit, either temporarily or permanently. This measure would reimpose a property tax  
31 limit for those governments, leaving the broader revenue exemption unchanged.

32 Beginning in 2011, Amendment 60 repeals the current voter-approved authority of  
33 local governments to permanently keep property taxes above their constitutional limits.  
34 Local governments are not required to refund the property taxes that were retained in  
35 the past. However, local governments that collect property taxes above their property  
36 tax limit in the future will have to refund money. A new election must be held to allow  
37 a local government to keep future property taxes above its constitutional limit for up to  
38 four years at a time. The measure will also reduce the property tax collections of most  
39 local governments by reducing property tax rates, and limiting the duration of future  
40 property tax increases.

41 ***How does Amendment 60 affect publicly owned enterprises?*** Amendment 60  
42 requires publicly owned enterprises to pay property taxes. Under current law, state  
43 enterprises, such as most public universities, do not pay property taxes on campus

1 buildings or equipment. Similarly, local enterprises, such as Denver International  
2 Airport, pay no property taxes. The new property taxes collected from these publicly  
3 owned enterprises must be offset by lower property tax rates for homeowners,  
4 businesses, and other property taxpayers. For example, if the University of Colorado  
5 had to pay property taxes in Boulder County, its property tax bill is estimated to range  
6 from \$11 million to \$20 million per year, depending on how the property is valued.  
7 This new revenue would be offset by lower tax rates in Boulder County, providing  
8 property owners in the county with tax reductions in the same amount. The  
9 amendment prohibits publicly owned enterprises from charging either a mandatory fee  
10 or a tax on property.

11 ***How does Amendment 60 change property tax elections?*** Amendment 60  
12 proposes changing several aspects of the way property tax issues are addressed in  
13 local elections. Under current law, a property owner who is a registered Colorado  
14 voter may vote on ballot questions in his or her primary place of residence and in  
15 special district elections wherever he or she owns property in Colorado.  
16 Amendment 60 allows Colorado property owners to vote on city, county, and school  
17 district property tax issues in any Colorado location where they own property,  
18 regardless of their primary place of residence in the state.

19 Under current law, citizens may petition cities to increase or decrease property  
20 taxes, but may not petition counties, schools, or special districts. Under this measure,  
21 all local governments must permit petitions to lower property taxes.

22 Typically, when a local community has voted to permanently exempt its local  
23 government from the constitutional limit on property tax collections, that  
24 voter-approved decision is not automatically repealed at a future date. Under  
25 Amendment 60, any future vote to allow a local government to retain revenue above  
26 its constitutional limit is repealed within four years after passage. Any future vote to  
27 increase property tax rates is repealed within ten years. Any extension of an expiring  
28 property tax is considered to be a tax increase under the measure, and as such, must  
29 be presented as a tax increase on the ballot.

30 Currently, a single ballot question may ask voters if a local government may  
31 borrow money, and if property tax rates may be increased to repay that loan. Under  
32 this measure, ballot questions that allow a government to borrow money must be  
33 separate from ballot questions that raise property taxes.

34 ***How is Amendment 60 enforced?*** The amendment requires the state to  
35 annually audit all cities, counties, school districts, and other types of local  
36 governments to ensure compliance with all requirements of the amendment. Citizens  
37 are also allowed to file lawsuits to enforce compliance.

38 ***How does Amendment 60 interact with two other measures on the ballot?***  
39 Amendment 60 along with Amendment 61 (see page x) and Proposition 101  
40 (see page x) contain provisions that affect state and local government finances by  
41 decreasing taxes paid by households and businesses and restricting government

1 borrowing. How these measures work together may require clarification from the state  
2 legislature or the courts.

3 Amendment 60 reduces local property taxes, while requiring state expenditures for  
4 K-12 education to increase by an amount that offsets the property tax loss for school  
5 districts. Amendment 61 requires state and local governments to decrease tax rates  
6 when debt is repaid, which is assumed in this analysis to apply to the existing debt of  
7 state and local governments, and it prohibits any borrowing by state government.  
8 Proposition 101 reduces state and local government taxes and fees.

9 Since portions of these measures are phased in over time, the actual impacts to  
10 taxpayers and governments will be less in the initial years of implementation and grow  
11 over time. Assuming that all three measures are approved by voters, the first-year  
12 impact will be to reduce state taxes and fees by \$744 million and increase state  
13 spending for K-12 education by \$385 million. Once fully implemented, the measures  
14 are estimated to reduce state taxes and fees by \$2.1 billion and increase state  
15 spending for K-12 education by \$1.6 billion in today's dollars. This would commit  
16 almost all of the state's general operating budget to paying for the constitutional and  
17 statutory requirements of K-12 education, leaving little for other government services.  
18 In addition, the prohibition on borrowing will increase budget pressures for the state if  
19 it chooses to pay for capital projects from its general operating budget. This would  
20 further reduce the amount of money available for other government services.

21 Tax and fee collections for local governments are expected to fall by at least  
22 \$966 million in the first year of implementation and by \$4.7 billion when the measures  
23 are fully implemented. However, the net impact on local government budgets would  
24 be at least \$581 million in the first year and \$3.1 billion when fully implemented after  
25 the state reimburses school districts.

26 Total taxes and fees paid by households and businesses are estimated to  
27 decrease by \$1.7 billion in the first year and \$6.8 billion per year in today's dollars  
28 when the measures are fully implemented. The measures reduce the taxes and fees  
29 owed by an average household making \$55,000 per year that owns a \$295,000 house  
30 by an estimated \$400 in the first year and \$1,660 per year when fully implemented.

## 31 **Arguments For**

32 1) Amendment 60 provides property tax relief for Coloradans in a tough economic  
33 climate without reducing K-12 education funding. For example, the measure will  
34 provide seniors who recently lost a property tax exemption with additional tax relief.  
35 Allowing business owners to keep more of their income may spur investment and help  
36 the economy recover more quickly. School funding is unchanged because the state is  
37 required to replace the local property taxes phased out by the amendment with state  
38 funding.

39 2) Amendment 60 strengthens citizen control over local government taxes by  
40 setting tax expiration dates and requiring that an extension of an expiring tax be

1 presented to the voters as a tax increase. The amendment also allows citizens to  
2 petition local governments to lower taxes, and it prevents unelected boards, such as  
3 the Denver Water Board, from imposing mandatory fees or taxes on property. In  
4 addition, limiting votes on property taxes to November elections, when voter turnout is  
5 typically higher, may lead to greater citizen awareness and participation.

6 3) Amendment 60 removes a competitive advantage that publicly owned  
7 enterprises have over private businesses. Unlike private facilities, publicly owned  
8 enterprises, such as parking lots and golf courses, do not currently pay property taxes.  
9 The additional revenue will lower the local property tax rate, providing further relief for  
10 property owners in the district.

## 11 **Arguments Against**

12 1) Amendment 60 overturns nearly two decades of voter-approved tax decisions  
13 that fund important services provided by counties, cities, school districts, and special  
14 districts. The amendment enables voters statewide, in this election, to reverse  
15 hundreds of decisions of local voters to fund services like fire and police protection,  
16 roads, parks and recreational facilities, water and sewer systems, and libraries. Local  
17 voters are best equipped to choose the level and type of services needed in their  
18 communities and the means to pay for those services.

19 2) Amendment 60 will require the state to cut funding for many important services,  
20 which may result in job losses throughout Colorado. Because the state constitution  
21 requires that the state have a balanced budget and limits the ability of the legislature  
22 to raise taxes, every new dollar spent on education will be taken away from other  
23 services. The \$1.5 billion increase in state K-12 education spending nearly equals the  
24 amount the state currently spends on courts, prisons, and human services. This  
25 amendment requires the state to spend so much more on public schools that these or  
26 other state functions will have to be cut or eliminated in order to keep the state budget  
27 balanced.

28 3) Amendment 60 may leave many citizens worse off financially, depending on  
29 where they live. People who live in areas with few publicly owned enterprises, such as  
30 the eastern plains, will receive some property tax reductions, but may pay more in fees  
31 to use the services of public enterprises located elsewhere. For example, if the  
32 University of Colorado must pay property taxes, students statewide may pay more in  
33 tuition, but property owners in Boulder County will get most of the tax savings.  
34 Similarly, if Denver International Airport must pay property taxes, airline customers  
35 statewide may pay more in fees, but only property owners in Denver will get the  
36 property tax reduction.

## 37 **Estimate of Fiscal Impact**

38 **Local revenue.** Amendment 60 reduces property taxes for individuals and  
39 business in several ways. This reduces the amount of tax revenue that cities,

# Final Draft

1 counties, school districts, and special districts will receive. The measure phases in a  
2 reduction in school district property taxes over ten years. In the first year, school  
3 district property taxes are projected to fall by \$337 million, reducing property taxes  
4 paid by an average homeowner and an average business owner by \$87 and \$1,181,  
5 respectively. Once the measure is fully implemented, property taxes are estimated to  
6 fall by \$1.5 billion annually in today's dollars, reducing property taxes paid by an  
7 average homeowner and an average business owner by approximately \$376 per year  
8 and \$5,106 per year, respectively. Additionally, local governments currently  
9 authorized to keep property tax revenue in excess of the constitutional limit, will have  
10 their property tax revenue reduced by an indeterminate amount.

11 **State expenditures.** By reducing the amount of local property taxes collected for  
12 school districts, statewide expenditures for public schools will increase by an  
13 estimated \$337 million in the first year of implementation and by \$1.5 billion per year in  
14 today's dollars once the measure is fully implemented. To meet this increased  
15 obligation to schools, the state will have to decrease spending and services in other  
16 areas, increase fees for services, or enact some combination of both.

17 The state must make a yearly audit of compliance with the property tax provisions  
18 and strictly enforce all requirements in the amendment. The Office of the State  
19 Auditor is responsible for reporting the financial and operational performance of  
20 agencies of state government; however, the office does not have a process for  
21 auditing local government compliance with property tax laws. Amendment 60 expands  
22 the obligations of the State Auditor's Office. It is estimated that this provision will  
23 require the addition of 1.5 new staff to coordinate year-round auditing of local  
24 government and to manage contracting with independent certified public accounting  
25 (CPA) firms. The cost for these new staff and CPA contracts is estimated to be  
26 \$800,000 each year.

# Michael Johnson, Kutak Rock

## Amendment 60 Property Taxes

### 1 **Amendment 60 proposes amending the Colorado Constitution to:**

- 2       ♦ repeal the current voter-approved authority of local governments to  
3       keep property taxes above their constitutional limits;
- 4       ♦ establish expiration dates for future voter-approved property tax  
5       increases;
- 6       ♦ cut local property tax rates for public schools' operating expenses in half  
7       over ten years and replace this money with state AID funding each year;
- 8       ♦ require publicly owned enterprises to pay property taxes and reduce  
9       local property tax rates to offset the new revenue; and
- 10      ♦ provide new voting rights to certain property owners in Colorado,  
11      RESTRICT CERTAIN EXISTING VOTING RIGHTS OF COLORADO VOTERS, and  
12      permit citizens to petition all local governments to reduce property  
13      taxes.

### 14 **Summary and Analysis**

15       Amendment 60 changes several aspects of Colorado's property tax system to  
16       reduce the amount of property taxes paid by individuals and businesses to school  
17       districts, counties, special districts, cities, AND towns. The measure phases in a  
18       reduction in school district property taxes over ten years and requires that the reduced  
19       property taxes be replaced with state AID funding. Table 1 shows the projected impact  
20       of the amendment in today's dollars on an average homeowner and commercial  
21       business, school districts, and state government, in both the first year and when the  
22       measure is fully implemented. The fully implemented impacts provide the best  
23       projections of the measure's final effects.

24       In the first year, property taxes for school districts are expected to fall by  
25       \$337 million, which the measure requires the state to replace. This represents a  
26       property tax reduction of the same amount for individuals and businesses. An  
27       average homeowner's property tax bill is projected to fall by \$87 and the property  
28       taxes for an average commercial business are estimated to fall by \$1,181.

29       When the measure is fully implemented, the property tax reduction for school  
30       districts is estimated to increase the state's obligation for kindergarten through twelfth  
31       grade education (K-12) by \$1.5 billion, which represents a property tax decrease of the  
32       same amount for individuals and businesses. An average homeowner will pay  
33       \$376 less and an average commercial business will pay \$5,106 less in property taxes  
34       annually. In future years, the actual amounts will differ as inflation and growth  
35       increase the size of the economy, but the comparable budget impacts on taxpayers

# Michael Johnson, Kutak Rock

1 and governments are expected to remain consistent over time. Cities, towns,  
 2 counties, and special districts will also lose property taxes, but the amount will vary by  
 3 locality.

4 **Table 1. Selected Impacts of Amendment 60**

Impacted Group	Current Law	Amendment 60		Difference	
		First Year	Fully Implemented	First Year	Fully Implemented
<b>Impacts on Average Taxpayers</b>					
Property Tax Payment for Average Homeowner (\$295,000 home)	\$1,638	\$1,551	\$1,262	-\$87	-\$376
Property Tax Payment for Average Commercial Business Owner with a Value of \$1.1 million	\$22,254	\$21,073	\$17,148	-\$1,181	-\$5,106
<b>K-12 Education Funding Shift</b>					
Property Tax Collections for School Districts	\$3.3 billion	\$3.0 billion	\$1.8 billion	-\$0.3 billion	-\$1.5 billion
State Expenditures for K-12 Education	\$3.7 billion	\$4.0 billion	\$5.2 billion	\$0.3 billion	\$1.5 billion

21 **Background and current law.** Property taxes are based primarily on the value of  
 22 land, houses, other buildings, and business equipment. Individuals and businesses  
 23 pay property taxes to various local governments, such as cities, counties, school  
 24 districts, and special districts, each of which imposes its own tax rate on property.  
 25 School districts and counties receive approximately 77 percent of all property taxes  
 26 collected. Publicly owned enterprises, such as city water and sewer systems,  
 27 municipal airports, and most state universities, are exempt from paying property tax.

28 Property taxes are spent on a variety of local government services, including public  
 29 education, police and fire services, roads and bridges, public water and sewer  
 30 systems, parks and recreation facilities, hospitals, and libraries. The degree to which  
 31 local governments rely on property taxes to pay for services varies. Some special  
 32 districts, such as fire protection districts, get almost all of their revenue from property  
 33 taxes, while many city governments get less than 5 percent of their funding from  
 34 property taxes.

35 **Constitutional limits on property taxes.** The state constitution currently restricts  
 36 both the amount of total revenue and property tax revenue that a local government  
 37 can collect each year. Annual increases for each are capped at the rate of inflation  
 38 plus a measure of local growth, such as student enrollment in the case of a school  
 39 district. The constitution also requires voter approval for a local government to

## Michael Johnson, Kutak Rock

1 increase property tax rates or to keep and spend total revenue or property tax revenue  
2 above the government's constitutional limit.

3 **How does Amendment 60 change how public schools are funded?** Public  
4 schools in Colorado are funded from a combination of federal, state, and local  
5 sources. Voters in some school districts have approved additional property taxes to  
6 repay loans used to build schools or other buildings. In these districts, there is a  
7 property tax for operating schools and a separate property tax to repay loans.  
8 Amendment 60 requires all districts to cut their 2011 property tax rates for operating  
9 schools in half by 2020. Property tax rates for repaying loans are unchanged. The  
10 required reduction in tax rates must be done in equal yearly amounts over ten years.  
11 Amendment 60 requires the local school district funding eliminated by this rate  
12 reduction to be replaced each year with state AID funding.

13 **How does Amendment 60 affect the state budget?** Currently, the state spends  
14 most of its general operating budget on: preschool through higher education; health  
15 care; prisons; the courts; and programs that help low-income, elderly, and disabled  
16 people. K-12 education funding accounts for 46 percent of this budget, which is  
17 primarily funded by sales and income taxes. Because Amendment 60 requires that  
18 the reduction in local property tax revenue be replaced with state AID funding, the  
19 obligation for public schools will increase to an estimated 67 percent of the state's  
20 general operating budget, once the measure is fully implemented, ONLY IF AMENDMENT  
21 60 PASSES. ALMOST ALL OF THE STATE'S OPERATING BUDGET WILL GO TO K-12 SCHOOLS IF  
22 AMENDMENT 60 IS APPROVED BY THE VOTERS, ALONG WITH AMENDMENT 61 AND  
23 PROPOSITION 101. To meet this increased obligation to schools, the state will have to  
24 decrease spending and services in other areas, increase TAXES OR FEES for services,  
25 or some combination of both.

26 **How does Amendment 60 affect property taxes for all local governments?**  
27 Like school districts, cities, counties, and special districts are also funded from a  
28 combination of federal, state, and local sources. Under current law, taxpayers in many  
29 communities have voted to broadly exempt their local governments from the  
30 constitutional limit related to total revenue and spending. Currently, voters in  
31 76 percent of municipalities, 81 percent of counties, and 98 percent of school districts  
32 have voted to allow government to keep and spend revenue above the constitutional  
33 limit, either temporarily or permanently. This measure would reimpose a property tax  
34 limit for those governments, leaving the broader revenue exemption unchanged.

35 Beginning in 2011, Amendment 60 repeals the current voter-approved authority of  
36 local governments to permanently keep property taxes above their constitutional limits.  
37 Local governments are not required to refund the property taxes that were retained in  
38 the past. However, local governments that collect property taxes above their property  
39 tax limit in the future will have to refund money. A new election must be held to allow  
40 a local government to TEMPORARILY keep future property taxes above its constitutional  
41 limit for up to four years at a time. The measure will also reduce the property tax  
42 collections of most local governments by reducing property tax rates, and limiting the  
43 duration of future property tax increases.

## Michael Johnson, Kutak Rock

1       **How does Amendment 60 affect publicly owned enterprises?** Amendment 60  
2 requires publicly owned enterprises to pay property taxes. Under current law, state  
3 enterprises, such as most public universities, do not pay property taxes on campus  
4 buildings or equipment. Similarly, local enterprises, such as Denver International  
5 Airport, pay no property taxes. The new property taxes collected from these publicly  
6 owned enterprises must be offset by lower property tax rates for homeowners,  
7 businesses, and other property taxpayers. For example, if the University of Colorado  
8 had to pay property taxes in Boulder County, its property tax bill is estimated to range  
9 from \$11 million to \$20 million per year, depending on how the property is valued.  
10 This new revenue would be offset by lower tax rates in Boulder County, providing  
11 property owners in the county with tax reductions in the same amount. The  
12 amendment prohibits publicly owned enterprises from charging either a mandatory fee  
13 or a tax on property.

14       **How does Amendment 60 change property tax elections?** Amendment 60  
15 proposes changing several aspects of the way property tax issues are addressed in  
16 local elections. Under current law, a property owner who is a registered Colorado  
17 voter may vote on ballot questions in his or her primary place of residence and in  
18 special district elections wherever he or she owns property in Colorado.  
19 Amendment 60 allows Colorado property owners to vote on city, county, and school  
20 district property tax issues in any Colorado location where they own property,  
21 regardless of their primary place of residence in the state.

22       Under current law, citizens may petition cities to increase or decrease property  
23 taxes, but may not petition counties, schools, or special districts. Under this measure,  
24 all local governments must permit petitions to lower property taxes.

25       Typically, when a local community has voted to permanently exempt its local  
26 government from the constitutional limit on property tax collections, that  
27 voter-approved decision is not automatically repealed at a future date. Under  
28 Amendment 60, any future vote to allow a local government to retain revenue above  
29 its constitutional limit is repealed within four years after passage. Any future vote to  
30 increase property tax rates is repealed within ten years. Any extension of an expiring  
31 property tax is considered to be a tax increase under the measure, and as such, must  
32 be presented as a tax increase on the ballot.

33       Currently, a single ballot question may ask voters if a local government may  
34 borrow money, and if property tax rates may be increased to repay that loan. Under  
35 this measure, ballot questions that allow a government to borrow money must be  
36 separate from ballot questions that raise property taxes.

37       **[Comment:** *The Amendment restricts Colorado voters' existing right to vote for*  
38 *permanent broad form deBrucing (affirmed by the Co Sup Ct in the two Havens*  
39 *cases), restricting that right to voting for only a four year deBrucing, property tax*  
40 *increases limited to 10 years (currently unlimited with local voter approval), debt and*  
41 *property taxes must be voted separately (currently local voters may approve in one*  
42 *question if they so choose), property tax elections only in November (currently voters*  
43 *can vote either in November or at a regular biennial election), certain local voter*  
44 *approved tax increases listed in section (c) are "expired."*

## Michael Johnson, Kutak Rock

1     *You should find a home for this list somewhere in this summary - voters should be*  
2     *clearly informed re what they are giving up by voting yes on this Amendment.]*

3             **How is Amendment 60 enforced?** The amendment requires the state to  
4     annually audit all cities, counties, school districts, and other types of local  
5     governments to ensure compliance with all requirements of the amendment. Citizens  
6     are also allowed to file lawsuits to enforce compliance.

7             **How does Amendment 60 interact with two other measures on the ballot?**  
8     Amendment 60 along with Amendment 61 (see page x) and Proposition 101  
9     (see page x) contain provisions that affect state and local government finances by  
10    decreasing taxes paid by households and businesses and restricting government  
11    borrowing. How these measures work together may require clarification from the state  
12    legislature or the courts.

13            Amendment 60 reduces local property taxes, while requiring state expenditures for  
14    K-12 education to increase by an amount that offsets the property tax loss for school  
15    districts. Amendment 61 requires state and local governments to decrease tax rates  
16    when debt is repaid, which is assumed in this analysis to apply to the existing debt of  
17    state and local governments, and it prohibits any borrowing by state government.  
18    Proposition 101 reduces state and local government taxes and fees.

19            Since portions of these measures are phased in over time, the actual impacts to  
20    taxpayers and governments will be less in the initial years of implementation and grow  
21    over time. Assuming that all three measures are approved by voters, the first-year  
22    impact will be to reduce state taxes and fees by \$744 million and increase state  
23    spending for K-12 education by \$385 million. Once fully implemented, the measures  
24    are estimated to reduce state taxes and fees by \$2.1 billion and increase state  
25    spending for K-12 education by \$1.6 billion in today's dollars. This would commit  
26    almost all of the state's general operating budget to paying for the constitutional and  
27    statutory requirements of K-12 education, leaving little for other government services.  
28    In addition, the prohibition on borrowing will increase budget pressures for the state if  
29    it chooses to pay for capital projects from its general operating budget. This would  
30    further reduce the amount of money available for other government services.

31            Tax and fee collections for local governments are expected to fall by at least  
32    \$966 million in the first year of implementation and by \$4.7 billion when the measures  
33    are fully implemented. However, the net impact on local government budgets would  
34    be at least \$581 million in the first year and \$3.1 billion when fully implemented after  
35    the state reimburses school districts.

36            Total taxes and fees paid by households and businesses are estimated to  
37    decrease by \$1.7 billion in the first year and \$6.8 billion per year in today's dollars  
38    when the measures are fully implemented. The measures reduce the taxes and fees  
39    owed by an average household making \$55,000 per year that owns a \$295,000 house  
40    by an estimated \$400 in the first year and \$1,660 per year when fully implemented.

# Michael Johnson, Kutak Rock

## 1     **Arguments For**

2           1) Amendment 60 provides property tax relief for Coloradans in a tough economic  
3 climate without reducing K-12 education funding. For example, the measure will  
4 provide seniors who recently lost a property tax exemption with additional tax relief.  
5 Allowing business owners to keep more of their income may spur investment and help  
6 the economy recover more quickly. School funding is unchanged because the state is  
7 required to PROVIDE STATE AID TO replace the local property taxes phased out by the  
8 amendment ~~with state funding~~.

9           2) Amendment 60 ~~strengthens citizen control over local government taxes~~  
10 REPLACES LOCAL CITIZEN CONTROL OVER LOCAL GOVERNMENT TAXES WITH STATE LEVEL  
11 CONSTITUTIONAL RULES by setting tax expiration dates and requiring that an extension  
12 of an expiring tax be presented to the voters as a tax increase. The amendment also  
13 allows citizens to petition local governments to lower taxes, and it prevents unelected  
14 boards, such as the Denver Water Board, from imposing mandatory fees or taxes on  
15 property. In addition, limiting votes on property taxes to November elections, when  
16 voter turnout is typically higher, may lead to greater citizen awareness and  
17 participation.

18           3) Amendment 60 removes a competitive advantage that publicly owned  
19 enterprises have over private businesses. Unlike private facilities, publicly owned  
20 enterprises, such as parking lots and golf courses, do not currently pay property taxes.  
21 The additional revenue will lower the local property tax rate, providing further relief for  
22 property owners in the district.

## 23    **Arguments Against**

24           1) Amendment 60 overturns nearly two decades of voter-approved tax decisions  
25 that fund important services provided by counties, cities, school districts, and special  
26 districts. The amendment enables voters statewide, in this election, to reverse  
27 hundreds of decisions of local voters to fund services like fire and police protection,  
28 roads, parks and recreational facilities, water and sewer systems, and libraries. Local  
29 voters are best equipped to choose the level and type of services needed in their  
30 communities and the means to pay for those services.

31           2) Amendment 60 will require the state to cut funding for many important services,  
32 which may result in job losses throughout Colorado. Because the state constitution  
33 requires that the state have a balanced budget and limits the ability of the legislature  
34 to raise taxes, every new dollar spent on education will be taken away from other  
35 services. The \$1.5 billion increase in state K-12 education spending nearly equals the  
36 amount the state currently spends on courts, prisons, and human services. This  
37 amendment requires the state to spend so much more on public schools that these or  
38 other state functions will have to be cut or eliminated in order to keep the state budget  
39 balanced.

# Michael Johnson, Kutak Rock

1           3) Amendment 60 may leave many citizens worse off financially, depending on  
2 where they live. People who live in areas with few publicly owned enterprises, such as  
3 the eastern plains, will receive some property tax reductions, but may pay more in fees  
4 to use the services of public enterprises located elsewhere. For example, if the  
5 University of Colorado must pay property taxes, students statewide may pay more in  
6 tuition, but property owners in Boulder County will get most of the tax savings.  
7 Similarly, if Denver International Airport must pay property taxes, airline customers  
8 statewide may pay more in fees, but only property owners in Denver will get the  
9 property tax reduction.

## 10       **Estimate of Fiscal Impact**

11           **Local revenue.** Amendment 60 reduces property taxes for individuals and  
12 business in several ways. This reduces the amount of tax revenue that cities,  
13 counties, school districts, and special districts will receive. The measure phases in a  
14 reduction in school district property taxes over ten years. In the first year, school  
15 district property taxes are projected to fall by \$337 million, reducing property taxes  
16 paid by an average homeowner and an average business owner by \$87 and \$1,181,  
17 respectively. Once the measure is fully implemented, property taxes are estimated to  
18 fall by \$1.5 billion annually in today's dollars, reducing property taxes paid by an  
19 average homeowner and an average business owner by approximately \$376 per year  
20 and \$5,106 per year, respectively. Additionally, local governments currently  
21 authorized to keep property tax revenue in excess of the constitutional limit, will have  
22 their property tax revenue reduced by an indeterminate amount.

23           **State expenditures.** By reducing the amount of local property taxes collected for  
24 school districts, statewide expenditures for public schools will increase by an  
25 estimated \$337 million in the first year of implementation and by \$1.5 billion per year in  
26 today's dollars once the measure is fully implemented. To meet this increased  
27 obligation to schools, the state will have to decrease spending and services in other  
28 areas, increase fees for services, or enact some combination of both.

29           The state must make a yearly audit of compliance with the property tax provisions  
30 and strictly enforce all requirements in the amendment. The Office of the State  
31 Auditor is responsible for reporting the financial and operational performance of  
32 agencies of state government; however, the office does not have a process for  
33 auditing local government compliance with property tax laws. Amendment 60 expands  
34 the obligations of the State Auditor's Office. It is estimated that this provision will  
35 require the addition of 1.5 new staff to coordinate year-round auditing of local  
36 government and to manage contracting with independent certified public accounting  
37 (CPA) firms. The cost for these new staff and CPA contracts is estimated to be  
38 \$800,000 each year.

## **MICHAEL JOHNSON'S COMMENTS (KUTAK ROCK LAW FIRM) ON LAST DRAFT OF AMENDMENT 60**

### **PAGE 1**

line 7 delete "fully" and replace "funding" with "aid". The Amendment does not include the word "fully" and it uses "aid" instead of "funding." It is possible that the legislature, in enacting enabling/interpetive legislation, and/or the courts will determine the the aid need not be replaced dollar for dollar (ie, "fully") and that "aid" may in part take the form of something other than direct funding.

line 11 after "Colorado" insert ", restricts certain existing voting rights of Colorado voters". The Amendment restricts Colorado voters' existing right to vote for permanent broad form deBrucing (affirmed by the Co Sup Ct in the two Havens cases), restricting that right to voting for only a four year deBrucing, property tax increases limited to 10 years (currently unlimited with local voter approval), debt and property taxes must be voted separately (currently local voters may approve in one question if they so choose), property tax elections only in November (currently voters can vote either in November or at a regular biennial election), certain local voter approved tax increases listed in section (c) are "expired."

You should find a home for this list somewhere in this summary - voters should be clearly informed re what they are giving up by voting yes on this Amendment.

line 19 replace "funding" with "aid" to conform to the Amendment. See comment on page 1, line 7.

### **PAGE 3**

line 10 replace "funding" with "aid" to conform to the Amendment. See comment on page 1, line 7.

line 16 replace "revenue" with aid to conform to the Amendment. See comment on page 1, line 7.

line 17 replace "funding" with "aid" to conform to the Amendment. See comment on page 1, line 7.

line 18 insert "if only Amendment 60 passes", add a parenthical statement (or almost all if all three measures pass) or something to that effect to tie in, conform to the statement on page 5, line 8 that "almost all" the state's operating budget will go to K-12 schools if all three measures pass.

line 20 after "increase" insert ", taxes or". A likely source of the additional state aid to local schools would be an increase in state taxes (subject of course to voter approval under TABOR).

line 32 after "temporarily" add ", for a limited period of four years," for accuracy.

#### **PAGE 4**

line 1 after "savings" insert "in the same amount" for accuracy.

#### **PAGE 5**

line 12 delete "save" and replace with "have their property taxes reduced by". As discussed in our last set of comments, a property tax reduction coupled with increases in fees and charges for services provided by enterprises and the other affects of 61 may not actually result in a "savings." It is however clear that property taxes will be reduced.

line 23 insert "provide state aid to" in front of "replace". See comment on page 1, line 7.

line 24 delete "strengthens citizen control over local government taxes" and replace with "replaces local citizen control over local government taxes with state level constitutional rules". The Amendment on balance removes local control over taxes by limiting what local voters can approve and replacing that local control with rules added to the state constitution. See the list from page 1, line 11 above. Consider adding that entire list from the page 1, line 11 comments here or, even better, in the "factual" summary with a cross reference back to the list here.

line 25 delete "allows voters to approve an extension of an expiring tax" and replace with "requires that any extension of an expiring tax be presented as a tax increase on the ballot" See accurate language on page 4, lines 19-21, which was included based on our emails regarding the Co Spgs v. Bruce case relating to how tax increases are voted.

## **RICH JONES AND WADE BUCHANAN COMMENTS ON LAST DRAFT OF AMENDMENT 60**

TO: Legislative Council Staff

FROM: Rich Jones and Wade Buchanan, Bell Policy Center

DATE: August 11, 2010

RE: Comments on the Third Draft of the Bluebook Analysis on Amendment 60

Thank you for giving us the opportunity to comment on the third draft of the Legislative Council staff's analysis of Amendment 60 relating to property taxes. Some of these comments will apply to Amendment 61 and Proposition 101 as well as the overall effects of the combination of the three proposals.

### **Overall Comments**

1. There is a conflict between the level of analysis used to show the amount of tax reductions to voters and the level of analysis used to show the effects of these reductions on services voters use. This ends up presenting voters with a distorted picture of the proposals' effects.

The analysis estimates the effects of Amendment 60 and the combination of Amendments 60 and 61 and Proposition 101 on the taxes retained by the average household, individual and business. These estimates show specific amounts for each type of taxpayer. However, the effects of Amendment 60 and the combination of all three proposals on state and local government services are described more generally.

As a result, voters can easily see what they might individually save in terms of tax reductions but are not shown how much they might lose in terms of services they use individually or services that go to their communities. Because voters have a hard time determining the effects of overall cuts in state and local government revenue on the services they use, this presents a biased picture of this proposal.

For example on page 5, lines 1-11, the amount of reductions in state and local government tax revenues are described in detail. However, the effect of these reductions on the ability of state and local governments to provide services funded by these revenues is not described. The analysis should explain that as revenues are reduced, governments will have to cut services, reduce services, charge additional fees for services or some combination of these actions. Unless this is clearly stated, voters will not have a good idea of the trade-offs associated with the reduction in tax revenues.

On page 5, lines 12-16, the estimated tax savings for an average household are presented. However, the effects of these reductions on the services used by the average family are not presented. We understand the difficulty of estimating how policy makers will respond to these reductions. However, the effects of committing all state reviews to funding K-12 education on the ability to provide other services to the average

family must to be presented so voters have a complete picture of the trade-offs associated with this amendment.

2. Amendment 60 when combined with Amendment 61 and Proposition 101 will significantly reduce government expenditures that will hurt Colorado's economy and trigger job losses. The economic effects of the combination of these proposals are not adequately presented in the Bluebook analysis.

An analysis conducted by Henry Sobanet at Colorado Strategies, shows that combined, the three proposals reduce revenues by \$6.3 billion. This will result in the direct loss of between 67,000 and 73,000 primary jobs statewide. Because many of these revenues go to pay private sector doctors, hospitals, private road construction firms and other vendors, nearly 60 percent of the projected jobs lost will be in the private sector statewide<sup>i</sup>. This does not include indirect job losses stemming from reduced spending by those unemployed. This level of job loss approaches the over 110 thousand jobs Colorado has lost in this recession.

There is only a passing reference to job losses in the arguments against on page 6, lines 5-6. The effects of this proposal on the state's economy and jobs needs to be discussed more prominently in the section describing how Amendment 60 interacts with the other two measures (page 4, lines 30-41 and page 5, lines 1-16).

3. The provision requiring enterprises to pay property taxes needs to indicate that they are likely to raise fees to cover the costs of these taxes.

On page 3, lines 35-44 and page 4, lines 1-2 the analysis describes the Amendment 60 requirement that enterprises must pay property taxes. It also points out that the amendment prohibits them from charging a mandatory fee or tax on property. However, it should also state that enterprises can and are likely to impose fees on services they provide to cover the costs of paying property taxes. The argument against on page 6, lines 17-18 points out that tuitions might go up so the University of Colorado can pay property taxes. This point needs to be included in the section on enterprises found on pages 3 and 4. Again, it is important that the Bluebook analysis present voters with all the effects of Amendment 60's provisions so they can make an informed decision.

Again, thank you for the opportunity to comment on this draft of the Bluebook analysis. Call or email us if you have any questions or would like additional information.

<sup>i</sup> "Working Paper on Proposition 101, Amendments 60 and 61", Henry Sobanet, Capitol Strategies, Updated July 8, 2010. <http://coloradostrategy.com/>

# David McDermott, State Controller

## Amendment 60 Property Taxes

### 1 **Amendment 60 proposes amending the Colorado Constitution to:**

- 2       ♦ repeal the current voter-approved authority of local governments to  
3       keep property taxes above their constitutional limits;
- 4       ♦ establish expiration dates for future voter-approved property tax  
5       increases;
- 6       ♦ cut local property tax rates for public schools' operating expenses in half  
7       over ten years and replace this money with state funding each year;
- 8       ♦ require publicly owned enterprises to pay property taxes and reduce  
9       local property tax rates to offset the new revenue; and
- 10      ♦ provide new voting rights to certain property owners in Colorado and  
11      permit citizens to petition all local governments to reduce property  
12      taxes.

### 13 **Summary and Analysis**

14       Amendment 60 changes several aspects of Colorado's property tax system to  
15       reduce the amount of property taxes paid by individuals and businesses to school  
16       districts, counties, special districts, cities, AND towns. The measure phases in a  
17       reduction in school district property taxes over ten years and requires that the reduced  
18       property taxes be replaced with state funding. Table 1 shows the projected impact of  
19       the amendment in today's dollars on an average homeowner and commercial  
20       business, school districts, and state government, in both the first year and when the  
21       measure is fully implemented. The fully implemented impacts provide the best  
22       projections of the measure's final effects.

23       In the first year, property taxes for school districts are expected to fall by  
24       \$337 million, which the measure requires the state to replace. This represents a  
25       property tax reduction of the same amount for individuals and businesses. An  
26       average homeowner's property tax bill is projected to fall by \$87 and the property  
27       taxes for an average commercial business are estimated to fall by \$1,181.

28       When the measure is fully implemented, the property tax reduction for school  
29       districts is estimated to increase the state's obligation for kindergarten through twelfth  
30       grade education (K-12) by \$1.5 billion, which represents a property tax decrease of the  
31       same amount for individuals and businesses. An average homeowner will pay  
32       \$376 less and an average commercial business will pay \$5,106 less in property taxes  
33       annually. In future years, the actual amounts will differ as inflation and growth  
34       increase the size of the economy, but the comparable budget impacts on taxpayers  
35       and governments are expected to remain consistent over time. Cities, towns,

# David McDermott, State Controller

1 counties, and special districts will also lose property taxes, but the amount will vary by  
 2 locality.

3 **Table 1. Selected Impacts of Amendment 60**

Impacted Group	Current Law	Amendment 60		Difference	
		First Year	Fully Implemented	First Year	Fully Implemented
<b>Impacts on Average Taxpayers</b>					
Property Tax Payment for Average Homeowner (\$295,000 home)	\$1,638	\$1,551	\$1,262	-\$87	-\$376
Property Tax Payment for Average Commercial Business Owner with a Value of \$1.1 million	\$22,254	\$21,073	\$17,148	-\$1,181	-\$5,106
<b>K-12 Education Funding Shift</b>					
Property Tax Collections for School Districts	\$3.3 billion	\$3.0 billion	\$1.8 billion	-\$0.3 billion	-\$1.5 billion
State Expenditures for K-12 Education	\$3.7 billion	\$4.0 billion	\$5.2 billion	\$0.3 billion	\$1.5 billion

20 **Background and current law.** Property taxes are based primarily on the value of  
 21 land, houses, other buildings, and business equipment. Individuals and businesses  
 22 pay property taxes to various local governments, such as cities, counties, school  
 23 districts, and special districts, each of which imposes its own tax rate on property.  
 24 School districts and counties receive approximately 77 percent of all property taxes  
 25 collected. Publicly owned enterprises, such as city water and sewer systems,  
 26 municipal airports, and most state universities, are exempt from paying property tax.

27 Property taxes are spent on a variety of local government services, including public  
 28 education, police and fire services, roads and bridges, public water and sewer  
 29 systems, parks and recreation facilities, hospitals, and libraries. The degree to which  
 30 local governments rely on property taxes to pay for services varies. Some special  
 31 districts, such as fire protection districts, get almost all of their revenue from property  
 32 taxes, while many city governments get less than 5 percent of their funding from  
 33 property taxes.

34 **Constitutional limits on property taxes.** The state constitution currently restricts  
 35 both the amount of total revenue and property tax revenue that a local government  
 36 can collect each year. Annual increases for each are capped at the rate of inflation  
 37 plus a measure of local growth, such as student enrollment in the case of a school  
 38 district. The constitution also requires voter approval for a local government to

# David McDermott, State Controller

1 increase property tax rates or to keep and spend total revenue or property tax revenue  
2 above the government's constitutional limit.

3 **How does Amendment 60 change how public schools are funded?** Public  
4 schools in Colorado are funded from a combination of federal, state, and local  
5 sources. Voters in some school districts have approved additional property taxes to  
6 repay loans used to build schools or other buildings. In these districts, there is a  
7 property tax for operating schools and a separate property tax to repay loans.  
8 Amendment 60 requires all districts to cut their 2011 property tax rates for operating  
9 schools in half by 2020. Property tax rates for repaying loans are unchanged. The  
10 required reduction in tax rates must be done in equal yearly amounts over ten years.  
11 Amendment 60 requires the local school district funding eliminated by this rate  
12 reduction to be replaced each year with state funding.

13 **How does Amendment 60 affect the state budget?** Currently, the state spends  
14 most of its general operating budget on: preschool through higher education; health  
15 care; prisons; the courts; and programs that help low-income, elderly, and disabled  
16 people. K-12 education funding accounts for 46 percent of this budget, which is  
17 primarily funded by sales and income taxes. Because Amendment 60 requires that  
18 the reduction in local property tax revenue be replaced with state AID funding, the  
19 obligation for public schools will increase to an estimated 67 percent of the state's  
20 general operating budget, once the measure is fully implemented. To meet this  
21 increased obligation to schools, the state will have to decrease spending and services  
22 in other areas, increase fees for services, or some combination of both.

23 **How does Amendment 60 affect property taxes for all local governments?**  
24 Like school districts, cities, counties, and special districts are also funded from a  
25 combination of federal, state, and local sources. Under current law, taxpayers in many  
26 communities have voted to broadly exempt their local governments from the  
27 constitutional limit related to total revenue and spending. Currently, voters in  
28 76 percent of municipalities, 81 percent of counties, and 98 percent of school districts  
29 have voted to allow government to keep and spend revenue above the constitutional  
30 limit, either temporarily or permanently. This measure would reimpose a property tax  
31 limit for those governments, leaving the broader revenue exemption unchanged.

32 Beginning in 2011, Amendment 60 repeals the current voter-approved authority of  
33 local governments to permanently keep property taxes above their constitutional limits.  
34 Local governments are not required to refund the property taxes that were retained in  
35 the past. However, local governments that collect property taxes above their property  
36 tax limit in the future will have to refund money. A new election must be held to allow  
37 a local government to keep future property taxes above its constitutional limit for up to  
38 four years at a time. The measure will also reduce the property tax collections of most  
39 local governments by reducing property tax rates, and limiting the duration of future  
40 property tax increases.

41 **How does Amendment 60 affect publicly owned enterprises?** Amendment 60  
42 requires publicly owned enterprises to pay property taxes. Under current law, state  
43 enterprises, such as most public universities, do not pay property taxes on campus

## David McDermott, State Controller

1 buildings or equipment. Similarly, local enterprises, such as Denver International  
2 Airport, pay no property taxes. The new property taxes collected from these publicly  
3 owned enterprises must be offset by lower property tax rates for homeowners,  
4 businesses, and other property taxpayers. For example, if the University of Colorado  
5 had to pay property taxes in Boulder County, its property tax bill is estimated to range  
6 from \$11 million to \$20 million per year, depending on how the property is valued.  
7 This new revenue would be offset by lower tax rates in Boulder County, providing  
8 property owners in the county with tax reductions in the same amount. The  
9 amendment prohibits publicly owned enterprises from charging either a mandatory fee  
10 or a tax on property.

11 ***How does Amendment 60 change property tax elections?*** Amendment 60  
12 proposes changing several aspects of the way property tax issues are addressed in  
13 local elections. Under current law, a property owner who is a registered Colorado  
14 voter may vote on ballot questions in his or her primary place of residence and in  
15 special district elections wherever he or she owns property in Colorado.  
16 Amendment 60 allows Colorado property owners to vote on city, county, and school  
17 district property tax issues in any Colorado location where they own property,  
18 regardless of their primary place of residence in the state.

19 Under current law, citizens may petition cities to increase or decrease property  
20 taxes, but may not petition counties, schools, or special districts. Under this measure,  
21 all local governments must permit petitions to lower property taxes.

22 Typically, when a local community has voted to permanently exempt its local  
23 government from the constitutional limit on property tax collections, that  
24 voter-approved decision is not automatically repealed at a future date. Under  
25 Amendment 60, any future vote to allow a local government to retain revenue above  
26 its constitutional limit is repealed within four years after passage. Any future vote to  
27 increase property tax rates is repealed within ten years. Any extension of an expiring  
28 property tax is considered to be a tax increase under the measure, and as such, must  
29 be presented as a tax increase on the ballot.

30 Currently, a single ballot question may ask voters if a local government may  
31 borrow money, and if property tax rates may be increased to repay that loan. Under  
32 this measure, ballot questions that allow a government to borrow money must be  
33 separate from ballot questions that raise property taxes.

34 ***How is Amendment 60 enforced?*** The amendment requires the state to  
35 annually audit all cities, counties, school districts, and other types of local  
36 governments to ensure compliance with all requirements of the amendment. Citizens  
37 are also allowed to file lawsuits to enforce compliance.

38 ***How does Amendment 60 interact with two other measures on the ballot?***  
39 Amendment 60 along with Amendment 61 (see page x) and Proposition 101  
40 (see page x) contain provisions that affect state and local government finances by  
41 decreasing taxes paid by households and businesses and restricting government  
42 borrowing. How these measures work together may require clarification from the state  
43 legislature or the courts.

# David McDermott, State Controller

1 Amendment 60 reduces local property taxes, while requiring state expenditures for  
2 K-12 education to increase by an amount that offsets the property tax loss for school  
3 districts. Amendment 61 requires state and local governments to decrease tax rates  
4 when debt is repaid, which is assumed in this analysis to apply to the existing debt of  
5 state and local governments, and it prohibits any borrowing by state government.  
6 Proposition 101 reduces state and local government taxes and fees.

7 Since portions of these measures are phased in over time, the actual impacts to  
8 taxpayers and governments will be less in the initial years of implementation and grow  
9 over time. Assuming that all three measures are approved by voters, AND BARRING AN  
10 INCREASE IN FEES OR VOTER APPROVED TAXES, IT IS ESTIMATED THAT the first-year impact  
11 will be to reduce state taxes and fees by \$744 million and increase state spending for  
12 K-12 education by \$385 million. Once fully implemented, the measures are estimated  
13 to reduce state taxes and fees by \$2.1 billion and increase state spending for K-12  
14 education by \$1.6 billion in today's dollars. This would commit almost all of the state's  
15 general operating budget to paying for the constitutional and statutory requirements of  
16 K-12 education, leaving little for other government services. In addition, the prohibition  
17 on borrowing will increase budget pressures for the state if it chooses to pay for capital  
18 projects from its general operating budget. This would further reduce the amount of  
19 money available for other government services.

20 Tax and fee collections for local governments are expected to fall by at least  
21 \$966 million in the first year of implementation and by \$4.7 billion when the measures  
22 are fully implemented. However, the net impact on local government budgets would  
23 be at least \$581 million in the first year and \$3.1 billion when fully implemented after  
24 the state reimburses school districts.

25 Total taxes and fees paid by households and businesses are estimated to  
26 decrease by \$1.7 billion in the first year and \$6.8 billion per year in today's dollars  
27 when the measures are fully implemented. The measures reduce the taxes and fees  
28 owed by an average household making \$55,000 per year that owns a \$295,000 house  
29 by an estimated \$400 in the first year and \$1,660 per year when fully implemented.

## 30 Arguments For

31 1) Amendment 60 provides property tax relief for Coloradans in a tough economic  
32 climate without reducing K-12 education funding. For example, the measure will  
33 provide seniors who recently lost a property tax exemption with additional tax relief.  
34 Allowing business owners to keep more of their income may spur investment and help  
35 the economy recover more quickly. School funding is unchanged because the state is  
36 required to replace the local property taxes phased out by the amendment with state  
37 funding.

38 2) Amendment 60 strengthens citizen control over local government taxes by  
39 setting tax expiration dates and requiring that an extension of an expiring tax be  
40 presented to the voters as a tax increase. The amendment also allows citizens to  
41 petition local governments to lower taxes, and it prevents unelected boards, such as

# David McDermott, State Controller

1 the Denver Water Board, from imposing mandatory fees or taxes on property. In  
2 addition, limiting votes on property taxes to November elections, when voter turnout is  
3 typically higher, may lead to greater citizen awareness and participation.

4 3) Amendment 60 removes a competitive advantage that publicly owned  
5 enterprises have over private businesses. Unlike private facilities, publicly owned  
6 enterprises, such as parking lots and golf courses, do not currently pay property taxes.  
7 The additional revenue will lower the local property tax rate, providing further relief for  
8 property owners in the district.

## 9 **Arguments Against**

10 1) Amendment 60 overturns nearly two decades of voter-approved tax decisions  
11 that fund important services provided by counties, cities, school districts, and special  
12 districts. The amendment enables voters statewide, in this election, to reverse  
13 hundreds of decisions of local voters to fund services like fire and police protection,  
14 roads, parks and recreational facilities, water and sewer systems, and libraries. Local  
15 voters are best equipped to choose the level and type of services needed in their  
16 communities and the means to pay for those services.

17 2) Amendment 60 will require the state to cut funding for many important services,  
18 which may result in job losses throughout Colorado. Because the state constitution  
19 requires that the state have a balanced budget and limits the ability of the legislature  
20 to raise taxes, every new dollar spent on education will be taken away from other  
21 services. The \$1.5 billion increase in state K-12 education spending nearly equals the  
22 amount the state currently spends on courts, prisons, and human services. This  
23 amendment requires the state to spend so much more on public schools that these or  
24 other state functions will have to be cut or eliminated in order to keep the state budget  
25 balanced.

26 3) Amendment 60 may leave many citizens worse off financially, depending on  
27 where they live. People who live in areas with few publicly owned enterprises, such as  
28 the eastern plains, will receive some property tax reductions, but may pay more in fees  
29 to use the services of public enterprises located elsewhere. For example, if the  
30 University of Colorado must pay property taxes, students statewide may pay more in  
31 tuition, but property owners in Boulder County will get most of the tax savings.  
32 Similarly, if Denver International Airport must pay property taxes, airline customers  
33 statewide may pay more in fees, but only property owners in Denver will get the  
34 property tax reduction.

## 35 **Estimate of Fiscal Impact**

36 **Local revenue.** Amendment 60 reduces property taxes for individuals and  
37 business in several ways. This reduces the amount of tax revenue that cities,  
38 counties, school districts, and special districts will receive. The measure phases in a  
39 reduction in school district property taxes over ten years. In the first year, school

## David McDermott, State Controller

1 district property taxes are projected to fall by \$337 million, reducing property taxes  
2 paid by an average homeowner and an average business owner by \$87 and \$1,181,  
3 respectively. Once the measure is fully implemented, property taxes are estimated to  
4 fall by \$1.5 billion annually in today's dollars, reducing property taxes paid by an  
5 average homeowner and an average business owner by approximately \$376 per year  
6 and \$5,106 per year, respectively. Additionally, local governments currently  
7 authorized to keep property tax revenue in excess of the constitutional limit, will have  
8 their property tax revenue reduced by an indeterminate amount.

9 **State expenditures.** By reducing the amount of local property taxes collected for  
10 school districts, statewide expenditures for public schools will increase by an  
11 estimated \$337 million in the first year of implementation and by \$1.5 billion per year in  
12 today's dollars once the measure is fully implemented. To meet this increased  
13 obligation to schools, the state will have to decrease spending and services in other  
14 areas, increase fees for services, or enact some combination of both.

15 The state must make a yearly audit of compliance with the property tax provisions  
16 and strictly enforce all requirements in the amendment. The Office of the State  
17 Auditor is responsible for reporting the financial and operational performance of  
18 agencies of state government; however, the office does not have a process for  
19 auditing local government compliance with property tax laws. Amendment 60 expands  
20 the obligations of the State Auditor's Office. It is estimated that this provision will  
21 require the addition of 1.5 new staff to coordinate year-round auditing of local  
22 government and to manage contracting with independent certified public accounting  
23 (CPA) firms. The cost for these new staff and CPA contracts is estimated to be  
24 \$800,000 each year.

**DAVID MCDERMOTT'S COMMENTS (COLORADO STATE CONTROLLER)  
ON LAST DRAFT OF AMENDMENT 60**

Leg Council Staff,

I believe the following issues should be addressed to improve the Amendment 60 Analysis.

Page 2 line 36: The phrase "keep property taxes above the government's constitutional limit" is confusing because the reader has no way to determine whether "keep" means "to retain" or "to maintain". This could be clarified by using the TABOR terminology as follows:

The constitution also requires voter approval for a local government to increase property tax rates or to keep **and spend** property taxes above the government's constitutional limit.

\*\*\*\*\*

Page 3 lines 15 to 18: The term "state tax revenue" in line 16 is not required by the text of the amendment and is not consistent with the text on page 3 line 20 where it is recognized that fees rather than taxes may be raised to make the payments to backfill the lost property tax revenue.

I suggest replacing:

Because Amendment 60 requires that the reduction in local property tax revenue be replaced with state tax revenue, the funding obligation for public schools will increase to an estimated 67 percent of the 18 state's general operating budget, once the measure is fully implemented.

with the following text:

Because Amendment 60 requires that the reduction in local property tax revenue be replaced with **state aid**, the funding obligation for public schools will increase to an estimated 67 percent of the state's general operating budget, once the measure is fully implemented.

\*\*\*\*\*

The following sentence from page 5:

Tax and fee collections by local governments are estimated to decrease by \$5.0 billion, but the net impact on local government budgets would be \$3.4 billion after the state reimburses school districts.

This needs a similar introductory clause as used in the 2nd preceding sentence in the document:

**When fully implemented**, tax and fee collections by local governments are estimated to decrease by \$5.0 billion, but the net impact on local government budgets would be \$3.4 billion after the state reimburses school districts.

\*\*\*\*\*

Paragraphs 1 and 2 on page 5 (lines 1 through 16) ignore the possibility of fee increases by the state to address the requirement to backfill the local government tax reduction. Those fee increases would reduce the amount of savings by households and businesses. I believe these paragraphs need a qualifier stating that "**barring an increase in fees or voter approved taxes it is estimated that .....**"

\*\*\*\*\*

Please contact me if you would like to discuss these suggestions. Thank you for the opportunity to participate in this review.

David J. McDermott, CPA  
Colorado State Controller  
Department of Personnel & Administration  
633 17th Street Suite 1500  
Denver, CO 80202

# Natalie Menten, Proponent

## Amendment 60 Property Taxes

### 1 **Amendment 60 proposes amending the Colorado Constitution to:**

- 2       ♦ ~~repeal the current voter-approved authority of local governments to keep~~  
3       ~~property taxes above their constitutional limits;~~
- 4       ♦ ~~establish expiration dates for future voter-approved property tax~~  
5       ~~increases;~~
- 6       ♦ ~~cut local property tax rates for public schools' operating expenses in half~~  
7       ~~over ten years and replace this money with state funding each year;~~
- 8       ♦ ~~require publicly owned enterprises to pay property taxes and reduce~~  
9       ~~local property tax rates to offset the new revenue; and~~
- 10      ♦ ~~provide new voting rights to certain property owners in Colorado and~~  
11      ~~permit citizens to petition all local governments to reduce property taxes.~~
- 12      ♦ GRANT THE RIGHT TO VOTE ON PROPERTY TAX ISSUES TO STATE RESIDENTS  
13      LEGALLY QUALIFIED TO VOTE IN COLORADO WHO OWN COLORADO REAL  
14      PROPERTY, AND PERMIT CITIZENS TO PETITION TO REDUCE PROPERTY TAXES;
- 15      ♦ REQUIRE GOVERNMENT-OWNED BUSINESSES AND AUTHORITIES TO PAY  
16      PROPERTY TAXES, AND REDUCE PROPERTY TAX RATES TO OFFSET FULLY THAT  
17      NEW REVENUE;
- 18      ♦ ALLOW LOCAL GOVERNMENT ACTIONS TO KEEP EXCESS PROPERTY TAX  
19      REVENUE TO EXPIRE, SUBJECT TO ELECTIONS ON EXCESS PROPERTY TAX  
20      REVENUE STARTING IN 2011;
- 21      ♦ REDUCE OVER TEN YEARS BY HALF THE SCHOOL PROPERTY TAX RATE NOT  
22      USED TO REPAY DEBT, AND FULLY REPLACE THAT MONEY WITH STATE FUNDING  
23      EACH YEAR.

### 24 **Summary and Analysis**

25       Amendment 60 changes several aspects of Colorado's property tax system to  
26       reduce the amount of property taxes paid by individuals and businesses to school  
27       districts, counties, special districts, cities, and towns. The measure phases in a  
28       reduction in school district property taxes over ten years and requires that the reduced  
29       property taxes be replaced with state funding. Table 1 shows the projected impact of  
30       the amendment in today's dollars on an average homeowner ~~and commercial~~  
31       ~~business~~, school districts, and state government, in both the first year and when the  
32       measure is fully implemented. The fully implemented impacts provide ~~the best~~  
33       ~~projections~~ A BETTER VIEW of the measure's final effects. NON-RESIDENTIAL PROPERTY  
34       PAYS 3.6 TIMES THE EFFECTIVE TAX RATE OF RESIDENTIAL PROPERTY.

# Natalie Menten, Proponent

1 — In the first year, property taxes for school districts are expected to fall by  
 2 \$337 million, which the measure requires the state to replace. This represents a  
 3 property tax reduction of the same amount for individuals and businesses. An average  
 4 homeowner's property tax bill is projected to fall by \$87 and the property taxes for an  
 5 average commercial business are estimated to fall by \$1,181.

6 — When the measure is fully implemented, the property tax reduction for school  
 7 districts is estimated to increase the state's obligation for kindergarten through twelfth  
 8 grade education (K-12) by \$1.5 billion, which represents a property tax decrease of the  
 9 same amount for individuals and businesses. An average homeowner will pay  
 10 \$376 less and an average commercial business will pay \$5,106 less in property taxes  
 11 annually. In future years, the actual amounts will differ as inflation and growth  
 12 increase the size of the economy, but the comparable budget impacts on taxpayers  
 13 and governments are expected to remain consistent over time. Cities, towns,  
 14 counties, and special districts will also lose property taxes, but the amount will vary by  
 15 locality.

16 **Table 1. Selected Impacts of Amendment 60**

Impacted Group	Current Law	Amendment 60		Difference	
		First Year	Fully Implemented	First Year	Fully Implemented
<b>Impacts on Average Taxpayers</b>					
Property Tax Payment for Average Homeowner (\$295,000 home)	\$1,638	\$1,551	\$1,262	-\$87	-\$376
Property Tax Payment for Average Commercial Business Owner with a Value of \$1.1 million	\$22,254	\$21,073	\$17,148	-\$1,181	-\$5,106
<b>K-12 Education Funding Shift</b>					
Property Tax Collections for School Districts	\$3.3 billion	\$3.0 billion	\$1.8 billion	-\$0.3 billion	-\$1.5 billion
State Expenditures for K-12 Education	\$3.7 billion	\$4.0 billion	\$5.2 billion	\$0.3 billion	\$1.5 billion

33 **Background and current law.** Property taxes are based primarily on the value of  
 34 land, houses, other buildings, and business equipment. Individuals and businesses  
 35 pay property taxes to various local governments, such as cities, counties, school  
 36 districts, and special districts, each of which imposes its own tax rate on property.  
 37 School districts and counties receive approximately 77 percent of all property taxes  
 38 collected. Publicly-owned enterprises; GOVERNMENT-OWNED BUSINESSES such as city

## Natalie Menten, Proponent

1 water and sewer systems, municipal airports, and most state universities, are exempt  
2 from paying property tax.

3 Property taxes are spent on EMPLOYEE SALARIES, BENEFITS, AND PENSIONS. ~~a variety~~  
4 ~~of local government services, including public education, police and fire services,~~  
5 ~~roads and bridges, public water and sewer systems, parks and recreation facilities,~~  
6 ~~hospitals, and libraries.~~ The degree to which local governments rely on property taxes  
7 to pay for services varies. ~~Some special districts, such as fire protection districts, get~~  
8 ~~almost all of their revenue from property taxes, while many city governments get less~~  
9 ~~than 5 percent of their funding from property taxes.~~

10 **Constitutional limits on property taxes.** The state constitution currently restricts  
11 both the amount of total revenue and property tax revenue that a local government can  
12 collect each year. Annual increases for each are capped at the rate of inflation plus a  
13 measure of local growth, such as student enrollment in the case of a school district.  
14 The constitution also requires voter approval for a local government to increase  
15 property tax rates or to keep and spend total revenue or property tax revenue above  
16 the government's constitutional limit, FOR UP TO FOUR YEARS ONLY.

17 **How does Amendment 60 change how public schools are funded?** Public  
18 schools in Colorado are funded from a combination of federal, state, and local sources.  
19 Voters in some school districts have approved additional property taxes to repay loans  
20 used to build schools or other buildings. In these districts, there is a property tax for  
21 operating schools and a separate property tax to repay loans. Amendment 60  
22 requires all districts to cut their 2011 property tax rates ~~for operating schools~~ NOT  
23 PAYING DEBT in half by 2020. Property tax rates for repaying loans are unchanged.  
24 The required reduction in tax rates must be done in equal yearly amounts over ten  
25 years. Amendment 60 requires the local school district funding eliminated by this rate  
26 reduction to be replaced each year with state funding.

27 **How does Amendment 60 affect the state budget?** Currently, the state spends  
28 most of its general operating budget on: ~~preschool through higher education; health~~  
29 ~~care; prisons; the courts; and programs that help low-income, elderly, and disabled~~  
30 ~~people.~~ EMPLOYEE SALARIES, BENEFITS, AND PENSIONS. K-12 education funding  
31 accounts for 46 percent of this budget, WHICH IS ITSELF ONLY 35 PERCENT OF TOTAL  
32 STATE SPENDING, AND which is primarily funded by sales and income taxes. Because  
33 Amendment 60 requires that the reduction in local property tax revenue be replaced  
34 with state funding, the obligation for public schools ~~will~~ MAY increase ~~to an estimated 67~~  
35 ~~percent of the state's general operating budget,~~ once the measure is fully implemented  
36 IN 2021. To meet this increased obligation to schools, the state will have to decrease  
37 spending and services in other areas, increase fees for services, PROVIDE MORE  
38 SCHOOL CHOICE ALTERNATIVES, INCREASE EFFICIENCY, TRIM THE GROWTH IN STATE SALARIES  
39 AND BENEFITS, REDUCE STATE JOBS THROUGH ATTRITION, or some combination of ~~both~~  
40 THESE.

41 **How does Amendment 60 affect property taxes for *all OTHER local***  
42 **governments?** Like school districts, cities, counties, and special districts are also  
43 funded from a combination of federal, state, and local sources. ~~Under current law, t~~  
44 Taxpayers in many communities have voted to broadly exempt their local governments

## Natalie Menten, Proponent

1 from the constitutional limit related to total revenue and spending. Currently, voters in  
2 76 percent of municipalities, 81 percent of counties, and 98 percent of school districts  
3 have voted to allow government to keep and spend revenue above the constitutional  
4 limit, either temporarily or permanently. This measure would reimpose a property tax  
5 limit for those governments, leaving the broader revenue exemption unchanged.

6 Beginning in 2011, Amendment 60 ~~repeals~~ REQUIRES VOTER APPROVAL FOR EXCESS  
7 REVENUE RETENTION TO CONTINUE FOR UP TO FOUR YEARS AT A TIME the current ~~voter-~~  
8 ~~approved authority~~ ABILITY of local governments to permanently keep property taxes  
9 above their constitutional limits. Local governments are not required to refund the  
10 property taxes that were retained in the past. However, local governments that collect  
11 property taxes above their property tax limit in the future will have to refund money. A  
12 new election must be held to allow a local government to keep future property taxes  
13 above its constitutional limit for up to four years at a time. ~~The measure will also~~  
14 ~~reduce the property tax collections of most local governments by reducing property tax~~  
15 ~~rates, and limiting the duration of future property tax increases.~~

16 ***How does Amendment 60 affect publicly owned enterprises GOVERNMENT-***  
17 ***OWNED BUSINESSES?*** Amendment 60 requires publicly owned enterprises  
18 GOVERNMENT-OWNED BUSINESSES to pay property taxes. ~~Under current law, state~~  
19 ~~enterprises, such as most public universities, do not pay property taxes on campus~~  
20 ~~buildings or equipment. Similarly, local enterprises, such as Denver International~~  
21 ~~Airport, pay no property taxes. The new property taxes collected from these publicly~~  
22 ~~owned enterprises GOVERNMENT-OWNED BUSINESSES must be offset by lower property~~  
23 ~~tax rates for homeowners, businesses, and other property taxpayers. ENTERPRISES~~  
24 ~~MAY AVOID THIS SITUATION BY BECOMING A REGULAR GOVERNMENT AGENCY SUBJECT TO~~  
25 ~~TABOR REVENUE LIMITS. For example, if the University of Colorado had to pay property~~  
26 ~~taxes in Boulder County, its property tax bill is estimated to range from \$11 million to~~  
27 ~~\$20 million per year, depending on how the property is valued. This new revenue~~  
28 ~~would be offset by lower tax rates in Boulder County, providing property owners in the~~  
29 ~~county with tax reductions in the same amount. The amendment prohibits publicly~~  
30 ~~owned enterprises GOVERNMENT-OWNED BUSINESSES from charging either a mandatory~~  
31 ~~fee or a tax on property.~~

32 ***How does Amendment 60 change property tax elections?*** Amendment 60  
33 proposes changing several aspects of the way property tax issues are addressed in  
34 local elections. Under current law, a property owner who is a registered Colorado  
35 voter may vote on ballot questions in his or her primary place of residence and in  
36 special district elections wherever he or she owns property in Colorado.  
37 Amendment 60 allows LEGALLY-QUALIFIED-TO-VOTE Colorado property owners ~~to vote~~  
38 ~~on~~ TO PARTICIPATE IN city, county, and school district property tax issues in any  
39 Colorado location where they own REAL property, regardless of their primary place of  
40 residence in the state.

41 Under current law, citizens may petition cities to increase or decrease property  
42 taxes, but may not petition counties, schools, or special districts. Under this measure,  
43 all local governments must permit petitions to lower property taxes.

## Natalie Menten, Proponent

1 Typically, when a local community has voted to permanently exempt its local  
2 government from the constitutional limit on property tax collections, that  
3 voter-approved decision is not automatically repealed at a future date. Under  
4 Amendment 60, any future vote to allow a local government to retain revenue above its  
5 constitutional limit is repealed within four years after passage. Any future vote to  
6 increase property tax rates is repealed within ten years. Any extension of an expiring  
7 property tax is considered to be a tax increase under the measure, and as such, must  
8 be presented STATED as a tax increase on the ballot.

9 Currently, a single ballot question may ask voters if a local government may borrow  
10 money, and if property tax rates may be increased to repay that loan. Under this  
11 measure, ballot questions that allow a government to borrow money must be separate  
12 from ballot questions that raise property taxes.

13 ***How is Amendment 60 enforced?*** The amendment requires the state to annually  
14 audit all cities, counties, school districts, and other types of local governments to  
15 ensure compliance with all requirements of the amendment. Citizens are also allowed  
16 to file lawsuits to enforce compliance.

### 17 [First Preference]

18 — ***How does Amendment 60 interact with two other measures on the ballot?***  
19 Amendment 60 along with Amendment 61 (see page x) and Proposition 101  
20 (see page x) contain provisions that affect state and local government finances by  
21 decreasing taxes paid by households and businesses and restricting government  
22 borrowing. How these measures work together may require clarification from the state  
23 legislature or the courts.

24 — Amendment 60 reduces local property taxes, while requiring state expenditures for  
25 K-12 education to increase by an amount that offsets the property tax loss for school  
26 districts. Amendment 61 requires state and local governments to decrease tax rates  
27 when debt is repaid, which is assumed in this analysis to apply to the existing debt of  
28 state and local governments, and it prohibits any borrowing by state government.  
29 Proposition 101 reduces state and local government taxes and fees.

30 — Since portions of these measures are phased in over time, the actual impacts to  
31 taxpayers and governments will be less in the initial years of implementation and grow  
32 over time. Assuming that all three measures are approved by voters, the first-year  
33 impact will be to reduce state taxes and fees by \$744 million and increase state  
34 spending for K-12 education by \$385 million. Once fully implemented, the measures  
35 are estimated to reduce state taxes and fees by \$2.1 billion and increase state  
36 spending for K-12 education by \$1.6 billion in today's dollars. This would commit  
37 almost all of the state's general operating budget to paying for the constitutional and  
38 statutory requirements of K-12 education, leaving little for other government services.  
39 In addition, the prohibition on borrowing will increase budget pressures for the state if it  
40 chooses to pay for capital projects from its general operating budget. This would  
41 further reduce the amount of money available for other government services.

## Natalie Menten, Proponent

1 — Tax and fee collections for local governments are expected to fall by at least  
2 \$966 million in the first year of implementation and by \$4.7 billion when the measures  
3 are fully implemented. However, the net impact on local government budgets would  
4 be at least \$581 million in the first year and \$3.1 billion when fully implemented after  
5 the state reimburses school districts.

6 — Total taxes and fees paid by households and businesses are estimated to  
7 decrease by \$1.7 billion in the first year and \$6.8 billion per year in today's dollars  
8 when the measures are fully implemented. The measures reduce the taxes and fees  
9 owed by an average household making \$55,000 per year that owns a \$295,000 house  
10 by an estimated \$400 in the first year and \$1,660 per year when fully implemented.

### 11 **[Second Preference]**

#### 12 ***How does Amendment 60 interact with two other measures on the ballot?***

13 Amendment 60 along with Amendment 61 (see page x) and Proposition 101  
14 (see page x) contain provisions that affect state and local government finances by  
15 decreasing taxes paid by households and businesses and restricting government  
16 borrowing. How these measures work together may require clarification from the state  
17 legislature or the courts.

18 Amendment 60 reduces local property taxes, while requiring state expenditures for  
19 K-12 education to increase by an amount that offsets the property tax loss for school  
20 districts. Amendment 61 requires state and local governments to decrease tax rates  
21 ~~when~~ AFTER debt is repaid, ~~which is assumed in this analysis to apply~~ AND APPLIES to  
22 ~~the~~ BOTH existing AND FUTURE debt of state and local governments, and it prohibits any  
23 borrowing by state government. Proposition 101 reduces state and local government  
24 taxes and fees.

25 Since portions of these measures are phased in over time, the actual impacts to  
26 taxpayers and governments will be less in the initial years of implementation and grow  
27 over time. Assuming that all three measures are approved by voters, the first-year  
28 impact will be to reduce state taxes and fees by \$744 million and increase state  
29 spending for K-12 education by \$385 million. Once fully implemented BY 2050, the  
30 measures are estimated to reduce state taxes and fees by \$2.1 billion and increase  
31 state spending for K-12 education by \$1.6 billion in today's dollars. ~~This would commit~~  
32 ~~almost all of the state's general operating budget to paying for the constitutional and~~  
33 ~~statutory requirements of K-12 education, leaving little for other government services.~~  
34 In addition, the prohibition on borrowing will increase budget pressures for the state if it  
35 chooses to pay for capital projects from its general operating budget. This would  
36 further reduce the amount of money available for other government services.

37 Tax and fee collections for local governments are expected to fall by at least  
38 \$966 million in the first year of implementation and by \$4.7 billion when the measures  
39 are fully implemented. However, the net impact on local government budgets would  
40 be at least \$581 million in the first year and \$3.1 billion when fully implemented after  
41 the state reimburses school districts.

42 Total taxes and fees paid by households and businesses are estimated to  
43 decrease by \$1.7 billion (ABOUT 2 PERCENT OF TOTAL STATE AND LOCAL SPENDING) in the

## Natalie Menten, Proponent

1 first year and \$6.8 billion per year in today's dollars when the measures are fully  
2 implemented. The measures reduce the taxes and fees owed by an average  
3 household making \$55,000 per year that owns a \$295,000 house by an estimated  
4 \$400 in the first year and \$1,660 per year when fully implemented.

5 **[Comment:** Does your "first-year" impact include property tax replacement that won't  
6 occur until the second year (2012)? We dispute your \$717M and \$385M figures as too  
7 high. The income tax percentage point phase out occurs only when revenue grows  
8 much faster than the effect of the 0.1 percent rate trim, so there is no year-to-year loss  
9 possible. You are making up a number that cannot exist. You also ignore dynamic  
10 scoring and the stimulative effect on the Colorado economy. Your other dollar  
11 amounts are also too high.]

12 **[Comment:** You also need to list total state spending this year, and its projected level  
13 in the last year of the phase in, whichever one you have chosen. Give readers a  
14 sense of proportion. You also don't say when the cumulative \$3.1 billion occurs - what  
15 final year are you using? You don't even say its cumulative, so it looks like it's  
16 instantly - another whopper.]

17 **[Comment:** You don't list the first-year (whenever that is, in your mind) local savings,  
18 so no one can see how you arrived at \$1.6 billion. If \$1.6 billion equals \$400 per  
19 average household (undefined), that means we have 4,000,000 households in  
20 Colorado. That's an average of 1.25 people per household. That false low shows the  
21 number of households is smaller and savings for each is greater. \$800 for 2.5 people  
22 per household is more plausible. Your fallacy is your obsession with claiming business  
23 gets most of the savings. News flash: business owners live in households too.]

### 24 Arguments For

25 1) Amendment 60 provides property tax relief for Coloradans in a tough economic  
26 climate without reducing K-12 education funding. For example, the measure will  
27 provide seniors who recently lost a property tax exemption with additional tax relief.  
28 Allowing business owners to keep more of their income ~~may~~ WILL spur investment and  
29 help the economy recover more quickly. STATE AND LOCAL GOVERNMENTS ALREADY  
30 SPEND \$42.5 BILLION PER YEAR, WHICH AMOUNTS TO AN AVERAGE OF \$21,200 PER  
31 HOUSEHOLD IN THE STATE. School funding is unchanged because the state is required  
32 to replace ~~the local property taxes phased out by the amendment with state funding~~  
33 THAT PART OF PROPERTY TAXES PHASED OUT BY AMENDMENT 60 OVER 10 YEARS.

34 2) Amendment 60 strengthens citizen control over local government taxes by  
35 setting tax expiration dates and requiring that an extension of an expiring tax be  
36 presented to the voters as a tax increase. The amendment also allows citizens to  
37 petition local governments to lower taxes, and it prevents unelected boards, such as  
38 ~~the Denver Water Board~~ DRAINAGE AND OTHER DISTRICTS, from imposing mandatory  
39 fees or taxes on property. In addition, limiting votes on property taxes to November  
40 elections, when voter turnout is typically higher, ~~may~~ WILL lead to greater citizen  
41 awareness and participation.

## Natalie Menten, Proponent

1           3) Amendment 60 removes a competitive advantage that publicly owned  
2 enterprises have over private businesses. Unlike private facilities, publicly owned  
3 enterprises, such as parking lots and golf courses, do not currently pay property taxes.  
4 The additional revenue will lower the local property tax rate, providing further relief for  
5 ALL property owners in the district.

6           4) STATEWIDE PROPERTY TAX COLLECTION HAS SOARED 183 PERCENT SINCE VOTERS  
7 PASSED TABOR. HOMEOWNER TAXES FOR MANY SENIORS HAVE DOUBLED THIS YEAR. IN  
8 2007, THE LEGISLATURE RAISED SCHOOL PROPERTY TAXES GREATLY WITHOUT GETTING  
9 STATE VOTER APPROVAL TO CHANGE STATE LAW, AND THE LEGISLATURE THEN LOWERED  
10 STATE AID IN ORDER TO SPEND THE MONEY ELSEWHERE. ALLOWING UNELECTED BOARDS TO  
11 IMPOSE PROPERTY TAXES IS "TAXATION WITHOUT REPRESENTATION." LOCAL GOVERNMENTS  
12 HAVE RAISED PROPERTY TAXES WITHOUT VOTER APPROVAL, OR BY AN AMOUNT GREATER  
13 THAN THE BALLOT TITLE STATED. LOCAL GOVERNMENTS CANNOT PERMANENTLY CANCEL  
14 STATE CONSTITUTIONAL RULES, EVEN WITH A LOCAL VOTE. FUTURE TAX INCREASES SHOULD  
15 NOT LAST FOREVER, BUT SHOULD BE SUBJECT TO VOTER REVIEW PERIODICALLY. ALLOWING  
16 CITIZENS TO VOTE ON PROPERTY TAXES RESTORES TRUE LOCAL CONTROL.

### 17   **Arguments Against**

18           1) Amendment 60 ~~overturns~~ AFFECTS nearly two decades of voter-approved tax  
19 decisions that fund important services provided by counties, cities, school districts, and  
20 special districts. The amendment enables voters statewide, in this election, to ~~reverse~~  
21 REQUIRE A FUTURE ELECTION ON hundreds of decisions of local voters to fund services  
22 like fire and police protection, roads, parks and recreational facilities, water and sewer  
23 systems, and libraries. Local voters are best equipped to choose the level and type of  
24 services needed in their communities and the means to pay for those services.

25           2) Amendment 60 will require the state to cut funding for many important services,  
26 which may result in job losses throughout Colorado. Because the state constitution  
27 requires that the state have a balanced budget and limits the ability of the legislature to  
28 raise taxes, every new dollar spent on education will be taken away from other  
29 services. The \$1.5 billion ~~increase~~ TRANSFER in state K-12 education spending nearly  
30 equals the amount the state currently spends on courts, prisons, and human services.  
31 ~~This amendment requires the state to spend so much more on public schools that~~  
32 ~~these or other state functions will have to be cut or eliminated in order to keep the~~  
33 ~~state budget balanced.~~

34           3) Amendment 60 may leave many citizens worse off financially, depending on  
35 where they live. People who live in areas with few publicly owned enterprises, such as  
36 the eastern plains, will receive some property tax reductions, but may pay more in fees  
37 to use the services of public enterprises located elsewhere. For example, if the  
38 University of Colorado must pay property taxes, students statewide may pay more in  
39 tuition, but property owners in Boulder County will get most of the tax savings.  
40 Similarly, if Denver International Airport must pay property taxes, airline customers  
41 statewide may pay more in fees, but only property owners in Denver will get the  
42 property tax reduction.

# Natalie Menten, Proponent

## 1 Estimate of Fiscal Impact

2 **Local revenue.** Amendment 60 reduces property taxes for individuals and  
3 business in several ways. This reduces the amount of tax revenue that cities,  
4 counties, school districts, and special districts will receive. The measure phases in a  
5 reduction in school district property taxes over ten years. In the first year, school  
6 district property taxes are projected to fall by \$337 130 million, reducing property taxes  
7 paid by ~~an average homeowner and an average business owner by \$87 and \$1,181,~~  
8 ~~respectively~~ ALL PROPERTY OWNERS. Once the measure is fully implemented, property  
9 taxes are estimated to fall by \$1.53 billion annually in today's dollars, reducing property  
10 taxes paid by ~~an average homeowner and an average business owner by~~  
11 ~~approximately \$376 per year and \$5,106 per year, respectively~~ ALL PROPERTY OWNERS.  
12 Additionally, local governments currently authorized to keep property tax revenue in  
13 excess of the constitutional limit, will have their property tax revenue reduced by an  
14 indeterminate amount.

15 **State expenditures.** By reducing the amount of local property taxes collected for  
16 school districts, statewide expenditures for public schools will increase by an estimated  
17 \$337 130 million in the first year of implementation and by \$1.5 3 billion per year in  
18 today's dollars once the measure is fully implemented IN 2021. To meet this increased  
19 obligation to schools, the state ~~will have to~~ MAY decrease spending and services in  
20 other areas, increase fees for services, PROVIDE MORE SCHOOL CHOICE ALTERNATIVES,  
21 INCREASE EFFICIENCY, TRIM THE GROWTH IN STATE SALARIES AND BENEFITS, REDUCE STATE  
22 JOBS THROUGH ATTRITION, or enact some combination ~~of both~~.

23 The state must make a yearly audit of compliance with the property tax provisions  
24 and strictly enforce all PROPERTY TAX requirements in the TAXPAYER'S BILL OF RIGHTS  
25 amendment. The Office of the State Auditor is responsible for reporting the financial  
26 and operational performance of agencies of state government; however, the office  
27 does not have a process for auditing local government compliance with property tax  
28 laws. Amendment 60 expands the obligations of the State Auditor's Office. It is  
29 estimated that this provision will require the addition of 1.5 new staff to coordinate  
30 year-round auditing of local government and to manage contracting with independent  
31 certified public accounting (CPA) firms. The cost for these new staff and CPA  
32 contracts is estimated to be \$800,000 each year.

## **NATALIE MENTEN'S COMMENTS (PROPONENT) ON LAST DRAFT OF AMENDMENT 60**

I feel like I'm shouting down a hole, but I will ask once again for accuracy and neutrality.

### **PAGE ONE**

Lines 1-12 The order should be the order in the ballot title and in the text.

The NEW #1--"grant the right to vote on property tax issues to state residents legally qualified to vote in Colorado who own Colorado real property, and permit citizens to petition to reduce property taxes"

(only applies to property tax voting by CO real property owners who are CO residents qualified to vote. The change is obviously "new.")

The NEW #2--"require government-owned businesses and authorities to pay property taxes, and reduce property tax rates to offset fully that new revenue"

(obviously local, text includes authorities, and "publicly-owned enterprises" is redundant and does not tell voters an enterprise is a business)

The NEW #3 (consolidating two)--"allow local government actions to keep excess property tax revenue to expire, subject to elections on excess property tax revenue starting in 2011."

(text covers rates illegally frozen by politicians WITHOUT voter approval--also include the second half of the sentence--"action" is the term in text, which covers BOTH election and non-election retentions)

The NEW #4--"reduce over ten years by half the school property tax rate not used to repay debt, and fully replace that money with state funding each year"

("local" is obvious--it is not only operating funds, but all non-debt that are covered--schools may have capital improvement levies, etc. that are not to repay debt--stick to the text!)

Line 20 delete "and commercial business." Your example fits under 0.1% of the population and is highly inflammatory in stoking class envy. If you must list one, make it a \$295,000 property. Better to print instead, "Non-residential property pays 3.6 times the effective tax rate of residential property."

Line 22 change "the best projections" to "a better view"--only two, so positive-comparative, but not superlative, is the application--A single subject can't provide a plural outcome.

Line 24-34--DELETE. Your message is patently obvious--"You get a crummy \$87, those nasty rich people save 15 times as much, and the schools lose \$337 million." GIVE ME

A BREAK. The tax savings and the tax "loss" ARE ALWAYS EQUAL. Don't minimize taxpayer benefit and cry about government cost. YOU ARE NOT BEING FAIR. Delete this biased comparison. Also, the first-year of cost is not \$337 million. It is ZERO. The school phase out begins in the SECOND YEAR, paid in 2012. You have NO proof of the other \$207 million. If you are assuming de-TABOR expiration impacts, that is STILL second year, and there is an opportunity for keeping excess p.t. revenue in November 2011.

How does the homeowner save \$87 in the first year of a TEN-year EQUAL phase out, and save only FOUR times that amount in the TENTH YEAR? You're slipping in hidden assumptions about future property values. You are also minimizing the savings by shifting savings to your fabricated commercial property owned by a tiny percentage of VOTERS. The "average" business owner does not own alone a \$1.2 million commercial property. Why mention a figure for 0.1% of the readers, except to provoke improperly strong jealousy by the other 99.9%?

You refuse to use the "average" of savings because it would show greater tax benefits than you wish to reveal. The second draft had a final 23% property tax savings in 2020; SIMPLY STATE THAT, and that effects on government are also 23% of p.t. revenue. The two sides must match. Skip your convoluted and fanciful dollar amounts.

Your \$1.5 billion in school tax savings is HIGH. WHY? Page 45 of the 2009 state property tax report says total school property tax is \$3.37 BILLION. Delete \$775 million in bond redemption and get \$2.6 BILLION. Divide in half and it's \$1.3 BILLION, NOT \$1.5 BILLION. That makes each year of the 10-year phase out \$130 million. You have no basis for \$337 million, off by \$207 MILLION, in 2011 (really 2012, the second fiscal year but the first year of revenue impact). The state does not have to reimburse any property tax savings to schools in 2011, which are from 2010 taxes, not affected. So your front-loaded statements are wrong for that reason too. Your piled-on state cash flow spending crunch is also false.

## **PAGE TWO**

Lines 1-17 DELETE TABLE 1. Repetitive and false. Many reasons listed immediately above. Use 23% after 10 years!!! That is neutral, assuming your figures are correct, which I doubt, based on this draft.

Line 23--Change to "Government-owned businesses" EVERYWHERE in the text

Lines 25-27--DELETE. Listing pet projects and hot button services is unfair. MOST of what it is spent on is EMPLOYEE SALARIES, BENEFITS, AND PENSIONS. Why don't you say THAT?

Line 27-31 DELETE. Budget allocations and sources are irrelevant to tax relief. Any district can ask for a p.t. increase any November.

Line 37--add at end after "limit" the words "for up to four years only." See TABOR 3(a) regarding 4-year limit CURRENTLY on waiving right to vote on annual refunds, which then reverts to the adjusted base as though there never was a waiver.

### **PAGE THREE**

Line 6--change "for operating schools" to "not paying debt" to match the text; see above discussion.

Lines 11-14 DELETE ALL as emotional manipulation--"elderly and disabled people." GIVE IT A REST! You keep trotting out popular programs--again, the money goes primarily to EMPLOYEE SALARIES, BENEFITS, and PENSIONS. Say the truth or say nothing.

Line 14--after "of this budget," insert "which is itself only 35% of total state spending, and" (which...) Your prior draft said 43%; see our comments. Why the change to 49%?

Line 17--DELETE after "increase" through "budget" You are assuming no growth in state revenue, or at least less than the \$130 million yearly. Based on the last three decades, that is unsupportable. Don't speculate. Change "will" to "may" before "increase."

Line 18--after "implemented" insert "in 2021."

Line 20-- insert "provide more school choice alternatives, increase efficiency, trim the growth in state salaries and benefits, reduce state jobs through attrition," Better to delete the sentence, but if you insist, avoid the BUREAUCRATIC REACTION of "raise revenue or cut services" as the only two options. THINK OUTSIDE THE BOX! Be candid.

Line 21--replace "all" with "other" You already discussed schools.

Line 23--delete "Under current law" since we dispute that all deTABORings were legal, particularly those lasting over four years in violation of TABOR 3a, and those that had no election at all.

Line 25-28--DELETE as duplication of prior sentence.

Line 28--replace "repeals" with "requires voter approval for excess revenue retention to continue for up to four years at a time." A 1997 vote is not repealed, nor the money refunded. There is no retroactive effect. The question of past legality is side-stepped in favor of a new vote. Also, A-60 covers "actions" that were not voter-approved, so you are being misleading. We also dispute "voter-approved authority" as TABOR does not allow the state constitution to be nullified permanently by local option.

Line 32--insert "future" after "keep". Delete "temporarily" and end with "for up to four years at a time." Stick to the text; eschew ambiguity.

Line 32-34--DELETE. A 4-year or 10-year future tax increase does NOT "reduce" revenue. It only limits the INCREASE'S duration. That is NOT a cut. Where does A-60 reduce collections of "MOST local governments"? It doesn't reduce lawful past p.t. "rate" increases. It is also so vague it should say "may" and not "will" and "some" rather than "most."

Lines 35-36, 39-40--change phrase as above.

Line 37--delete your unnecessary example designed to rally opposition--end with "taxes."

Line 38--delete your other manipulative example CAN'T YOU SEE THE OPPOSITION HAS USED THEM IN THEIR ARGUMENTS HERE? DOESN'T THAT TELL YOU THAT YOU ARE MAKING THEIR CASE?

Line 41--insert after "taxpayers." a new sentence. "Enterprises may avoid this situation by becoming a regular government agency subject to TABOR revenue limits."

Lines 41-44 DELETE. SAME REASON.

## **PAGE FOUR**

Line 1--DELETE CONTINUATION AS ABOVE.

Line 2--Change phrase

Line 8--insert "legally-qualified-to-vote" before "Colorado." Change "to vote on" to "to participate in" to cover receiving and making comments in TABOR election notices, and circulating and signing petitions on p.t. issues.

Line 9--insert "real" before "property" to conform to the text

Lines 14-18 DELETE as redundant to prior discussions

Line 21 change "presented" to "stated"

Lines 30-41 DELETE and

## **PAGE FIVE**

Lines 1-16 DELETE. Your legal authority is to analyze each issue separately, not speculate on possible interactions so you can state a bigger, scarier number. Readers can add the three totals on their own.

PAGE FOUR/Line 39--If not deleted, change "when" to "after" and revise to "and applies to both existing and future debt..." We have said this many times. It is the intent of proponents; rely on it and quote it.

FIVE/line 3-16--Does your "first-year" impact include p.t. replacement that won't occur until the SECOND year (2012)? We dispute your \$717M and \$385M figures as too high. The income tax one percentage point phase out occurs ONLY when revenue grows much faster than the effect of a 0.1% rate trim, so there is no year-to-year loss possible. You are making up a number that CANNOT EXIST.

You also ignore dynamic scoring and the stimulative effect on the CO economy. Your other dollar amounts are also too high. Insert "in 2021" after "implemented" in line 5. (Does that include the 15-20 year income tax period, and the 40-year debt period? If you used it in your calculation, change "2021" to a later number.)

Delete the sentence at lines 7 to 9 as FALSE because it ignores state revenue growth by 2021. You also contradict it with your inflated 67% figure on page three! We deny the \$5 billion figure, which you keep changing (!), so delete everything after "by" until "\$3.4 billion," which is also a wild distortion.

YOU ALSO NEED TO LIST TOTAL STATE SPENDING THIS YEAR, AND ITS PROJECTED LEVEL IN THE LAST YEAR OF PHASE IN, WHICHEVER ONE YOU HAVE CHOSEN. GIVE READERS A SENSE OF PROPORTION.

Lines 9-11 don't say when the cumulative \$3.4 billion occurs--what final year are you using? You don't even say it's cumulative, so it looks like it's instantly, another whopper.

On line 12, put the \$1.6 BILLION in context by noting it is about 2% of total state and local spending. It is also high.

Lines 13-16---a useless hypothetical. DELETE

You don't list the first-year (whenever that is, in your mind) local savings, so no one can see how you arrived at \$1.6 billion. If \$1.6 billion equals \$400 per average household (undefined), that means we have 4,000,000 households in Colorado. That's an average of 1.25 people PER HOUSEHOLD. That false low shows the number of households is smaller and savings for each is greater. \$800 for 2.5 people per household is more plausible. Your fallacy is your obsession with claiming business gets most of the savings. News flash: Business owners live in households too. We also see your \$1800/year last time has slipped to \$1750/year upon full phase in. Math problems?

YOUR BIAS IS EASILY SHOWN BY THE FACT YOU GAVE US 18 LINES, AND OUR FOES 24 LINES, ONE-THIRD MORE. WE BROUGHT THIS UP BEFORE AND HAVEN'T FORGOTTEN THE OBVIOUS UNFAIRNESS. WE GAVE YOU ADDED ARGUMENTS. WHY NOT BE FAIR?

You can add to the Arguments For the following lines to even up the two sides:

Statewide property tax collection has soared 183% since voters passed TABOR. Homeowner taxes for many seniors have doubled this year. In 2007, the legislature raised school property taxes greatly without getting state voter approval to change state law, and the legislature then lowered state aid in order to spend the money elsewhere. Allowing unelected boards to impose property taxes is "taxation without representation."

Local governments have raised property taxes without voter approval, or by an amount greater than a ballot title stated. Local governments cannot permanently cancel state constitutional rules, even with a local vote. Future tax increases should not last forever, but should be subject to voter review periodically. Allowing citizens to vote on property taxes restores true local control.

Line 21 Change "may" to "will." This is our argument; we can be positive.

Line 23 Change to "replace that part of property taxes phased out by Amendment 60 over 10 years."

Line 25 Delete after "dates." We already have a right to vote on that, just not labeled as a tax increase. It is a minor feature.

Line 27 We get to pick our examples, not you or opponents. Say "such as drainage and other districts" instead.

Line 29 Change "may" to "will"

Line 35 Insert "all" before "property"

Line 37 Replace "overturns" with "affects" An election cannot be "repealed," and the outcome is not "overturned" as though it were illegal. We simply allow another, more current vote.

Line 39 Change "reverse" to "require a future election on" There is no refund; this is prospective only.

## **PAGE SIX**

Line 9 Change "increase" to "transfer" since total education spending does not increase.

Lines 10-12 Delete sentence--An annual dedication of 0.5% in total state spending does not justify such hysteria. Spending grows more than that every year. Remember the issue of equality of lines.

Line 27--\$337 million is WAY too high. The school replacement is \$130 million yearly; see above.

Line 28-29 Replace line with "for all property owners." Your business example is demagogic.

Line 30 Change to \$1.3 billion; see above. After "by," replace with "all property owners." Stop the class envy.

Line 37 Change \$337 million to \$130 million, and \$1.5 billion to \$1.3 billion; see above.

Line 38 insert after "implemented" the words "in 2021."

Lines 39-40 Change "will have to" to "may." Change as indicated above--insert "provide more school choice alternatives, increase efficiency, trim the growth in state salaries and benefits, reduce state jobs through attrition," and then delete "or both." An either-or

binary response is not required. You also wrongly assume state revenue is frozen forever; mention its historic growth rate over 30 years.

## **PAGE SEVEN**

Line 2 Insert "property tax" after "all" and insert "Taxpayer's Bill of Rights" before "amendment."

See text, which refers to "this section," not this subsection. TABOR is Article X, SECTION 20.

In my comments to the third drafts, please include the words "tax-free" each time you mention the taxpayer savings, whether in the first year dollar amount, after full implementation, or the cumulative effect of all three (though I still object to that repetitive language you are inserting in all three analyses).

Getting added money "tax-free" is worth more than getting added money that is taxable. It should be noted.

Based on the new figures and recalculation of one of your colleagues, listed below, please adjust our third draft argument of "about \$40 billion" and "\$20,000" to fit his estimate for 2008 of \$42.5 billion. It is shown on page 9, lines 8 and 9 of the third draft for P-101.

Please share it with the A-60 and A-61. It is our best argument that CO can afford this modest tax relief, when placed in perspective. We repeatedly have said we wish it stated in your analysis, which has more credibility than the arguments of either side. If you decline to put this contextual figure in your analysis, it should be in the first argument in favor in each of the three analyses.

Since you insist on making the same half-page argument three times on the cumulative effect (to which we object), that would be a logically place to insert these figures. You list total "cost" to government, which begs the question, "Compared to what?" That's where you should list the total.

The figures are out of date, but newer figures are not available. Certainly they haven't gone down. If you wish to estimate \$44 billion for 2011 and "\$22,000," it would be reasonable to do so. But if you need written support, contact him and stick to the \$42.5 billion figure and adjust the family amount upwards by 6% to \$21,200.

# Henry Sobanet, Coloradans for Responsible Reform

## Amendment 60 Property Taxes

1 **Amendment 60 proposes amending the Colorado Constitution to:**

- 2       ♦ repeal the current voter-approved authority of local governments to  
3       keep property taxes above their constitutional limits;
- 4       ♦ establish expiration dates for future voter-approved property tax  
5       increases;
- 6       ♦ cut local property tax rates for public schools' operating expenses in half  
7       over ten years and replace this money with state funding each year;
- 8       ♦ require publicly owned enterprises to pay property taxes and reduce  
9       local property tax rates to offset the new revenue; and
- 10      ♦ provide new voting rights to certain property owners in Colorado and  
11      permit citizens to petition all local governments to reduce property  
12      taxes.

### 13 **Summary and Analysis**

14       Amendment 60 changes several aspects of Colorado's property tax system to  
15       reduce the amount of property taxes paid by individuals and businesses to school  
16       districts, counties, special districts, cities, AND towns. The measure phases in a  
17       reduction in school district property taxes over ten years and requires that the reduced  
18       property taxes be replaced with state funding. Table 1 shows the projected impact of  
19       the amendment in today's dollars on an average homeowner and commercial  
20       business, school districts, and state government, in both the first year and when the  
21       measure is fully implemented. The fully implemented impacts provide the best  
22       projections of the measure's final effects.

23       In the first year, property taxes for school districts are expected to fall by  
24       \$337 million, which the measure requires the state to replace. This represents a  
25       property tax reduction of the same amount for individuals and businesses. An  
26       average homeowner's property tax bill is projected to fall by \$87 and the property  
27       taxes for an average commercial business are estimated to fall by \$1,181.

28       When the measure is fully implemented, the property tax reduction for school  
29       districts is estimated to increase the state's obligation for kindergarten through twelfth  
30       grade education (K-12) by \$1.5 billion, which represents a property tax decrease of the  
31       same amount for individuals and businesses. An average homeowner will pay  
32       \$376 less and an average commercial business will pay \$5,106 less in property taxes  
33       annually. In future years, the actual amounts will differ as inflation and growth  
34       increase the size of the economy, but the comparable budget impacts on taxpayers  
35       and governments are expected to remain consistent over time. Cities, towns,

# Henry Sobanet, Coloradans for Responsible Reform

1 counties, and special districts will also lose property taxes, but the amount will vary by  
2 locality.

3 **Table 1. Selected Impacts of Amendment 60**

Impacted Group	Current Law	Amendment 60		Difference	
		First Year	Fully Implemented	First Year	Fully Implemented
<b>Impacts on Average Taxpayers</b>					
Property Tax Payment for Average Homeowner (\$295,000 home)	\$1,638	\$1,551	\$1,262	-\$87	-\$376
Property Tax Payment for Average Commercial Business Owner with a Value of \$1.1 million	\$22,254	\$21,073	\$17,148	-\$1,181	-\$5,106
<b>K-12 Education Funding Shift</b>					
Property Tax Collections for School Districts	\$3.3 billion	\$3.0 billion	\$1.8 billion	-\$0.3 billion	-\$1.5 billion
State Expenditures for K-12 Education	\$3.7 billion	\$4.0 billion	\$5.2 billion	\$0.3 billion	\$1.5 billion

20 **Background and current law.** Property taxes are based primarily on the value of  
21 land, houses, other buildings, and business equipment. Individuals and businesses  
22 pay property taxes to various local governments, such as cities, counties, school  
23 districts, and special districts, each of which imposes its own tax rate on property.  
24 School districts and counties receive approximately 77 percent of all property taxes  
25 collected. Publicly owned enterprises, such as city water and sewer systems,  
26 municipal airports, and most state universities, are exempt from paying property tax.

27 Property taxes are spent on a variety of local government services, including public  
28 education, police and fire services, roads and bridges, public water and sewer  
29 systems, parks and recreation facilities, hospitals, and libraries. The degree to which  
30 local governments rely on property taxes to pay for services varies. Some special  
31 districts, such as fire protection districts, get almost all of their revenue from property  
32 taxes, while many city governments get less than 5 percent of their funding from  
33 property taxes.

34 **Constitutional limits on property taxes.** The state constitution currently restricts  
35 both the amount of total revenue and property tax revenue that a local government  
36 can collect each year. Annual increases for each are capped at the rate of inflation  
37 plus a measure of local growth, such as student enrollment in the case of a school  
38 district. The constitution also requires voter approval for a local government to

# Henry Sobanet, Coloradans for Responsible Reform

1 increase property tax rates or to keep and spend total revenue or property tax revenue  
2 above the government's constitutional limit.

3 **How does Amendment 60 change how public schools are funded?** Public  
4 schools in Colorado are funded from a combination of federal, state, and local  
5 sources. Voters in some school districts have approved additional property taxes to  
6 repay loans used to build schools or other buildings. In these districts, there is a  
7 property tax for operating schools and a separate property tax to repay loans.  
8 Amendment 60 requires all districts to cut their 2011 property tax rates for operating  
9 schools in half by 2020. Property tax rates for repaying loans are unchanged. The  
10 required reduction in tax rates must be done in equal yearly amounts over ten years.  
11 Amendment 60 requires the local school district funding eliminated by this rate  
12 reduction to be replaced each year with state funding.

13 **How does Amendment 60 affect the state budget?** Currently, the state spends  
14 most of its general operating budget on: preschool through higher education; health  
15 care; prisons; the courts; and programs that help low-income, elderly, and disabled  
16 people. K-12 education funding accounts for 46 percent of this budget, which is  
17 primarily funded by sales and income taxes. Because Amendment 60 requires that  
18 the reduction in local property tax revenue be replaced with state funding, the  
19 obligation for public schools will increase to an estimated 67 percent of the state's  
20 general operating budget, once the measure is fully implemented. To meet this  
21 increased obligation to schools, the state will have to decrease spending and services  
22 in other areas, increase fees for services, or some combination of both.

23 **How does Amendment 60 affect property taxes for all local governments?**  
24 Like school districts, cities, counties, and special districts are also funded from a  
25 combination of federal, state, and local sources. Under current law, taxpayers in many  
26 communities have voted to broadly exempt their local governments from the  
27 constitutional limit related to total revenue and spending. Currently, voters in  
28 76 percent of municipalities, 81 percent of counties, and 98 percent of school districts  
29 have voted to allow government to keep and spend revenue above the constitutional  
30 limit, either temporarily or permanently. This measure would reimpose a property tax  
31 limit for those governments, leaving the broader revenue exemption unchanged.

32 Beginning in 2011, Amendment 60 repeals the current voter-approved authority of  
33 local governments to permanently keep property taxes above their constitutional limits.  
34 Local governments are not required to refund the property taxes that were retained in  
35 the past. However, local governments that collect property taxes above their property  
36 tax limit in the future will have to refund money. A new election must be held to allow  
37 a local government to keep future property taxes above its constitutional limit for up to  
38 four years at a time. The measure will also reduce the property tax collections of most  
39 local governments by reducing property tax rates, and limiting the duration of future  
40 property tax increases.

41 **How does Amendment 60 affect publicly owned enterprises?** Amendment 60  
42 requires publicly owned enterprises to pay property taxes. Under current law, state  
43 enterprises, such as most public universities, do not pay property taxes on campus

# Henry Sobanet, Coloradans for Responsible Reform

1 buildings or equipment. Similarly, local enterprises, such as Denver International  
2 Airport, pay no property taxes. The new property taxes collected from these publicly  
3 owned enterprises must be offset by lower property tax rates for homeowners,  
4 businesses, and other property taxpayers. For example, if the University of Colorado  
5 had to pay property taxes in Boulder County, its property tax bill is estimated to range  
6 from \$11 million to \$20 million per year, depending on how the property is valued.  
7 This new revenue would be offset by lower tax rates in Boulder County, providing  
8 property owners in the county with tax reductions in the same amount. The  
9 amendment prohibits publicly owned enterprises from charging either a mandatory fee  
10 or a tax on property.

11 ***How does Amendment 60 change property tax elections?*** Amendment 60  
12 proposes changing several aspects of the way property tax issues are addressed in  
13 local elections. Under current law, a property owner who is a registered Colorado  
14 voter may vote on ballot questions in his or her primary place of residence and in  
15 special district elections wherever he or she owns property in Colorado.  
16 Amendment 60 allows Colorado property owners to vote on city, county, and school  
17 district property tax issues in any Colorado location where they own property,  
18 regardless of their primary place of residence in the state.

19 Under current law, citizens may petition cities to increase or decrease property  
20 taxes, but may not petition counties, schools, or special districts. Under this measure,  
21 all local governments must permit petitions to lower property taxes.

22 Typically, when a local community has voted to permanently exempt its local  
23 government from the constitutional limit on property tax collections, that  
24 voter-approved decision is not automatically repealed at a future date. Under  
25 Amendment 60, any future vote to allow a local government to retain revenue above  
26 its constitutional limit is repealed within four years after passage. Any future vote to  
27 increase property tax rates is repealed within ten years. Any extension of an expiring  
28 property tax is considered to be a tax increase under the measure, and as such, must  
29 be presented as a tax increase on the ballot.

30 Currently, a single ballot question may ask voters if a local government may  
31 borrow money, and if property tax rates may be increased to repay that loan. Under  
32 this measure, ballot questions that allow a government to borrow money must be  
33 separate from ballot questions that raise property taxes.

34 ***How is Amendment 60 enforced?*** The amendment requires the state to  
35 annually audit all cities, counties, school districts, and other types of local  
36 governments to ensure compliance with all requirements of the amendment. Citizens  
37 are also allowed to file lawsuits to enforce compliance.

38 ***How does Amendment 60 interact with two other measures on the ballot?***  
39 Amendment 60 along with Amendment 61 (see page x) and Proposition 101  
40 (see page x) contain provisions that affect state and local government finances by  
41 decreasing taxes paid by households and businesses and restricting government  
42 borrowing. How these measures work together may require clarification from the state  
43 legislature or the courts.

# Henry Sobanet, Coloradans for Responsible Reform

1 Amendment 60 reduces local property taxes, while requiring state expenditures for  
2 K-12 education to increase by an amount that offsets the property tax loss for school  
3 districts. Amendment 61 requires state and local governments to decrease tax rates  
4 when debt is repaid, which is assumed in this analysis to apply to the existing debt of  
5 state and local governments, and it prohibits any borrowing by state government.  
6 Proposition 101 reduces state and local government taxes and fees.

7 Since portions of these measures are phased in over time, the actual impacts to  
8 taxpayers and governments will be less in the initial years of implementation and grow  
9 over time. Assuming that all three measures are approved by voters, the first-year  
10 impact will be to reduce state taxes and fees by \$744 million and increase state  
11 spending for K-12 education by \$385 million. Once fully implemented, the measures  
12 are estimated to reduce state taxes and fees by \$2.1 billion and increase state  
13 spending for K-12 education by \$1.6 billion in today's dollars. This would commit  
14 almost all of the state's general operating budget to paying for the constitutional and  
15 statutory requirements of K-12 education, leaving little for other government services.  
16 In addition, the prohibition on borrowing will increase budget pressures for the state if  
17 it chooses to pay for capital projects from its general operating budget. This would  
18 further reduce the amount of money available for other government services.

19 Tax and fee collections for local governments are expected to fall by at least  
20 \$966 million in the first year of implementation and by \$4.7 billion when the measures  
21 are fully implemented. However, the net impact on local government budgets would  
22 be at least \$581 million in the first year and \$3.1 billion when fully implemented after  
23 the state reimburses school districts.

24 Total taxes and fees paid by households and businesses are estimated to  
25 decrease by \$1.7 billion in the first year and \$6.8 billion per year in today's dollars  
26 when the measures are fully implemented. The measures reduce the taxes and fees  
27 owed by an average household making \$55,000 per year that owns a \$295,000 house  
28 by an estimated \$400 in the first year and \$1,660 per year when fully implemented.

## 29 **Arguments For**

30 1) Amendment 60 provides property tax relief for Coloradans in a tough economic  
31 climate without reducing K-12 education funding. For example, the measure will  
32 provide seniors who recently lost a property tax exemption with additional tax relief.  
33 Allowing business owners to keep more of their income may spur investment and help  
34 the economy recover more quickly. School funding is unchanged because the state is  
35 required to replace the local property taxes phased out by the amendment with state  
36 funding.

37 2) Amendment 60 strengthens citizen control over local government taxes by  
38 setting tax expiration dates and requiring that an extension of an expiring tax be  
39 presented to the voters as a tax increase. The amendment also allows citizens to  
40 petition local governments to lower taxes, and it prevents unelected boards, such as  
41 the Denver Water Board, from imposing mandatory fees or taxes on property. In

# Henry Sobanet, Coloradans for Responsible Reform

1 addition, limiting votes on property taxes to November elections, when voter turnout is  
2 typically higher, may lead to greater citizen awareness and participation.

3 3) Amendment 60 removes a competitive advantage that publicly owned  
4 enterprises have over private businesses. Unlike private facilities, publicly owned  
5 enterprises, such as parking lots and golf courses, do not currently pay property taxes.  
6 The additional revenue will lower the local property tax rate, providing further relief for  
7 property owners in the district.

## 8 **Arguments Against**

9 1) Amendment 60 overturns nearly two decades of voter-approved tax decisions  
10 that fund important services provided by counties, cities, school districts, and special  
11 districts. The amendment enables voters statewide, in this election, to reverse  
12 hundreds of decisions of local voters to fund services like fire and police protection,  
13 roads, parks and recreational facilities, water and sewer systems, and libraries. Local  
14 voters are best equipped to choose the level and type of services needed in their  
15 communities and the means to pay for those services.

16 2) Amendment 60 will require the state to cut funding for many important services,  
17 ~~which may result~~ RESULTING in job losses throughout Colorado. Because the state  
18 constitution requires that the state have a balanced budget and limits the ability of the  
19 legislature to raise taxes, every new dollar spent on education will be taken away from  
20 other services. The \$1.5 billion increase in state K-12 education spending nearly  
21 equals the amount the state currently spends on courts, prisons, and human services.  
22 This amendment requires the state to spend so much more on public schools that  
23 these or other state functions will have to be cut or eliminated in order to keep the  
24 state budget balanced.

25 3) Amendment 60 may leave many citizens worse off financially, depending on  
26 where they live. People who live in areas with few publicly owned enterprises, such as  
27 the eastern plains, will receive some property tax reductions, but may pay more in fees  
28 to use the services of public enterprises located elsewhere. For example, if the  
29 University of Colorado must pay property taxes, students statewide may pay more in  
30 tuition, but property owners in Boulder County will get most of the tax savings.  
31 Similarly, if Denver International Airport must pay property taxes, airline customers  
32 statewide may pay more in fees, but only property owners in Denver will get the  
33 property tax reduction.

## 34 **Estimate of Fiscal Impact**

35 **Local revenue.** Amendment 60 reduces property taxes for individuals and  
36 business in several ways. This reduces the amount of tax revenue that cities,  
37 counties, school districts, and special districts will receive. The measure phases in a  
38 reduction in school district property taxes over ten years. In the first year, school  
39 district property taxes are projected to fall by \$337 million, reducing property taxes

# Henry Sobanet, Coloradans for Responsible Reform

1 paid by an average homeowner and an average business owner by \$87 and \$1,181,  
2 respectively. Once the measure is fully implemented, property taxes are estimated to  
3 fall by \$1.5 billion annually in today's dollars, reducing property taxes paid by an  
4 average homeowner and an average business owner by approximately \$376 per year  
5 and \$5,106 per year, respectively. Additionally, local governments currently  
6 authorized to keep property tax revenue in excess of the constitutional limit, will have  
7 their property tax revenue reduced by an indeterminate amount.

8 **State expenditures.** By reducing the amount of local property taxes collected for  
9 school districts, statewide expenditures for public schools will increase by an  
10 estimated \$337 million in the first year of implementation and by \$1.5 billion per year in  
11 today's dollars once the measure is fully implemented. To meet this increased  
12 obligation to schools, the state will have to decrease spending and services in other  
13 areas, increase fees for services, or enact some combination of both.

14 The state must make a yearly audit of compliance with the property tax provisions  
15 and strictly enforce all requirements in the amendment. The Office of the State  
16 Auditor is responsible for reporting the financial and operational performance of  
17 agencies of state government; however, the office does not have a process for  
18 auditing local government compliance with property tax laws. Amendment 60 expands  
19 the obligations of the State Auditor's Office. It is estimated that this provision will  
20 require the addition of 1.5 new staff to coordinate year-round auditing of local  
21 government and to manage contracting with independent certified public accounting  
22 (CPA) firms. The cost for these new staff and CPA contracts is estimated to be  
23 \$800,000 each year.

**HENRY SOBANET'S COMMENTS (COLORADANS FOR RESPONSIBLE REFORM) ON LAST DRAFT OF AMENDMENT 60**

Hello Chris, Todd and Natalie,

I appreciate very much Todd and Natalie's time on the phone with me today. As you know I have been doing research for the opposition to the three ballot issues. We did not submit comments regarding the third versions of Amendment 60 and Proposition 101. But to avoid something changing from the third version to the final, we would express our opinion that Argument Against #1 in Proposition 101 should remain intact and the same is true for Argument Against #2 in Amendment 60.

Thanks for your wonderful responsiveness to our questions.

Please let me know if I can clarify anything.

Henry  
303-250-3372

## JEFF ZAX'S COMMENTS ON LAST DRAFT OF AMENDMENT 60

Thank you for the opportunity to comment on this draft of Amendment 60. My concerns have to do with the three arguments in favor:

1. Argument 1 is disingenuous. It claims that making a permanent change to the State Constitution is important because our economy is currently weak. Recessions typically last 1-2 years. It is ridiculous to make a permanent change in policy to address a short-term difficulty.
2. Argument 1 is also wrong. Reductions in property taxes will not reduce the costs of homeownership. So long as new construction is slow, the reductions in property taxes will be capitalized into higher house prices.
3. Argument 2 is also disingenuous. This Amendment overturns laws approved by citizens in many localities. It interferes with their control, rather than strengthening it.
4. Argument 3 is correct for public facilities which actually compete with private facilities, such as golf courses. If a service can be provided by private vendors, then there is a good argument that governments should not provide it. However, many publicly-owned enterprises, such as institutions of higher learning, do not compete with private enterprises. They provide genuine public goods, which should be the responsibility of government. Requiring that they pay property taxes will simply increase administrative costs. At the same time that publicly-owned enterprises will contribute to government revenue through property tax payments, they will increase government expenditures in order to make these payments.

Thank you once again,  
Jeffrey S. Zax  
Professor  
Associate Chair, Undergraduate Program  
Department of Economics  
University of Colorado at Boulder

# Last Draft as Mailed to Interested Parties

## Amendment 60 Property Taxes

1 **Amendment 60 proposes amending the Colorado Constitution to:**

- 2       ♦ repeal the current voter-approved authority of local governments to  
3       keep property taxes above their constitutional limits;
- 4       ♦ establish expiration dates for future voter-approved property tax  
5       increases;
- 6       ♦ cut local property tax rates for public schools' operating expenses in half  
7       over ten years and fully replace this money with state funding each  
8       year;
- 9       ♦ require publicly owned enterprises to pay property taxes and reduce  
10      local property tax rates to offset the new revenue; and
- 11      ♦ provide new voting rights to certain property owners in Colorado and  
12      permit citizens to petition all local governments to reduce property  
13      taxes.

14 **Summary and Analysis**

15       Amendment 60 changes several aspects of Colorado's property tax system to  
16      reduce the amount of property taxes paid by individuals and businesses to school  
17      districts, counties, special districts, and cities. The measure phases in a reduction in  
18      school district property taxes over ten years and requires that the reduced property  
19      taxes be replaced with state funding. Table 1 shows the projected impact of the  
20      amendment in today's dollars on an average homeowner and commercial business,  
21      school districts, and state government, in both the first year and when the measure is  
22      fully implemented. The latter provides the best projections of the measure's final  
23      effects.

24       In the first year, an average homeowner's property tax bill is projected to fall by  
25      \$87 and the property taxes for an average commercial business are estimated to fall  
26      by \$1,288. The corresponding reduction in property tax collections for school districts  
27      is estimated at \$337 million, which the measure requires the state to replace. When  
28      the measure is fully implemented, an average homeowner will pay \$376 less and a  
29      average commercial business will pay \$5,570 less in property taxes annually. These  
30      property tax reductions will increase the state's obligation to kindergarten through  
31      twelfth grade education (K-12) by \$1.5 billion. In future years, the actual amounts will  
32      differ as inflation and growth increase the size of the economy, but the comparable  
33      budget impacts on taxpayers and governments are expected to remain consistent over  
34      time. Cities, towns, counties, and special districts will also lose property taxes, but the  
35      amount will vary by locality.

# Last Draft as Mailed to Interested Parties

1

**Table 1. Selected Impacts of Amendment 60**

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

Impacted Group	Current Law	Amendment 60		Difference	
		First Year	Fully Implemented	First Year	Fully Implemented
<b>Impacts on Average Taxpayers</b>					
Property Tax Payment for Average Homeowner (\$295,000 home)	\$1,638	\$1,551	\$1,262	-\$87	-\$376
Property Tax Payment for Average Commercial Business Owner with a value of \$1.2 million	\$24,277	\$22,989	\$18,703	-\$1,288	-\$5,570
<b>K-12 Education Funding Shift</b>					
Property Tax Collections for School Districts	\$3.3 billion	\$3.0 billion	\$1.8 billion	-\$0.3 billion	-\$1.5 billion
State Expenditures for K-12 Education	\$3.7 billion	\$4.0 billion	\$5.2 billion	\$0.3 billion	\$1.5 billion

18

**Background and current law.** Property taxes are based primarily on the value of land, houses, other buildings, and business equipment. Individuals and businesses pay property taxes to various local governments, such as cities, counties, school districts, and special districts, each of which imposes its own tax rate on property. School districts and counties receive approximately 77 percent of all property taxes collected. Publicly owned enterprises, such as city water and sewer systems, municipal airports, and most state universities, are exempt from paying property tax.

25

Property taxes are spent on a variety of local government services, including public education, police and fire services, roads and bridges, public water and sewer systems, parks and recreation facilities, hospitals, and libraries. The degree to which local governments rely on property taxes to pay for services varies. Some special districts, such as fire protection districts, get almost all of their revenue from property taxes, while many city governments get less than 5 percent of their funding from property taxes.

32

**Constitutional limits on property taxes.** The state constitution currently restricts the amount of property taxes that a local government can collect each year. Annual increases are capped at the rate of inflation plus a measure of local growth, such as student enrollment in the case of a school district. The constitution also requires voter approval for a local government to increase property tax rates or to keep property taxes above the government's constitutional limit.

1

**How does Amendment 60 change how public schools are funded?** Public schools in Colorado are funded from a combination of federal, state, and local

2

## Last Draft as Mailed to Interested Parties

1 sources. Voters in some school districts have approved additional property taxes to  
2 repay loans used to build schools or other buildings. In these districts, there is a  
3 property tax for operating schools and a separate property tax to repay loans.  
4 Amendment 60 requires all districts to cut their 2011 property tax rates for operating  
5 schools in half by 2020. Property tax rates for repaying loans are unchanged. The  
6 required reduction in tax rates must be done in equal yearly amounts over ten years.  
7 Amendment 60 requires the local school district funding eliminated by this rate  
8 reduction to be replaced each year with state funding.

9 ***How does Amendment 60 affect the state budget?*** Currently, the state spends  
10 most of its general operating budget on: preschool through higher education; health  
11 care; prisons; the courts; and programs that help low-income, elderly, and disabled  
12 people. K-12 education funding accounts for 49 percent of this budget, which is  
13 primarily funded by sales and income taxes. Because Amendment 60 requires that  
14 the reduction in local property tax revenue be replaced with state tax revenue, the  
15 funding obligation for public schools will increase to an estimated 67 percent of the  
16 state's general operating budget, once the measure is fully implemented. To meet this  
17 increased obligation to schools, the state will have to decrease spending in other  
18 areas, increase fees for other services, or enact some combination of both.

19 ***How does Amendment 60 affect property taxes for all local governments?***  
20 Like school districts, cities, counties, and special districts are also funded from a  
21 combination of federal, state, and local sources. Under current law, taxpayers in many  
22 communities have voted to exempt their local governments from the constitutional limit  
23 related to property taxes. Currently, voters in 76 percent of municipalities, 81 percent  
24 of counties, and 98 percent of school districts have voted to allow government to keep  
25 and spend property tax revenue above the constitutional limit, either temporarily or  
26 permanently. Beginning in 2011, Amendment 60 repeals the current voter-approved  
27 authority of local governments to permanently keep property taxes above their  
28 constitutional limits. Local governments are not required to refund the property taxes  
29 that were retained in the past, but a new election must be held to allow a local  
30 government to temporarily keep taxes above its constitutional limit. The measure will  
31 also reduce the property tax collections of most local governments by reducing  
32 property tax rates, and limiting the duration of future property tax increases.

33 ***How does Amendment 60 affect publicly owned enterprises?*** Amendment 60  
34 requires publicly owned enterprises to pay property taxes. Under current law, state  
35 enterprises, such as most public universities, do not pay property taxes on campus  
36 buildings or equipment. Similarly, local enterprises, such as Denver International  
37 Airport, pay no property taxes. The new property taxes collected from these publicly  
38 owned enterprises must be offset by lower property tax rates for homeowners,  
39 businesses, and other property taxpayers. For example, if the University of Colorado  
40 had to pay property taxes in Boulder County, its property tax bill is estimated to range  
41 from \$11 million to \$20 million per year, depending on how the property is valued.  
42 This new revenue would be offset by lower tax rates in Boulder County, providing  
43 property owners in the county with additional tax savings. The amendment prohibits  
44 publicly owned enterprises from charging either a mandatory fee or a tax on property.

## Last Draft as Mailed to Interested Parties

1        **How does Amendment 60 change property tax elections?** Amendment 60  
2 proposes changing several aspects of the way property tax issues are addressed in  
3 local elections. Under current law, a property owner who is a registered Colorado  
4 voter may vote on ballot questions in his or her primary place of residence and in  
5 special district elections wherever he or she owns property in Colorado.  
6 Amendment 60 allows Colorado property owners to vote on city, county, and school  
7 district property tax issues in any Colorado location where they own property,  
8 regardless of their primary place of residence in the state.

9        Under current law, citizens may petition cities to increase or decrease property  
10 taxes, but may not petition counties, schools, or special districts. Under this measure,  
11 all local governments must permit petitions to lower property taxes.

12        Typically, when a local community has voted to permanently exempt its local  
13 government from the constitutional limit on property tax collections, that  
14 voter-approved decision is not automatically repealed at a future date. Under  
15 Amendment 60, any future vote to allow a local government to retain revenue above  
16 its constitutional limit is repealed within four years after passage. Any future vote to  
17 increase property tax rates is repealed within ten years. Any extension of an expiring  
18 property tax is considered to be a tax increase under the measure, and as such, must  
19 be presented as a tax increase on the ballot.

20        Currently, a single ballot question may ask voters if a local government may  
21 borrow money, and if property tax rates may be increased to repay that loan. Under  
22 this measure, ballot questions that allow a government to borrow money must be  
23 separate from ballot questions that raise property taxes.

24        **How is Amendment 60 enforced?** The amendment requires the state to  
25 annually audit all cities, counties, school districts, and other types of local  
26 governments to ensure compliance with all requirements of the amendment. Citizens  
27 are also allowed to file lawsuits to enforce compliance.

28        **How does Amendment 60 interact with two other measures on the ballot?**  
29 Amendment 60 along with Amendment 61 (see page x) and Proposition 101 (see  
30 page x) contain provisions that affect state and local government finances by  
31 decreasing taxes paid by households and businesses and restricting government  
32 borrowing. How these measures work together may require clarification from the state  
33 legislature or the courts.

34        Amendment 60 reduces local property taxes, while requiring state expenditures for  
35 K-12 education to increase by an amount that offsets the property tax loss for school  
36 districts. Amendment 61 requires state and local governments to decrease tax rates  
37 when debt is repaid, and is assumed in this analysis to apply to the existing debt of  
38 state and local governments. Proposition 101 reduces state and local government  
39 taxes and fees.

40        Since portions of these measures are phased in over time, the actual impacts to  
41 taxpayers and governments will be less in the initial years of implementation and grow  
42 over time. Assuming that all three measures are approved by voters, the first-year  
43 impact will be to reduce state taxes and fees by \$717 million and increase state

## Last Draft as Mailed to Interested Parties

1 spending for K-12 education by \$385 million. Once fully implemented, the measures  
2 are estimated to reduce state taxes and fees by \$2.1 billion and increase state  
3 spending for K-12 education by \$1.6 billion in today's dollars. This would commit  
4 almost all of the state's general operating budget to paying for the constitutional and  
5 statutory requirements of K-12 education. Tax and fee collections by local  
6 governments are estimated to decrease by \$5.0 billion, but the net impact on local  
7 government budgets would be \$3.4 billion after the state reimburses school districts.

8 Households and businesses are estimated to save \$1.6 billion in the first year and  
9 \$7.1 billion per year in today's dollars when the measures are fully implemented. The  
10 measures reduce the taxes and fees owed by an average household making \$55,000  
11 per year that owns a \$295,000 house by an estimated \$400 in the first year and  
12 \$1,750 per year when fully implemented.

### 13 **Arguments For**

14 1) Amendment 60 provides property tax relief for Coloradans in a tough economic  
15 climate without reducing K-12 education funding. By lowering property taxes for  
16 individuals and families, the amendment will make home ownership more affordable.  
17 Allowing business owners to keep more of their income may spur investment and help  
18 the economy recover more quickly. School funding is unchanged because the state is  
19 required to replace the local property taxes eliminated by the amendment.

20 2) Amendment 60 strengthens citizen control over local government taxes. It sets  
21 tax expiration dates and allows voters to approve any extension of an expiring tax.  
22 The amendment also allows citizens to petition local governments to lower taxes, and  
23 it prevents unelected boards, such as the Denver Water Board, from imposing  
24 mandatory fees or taxes on property. In addition, limiting votes on property taxes to  
25 November elections, when voter turnout is typically higher, may lead to greater citizen  
26 awareness and participation.

27 3) Amendment 60 removes a competitive advantage that publicly owned  
28 enterprises have over private businesses. Unlike private facilities, publicly owned  
29 enterprises, such as parking lots and golf courses, do not currently pay property taxes.  
30 The additional revenue will lower the local property tax rate, reducing property tax bills  
31 for property owners in the district.

### 32 **Arguments Against**

33 1) Amendment 60 overturns nearly two decades of voter-approved tax decisions  
34 that fund important services provided by counties, cities, school districts, and special  
35 districts. The amendment enables voters statewide, in this election, to reverse  
36 hundreds of decisions of local voters to fund services like fire and police protection,  
37 roads, parks and recreational facilities, water and sewer systems, and libraries. Local  
38 voters are best equipped to choose the level and type of services needed in their  
39 communities and the means to pay for those services.

## Last Draft as Mailed to Interested Parties

1           2) Amendment 60 will require the state to cut funding for many important services,  
2 resulting in job losses throughout Colorado. Because the state constitution requires  
3 that the state have a balanced budget and limits the ability of the legislature to raise  
4 taxes, every new dollar spent on education will be taken away from other services.  
5 The \$1.5 billion increase in K-12 education spending nearly equals the amount the  
6 state currently spends on courts, prisons, and human services. This amendment  
7 requires the state to spend so much more on public schools that these or other state  
8 functions will have to be cut or eliminated in order to keep the state budget balanced.

9           3) Amendment 60 may leave many citizens worse off financially, depending on  
10 where they live. People who live in areas with few publicly owned enterprises, such as  
11 the eastern plains, will receive some property tax reductions, but may pay more in fees  
12 to use the services of public enterprises located elsewhere. For example, if the  
13 University of Colorado must pay property taxes, students statewide may pay more in  
14 tuition, but property owners in Boulder County will get most of the tax savings.  
15 Similarly, if Denver International Airport must pay property taxes, airline customers  
16 statewide may pay more in fees, but only property owners in Denver will get the  
17 property tax reduction.

### 18       **Estimate of Fiscal Impact**

19           **Local revenue.** Amendment 60 reduces property taxes for individuals and  
20 business in several ways. This reduces the amount of tax revenue that cities,  
21 counties, school districts, and special districts will receive. The measure phases in a  
22 reduction in school district property taxes over ten years. In the first year, school  
23 district property taxes are projected to fall by \$337 million, reducing property taxes  
24 paid by an average homeowner and an average business owner by \$87 and \$1,288,  
25 respectively. Once the measure is fully implemented, property taxes are estimated to  
26 fall by \$1.5 billion annually in today's dollars, reducing property taxes paid by an  
27 average homeowner and an average business owner by approximately \$376 per year  
28 and \$5,570 per year, respectively. Additionally, local governments currently  
29 authorized to keep property tax revenue in excess of the constitutional limit, will have  
30 their property tax revenue reduced by an indeterminate amount.

31           **State expenditures.** By reducing the amount of local property taxes collected for  
32 school districts, statewide expenditures for public schools will increase by an  
33 estimated \$337 million in the first year of implementation and by \$1.5 billion per year in  
34 today's dollars once the measure is fully implemented. To meet this increased  
35 obligation to schools, the state will have to decrease spending in other areas, increase  
36 fees for other services, or enact some combination of both.

37           The state must make a yearly audit of compliance with the property tax provisions  
38 and strictly enforce all requirements in the amendment. The Office of the State  
39 Auditor is responsible for reporting the financial and operational performance of  
40 agencies of state government; however, the office does not have a process for  
41 auditing local government compliance with property tax laws. Amendment 60 expands  
42 the obligations of the State Auditor's Office. It is estimated that this provision will

## Last Draft as Mailed to Interested Parties

- 1 require the addition of 1.5 new staff to coordinate year-round auditing of local
- 2 government and to manage contracting with independent certified public accounting
- 3 (CPA) firms. The cost for these new staff and CPA contracts is estimated to be
- 4 \$800,000 each year.

AMENDMENT 60 - PROPERTY TAXES  
AMENDMENT 61 - LIMITS ON STATE AND LOCAL GOVERNMENT BORROWING  
PROPOSITION 101 - INCOME, VEHICLE, AND TELECOMMUNICATIONS TAXES AND FEES  
CONTACT LIST

Senator Abel Tapia  
P.O. Box 1769  
Pueblo, CO 81002  
abel.tapia.senate@state.co.us

Adrienne Benavidez  
Office of the State Controller  
633 17th St., #1600  
Denver, CO 80202  
adrienne.benavidez@state.co.us

Senator Al White  
P.O. Box 1627  
Hayden, CO 81639  
al.white.senate@state.co.us

Alicia Mullenbach  
Univision Colorado  
777 Grant St., #500  
Denver, CO 80203  
vistacomm@comcast.net

Amber Valdez  
Ruben Valdez and Associates  
11236 W. Ford Drive  
Lakewood, CO 80226  
ambervaldez@aol.com

Amy Charlton  
Colorado Rural Electric Association  
5400 N. Washington St.  
Denver, CO 80216  
acharlton@coloradorea.org

Representative Amy Stephens  
P.O. Box 207  
Monument, CO 80132  
amy.stephens.house@state.co.us

Andi Leopoldus  
Denver, CO 80204  
andileo@earthlink.net

Andy Carlson  
Colorado Department of Higher  
Education  
1560 Broadway, Suite 1600  
Denver, CO 80202  
andrew.carlson@dhe.state.co.us

Representative Andy Kerr  
9206 W. Alameda Ave.  
Lakewood, CO 80226  
andy.kerr.house@state.co.us

Ann Terry  
Special District Association  
225 E. 16th Ave., #1000  
Denver, CO 80203  
ann.terry@sdaco.org

Anne Boyle  
McKenna and Long  
1400 Wewatta St., #700  
Denver, CO 80202  
aboyle@mckennalong.com

Athena Dalton  
House Minority Office  
200 E. Colfax #212  
Denver, CO 80203  
athena.dalton@state.co.us

Barb Zahn  
Aurora, CO 80011  
barbz@q.com

AMENDMENT 60 - PROPERTY TAXES  
AMENDMENT 61 - LIMITS ON STATE AND LOCAL GOVERNMENT BORROWING  
PROPOSITION 101 - INCOME, VEHICLE, AND TELECOMMUNICATIONS TAXES AND FEES  
CONTACT LIST

Barbara Fiedler  
Colorado Treasurers Office  
200 E. Colfax #140  
Denver, CO 80203  
barbara.fiedler@state.co.us

Becky Long  
Colorado Environmental Coalition  
1536 Wynkoop #5C  
Denver, CO 80202  
becky@cecenviro.org

Ben Degrow  
Independence Institute  
13952 Denver West Pkwy. Bldg. 53, #400  
Golden, CO 80401  
ben@i2i.org

Ben Stein  
Department of Transportation  
4201 E. Arkansas Ave.  
Denver, CO 80205  
ben.stein@dot.state.co.us

Beth Skinner  
Broomfield, CO 80020  
biskinner@comcast.net

Senator Betty Boyd  
12527 W Arizona Place  
Lakewood, CO 80228  
betty.boyd.senate@state.co.us

Bill Fulton  
The Civic Company  
1625 E. 35th Ave.  
Denver, CO 80205  
bill@civiccompany.org

Bill Ray  
CFRR  
190 E. Sherman St., #100  
Denver, CO 80203  
bill@wr-communications.com

Bill Skewes  
CLS Public Affairs  
2847 Scotia Road  
Evergreen, CO  
Bill@CLSPublicAffairs.com

Senator Bob Bacon  
720 Gilgalad Way  
Fort Collins, CO 80526  
bob.bacon.senate@state.co.us

Bob Eichem  
Finance Director  
City of Boulder  
1777 Broadway  
Boulder, CO 80306  
EichemB@bouldercolorado.gov

Representative Bob Gardner  
P.O. Box 1082  
Colorado Springs, CO 80901  
bob.gardner.house@state.co.us

Bob McCluskey  
719 Westshore Court  
Fort Collins, CO 80525  
rmclcluskey@aol.com

Bob Yuhnke  
SW Energy Efficiency Project  
2260 Baseline Road, #212  
Boulder, CO 80302  
byuhnke@swenergy.org

AMENDMENT 60 - PROPERTY TAXES  
AMENDMENT 61 - LIMITS ON STATE AND LOCAL GOVERNMENT BORROWING  
PROPOSITION 101 - INCOME, VEHICLE, AND TELECOMMUNICATIONS TAXES AND FEES  
CONTACT LIST

Brad Young  
Wheat Ridge, CO 80033  
brad@rxplus.com

Bradley Arnold  
Cherry Creek Schools  
4850 S. Yosemite St.  
Greenwood Village, CO 80111  
barnold4@cherrycreekschools.org

Brandon McGuire  
Vail Resorts  
390 Interlocken Crescent  
Broomfield, CO 80021  
bmcguire@vailresorts.com

Senator Brandon Shaffer  
3028 Colgate Drive  
Longmont, CO 80503  
brandon@brandonshaffer.com

Brett Fuhrman  
Denver Public Schools  
900 Grant St.  
Denver, CO 80203  
brett\_fuhrman@dpsk12.org

Representative Brian DelGrosso  
1805 Grey's Peak Dr #204  
Loveland, CO 80538  
brian@briandelgrosso.com

Brian Elms  
Denver International Airport  
8500 Pena Blvd.  
Denver, CO 80249  
brian.elms@flydenver.com

Bruce Broderius  
Greeley, CO 80634  
brucebroder@comcast.net

Bruce Caughey  
Colorado Assoc. of School Executives  
4101 S. Bannock Street  
Englewood, CO 80110  
bcaughey@co-case.org

Bruce Eisenhauer  
Department of Local Affairs  
1313 Sherman #500  
Denver, CO 80203  
bruce.eisenhauer@state.co.us

Senator Bruce Whitehead  
1362 CR 126  
Hesperus, CO 81326  
bruce.whitehead.senate@state.co.us

Representative Buffie McFadyen  
385 W. Baldwyn Drive  
Pueblo, CO 81007  
mcfadyen2002@hotmail.com

Carol Boigon  
City and County of Denver  
201 W. Colfax Ave., Dept. 705  
Denver, CO 80202  
carol.boigon@denvergov.org

Carol Haller  
101 W. Colfax Ave., #500  
Denver, CO 80202  
carol.haller@judicial.state.co.us

AMENDMENT 60 - PROPERTY TAXES  
AMENDMENT 61 - LIMITS ON STATE AND LOCAL GOVERNMENT BORROWING  
PROPOSITION 101 - INCOME, VEHICLE, AND TELECOMMUNICATIONS TAXES AND FEES  
CONTACT LIST

Carol Hedges  
Colorado Fiscal Policy Institute  
1490 Lafayette St., Suite 206  
Denver, CO 80218  
chedges@cclponline.org

Cary Kennedy  
State Treasurer  
200 E. Colfax #140  
Denver, CO 80203  
cary.kennedy@state.co.us

Casey Wardynski  
Aurora Public Schools  
15701 E. First Ave., Suite 106  
Aurora, CO 80011  
ecwardynski@aps.k12.co.us

Cathy Wanstrath  
Denver, CO 80209  
cathywanstrath@q.com

Charles Malick  
Golden, CO 80401  
cnmalick@yahoo.com

Charles Scheibe  
State Treasurer's Office  
200 E. Colfax #140  
Denver, CO 80203  
charles.scheibe@state.co.us

Charlie Brown  
Littleton, CO 80123  
brownchaz@msn.com

Charlie Jaquez  
Centennial School District R-1  
909 N. Main Street  
San Luis, CO 81152  
cjaquez@amigo.net

Representative Cheri Gerou  
P.O. Box 940  
Evergreen, CO 80437  
cheri.gerou@gmail.com

Chip Taylor  
Colorado Counties Inc.  
800 Grant St., #500  
Denver, CO 80203  
jtaylor@ccionline.org

Chris Lines  
Department of Reg Agencies  
1560 Broadway, Suite 1550  
Denver, CO 80202  
chris.lines@dora.state.co.us

Chris Mendez  
Colorado Counties Inc.  
800 Grant St., #500  
Denver, CO 80203  
cmendez@ccionline.org

Senator Chris Romer  
840 Detroit St.  
Denver, CO 80206  
chris.romer.senate@state.co.us

Christie Donner  
Colorado Criminal Justice Reform  
Coalition  
1212 Mariposa St., #6  
Denver, CO 80204  
christie@ccjrc.org

AMENDMENT 60 - PROPERTY TAXES  
AMENDMENT 61 - LIMITS ON STATE AND LOCAL GOVERNMENT BORROWING  
PROPOSITION 101 - INCOME, VEHICLE, AND TELECOMMUNICATIONS TAXES AND FEES  
CONTACT LIST

Chuck Berry  
Colorado Association of Commerce &  
Industry  
1600 Broadway, Suite 1000  
Denver, CO 80202-4935  
cberry@COchamber.com

Cindy Sovine  
Denver, CO 80228  
Cindy@SovineMiller.com

Clark Bolser  
Department of Personnel and  
Administration  
633 17th St.  
Denver, CO 80202  
clark.bolser@state.co.us

Coleen Slevin  
cslevin@ap.org

Representative Cory Gardner  
PO Box 86  
Yuma, CO 80759  
gardner@plains.net

Cris White  
Colorado Housing and Finance Authority  
1981 Blake St.  
Denver, CO 80202  
cwhite@chfainfo.com

Dan Anglin  
Colorado Association of Commerce &  
Industry  
1600 Broadway, Suite 1000  
Denver, CO 80202-4935  
danglin@cochamber.com

Dan Chapman  
Denver, CO 80210  
danmchapman@msn.com

Senator Dan Gibbs  
P.O. Box 704  
Silverthorne, CO 80498  
dan.gibbs.senate@state.co.us

Dan Krug  
Department of Higher Education  
1560 Broadway, #1600  
Denver, CO 80202  
dan.krug@dhe.state.co.us

Dan Powers  
Boulder Chamber of Commerce  
2440 Pearl St.  
Boulder, CO 80302  
dan.powers@boulderchamber.com

Dan Hoffman  
Environment Colorado  
1530 Blake St., Suite 2002  
Denver, CO 80202  
dhoffman@environmentcolorado.org

Representative Daniel Kagan  
200 E. Colfax Ave. Rm 271  
Denver, CO 80203  
repkagan@gmail.com

Danny L. Tomlinson  
Tomlinson and Associates  
7535 Yorkshire Dr.  
Castle Rock, CO 80108  
dtomlinson@msn.com

AMENDMENT 60 - PROPERTY TAXES  
AMENDMENT 61 - LIMITS ON STATE AND LOCAL GOVERNMENT BORROWING  
PROPOSITION 101 - INCOME, VEHICLE, AND TELECOMMUNICATIONS TAXES AND FEES  
CONTACT LIST

Darci Mohr  
Douglas County School District  
620 Wilcox St.  
Castle Rock, CO 80104  
darci.mohr@dcsdk12.org

Darlene Jensen  
Colo. Assn. of Conservation Districts  
901 Rampart Range Road  
Woodland Park, CO 80866  
darlene@cacd.us

Representative David Balmer  
6043 S. Eagle St.  
Centennial, CO 80016  
david.balmer.house@state.co.us

Davi Dawson  
Audio Information Network of Colorado  
2200 Central Ave., Suite A  
Boulder, CO 80301  
ainc@aincolorado.org

David Hart  
Denver Public Schools  
900 Grant St.  
Denver, CO 80203  
david\_hart@dpsk12.org

David McDermott  
Department of Personnel and Admin.  
633 17th St.  
Denver, CO 80202  
david.mcdermott@state.co.us

David Oppenheim  
Dept. of Health Care Policy & Financing  
1570 Grant St.  
Denver, CO 80203  
david.oppenheim@state.co.us

David A. Ervin  
The Resource Exchange  
418 S. Weber St.  
Colorado Springs, CO 80903  
dervin@tre.org

Deb Demuth  
CollegeInvest  
1560 Broadway, #1700  
Denver, CO 80202  
ddemuth@collegeinvest.org

Deb Kugler  
Department of Corrections  
12157 West Cedar Drive  
Lakewood, CO 80228  
deb.kugler@doc.state.co.us

Representative Debbie Benefield  
8370 Yarrow St.  
Arvada, CO 80005  
debbie@debbiebenefield.org

Debbie Wagner  
Lombard & Clayton  
debbie@lombardclayton.com  
1560 Broadway, #1099  
Denver, CO 80202

Deborah Obermeyer  
MetroNorth Chamber of Commerce  
2921 W. 120th Ave., Suite 210  
Westminster, CO 80234  
deborah@metronorthchamber.com

Dee Wisor  
Sherman & Howard  
633 17th St., #3000  
Denver, CO 80202  
dwisor@shermanhoward.com

AMENDMENT 60 - PROPERTY TAXES  
AMENDMENT 61 - LIMITS ON STATE AND LOCAL GOVERNMENT BORROWING  
PROPOSITION 101 - INCOME, VEHICLE, AND TELECOMMUNICATIONS TAXES AND FEES  
CONTACT LIST

Diane Doney  
Douglas County School District RE1  
620 Wilcox St.  
Castle Rock, CO 80104  
diane.doney@dcsdk12.org

Dianna Orf  
1410 Grant St., Suite C-207  
Denver, CO 80203  
dianna@orfco.net

Dick Brown  
Denver, CO 80231  
Rgscuba@aol.com

Dina Murray  
South Routt School District RE-3  
305 S. Grant St.  
Oak Creek, CO 80467  
dmurray@southroutt.k12.co.us

Donna Alengi  
Special District Association  
225 E. 16th Ave., #1000  
Denver, CO 80203  
donna.alengi@sdaco.org

Douglas Bruce  
Colorado Springs, CO 80936  
taxcutter@msn.com

Representative Ed Vigil  
P.O. Box 642  
Alamosa, CO 81101  
edvigill@gmail.com

Representative Edward Casso  
200 E. Colfax, Room 271  
Denver, CO 80203  
edward.casso.house@state.co.us

Dianna May  
Colorado Forum  
511 16th Street, Suite 210  
Denver, CO 80202  
diannamay@coloradoforum.com

Representative Dianne Primavera  
P.O. Box 192  
Broomfield, CO 80038  
dianne.primavera.house@state.co.us

Dick Hartman  
Union Pacific Railroad  
2120 Carey Ave., Suite 410  
Cheyenne, WY 82001  
dickhartman@up.com

Don Bain  
Holme Roberts & Owen LLP  
1700 Lincoln #4100  
Denver, CO 80203  
don.bain@hro.com

Donna Lynne  
Kaiser Foundation Health Plan  
10350 E. Dakota Ave.  
Denver, CO 80247  
donna.l.lynne@kp.org

D. Capra  
dcapra@aol.com

Eddie Busam  
Aponte & Busam  
303 E. 17th Ave., #502  
Denver, CO 80203  
ebusam@aponte-busam.com

Elena Wilken  
Colorado Assoc. of Transit Agencies  
1580 Lincoln St., #780  
Denver, CO 80203  
executivedirector@coloradotransit.com

AMENDMENT 60 - PROPERTY TAXES  
AMENDMENT 61 - LIMITS ON STATE AND LOCAL GOVERNMENT BORROWING  
PROPOSITION 101 - INCOME, VEHICLE, AND TELECOMMUNICATIONS TAXES AND FEES  
CONTACT LIST

Elinor Christiansen  
HCAC Foundation  
P.O. Box 280767  
Lakewood, CO 80228  
echris7doc@gmail.com

Representative Ellen Roberts  
P.O. Box 3373  
Durango, CO 81302  
ellen.roberts.house@state.co.us

Emily Arell  
Legislative Director  
Colorado House Democrats  
200 E. Colfax Ave., Room 222  
Denver, CO 80203  
emily.arell@state.co.us

Erin Goff  
Axiom Strategies Inc.  
225 E. 16th Ave., #260  
Denver, CO 80203  
erin@axiomstrategiesinc.com

Senator Evie Hudak  
7649 Harlan Way  
Westminster, CO 80003  
senatorhudak@gmail.com

Representative Frank McNulty  
P.O. Box 630573  
Highlands Ranch, CO 80163  
frank@frankmcnulty.com

Frank Waterous  
The Bell Policy Center  
1905 Sherman St., Suite 900  
Denver, CO 80203  
waterous@bellpolicy.org

Fred Holden  
Arvada, CO 80004  
fredholden@aol.com

Senator Gail Schwartz  
P.O. Box 6578  
Snowmass Village, CO 81615  
gail.schwartz.senate@gmail.com

Geffrey Hier  
Colorado Rural Electric Association  
5400 N. Washington St.  
Denver, CO 80216  
ghier@coloradorea.org

Geoff Wilson  
Colorado Municipal League  
1144 Sherman  
Denver, CO 80203  
gwilson@cml.org

George Dibble  
Englewood, CO 80111  
georgedibble@mindspring.com

Gerry Cummins  
League of Women Voters  
1410 Grant St., Suite B-204  
Denver, CO 80203  
gerry.cummins@prodigy.net

Gini Pingnot  
Colorado Counties Inc.  
800 Grant St., Suite 500  
Denver, CO 80203  
gpingnot@ccionline.org

AMENDMENT 60 - PROPERTY TAXES  
AMENDMENT 61 - LIMITS ON STATE AND LOCAL GOVERNMENT BORROWING  
PROPOSITION 101 - INCOME, VEHICLE, AND TELECOMMUNICATIONS TAXES AND FEES  
CONTACT LIST

Ginny Brown  
Dept. of Health Care Policy & Financing  
1570 Grant St.  
Denver, CO 80203  
[ginny.brown@state.co.us](mailto:ginny.brown@state.co.us)

Representative Glenn Vaad  
P.O. Box 411  
Mead, CO 80542  
[repglennvaad@gmail.com](mailto:repglennvaad@gmail.com)

Senator Greg Brophy  
P.O. Box 332  
Wray, CO 80758  
[greg@gregbrophy.net](mailto:greg@gregbrophy.net)

Greg Fulton  
Colorado Motor Carriers Association  
4060 Elati St.  
Denver, CO 80216  
[greg@cmca.com](mailto:greg@cmca.com)

Gully Stanford  
College in Colorado  
1560 Broadway, Suite 1700  
Denver, CO 80202  
[gully.stanford@cic.state.co.us](mailto:gully.stanford@cic.state.co.us)

Heather Atkinson  
Siegel Public Affairs  
1280 Sherman St., Suite 202  
Denver, CO 80203  
[heather@siegelpa.com](mailto:heather@siegelpa.com)

Heather Kline  
Denver, CO 80203  
[heather.kline@cu.edu](mailto:heather.kline@cu.edu)

Glenn Gustafson  
Colorado Springs School District 11  
1115 N. El Paso Street  
Colorado Springs, CO 80903  
[gustage@d11.org](mailto:gustage@d11.org)

Greg Abboud  
Power Sports Dealers Association  
13670 Cherry Way  
Thornton, CO 80602  
[g.abboud@comcast.net](mailto:g.abboud@comcast.net)

Greg Dorman  
DMVA  
6848 W. Revere Parkway  
Centennial, CO 80112  
[greg.dorman@dmva.state.co.us](mailto:greg.dorman@dmva.state.co.us)

Greg Smith  
Colo. Public Employees Retirement Assn.  
1301 Pennsylvania St.  
Denver, CO 80203  
[gsmith@copera.org](mailto:gsmith@copera.org)

Guy G. Bellville  
Cherry Creek Schools  
4850 S. Yosemite St.  
Greenwood Village, CO 80111  
[gbellville@cherrycreekschools.org](mailto:gbellville@cherrycreekschools.org)

Heather Copp  
Department of Transportation  
4201 E. Arkansas Ave.  
Denver, CO 80222  
[heather.copp@dot.state.co.us](mailto:heather.copp@dot.state.co.us)

Heidi Wagner  
Tri-State Generation & Transmission Assoc.  
P.O. Box 33695  
Denver, CO 80233-0695  
[hwagner@tristategt.org](mailto:hwagner@tristategt.org)

AMENDMENT 60 - PROPERTY TAXES  
AMENDMENT 61 - LIMITS ON STATE AND LOCAL GOVERNMENT BORROWING  
PROPOSITION 101 - INCOME, VEHICLE, AND TELECOMMUNICATIONS TAXES AND FEES  
CONTACT LIST

Henry Sobanet  
Colorado Strategies  
info@coloradostrategies.com

Henry "Corky" Kyle  
The Kyle Group  
14450 W. 56th Place  
Arvada, CO 80002  
ckyle@thekylegroup.com

Herb Homan  
Denver, CO 80210-6122  
hhoman1@yahoo.com

Herman Stockinger  
Department of Transportation  
4201 E. Arkansas Ave.  
Denver, CO 80222  
herman.stockinger@dot.state.co.us

Representative Jack Pommer  
605 Pine St.  
Boulder, CO 80302  
jack.pommer.house@state.co.us

Jamee Allen  
jamee\_allen@fmi.com

Representative James Kerr  
6359 S. Chase Court  
Lakewood, CO 80226  
james.kerr.house@state.co.us

Jan Tanner  
Board of Education School District 11  
1115 N. El Paso St.  
Colorado Springs, CO 80903  
tannerjj@gmail.com

Jane Urschel  
Colorado Association of School Boards  
1200 Grant Street  
Denver, CO 80203-2306  
jurschel@casb.org

Jason Gelender  
Office of Legislative Legal Services  
Room 091 State Capitol  
Denver, CO 80203  
jason.gelender@state.co.us

Jay Hicks  
Hicks & Associates  
jay@rjhicksinc.com

Representative Jeanne Labuda  
3975 S. Pinehurst Circle  
Denver, CO 80235-3124  
replabuda@yahoo.com

Jeffrey Zax  
Department of Economics  
University of Colorado - Boulder  
256 UCB  
Boulder, CO 80309  
jeffrey.zax@colorado.edu

Jen Walmer  
Colorado House Democrats  
200 E. Colfax, Room 246  
Denver, CO 80203  
jen.walmer@state.co.us

AMENDMENT 60 - PROPERTY TAXES  
AMENDMENT 61 - LIMITS ON STATE AND LOCAL GOVERNMENT BORROWING  
PROPOSITION 101 - INCOME, VEHICLE, AND TELECOMMUNICATIONS TAXES AND FEES  
CONTACT LIST

Jennifer Okes  
Colorado Department of Personnel  
1313 Sherman St.  
Denver, CO 80203  
jennifer.okes@state.co.us

Representative Jerry Frangas  
3867 Meade Street  
Denver, CO 80211  
kjerryfrangas@earthlink.net

Jerry McElroy  
Kaiser Permanente  
10350 E. Dakota Ave.  
Denver, CO 80231  
jerel.mcelroy@kp.org

Representative Jerry Sonnenberg  
4465 Road 63  
Sterling, CO 80751  
jerry@repsonnenberg.com

Jesi Dobosz  
Colorado Department of Public Health  
and Environment  
4300 Cherry Creek Drive South  
Denver, CO 80246  
jesi.dobosz@state.co.us

Jessica L. Erickson  
Broomfield Economic Development Corp.  
2655 W. Midway Blvd., Suite 370  
Broomfield, CO 80020  
jessica@broomfieldbusiness.com

Jim Barclay  
Lutheran Family Services of Colorado  
363 S. Harlan  
Denver, CO 80226  
jim.barclay@lfsco.org

Jim Cole  
Denver, CO 80203  
jim@lobby4co.com

Jim Driscoll  
Governor's Office  
200 E. Colfax, Room 136  
Denver, CO 80203  
jim.driscoll@state.co.us

Jim Griffith  
Colorado League of Charter Schools  
725 S. Broadway, Suite 7  
Denver, CO 80209  
jgriffin@coloradoleague.org

Jim McCuskey  
E-470 Authority  
22470 E. Sixth Parkway  
Aurora, CO 80018  
jmccuskey@e-470.com

Representative Jim Riesberg  
P.O. Box 1523  
Greeley, CO 80632  
jim.riesberg.house@state.co.us

JoAnn Groff  
Department of Local Affairs  
1313 Sherman, Room 419  
Denver, CO 80203  
joann.groff@state.co.us

Representative Joe Rice  
6165 S Coventry Lane West  
Littleton, CO 80123  
joe.rice.house@state.co.us

AMENDMENT 60 - PROPERTY TAXES  
AMENDMENT 61 - LIMITS ON STATE AND LOCAL GOVERNMENT BORROWING  
PROPOSITION 101 - INCOME, VEHICLE, AND TELECOMMUNICATIONS TAXES AND FEES  
CONTACT LIST

Joe Watt  
The Bell Policy Center  
1801 Broadway, Suite 280  
Denver, CO 80202  
watt@bellpolicy.org

Representative Joel Judd  
2904 W. 24th Ave.  
Denver, CO 80211  
repjoeljudd@joeljudd.com

John Andrews  
8547 E. Arapahoe Rd. PMB J122  
Englewood, CO 80112  
andrewsjk@aol.com

Representative John Kefalas  
604 Sycamore St.  
Fort Collins, CO 80521  
john.kefalas.house@state.co.us

Senator John Morse  
1213 E. Columbia St., #5  
Colorado Springs, CO 80909  
john.morse.senate@state.co.us

Representative John Soper  
235 Starlight Road  
Thornton, CO 80260  
john.soper.house@state.co.us

John Ziegler  
Joint Budget Committee  
200 E. 14th Ave., Third Floor  
Denver, CO 80203  
john.ziegler@state.co.us

Jon Caldara  
Independence Institute  
13952 Denver West Pkwy., Suite 400  
Golden, CO 80401  
jon@i2i.org

Jonathan Coors  
CoorsTek  
16000 Table Mountain Parkway  
Golden, CO 80403  
jdcoors@coorstek.com

Senator Josh Penry  
P.O. Box 1604  
Grand Junction, CO 81502  
joshpenry@gmail.com

Senator Joyce Foster  
8239 E. Fifth Ave.  
Denver, CO 80230  
joyce.foster.senate@state.co.us

Juanita Chacon  
Remax  
1873 S. Bellaire St., #700  
Denver, CO 80222  
juanitachacon@remax.net

Julie George  
Colorado Association of School Boards  
1200 Grant Street  
Denver, CO 80203-2306  
jgeorge@casb.org

Julie McKenna  
Northern Colorado Water Conservancy Dist.  
1410 Grant C-309  
Denver, CO 80203  
julie@bbmk.com

Julie Whitacre  
Colorado Education Association  
1500 Grant Street  
Denver, CO 80203  
jwhitacre@nea.org

J. Frickey  
jfrickey@mac.com

AMENDMENT 60 - PROPERTY TAXES  
AMENDMENT 61 - LIMITS ON STATE AND LOCAL GOVERNMENT BORROWING  
PROPOSITION 101 - INCOME, VEHICLE, AND TELECOMMUNICATIONS TAXES AND FEES  
CONTACT LIST

Karen Beye  
Colorado Department of Human Services  
1575 Sherman  
Denver, CO 80203  
karen.beye@state.co.us

Representative Karen Middleton  
481 Nome St.  
Aurora, CO 80010  
karen@karenmiddleton.com

Karen Strakbein  
Summit School District  
P.O. Box 7  
Frisco, CO 80443  
kstrakbein@summit.k12.co.us

Karl Spiecker  
Colorado Department of Corrections  
2862 S. Circle Drive  
Colorado Springs, CO 80906  
karl.spiecker@doc.state.co.us

Representative Kathleen Curry  
54542 E. Highway 50  
Gunnison, CO 81230  
repcurry@gmail.com

Kathryn Knox  
Colorado Virtual Academy  
11990 Grant St., Suite 402  
Northglenn, CO 80233  
kknox@coves.org

Katie Genereux  
Hope On Line  
367 Inverness Parkway #225  
Englewood, CO 80112  
katie.genereux@hopeonline.org

Katy Atkinson  
Atkinson & Associates  
110 16th St.  
Denver, CO 80202  
katyatkinson@aol.com

Senator Keith King  
4715 Bywood Court  
Colorado Springs, CO 80906  
keith@keithking.org

Kelly Fox  
University of Colorado  
Box 035UCA  
Boulder, CO 80309  
kelly.fox@cusys.edu

Ken Delay  
Colorado Association of School Boards  
1200 Grant St.  
Denver, CO 80203  
kdelay@casb.org

Representative Ken Summers  
P.O. Box 27301  
Lakewood, CO 80227  
ken.summers.house@state.co.us

Representative Kent Lambert  
990 Point of the Pines Drive  
Colorado Springs, CO 80919  
rep.kent.lambert@comcast.net

Representative Kevin Priola  
12255 Ursula St.  
Henderson, CO 80640  
kpriola@gmail.com

AMENDMENT 60 - PROPERTY TAXES  
AMENDMENT 61 - LIMITS ON STATE AND LOCAL GOVERNMENT BORROWING  
PROPOSITION 101 - INCOME, VEHICLE, AND TELECOMMUNICATIONS TAXES AND FEES  
CONTACT LIST

Kim Fear  
Dept. of Public Health and Environment  
4300 Cherry Creek Drive South  
Denver, CO 80246  
kfear@cdphe.state.co.us

Dr. Kirvin Knox  
Mountain Plains ACA  
4505 29th St.  
Greeley, CO 80634  
kknox@lamar.colostate.edu

Lance Nozot  
Lewis-Palmer School District #38  
146 Jefferson St.  
Monument, CO 80132  
LNozot@lewispalmer.org

Larry Friedberg  
Department of Personnel  
1313 Sherman St., Suite 319  
Denver, CO 80203  
larry.friedberg@state.co.us

Larry Hoyt  
P.O. Box 471  
Boulder, CO 80306  
lhoyt@co.boulder.co.us

Representative Larry Liston  
P.O. Box 8205  
Colorado Springs, CO 80933  
Larry.Liston.house@state.co.us

Larry G. Hudson  
Hudson Government Affairs  
2308 Bellaire St.  
Denver, CO 80207  
larryghudson@yahoo.com

Representative Laura Bradford  
P.O. Box 565  
Collbran, CO 81624  
laurabradford55@gmail.com

Lawrence Norman  
The Center 4 Excellence  
hilltopia23@yahoo.com

Leanne Arrant  
Capstone Group  
1410 Grant St., Suite B-303  
Denver, CO 80203  
larrant@capstonegrouppllc.com

Lee White  
George K. Baum & Company  
1400 Wewatta St., Suite 800  
Denver, CO 80202  
WhiteML@gkbaum.com

Leo J. Boyle  
1223 Race St., #801  
Denver, CO 80206  
leojboyle@aol.com

Leslie Stafford  
Boulder Valley School District  
6500 Arapahoe  
Boulder, CO 80303  
leslie.stafford@bvdsd.org

Lise Aangeenbrug  
Great Outdoors Colorado  
1600 Broadway, Suite 1650  
Denver, CO 80202  
liseaa@goco.org

Representative Lois Court  
780 Elizabeth St.  
Denver, CO 80206  
lois.court.house@state.co.us

Senator Lois Tochtrop  
9984 Appletree Place  
Thornton, CO 80260  
lotochtrop@aol.com

AMENDMENT 60 - PROPERTY TAXES  
AMENDMENT 61 - LIMITS ON STATE AND LOCAL GOVERNMENT BORROWING  
PROPOSITION 101 - INCOME, VEHICLE, AND TELECOMMUNICATIONS TAXES AND FEES  
CONTACT LIST

Loren Furman  
Colorado Association of Commerce &  
Industry  
1600 Broadway, Suite 1000  
Denver, CO 80202-4935  
lfurman@cochamber.com

Lynn Johnson  
l15johnson@aol.com

L. Martinez  
Adams State College  
208 Edgemont Blvd.  
Alamosa, CO 81102  
lamartin@adams.edu

Marge Rinaldi  
Adams County District 50 School Board  
6933 Raleigh St.  
Westminster, CO 80030  
margerinaldi@msn.com

Mark Couch  
Department of Revenue  
1375 Sherman St., Room 504  
Denver, CO 80261  
mcouch@spike.dor.state.co.us

Mark Radtke  
Colorado Municipal League  
1144 Sherman  
Denver, CO 80203  
mradtke@cml.org

Representative Marsha Looper  
23935 Sweet Road  
Calhan, CO 80808  
marshalooper@gmail.com

Lorie Gillis  
Jefferson County Public Schools  
1829 Denver West Drive, Bldg. 27  
Golden, CO 80401  
lgillis@jeffco.k12.co.us

Lynn Notarianni  
Department of Regulatory Agencies  
1600 Broadway, Suite 1650  
Denver, CO 80202  
lynn.notarianni@dora.state.co.us

Mac Zimmerman  
maczimmerman@yahoo.com

Marjorie Fisch  
League of Women Voters  
1410 Grant St., Suite B-204  
Denver, CO 80203  
ralphmarj@msn.com

Representative Mark Ferrandino  
200 E. Colfax, Room 071  
Denver, CO 80203  
mferrandino@yahoo.com

Senator Mark Scheffel  
9791 Summit Ridge Place  
Parker, CO 80138  
mark.scheffel.senate@state.co.us

Marty Neilson  
Colorado Union of Taxpayers  
363 Riverside Drive  
Lyons, CO 80540  
marty5539@gmail.com

AMENDMENT 60 - PROPERTY TAXES  
AMENDMENT 61 - LIMITS ON STATE AND LOCAL GOVERNMENT BORROWING  
PROPOSITION 101 - INCOME, VEHICLE, AND TELECOMMUNICATIONS TAXES AND FEES  
CONTACT LIST

Mary Buckley  
Denver International Airport  
8500 Pena Blvd.  
Denver, CO 80249  
mary.buckley@flydenver.com

Senator Mary Hodge  
447 Poplar Circle  
Brighton, CO 80601  
mary.hodge.senate@state.co.us

Mary Wickersham  
State Treasurer's Office  
200 E. Colfax #140  
Denver, CO 80203  
mary.wickersham@state.co.us

Mary Zuchegno  
Special District Association  
225 E. Sixteenth Avenue  
Denver, CO 80203  
mary@sdaco.org

Mary E. Deganhart  
Ouray County Attorney  
P.O. Box 28  
Ridgway, CO 81432  
mdeganhart@ouraycountyco.gov

Mary Frances Nevans  
State Board of Education  
201 E. Colfax  
Denver, CO 80203  
nevans\_m@cde.state.co.us

Senator Maryanne Keller  
4325 Iris Street  
Wheat Ridge, CO 80033  
moe.keller.senate@state.co.us

Matt Cheroutes  
Governor's Office of Economic Development  
1625 Broadway, Suite 2700  
Denver, CO 80202  
matt.cheroutes@state.co.us

Matthew Gray  
Sherman & Howard  
633 17th St., Suite 3000  
Denver, CO 80202  
mgray@shermanhoward.com

Representative Max Tyler  
200 E. Colfax, Room 271  
Denver, CO 80203  
max@maxytyler.us

Melissa Baumgart  
House Minority Office  
200 E. Colfax, Room 212  
Denver, CO 80203  
melissa.baumgart@state.co.us

Melissa Kuipers  
Colorado Automobile Dealers Association  
290 E. Speer Blvd.  
Denver, CO 80203  
melissa.kuipers@coloradodealers.org

Melissa Nelson  
Department of Transportation  
4201 E. Arkansas Ave.  
Denver, CO 80222  
melissa.nelson@dot.state.co.us

Michael Corn  
mchlcorn@aol.com

Michael Johnson  
1801 California St  
Denver, CO 80202  
michael.johnson@KutakRock.com

Senator Michael Johnston  
PO Box 40700  
Denver, CO 80204  
mike.johnston.senate@state.co.us

AMENDMENT 60 - PROPERTY TAXES  
AMENDMENT 61 - LIMITS ON STATE AND LOCAL GOVERNMENT BORROWING  
PROPOSITION 101 - INCOME, VEHICLE, AND TELECOMMUNICATIONS TAXES AND FEES  
CONTACT LIST

Representative Michael Merrifield  
907 N. Sheridan Ave.  
Colorado Springs, CO 80909  
mmerrifield2003@yahoo.com

Mike Beasley  
303 Broadway, #200  
Denver, CO 80203  
mike@5280strategies.com

Senator Mike Kopp  
10589 W. Raspberry Mountain  
Littleton, CO 80127  
mkoppsd22@gmail.com

Mike Mauer  
Colorado Legislative Council  
200 E. Colfax, #029  
Denver, CO 80203  
mike.mauer@state.co.us

Representative Mike May  
18978 E. Creekside Dr.  
Parker, CO 80134  
mike.may.house@state.co.us

Morey Wolfson  
Colorado Energy Management & Conservation  
1580 Logan St., Suite 100  
Denver, CO 80203  
morey.wolfson@state.co.us

Ms. Patti Mason  
US Green Building Council  
1821 Blake St., Suite 3-D  
Denver, CO 80202  
patti@usgbccolorado.org

Senator Nancy Spence  
6330 S. Olathe Street  
Centennial, CO 80016  
nancyjspence@gmail.com

Natalie Menten  
info@COtaxreforms.com

Neil Langland  
Department of Regulatory Agencies  
1600 Broadway, Suite 1650  
Denver, CO 80202  
neil.langland@dora.state.co.us

Nichole Goodman  
Alliance for Sustainable Colorado  
1536 Wynkoop St., Suite 4-A  
Denver, CO 80202  
ngoodman@sustainablecolorado.org

Nicole Myers  
Office of Legislative Legal Services  
Room 091 State Capitol  
Denver, CO 80203  
nicole.myers@state.co.us

Pam Kiely  
Environment Colorado  
1530 Blake St., Suite 2002  
Denver, CO 80202  
pkiely@environmentcolorado.org

Pamela Benigno  
Independence Institute  
13952 Denver West Pkwy. Bldg. 53, Suite 400  
Golden, CO 80401  
pam@i2i.org

AMENDMENT 60 - PROPERTY TAXES  
AMENDMENT 61 - LIMITS ON STATE AND LOCAL GOVERNMENT BORROWING  
PROPOSITION 101 - INCOME, VEHICLE, AND TELECOMMUNICATIONS TAXES AND FEES  
CONTACT LIST

Pat Flanagan  
Division of Motor Vehicles  
1881 Pierce St., Room 114  
Lakewood, CO 80214  
pflanagan@spike.dor.state.co.us

Senator Pat Steadman  
1257 Corona Street  
Denver, CO 80218  
pat.steadman.senate@state.co.us

Patrick Byrne  
Department of Transportation  
4201 E. Arkansas Ave.  
Denver, CO 80222  
patrick.byrne@dot.state.co.us

Patty Schoedler  
League of Women Voters  
1410 Grant St., Suite B-204  
Denver, CO 80203  
pshades@earthlink.net

Representative Paul Weissmann  
P.O. Box 673  
Louisville, CO 80027  
reppaul@aol.com

Paula Stephenson  
1180 Redwoods Drive  
Steamboat Springs, CO 80487  
ruralcaucus@comcast.net

Paula Larsen  
Metro Denver  
1445 Market St.  
Denver, CO 80202  
paula.larsen@metrodenver.org

Paula Noonan  
7140 S. Depew St.  
Littleton, CO 80128  
penoonan@comcast.net

Senator Paula Sandoval  
4077 W 26th Avenue  
Denver, CO 80212  
nwden34@yahoo.com

Phil Hayes  
Colorado AFL/CIO  
140 Sheridan Blvd., #201  
Denver, CO 80226  
phayes@coaficio.org

Phil Onofrio  
Eagle County Schools  
948 Chambers Ave.  
Eagle, CO 81631  
philip.onofrio@eagleschools.net

Phyllis Horney  
phyllisjhorn@comcast.net

Rachel Erbert  
Political Works  
1580 Lincoln St., #1125  
Denver, CO 80203  
rlee@politicalworks.net

Representative Randy Baumgardner  
P.O. Box 108  
Hot Sulphur Springs, CO 80451  
randy.baumgardner.house@state.co.us

AMENDMENT 60 - PROPERTY TAXES  
AMENDMENT 61 - LIMITS ON STATE AND LOCAL GOVERNMENT BORROWING  
PROPOSITION 101 - INCOME, VEHICLE, AND TELECOMMUNICATIONS TAXES AND FEES  
CONTACT LIST

Randy Black  
Colorado Association of School Boards  
1200 Grant Street  
Denver, CO 80203-2306  
rblack@casb.org

Representative Randy Fischer  
3007 Moore Lane  
Fort Collins, CO 80526  
randyfischer@frii.com

Renee Howell  
Littleton Public Schools  
5776 S. Crocker St.  
Littleton, CO 80120  
reenehowell5280@aol.com

Renny Fagan  
Colorado Nonprofit Association  
455 Sherman St., #207  
Denver, CO 80203  
rfagan@coloradononprofits.org

Rich Wobbekind  
Leeds School of Business  
University of Colorado  
995 Regent Drive  
Boulder, CO 80309  
richard.wobbekind@colorado.edu

Rich Jones  
The Bell Policy Center  
1801 Broadway, Suite 280  
Denver, CO 80202  
jones@bellpolicy.org

Rich Mauro  
DRCOG  
1290 Broadway, Suite 700  
Denver, CO 80246  
rmauro@drcog.org

Richard Valenty  
rvalenty@msn.com

Richard G. Evans  
Coloradans for Responsible Reform  
1717 Downing St.  
Denver, CO 80218  
richard@reiter5280.com

Rick Randall  
Denver, CO 80219  
rrandall@richardrandall.com

Rob Juchem  
Department of Public Safety  
700 Kipling St., #1000  
Denver, CO 80215  
rob.juchem@cdps.state.co.us

Robert McCarty  
Scientific Learning  
300 Frank H. Ogawa Plaza  
Oakland, CA  
bmccarty@scilearn.com

Roberta Robinette  
DeFilippo Rees Robinette  
1675 Broadway, Suite 2440  
Denver, CO 80202  
rmkrobinette@aol.com

Roberto Venegas  
Policy Advisor  
City and County of Denver  
1437 Bannock St., #350  
Denver, CO 80202  
roberto.venegas@denvergov.org

AMENDMENT 60 - PROPERTY TAXES  
AMENDMENT 61 - LIMITS ON STATE AND LOCAL GOVERNMENT BORROWING  
PROPOSITION 101 - INCOME, VEHICLE, AND TELECOMMUNICATIONS TAXES AND FEES  
CONTACT LIST

Robin Baker  
Colorado Children's Campaign  
1580 Lincoln St., Suite 420  
Denver, CO 80203  
robin@coloradokids.org

Senator Rollie Heath  
2455 Vassar Drive  
Boulder, CO 80305  
rollie.heath.senate@state.co.us

Ron Teck  
627 Broken Spoke Road  
Grand Junction, CO 81504  
ronteck@gmail.com

R.J. Hicks  
rj@rjhicksinc.com

Representative Sal Pace  
124 Lincoln St.  
Pueblo, CO 81004  
sal.pace.house@state.co.us

Sam Mamet  
Colorado Municipal League  
1144 Sherman  
Denver, CO 80203  
smamet@cml.org

Representative Sara Gagliardi  
11854 W. 56th Drive  
Arvada, CO 80002  
sara.gagliardi.house@state.co.us

Sara Rosene  
Grand County  
308 Byers Ave.  
Hot Sulphur Springs, CO 80451  
srosene@co.grand.co.us

Scott Moore  
Political Science Department  
Colorado State University  
Fort Collins, CO 805216  
scott.moore@colostate.edu

Senator Scott Renfroe  
3201 Grandview Dr  
Greeley, CO 80631  
scott.renfroe.senate@state.co.us

Scott Spendlove  
Inter Mountain Corp. Affairs  
1675 Broadway, #1850  
Denver, CO 80203  
sspendlove@intermountainca.com

Scott Wasserman  
Colorado Wins  
2525 W. Alameda Ave.  
Denver, CO 80219  
scott.wasserman@cowins.org

Sean Conway  
County Commissioner  
Weld County  
915 Tenth St.  
Greeley, CO 80632  
sconway@co.weld.co.us

Senator Shawn Mitchell  
12530 Newton St.  
Broomfield, CO 80020  
shawnmitch@aol.com

AMENDMENT 60 - PROPERTY TAXES  
AMENDMENT 61 - LIMITS ON STATE AND LOCAL GOVERNMENT BORROWING  
PROPOSITION 101 - INCOME, VEHICLE, AND TELECOMMUNICATIONS TAXES AND FEES  
CONTACT LIST

Shelley Becker  
Douglas County School District  
620 Wilcox St.  
Castle Rock, CO 80104  
shelley.becker@dcsdk12.org

Sol Malick  
American Planning Association  
P.O. Box 265  
Golden, CO 80402  
solomonmalick@gmail.com

Steph Chichester  
North Slope Capital  
1400 16th St.  
Denver, CO 80202  
steph@northslopecapital.com

Stephen Bohrer  
San Luis Valley BOCES  
2261 Enterprise Drive  
Alamosa, CO 81101  
sbohrer@slvboces.org

Steve Holdren  
319 Belford Drive  
Northglenn, CO 80260  
s.holdren@ctos.com

Steve Palmer  
Dutko Worldwide  
2265 Pebble Beach Court  
Evergreen, CO  
steve.palmer@dutkoworldwide.com

Senator Suzanne Williams  
2647 S. Troy Court  
Aurora, CO 80014  
suzanne.williams.senate@state.co.us

Sherry Ellebracht  
Regional Transportation District  
1600 Blake St.  
Denver, CO 80202  
sherry.ellebracht@rtd-denver.com

Representative Spencer Swalm  
7250 S. Ivy Court  
Centennial, CO 80112  
spencer.swalm.house@state.co.us

Stephannie Finley  
Colorado Springs Chamber of Commerce  
6 S. Tejon St., #700  
Colorado Springs, CO 80903  
stephannie@csc.org

Steve Balcerovich  
Denver, CO 80205  
stevebalcerovich@aol.com

Representative Steve King  
P.O. Box 896  
Grand Junction, CO 81502  
steve.king.house@state.co.us

Susan Cox  
Susan.M.Cox@kp.org

Tammi McCoy  
Colorado Automobile Dealers Association  
290 E. Speer Blvd.  
Denver, CO 80203  
tammi.mccoy@coloradodealers.org

AMENDMENT 60 - PROPERTY TAXES  
AMENDMENT 61 - LIMITS ON STATE AND LOCAL GOVERNMENT BORROWING  
PROPOSITION 101 - INCOME, VEHICLE, AND TELECOMMUNICATIONS TAXES AND FEES  
CONTACT LIST

Tamra Ward  
Denver Metro Chamber of Commerce  
1445 Market St.  
Denver, CO 80202  
tamra.ward@denverchamber.org

Tanya Kelly  
TKB Consulting  
11630 Zenobia Court  
Westminster, CO 80031  
tanya@tanyakellybowry.com

Senator Ted Harvey  
P.O. Box 630438  
Highlands Ranch, CO 80126  
ted.harvey.senate@state.co.us

Teresa Osborne  
CU System  
1800 Grant St., Suite 800  
Denver, CO 80203  
teresa.osborne@cu.edu

Representative Terrance Carroll  
200 E. Colfax, #246  
Denver, CO 80203  
terrance.carroll.house@state.co.us

Terry Casey  
RBC Dain  
1200 17th St., Suite 2200  
Denver, CO 80202  
terry.casey@rbcdain.com

Terry Howerter  
Regional Transportation District  
1600 Blake St.  
Denver, CO 80202  
terry.howerter@RTD-Denver.com

Terry Phillips  
Colorado Dept. of Labor and Employment  
633 17th St., Suite 201  
Denver, CO 80202  
terry.phillips@state.co.us

Tim Hoover  
The Denver Post  
101 W. Colfax Ave., Suite 600  
Denver, CO 80202  
thoover@denverpost.com

Todd Engdahl  
Education News Colorado  
1244 Grant St.  
Denver, CO 80203  
tengdahl@ednewscolorado.org

Todd Saliman  
OSPB  
State Capitol Building, Room 111  
Denver, CO 80203  
todd.saliman@state.co.us

Tom Clark  
CU-Denver Planning Department  
1445 Market Street, Suite 350  
Denver, Colorado 80202  
tom.clark@metrodenver.org

Tonette Salazar  
Salazar & Associates  
2516 Yosemite St.  
Denver, CO 80238  
tonette@t2salazar.com

Tony Gagliardi  
National Federation of Independent Businesses  
1410 Grant St., Suite C-107  
Denver, CO 80203  
tony.gagliardi@nfib.org

AMENDMENT 60 - PROPERTY TAXES  
AMENDMENT 61 - LIMITS ON STATE AND LOCAL GOVERNMENT BORROWING  
PROPOSITION 101 - INCOME, VEHICLE, AND TELECOMMUNICATIONS TAXES AND FEES  
CONTACT LIST

Tony Salazar  
Colorado Education Association  
1500 Grant Street  
Denver, CO 80203  
pnoscroy@nea.org

Totsy Rees  
Denver, CO 80203  
Totsyr@aol.com

Tracie Rainey  
Colorado School Finance Project  
1200 Grant  
Denver, CO 80203  
tracie.rainey@earthlink.net

Troy Bratton  
Office of Legislative Legal Services  
Room 091 State Capitol  
Denver, CO 80203  
troy.bratton@state.co.us

Vanessa Hannemann  
Colorado Health Foundation  
501 S. Cherry St., Suite 1100  
Denver, CO 80246  
vhannemann@ColoradoHealth.org

Vicki Newell  
Colorado Parent Teacher Association  
PO Box 4280  
Parker, CO 80134  
vickilnewell@aol.com

Vincent Badolato  
Colorado League of Charter Schools  
1601 Vine Street  
Denver, CO 80206  
vbadolato@coloradoleague.org

Virginia Morrison Love  
Morrison, Love & Company  
1301 Pennsylvania St., Suite 900  
Denver, CO 80203  
VAMLOVE@AOL.COM

Vody Herrmann  
Colorado Department of Education  
201 East Colfax Room 502  
Denver, CO 80203  
herrmann\_v@cde.state.co.us

Wade Buchanan  
Bell Policy Center  
1801 Broadway, Suite 280  
Denver, CO 80202  
buchanan@bellpolicy.org

Wes Skiles  
House Minority Office  
200 E. Colfax Ave., Room 212  
Denver, CO 80203  
wes.skiles@state.co.us

Will Kugel  
Dept. of Health Care Policy & Financing  
1570 Grant St.  
Denver, CO 80203  
will.kugel@state.co.us

Zach Zaslow  
Senate Majority Office  
200 E. Colfax Ave., Room 266  
Denver, CO 80203  
zach.zaslow@state.co.us

**Amendment 60**  
**Property Taxes**

1 **Ballot Title:** An amendment to the Colorado constitution concerning government  
2 charges on property, and, in connection therewith, allowing petitions in all districts for  
3 elections to lower property taxes; specifying requirements for property tax elections;  
4 requiring enterprises and authorities to pay property taxes but offsetting the revenues  
5 with lower tax rates; prohibiting enterprises and unelected boards from levying fees or  
6 taxes on property; setting expiration dates for certain tax rate and revenue increases;  
7 requiring school districts to reduce property tax rates and replacing the revenue with  
8 state aid; and eliminating property taxes that exceed the dollar amount included in an  
9 approved ballot question, that exceed state property tax laws, policies, and limits  
10 existing in 1992 that have been violated, changed, or weakened without state voter  
11 approval, or that were not approved by voters without certain ballot language.

12 **Text of Proposal:**

13 *Be it Enacted by the People of the State of Colorado:*

14 Article X, section 20, The Taxpayer's Bill of Rights, is amended to add:

15 **(10) Property taxes.**

16 Starting in 2011:

17 (a) The state yearly shall audit and enforce, and any person may file suit to enforce,  
18 strictest compliance with all property tax requirements of this section. Successful  
19 plaintiffs shall always be awarded costs and attorney fees; districts shall receive neither.  
20 This voter-approved revenue change supersedes conflicting laws, opinions, and  
21 constitutional provisions, and shall always be strictly interpreted to favor taxpayers.

22 (b) Electors may vote on property taxes where they own real property. Adapting state  
23 law, all districts shall allow petitions to lower property taxes as voter-approved revenue  
24 changes. Property tax issues shall have November election notices and be separate from  
25 debt issues. Property tax bills shall list only property taxes and late charges. Enterprises  
26 and authorities shall pay property taxes; lower rates shall offset that revenue. Enterprises  
27 and unelected boards shall levy no mandatory fee or tax on property. Future property tax  
28 rate increases shall expire within ten years. Extending expiring property taxes is a tax  
29 increase. Prior actions to keep excess property tax revenue are expired; future actions  
30 are tax increases expiring within four years. Non-college school districts shall phase out  
31 equally by 2020 half their 2011 rate not paying debt; state aid shall replace that revenue  
32 yearly. Nothing here shall limit payment of bonded debt issued before 2011.

- 1 (c) These property tax increase, extension, and abatement rates after 1992 shall expire:
- 2 (i) Taxes exceeding state laws, tax policies, or limits violated, changed, or weakened  
3 without state voter approval. Those laws, policies, and limits, including debt limits, are  
4 restored.
- 5 (ii) Taxes exceeding the one annual fixed, final, numerical dollar amount first listed in  
6 their tax increase ballot title as stated in (3)(c).
- 7 (iii) Those rates without voter approval after 1992 of a ballot title as stated in (3)(c).