



Colorado Automobile Dealers Association

Just Ask the Voters

By CAR lobbyist Jeremy Cottrell

A chink in the armor has emerged in regard to the Democrat dominated House, Senate and governorship. This one could be costly. Republicans have organized around what is being touted as a complete violation of the Colorado Taxpayer's Bill of Rights (TABOR) and a blatant dismissal of voters by preventing them from weighing in on the matter.

Gov. Ritter signed into law SB-199, which effectively freezes property tax mill levy rates thereby allowing for a drastic increase to fund education. Currently, mill levy rates decrease as property tax increases so as not overwhelm homeowners. This bill deviates from current law and established protocol.

Normally—and some say legally—such a provision must go before the voters for their approval. Opponents of the act insist that if the confidence is high, then simply asking voters to approve the measure should be an easy task. Critics cite the maneuver as a complete circumvention of communication to the very voters it will affect.

Supporters of the bill say offering the provision to voters is unnecessary and redundant. They rely on the fact that 175 of 178 school mill levy districts approved the measure to allow the excess tax to be collected. The voters have already spoken according to House Speaker Andrew Romanoff—they have set their precedent and voiced their intent.

However, many disagree. So much so that Independence Institute president Jon Caldera has filed suit against the state of Colorado to halt the enforcement of this bill. While colorful, Caldera likened the act of Ritter as “date rape” of the taxpayers of Colorado. Taking advantage of people who are not given a fair opportunity for choice is his metaphor. Caldera relies heavily on the Colorado Taxpayer's Bill of Rights (TABOR) which requires decisions such as these to be placed before taxpayers for their official approval.

The verdict is out on how this political move will play out. Minority Republicans are rallying to oppose removal of the voters from what is clearly a tax and budget issue, while Democrats counter that this is not the contentious issue it is being made out to be.

Time will tell on who will in this high-profile fight.