

# THE DENVER POST

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Voice of the Rocky Mountain Empire

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## GOP aims to hike state taxes

By Michelle P. Fulcher  
Denver Post Capitol Bureau

Republican leaders in the Colorado Legislature are drafting plans to raise state taxes by as much as \$70 million a year, including one proposal that would increase the state sales tax from 3 cents to 4 cents.

The risky election-year gambit, discussed Monday at a meeting of Senate GOP leaders, is aimed at coping with deepening financial problems caused by declining state

tax revenues and growing demands for more prisons, state office space and social programs.

If approved, a 1-cent hike would increase the sales tax in Denver, where the city levy is to increase April 1 from 6.6 percent to 7.1 percent, to 8.1 percent. It would push to 9.1 percent the sales tax in some mountain communities, such as Vail.

"There's going to have to be some kind of an adjustment made somewhere if we're going to keep

the black ink from turning into red ink," state Senate President Ted Strickland, a Westminster Republican, said Monday.

Strickland and House Speaker Bev Bledsoe, a Hugo Republican, are drafting separate proposals to deal with lower-than-expected tax collections that have already forced Gov. Dick Lamm to order agencies.

It is especially significant that Republican leaders, who control

the Legislature and traditionally oppose tax hikes, are discussing ways to raise state taxes.

Lamm's budget cuts will leave the state with a razor-thin balance come July 1, and much of that is already committed to construction projects. Deficit spending is prohibited by the Colorado Constitution.

The proposed sales tax increases would be the second approved by lawmakers in two years. It faces rough sledding in the Legislature, where 82 of 100 members face re-

election, and several key lawmakers — including Strickland — are seeking higher offices than they now hold.

The Republicans will get help from minority Democrats that party's Senate leaders said. The Democratic party and the Democratic senators are not interested in a sales tax increase at all," said Senate Democratic Leader Ray Peterson of Denver. He predicted House Republicans, who balked loudly before raising

taxes last year — have gone into a "hiding out" strategy.

Strickland warned GOP colleagues Monday that the issue of raising taxes in an election year is a tough, but so are the state's needs.

Please see TAX on 9-A



Passengers stow their carry-on luggage in overhead compartments in the cabin in compliance with federal safety regulations. The Denver Post's Diana Howell

## Inside the cabin

In a plane crash, your seat can kill you

Third of five articles

By Marjorie Lundstrom  
Denver Post Staff Writer

Steve Pasinsky had his head buried in a magazine when Air California Flight 338 began its final approach into John Wayne Airport at Santa Ana.

Pasinsky, 26, was not afraid of flying. In just two weeks, he planned to begin training to become an Air Force pilot.

As the Boeing 737 eased downward, Pasinsky thought briefly about his white-knuckled body, sealed airtight in the smoking section.

Then he heard a "big thud." The cabin was

shaking. Overhead bins popped open. Seats with people in them swayed like Jell-O.

"What was so shocking about the whole thing was the fact that the cabin literally came apart around us," Pasinsky said. "You don't expect that to happen at all."

Yet all too often the cabin does come apart, turning a plane's interior into deadly maelstrom. Seats break apart, tossing people like rag dolls, burning seat cushions emit toxic fumes, debris from overhead bins blocks exit doors.

Virtually all these hazards are preventable, safety experts say.



AIR SAFETY  
Hitting Turbulence

Please see CABIN on 9-A

## Gay activist, 42, dies of AIDS with dignity

By Steve Gernasek  
Denver Post Staff Writer

A gay activist — whose newspaper wielded political clout in San Francisco politics and whose endorsements were sought by Sen. Edward Kennedy, former President Jimmy Carter and former

to miss him for a long, long time."

Morris, a confidant of San Francisco Mayor Dianne Feinstein and gay activist in the late 1970s and 1980s, was diagnosed as an AIDS victim in April 1982. He helped found two AIDS hospice programs

### COMET WATCHING

Viewing Halley's comet should be at its zenith this week — if you know where to look. Page 1-A.

### WEATHER

DENVER AREA: Becoming mostly sunny and a little warmer today. Fair and cool tonight. High: 45-48. Low: 13-21. Details on Page 9-B.

INNY

## Lamm names judge to lift high court's 'dark cloud'

By Howard Pankratz  
Denver Post Legal Affairs Writer

Gov. Dick Lamm named a former prosecutor to the Colorado Supreme Court to lift the high court's

Denver Post Wire Services

TRIPOLI, Libya — Libya warned Western diplomats Monday that a U.S. or Israeli military strike was imminent, and a top Libyan official said it could come in the next 24 hours.

The city was partially blacked out Monday night. Residents said the seafloor road and some public places were lit up, but ships at port, tall buildings and many residential areas were dark.

Summoned in the People's Secretariat for Foreign Liaison, Libya's version of a foreign ministry, the diplomats were told that the date of such an attack was not certain.

Libyan officials repeated Libyan leader Muammar Khadafi's assertion that his country supports the Palestinian cause but is not responsible for the Dec. 27 attacks by Palestinians on airports in Rome

### INSIDE

President Reagan to announce more sanctions against Libya. Page 6-A.

and Vienna. The officials referred to the attacks as "terrorism" and said that Libya does not want to see its own country participants in these attacks.

Israel and the United States have said the attacks were carried out by Palestinian radicals. Arafat and his PLO have said they are not responsible.

The Tripoli naval harbor, normally filled with Soviet-made warships, emptied over the weekend. A Libyan fighter was seen passing the capital's airport, and diplomats said defense radar was working at such a high rate that it was in

Please see LIBYA on 9-A

## Council TV viewers exposed to Playboy

By Ann Schrader  
Denver Post Staff Writer

The Denver City Council's cable television debut was upstaged Monday night by the Playboy channel, an instantly-broadcast. In viewers who had not heard for the premium service.

From about 7 to 8:30 p.m., non-subscribing viewers were able to watch Playboy's Channel 22 broadcast of "Talk Dirty to Me, Part 2" and the 1985 Playmate Review.

Bravo, the arts and culture network on Channel 22, also went to non-paying homes, said Bill Bradley, Denver director of telecommunications.

Bradley — who with other city officials had hoped for an immediate

launch of Channel 22, the Denver public access channel, broadcast council meetings on Sunday. Mile Hi Cablevision officials told him a power surge Sunday apparently scrambled the cable system's way of blocking out premium channels.

Ted Gilmore, a Mile Hi Cablevision executive who pulled the plug on the pre-show Monday night, also blamed an equipment failure.

Robert Roelofs, Mile Hi's vice president of marketing, sympathized with viewers who had been exposed to Playboy programming. But when asked what he would tell them, he said, "Well, turning off the set is the only thing they can do."

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Gay activist Charles Lee Morris, 42, was diagnosed as an AIDS victim in 1982 and died of the disease Monday in Denver.

Peskind said of Morris: "He loved life. However, he had been worn to a frazzle by his body. One

part of him he fought to hold on and the other part he was quite ready to die."

Kirkpatrick said of his patient: "He had an enormous will to live. If anybody would survive that

long, it would be Charles Morris. But he was frustrated because there is no cure for the disease."

## high court

nights as the intake officer at Juvenile Hall" in Denver. He described Vollack as a judicial conservative and a "law and order man."

Vollack is a past president of the Colorado Council of Trial Judges, a past president of the District Judges Association, and a former member of the State Judicial Planning Council. He was an Air Force Squadron commander from 1951 to 1953.

Vollack, who avoids being tagged with a philosophical viewpoint, said he considers himself "pragmatic."

Vollack said one of the problems facing the court system is "creative litigation" or litigation that "really has no merit."

"That type of litigation takes time in the courts, and also takes away from people that have legitimate grievances," he said.

Lamm began to criticize the state high court last August. He said he was dismayed by a number of the high court's rulings and said the court "has had a tendency to take reasonable points of law and

extend them to absurd ends."

Monday, he said that "in the criminal procedure area, there are a number of Colorado court decisions that seem to exceed the bounds of criminal law as defined by the U.S. Supreme Court."

Chief Justice Joseph Quinn said he would not respond to the governor's comments. "I'm not going to engage in a debate with the governor. We have an excellent court and take our constitutional responsibilities seriously," he said.

The other members of the court are: Jean Dubofsky, a former Legal Aid attorney; George Lohr, a former district judge in Aspen who declared Colorado's death penalty unconstitutional; Howard Kirshbaum, a former state Court of Appeals judge with a strong civil liberties record; Luis Rovira, a former Denver District Court judge who often disagrees with the court on criminal justice decisions; and William Erickson, who was on the court before Lamm became governor.

Staff writer Pat McGraw contributed to this report.

## GOP proposing tax hike

TAX from Page 1-A

criminals, to protect the environment and have roads and streets," he said after the meeting.

Strickland hopes to have a formal package ready for consideration by early February. It could include a sales tax increase, continuation of several other tax hikes approved by the Legislature last year, or a combination of the two, he said.

A penny increase in the sales tax would raise \$270 million more a year and would probably be automatically repealed after several years.

Other tax increases being weighed would raise a maximum of \$216 million a year by 1989. They include elimination of the half-percent credit on personal income taxes, continuation of the 5 percent tax on corporate profits and new limits on income tax inflation credits.

Bledsoe refused to discuss the



Senate President Strickland said he would not comment on Strickland's saying only "we might need to do some rethinking" to tax rates.

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# Colo. 6th in local tax collections

By Neil Westergaard  
Denver Post Capitol Bureau Chief

Local governments in Colorado collect more sales and property taxes per person than the cities, towns and school districts of all but five other states, the Colorado Public Expenditure Council reported Monday.

More than \$668 in local sales and property taxes are collected each year for every man, woman and child by local governments in Colorado, compared to the U.S. average of \$517.82. Only local governments in New York, Wyoming, Alaska, New Jersey, and Connecticut take a bigger bite from its citizens than those in Colorado.

When state taxes are compared, however, Colorado ranks near the bottom — 41st — in the amount of state taxes collected per person. That makes Colorado 19th among the states in total state and local tax collections per capita, the non-profit taxpayer watchdog organization said.

The figures are important because the Legislature is under unprecedented pressure to raise state sales and gasoline taxes this year, and much of the debate will center around the capacity of taxpayers to withstand higher taxes.

State lawmakers also are considering a proposed law that would cap local government property tax revenues that are expected to rise dramatically in 1988

when a new property assessment formula is used.

The expenditures council said its analysis of state and local taxes reflect to a large degree where most of the power and responsibilities of government are in Colorado.

"Colorado is one of the most fiscally decentralized states in the nation," the council said.

Overall, Coloradans pay more in local taxes than their counterparts do in other states, but less in state taxes, the council said. When state and local taxes are compared, Colorado stands near the middle or below.

Comparisons between state and local tax collections in relation to income put

Colorado well below the national average. Coloradans rank ninth overall in personal income but 38th among the states in the amount of all taxes collected per \$1,000 of personal income.

But when just locally collected taxes — sales and property — are shown in terms of personal income, Colorado again ranks high — seventh among the states. Purely state tax collections — sales and income — however, rank Colorado near the bottom again at 48th, ahead of South Dakota and New Hampshire.

Although the figures were part of Monday's report, Colorado also continues to have one of the lowest corporate income tax structures in the country, council analyst Jim Jacobs said.

## Bills aim to curb cargos

By Michelle F. Fitchner  
Denver Post Capitol Bureau

Colorado lawmakers will consider two conflicting proposed laws aimed at regulating the transport of hazardous materials in the state.

While the recommendations of an interim session committee were introduced Monday in the state Senate, critics who claim that measure is too weak were writing their own bill.

"I was not happy with the interim committee bill," said Rep. Jeannette Katz, a Denver Republican who sponsored an unsuccessful hazardous materials measure last year and will co-sponsor an alternative to the interim committee bill this year.

The bill's prime sponsor will be Sen. Dennis Gallagher, a Denver Democrat. The bill should be introduced in a few days, Katz said.

### Fuel trucks exempted

Katz said the interim committee proposal (SB15) would cover trucks carrying gasoline, which makes up the majority of the state's hazardous cargo.

"That was just an overwhelming glitch," she said.

The bill also gave too much routing control to state governments at the expense of local officials and state highways, permitting fees, Katz contended.

The alternative bill would permit either the state or local governments to designate safe routes for trucks carrying more than 1,000 pounds of gasoline or other flammable materials and to charge a fee and issue permits.

The bill adds a new requirement — that hazardous materials drivers prove they have at least a year of truck driving experience.

Katz said the interim committee bill would allow drivers of gasoline trucks to use narrow residential streets whenever



21

JAN



# House GOP plans straw vote on tax hikes

By Michelle P. Fulcher  
Denver Post Capitol Bureau

House Republicans will take a straw vote Monday on a package of proposed tax increases and spending limits offered by GOP leaders.

And, not surprisingly, there wasn't a lot of gung ho support for it during a discussion Friday, because a major portion of it calls for raising taxes in 1986 — an election year.

"I don't think I'm prepared to support any tax increases right now. My district is not a wealthy district and these people are mostly on fixed incomes and can't support or afford any additional tax increases," said state Rep. John Singer, R-Aurora.

The package, proposed by House Speaker Bev Bledsoe, includes a 6-cent increase in the state gas tax and continuation of personal and corporate income taxes that had been due to expire in the next few years.

## Would raise \$50 million

But it would raise an estimated \$50 million for the state budget, straining from the effects of a stagnant economy and increasing demands for new government programs.

"The one overriding thought and concern of people in my district, and I think generally on the Western Slope, is don't raise taxes," said Rep. Ed Carpenter, R-Grand Junction.

But there was also some indication that many of the House's 47 GOP members are resigned to the fact that none of the proposals for getting out of the state's budget crunch will be easy.

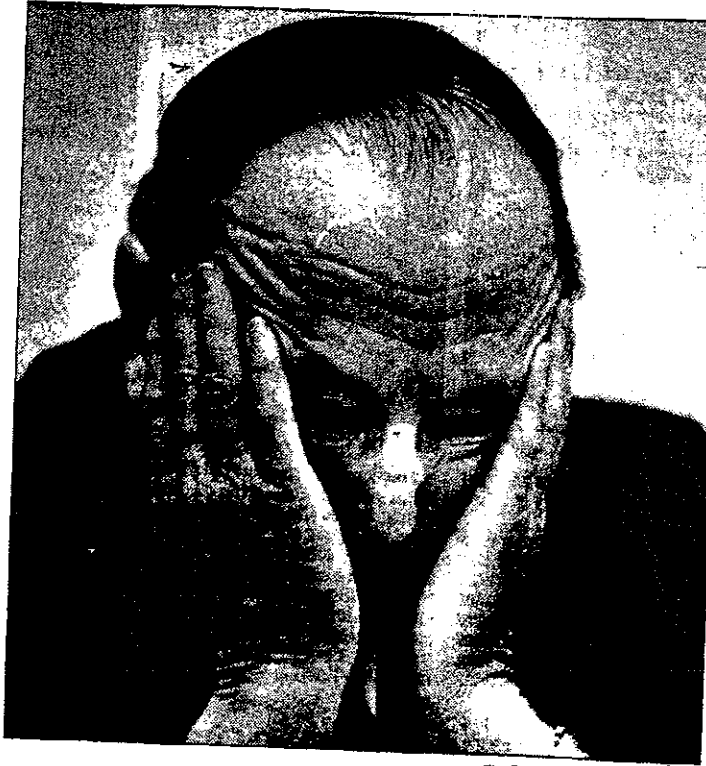
"Any time you do a poll and say do you want your taxes to go up everybody says no," of course," said Rep. Peter Minahan, R-Colorado Springs.

"I think those same people who don't

want their taxes to go up want that new prison built and want us to be tough on crime. They want us to fix all these roads and they sure don't want their property taxes to go up. This is a simple plan

and it doesn't raise taxes very much. Minahan said.

Several lawmakers, including the chairman of the Legislature's Joint Budget Committee, will offer some changes to



The Denver Post / Duane Howell

House Speaker Bev Bledsoe shows strain of budget crunch during caucus

## Bledsoe's plan on Monday

Rep. Bob Kirscht, the budget committee's chairman and a Pueblo Republican, said he will seek to replace the income tax hikes with a 10-cent per pack increase in the cigarette tax, and approval of electronic lottery games.

The cigarette tax could produce an immediate \$30 million a year. The institution of an electronic "Lotto" game would raise another \$14 million a year.

Together, that would roughly match what Bledsoe planned to raise by eliminating an inflation "index" and a half-percent credit on personal income tax and changes in corporate tax schedules.

Kirscht said Republicans seemed reluctant to increase income taxes, while both his money-raisers would come from people who voluntarily decided to spend the money.

## Restore food sales tax

Rep. Glenn Underwood, R-Olathe, called for restoration of the sales tax on food, with a refund to return the money to the poor.

The tax would raise \$40 million immediately, he said.

"It's the easiest way to raise tax money there is," he told his colleagues. "I know you're scared to run for re-election if you put it back on there, but it still will effect the people of Colorado the least."

Bledsoe's package would continue the state's planned 5.5 percent increase in state aid to local school districts through Dec. 31, but after that, the state's contribution will probably drop. Because state law requires school districts to spend a certain amount on each student, that means local property taxes will have to rise next year to make up the difference.

The Legislature's other option is to cut the amount spent on each student, a solution opposed by educators.



The Denver Post / Duane Howell

Two of Romer's chief critics are Sen. Durham, left with Sen. Ralph Cole



The Denver Post / Duane Howell

Romer answers policy critics, at left, Marie Harker, time deposit manager

# 'Put up or shut up,' Romer challenges his critics

By Neil Westergaard  
Denver Post Capitol Bureau Chief

has accused Romer of failing to take action

counts were on deposit



The Denver Post / Duane Howell

st outside Senate during debate; son, Frank III is at left.

## As no-smoking bill shtray — for now

Bill is approaching  
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Sen. Bob Martinez

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Bob Martinez, D-Commerce  
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## ned at saving water

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d also will pay dividends by  
capacity of sewage treat-  
e said.

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said  
ives of the state's home-  
try, however, said the in-

dustry is already using "low-flow" fix-  
tures in new developments

Vern Purdy, who represented the Colo-  
rado Association of Housing and Build-  
ing, said the only way to effectively limit  
water usage is to allow installation of  
smaller water lines. Now, a three-quarter  
inch line is the standard for all projects,  
no matter what water usage will be.

Smaller lines would make it difficult  
for a homeowner to convert to higher  
flow fixtures because the flow limitation  
would be in the water line itself, not just  
in the fixture, which can be easily re-  
moved.

## Vote on tax plan delayed

### Proposal carries 2% spending cap

By Michelle P. Fulcher  
Denver Post Capitol Bureau

House Republicans considered every-  
thing from scrapping employee pay raises  
to expanding proposed tax increases  
Monday, but they came no closer to get-  
ting the state out of its budget crisis.

Republican leaders had hoped to begin  
voting Monday on a tax package pro-  
posed by Speaker Bev Bledsoe, a Hugo  
Republican, aimed at helping the state  
cope with a sluggish economy and lower-  
than-expected tax revenues.

But they put off the vote to gain more  
support for the plan, which includes a 6-  
cent-per-gallon increase in state fuel tax-  
es and hikes in personal and corporate  
income taxes. Bledsoe's plan is premised  
on only a 2 percent increase in state  
spending next year.

In an hourlong meeting Monday, the  
chairman of the Legislature's influential  
Joint Budget Committee called that limit  
unrealistically low.

### Spending hike likely

Rep. Bob Kirscht, a Pueblo Republi-  
can, said Bledsoe's cap has little chance  
of surviving the Joint Budget Committee  
or Senate Republicans who are aiming  
for a 6 percent increase. A 3.5 percent-4  
percent spending increase in the state's  
\$1.8 billion budget is more likely, Kirscht  
said.

But if the 2 percent spending cap re-  
mains intact, the extra money would be  
virtually consumed by commitments the  
Legislature already has made to public  
schools, Kirscht said.

By the time pay raises for state em-  
ployees and spending increases for col-  
leges and universities are added, spend-  
ing will have to increase by 4 percent or 5  
percent or other programs will have to  
be cut sharply, Kirscht told his col-  
leagues.

Those cuts "appear to be attractive ini-  
tially until you begin to hear from your  
constituents and then every program has  
a constituency," Kirscht said.

"Something's got to give," he added.  
Kirscht suggested expanding or replacing  
portions of Bledsoe's tax proposal with a  
10-cent hike in the cigarette tax, and the  
institution of an electronic lottery game.

### Tax increase 'last resort'

The package would raise more money  
faster than Bledsoe's proposal partly be-  
cause some of Bledsoe's income tax in-  
creases wouldn't become effective until  
1987. And the lottery money could go for  
construction projects the state otherwise  
won't be able to afford, Kirscht said.

But other lawmakers argued the state  
can save millions of dollars before resort-  
ing to tax increases.

Rep. Phil Pankey, a Littleton Republi-  
can, noted a recent report by the Colo-  
rado Public Expenditure Council that said  
state employees earn the fourth-highest  
average monthly salaries in the country.

If state workers get a 5 percent raise  
this year, Colorado will tie with Califor-  
nia for the second-highest average  
monthly salary in the country, Pankey  
said.

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By Mark Obr  
Denver Post Staff

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By Karen Odon  
Denver Post Staff W

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## State

By John Diaz  
Denver Post Staff Writer

State Rep. David  
ly joined the 2nd  
District race Mond

to ban residency rule for city workers

# RE Increase in gas tax voted down

By Neil Westergaard  
Denver Post Capitol Bureau Chief

With election-year politics apparently on its mind, a Senate committee voted down a proposal Thursday to raise gasoline taxes 6 cents a gallon to finance new roads and highway maintenance.

The vote comes after months of legislative hearings into Colorado's deteriorating road system, a transportation network which proponents of higher gas taxes say is so broken down that repairs alone in some places won't be enough and total replacement is needed.

"This is damned sure short-sighted," said Arvada Republican Sen. Al Meiklejohn, sponsor of SB 40, and chairman of a special legislative committee that investigated highway needs in the state.

"Something has to be done about getting adequate highways and streets in this state. If we don't, we're not going to

be able to move," Meiklejohn said.

Like most states and the federal government, Colorado pays for highway construction and maintenance with money raised from gasoline and diesel fuel taxes. The gas tax is 12 cents a gallon; for diesel, it's 13 cents a gallon.

The defeat of Meiklejohn's proposal came after some parliamentary jockeying by members of the committee to put the bill in a form palatable to a majority of the committee. The maneuvering included an attempt by the committee's chairman, Republican Sen. Les Fowler of Boulder, to impose an immediate 10-cent increase in the existing 12-cent gasoline tax and 13-cent diesel fuel levy.

Meiklejohn's proposal called for an immediate 6-cent increase, with an additional penny increase every July 1 for the next five years.

"I think we have a real need right

now," said Fowler. "There's a job to be done and we ought to get on with it."

With little discussion about why, however, the committee voted down Fowler's proposal, the 11-cent phased-in approach and, finally, a flat 6-cent increase in the gas tax.

A 6-cent increase would cost a typical motorist — one who buys two 15-gallon tanks a week — about \$94 a year more than he pays now in fuel taxes. It would raise more than \$100 million for the state, however, which shares gas tax revenue with county and municipal governments for roadway repair and construction.

There is no organized opposition to the gas tax measure, which has been endorsed by business, local government and real estate development interest groups in the state. But many legislators campaigned in 1984 promising not to raise taxes and are hard-pressed to raise them

now, with the general election 10 months away.

Committee member Steve Durham, a Colorado Springs Republican who opposed all three measures, said the increases are too much for taxpayers to bear right now.

"You are talking about a substantial amount of increased taxes without any assurance that the Highway Department is going to do any kind of a better job," said Durham, a longtime critic of the Highway Department, after the committee meeting.

"I think they underestimate the good sense of Coloradans," said Meiklejohn. "They know something has to be done. They know they are going to have to pay for it."

Proponents are expected to try again in a few weeks when another bill concerning highways comes up for debate.

## House leaders OK gutted tax-hike plan

By Michelle P. Fulcher  
Denver Post Capitol Bureau

House Republicans approved Thursday a gutted package of tax increases and a tough state government spending limit.

If the package remains intact there would be no money to build a state prison next year, and planned increases in major programs such as higher education and mental health probably would go by the wayside.

A 2 percent limit on new state spending also would force elimination or cuts in some programs. Legislative budget writers have said they will try to avoid layoffs or delays in pay raises for state workers.

The proposal now goes to the Republicans in the state Senate, however, where estimates of how much money the state will collect next year, and what it can afford to spend, are much less conservative.

### Skittish on tax hikes

Also, several proposed tax increases are under consideration separately, but in a series of recent moves lawmakers have demonstrated their skittishness about major tax raises in an election year.

"The door is open to what the majority of the Legislature can agree on as to cuts, rearrangement of priorities in the budget, or the alternative is tax increases," House Speaker Bev Bledsoe, R-Hugo, said Thursday.

"Or they can leave it as it is, but that will be tough. The schools will fare well, but nobody else will fare well."

The Legislature's Joint Budget Committee already has committed \$32.5 million of next year's \$37.2 million spending increase to public schools, although the full Legislature could change that, too.

Thursday's vote by House Republicans came the day after Bledsoe retreated from his plans to include a 6-cent gas tax hike in his spending plan.



House Republican leaders presented their tax proposal to Senate leaders at a meeting Thursday.

The Denver Post / Duane Howell

Without the gas tax, the state will have \$1.3 million next year to finance such projects, including a new medium security prison at Ordway. Construction has begun on that project, and it was budgeted for \$18 million next year.

If you take this package and do nothing, absolutely nothing — no, they don't have enough to build Ordway," Bledsoe said.

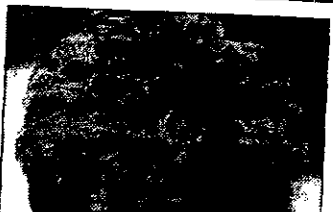
The other tax increases included in the plan Thursday are all permanent extensions of tax hikes approved over the last several years in the face of continuing budget problems.

The only immediate money-raiser is elimination of "indexing," an annual adjustment of tax brackets for inflation. That would raise \$7 million.

The following year there would be two

other changes: A half-percent credit on individual income taxes would be repealed permanently, raising \$38.6 million; and a new graduated schedule for corporate income taxes would be established. The graduated schedule will cost the state money compared with the 5 percent flat corporate tax now in place, but would raise more money than a return to the earlier graduated corporate tax schedule.

## Stiffer laws on driving while drunk



## Ex-officer in wheelchair testifies for helmet law

By Jeffrey A. Roberts  
Denver Post Capitol Bureau

David Dammann

The transportation committee also heard the other side of the story.

# Tax plan irks Republican senators

By Jeffrey A. Roberts  
Denver Post Capitol Bureau

Republican state senators were supposed to listen and ask questions Monday at a meeting to explain the House GOP's tax-increase proposal.

But a few couldn't help but blurt out their dissatisfaction with the package, which includes a 2 percent limit on new state spending during the next fiscal year.

"I personally do not care for what the House decided on," said Sen. Martha Ezzard of Cherry Hills Village. "I think we have a long way to go."

Ezzard later elaborated on her remarks, saying GOP senators should rally behind some major new taxes that were left out of the House proposal — a gasoline tax increase and, perhaps, other tax increases earmarked for specific projects.

She said a 2 percent spending limit is unrealistically low to meet the "long-term demands" of the state.

Sen. Ralph Cole of Littleton also said he is dissatisfied with the House revenue package, but he thinks a 2 percent spending limit is too high.

Why shouldn't the state limit its spending next year to the amount it spent this year, he asked.

"We start from what we did last year and always go up," Cole said. "But we're not in that kind of economic climate."

Cole said he would advocate pay cuts for civil service employees as a way to trim the budget, "but I know this idea wouldn't appeal to anyone here."

The House tax proposal, if it remains intact, would force the cutting of some programs and the elimination of others. The plan includes no new taxes, relying instead on the indefinite continuation of tax hikes that were due to expire next year.

Taxpayers are already paying those taxes, so their effect is generally considered less painful than a new tax or tax increase.

The only immediate revenue-raiser included in the House proposal is the elimination of income tax "indexing," the annual adjustment of tax brackets for inflation. That would raise \$7 million.

With or without major tax increases, slicing the budget so that next year's spending doesn't exceed 2 percent more than current spending will require "a lot



Sen. Dodge argues about caucus rules with Sen. Wayne Allard, R-Loveland

The Denver Post / Duane Howell

of gnashing of teeth," said Denver Sen. Cliff Dodge, who sits on the Legislature's Joint Budget Committee.

Sen. Jim Beatty of Fort Collins, another JBC member, said the committee has been cutting one department request after another, and the budget still represents a 5 percent to 8 percent increase over the current year's.

Senate Republicans, who control the voting in the 35-member Senate, will caucus again Tuesday on the revenue issue. Several members of the GOP caucus also expressed worry about considering a tax proposal without final sales and income tax revenue figures for 1985.

Dodge said sales tax collections for the year so far are about \$15 million below projections. Actual figures are expected within a few days.

## Some budget areas at risk

Denver Post Capitol Bureau

There's been a lot of discussion about how much new spending should be authorized by the Legislature this year, but what do all those percentages really mean?

Well, 1 percent of the state's \$1.89 billion budget is \$18.9 million; 2 percent, \$37.8 million; 3 percent, \$56.7 million and so on.

Lawmakers already have cut spending in this year's budget by 2 percent, however, so when someone says he or she favors a "2 percent increase" in spending over the current budget, they really mean spending the same amount that the Colorado Legislature appropriated last year — \$1.89 billion.

If the state spends the same as it did last year, it means a number of proposals for new spending will have to be scuttled — or existing programs cut — to make the budget balance, which is required by the state Constitution.

Among the big-ticket areas of the budget that will be in jeopardy if lawmakers hold the line on new spending:

- ✓ \$53 million for prisons.
- ✓ \$2.2 million for the Colorado Bureau of Investigation.
- ✓ \$1.9 million in programs to cope with the chronically mentally ill.
- ✓ Increases in state aid to local schools.
- ✓ Increases in state college and university programs.

## Measure would restrict unanimous verdicts

By Neil Westergaard

Denver Post Capitol Bureau Chief

An Aurora lawmaker, declaring that the scales of justice have been tipped too far in favor of the defendant, proposed legislation Monday that would do away with the requirement that verdicts in most serious crimes be unanimous.

"For 200 years, we've sort of had a rule of unanimous juries, but 200 years ago, the defendant didn't have everything going for him that he has today," Aurora Republican Rep. Bill Owens said.

"I think the court system is almost stacked against the prosecution," he said.

Owens' bill, HB 1254, proposes to change the requirements for conviction in all but Class One felonies — such as

first-degree murder — so that just 10 jurors would be needed to convict a defendant.

The same would be true of people charged with first- and second-class misdemeanors. Petty offenses, where juries are frequently made up of just six people, would require concurrence of just five jurors to convict.

Criminal defense lawyers will undoubtedly oppose the bill.

"I can appreciate the fact nobody wants criminal activity. I don't either," said Larry Pozner, president of the Colorado Criminal Defense Bar. "But wiping out the Bill of Rights is not the solution."

"If you want to make it easier, why don't we just say that if the government

says 'You did it,' then you're guilty. Now, that's a dandy system; it works well in Russia. I'd say their criminal defense costs are very low."

Owens said he got the idea after reading a newspaper columnist several years ago. He said Oregon and Louisiana both have laws that allow juries to convict criminal defendants with less than a unanimous verdict, and the concept has been upheld by the U.S. Supreme Court.

"This, in many cases, would give the prosecution a better chance of doing its job, which is to protect the public," Owens said.

There are many examples in other aspects of society where decisions are made with less-than-unanimous agree-

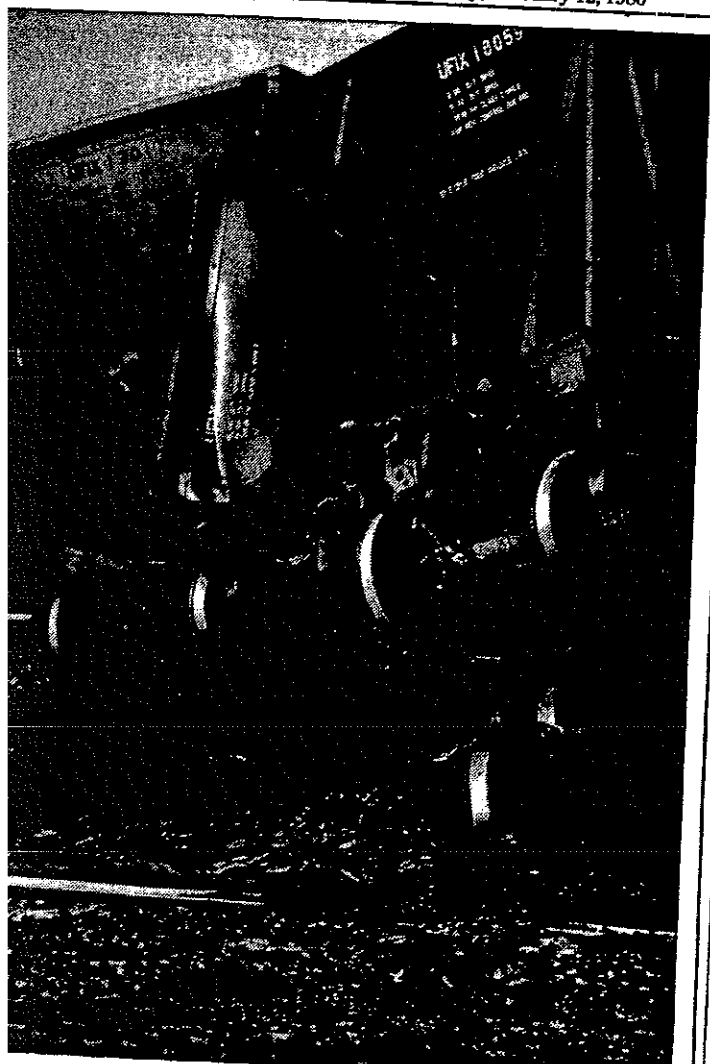
ment, Owens said. Civil cases are already settled by less than unanimous consent, as are military courts-martial.

"The Supreme Court itself is obviously a prime example. A 5-4 decision is the law of the land; appellate courts 2-1. Here in the Legislature, we make decisions on laws, 33-32," Owens said.

Owens said he has the support of the state District Attorneys Council, which helped him draft the bill. "I took the idea to them, and as you might imagine, they loved it."

Said Pozner: "One of these days, all of these bills the Legislature introduces on criminal justice are going to pass, and the citizens are going to wake up and say: 'What happened to our rights?'"

## Myriad bills proposed



The Denver Post / John Prieto

## Property tax revenues expected to rise 10%

By The Associated Press

Property tax revenues in Colorado are expected to rise 10.6 percent this year, the Colorado Public Expenditure Council reported Tuesday in Denver.

The revenue increase of almost \$175 million would push local government revenue from property taxes to \$1.8 billion, the non-partisan council estimated. It plans a county-by-county breakdown in a few weeks.

Property taxes account for most school-district revenues, four-fifths of county tax receipts and a portion of cities' revenues, which rely heavily on sales taxes.

Colorado's 178 school districts are to receive nearly \$1.1 billion in property taxes this year, the council said. The public schools' increase is to be \$12.7 million, or 11.5 percent, over 1985 tax collections.

The council predicted that Colo-

**Property taxes account for most school-district revenues.**

rado's 63 counties will collect \$406.5 million, which would be a \$35 million, 9.5 percent increase over last year.

Cities and towns are to receive nearly \$129.5 million, which would be a \$7.6-million, 6.3 percent hike over 1985, the council said. Sewer, water, fire protection and other special districts are expected to received \$166.3 million, or \$17.5 million -- 11.8 percent -- more than last year.

Junior college districts are to receive \$18.2 million, which would be a \$1.2 million, 6.9 percent increase.

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## Jesus of Nazareth

(Mark 5:36)

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# House approves local spending limit

By Michelle P. Fulcher  
Denver Post Capitol Bureau

The Colorado House Friday approved a new limit on local government spending to stave off a possible windfall when property values are reassessed next year.

On a voice vote, the House gave tentative approval to a bill limiting cities, counties and special districts to a 5.5 percent increase in property taxes that will be paid in 1988 based on 1987 property values.

In a key concession, most local governments would be limited to a 6 percent increase in collections after that — 1 percent less than the current 7 percent limit.

Englewood Republican Rep. Chris Paulson drafted HB 1003 to prevent what many fear will be huge increases in taxes when property is assessed at 1985 values next year. He argued that a cap of 5.5

**Many fear huge increases in taxes when property is assessed at 1985 values next year.**

percent offered a reasonable balance between keeping taxes low and giving local governments the money to operate.

But one lawmaker vehemently claimed that 6 percent is too high.

"Four percent is liberal enough and 6 percent is absolutely unconscionable and I don't care how you slice it, it's too damn high," said Rep. Ed Carpenter, a Grand Junction Republican.

"If it doesn't go to 4 percent, I think there is certainly going to be a tax revolution in this state," he said.

Paulson had originally proposed a 4 percent limit, but compromised after the House Finance Committee accepted lo-

cal government arguments that they couldn't live with such small increases and raised the limit back to 7 percent.

In Colorado, local governments set a property-tax rate and the amount paid is based on the value of the property. The 1987 reassessment will move the values on which the tax is based from 1977 to 1985. In most of the state's metropolitan area, values could double.

The current 7 percent collection cap would prevent taxes from doubling, but Paulson dubbed it a "Swiss cheese" limit because there are so many exemptions.

Friday's approval of the 5.5 percent limit was the product of an agreement

between business interests who had argued for a tougher 4 percent cap and cities and counties who claimed they need more money.

Some of the exceptions would be removed from the current limit and cities that are constitutionally independent of the state would be included under the cap in 1987, under terms of the bill. School district building and insurance funds also would be included.

Most of Friday's debate on Paulson's measure centered around a provision called "Truth in Taxation" that allows local officials to skirt the 7 percent limit by simply advertising how much they plan to increase taxes and then holding public hearings.

The language was scheduled to expire by December 1987 but Paulson's bill would extend it indefinitely if passed into law.



From left, Frank Hays and lobbyist Frank Hays III talk to Bob Knous, director of Ski Country USA.

## Bill linked to ski lifts gutted

By Michelle P. Fulcher  
Denver Post Capitol Bureau

Bowing to pressure from the ski industry, a House committee Friday gutted a proposed law aimed at strengthening the state board that oversees ski lift safety.

The House Transportation Committee agreed only to protect the state Passenger Tramway Safety Board and its employees who conduct surprise inspections of ski lifts from lawsuits.

The committee rejected a bid to provide similar protection to "whistle-blowers"—members of the public who complain to the board about possible dangers.

And it refused to impose stiffer penalties for minor violations of the board's rules. The board already has emergency powers to shut down a dangerous lift.

Friday's 11-0 approval of HB 1268 by Rep. Betty Swenson, a Longmont Repub-

lican, came after two sometimes-heated hearings on the bill.

"It's on the small infractions that they have no bite, or teeth," Swenson said after Friday's vote.

"If you're going to have a board and if its rules and regulations are good, they should be able to enforce them," she said.

But Rep. Danny Williams, an Edwards Republican whose district includes many of the state's major ski areas, said the industry is policing itself and will continue to do so in its own best interests.

The board has the power to shut down a dangerous lift and he doesn't believe further penalties are necessary, Williams said.

"I need to be convinced that it will be in the best interest of skiers and the industry and the economic benefit the industry provides the state," he said.

## Controversy blossoming in House

By Michelle P. Fulcher  
Denver Post Capitol Bureau

The seeds of controversy were sown when Boulder Republican Sandy Hume suggested that male members of the state House of Representatives chip in to buy flowers for their female colleagues on Valentine's Day.

On the appointed day, red tulips appeared in the House, where they have stayed for the past week, along with carnations, roses and the other floral tributes that are sent to lawmakers.

It got to be too much for Pueblo Democrat Stan Johnson, who privately said he couldn't decide whether the House chambers more resembled a funeral parlor or a fern bar.

Finally, Johnson was forced to march to the House microphone Friday.

Contrary to rumors, Johnson said, "I am not dead, even though the flowers on my desk have been dead for the last two weeks."

With a growing show of mock outrage, Johnson went on to explain that he had found his desk covered with a "forest" of flowers on Thursday afternoon.

Seeking a respite, he went home to his Denver apartment to find his bed covered in blossoms.

"Now that distresses a man, Mr. Speaker," Johnson said in dismay. "And it's kind of messy to clean up." He went to the bathroom to wash up "and damned if there weren't flowers in the toilet."



Rep. Stan Johnson said chambers resemble funeral parlor or a fern bar

"Mr. Speaker, isn't a man entitled to some privacy?"

House Speaker Bev Bledsoe, his brow furrowed, allowed as how Johnson might be entitled to some. Then again, maybe having your apartment covered with greenery is the price you pay for confusing the House of Representatives with a fern bar.

Johnson said he didn't how the prankster got into his apartment, but the prime suspect is Cañon City Democratic Rep. Bob Shoemaker, Johnson's roommate during the legislative session.

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