

guest commentary

How TABOR failed Colorado

By Glenn Hendricks

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It is time and past time for the citizens of Colorado to cowboy up and start behaving like adults. It is time for us to take the responsibility given us by the founding fathers and reclaim our role as true citizens, educated, aware and involved in the process of governance.

We have abdicated our responsibility to manage our elected officials by resorting to the referendum and forsaken our role in a representative democracy. The founders did not establish a direct democracy for a reason. We tamper with this at our peril.

We have foolishly allowed political charlatans to convince us that government in and of itself is evil and should be shrunken to the point that, as famously put by Grover Norquist, the government can be drowned in a bathtub.

Well we are there and the results are ugly indeed. Mandatory furlough days, diminished services, state budgets drenched in red ink. State employees will not receive pay raises and will steadily lose ground to inflation and as retirees

leave their positions won't be filled. Schools cannot afford new books and some are struggling to pay for heat and busses for the students. Colorado, once one of the leaders in education in the nation is now 40th in per student spending. Serious conversations around a 4-day school week are occurring in many of our districts.

Cities such as Colorado Springs and Pueblo cannot afford to hire replacement police officers or firefighters and the infrastructure we all depend on such as roads, water systems and sewage treatment plants age into obsolescence.

No one is arguing that governments shouldn't be adjusting to the current financial crisis, the question is whether or not the current situation could have been avoided if the draconian restrictions of TABOR hadn't been imposed on Colorado in the first place.

The lack of a robust and appropriate surplus in the state coffers has had as much of an impact on the situation as has the financial downturn. Moses told Pharaoh to store the surplus from the seven years of plenty in preparation for the seven years of want. TABOR ensures that the state cannot prepare for the years of want.

The so-called TABOR experiment has proven to be an expensive failure. As expected, driving down the tax base in good years and bad, preventing the government from holding surpluses from good years to cover the shortage of bad years and a short sighted "I've got mine

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the heck with you Jack" libertarian mentality is reducing Colorado into a shadow image of California. We have an opportunity in the Californian drama to learn from their mistakes before Colorado follows Sacramento into insolvency.

The citizens of the state need to become involved in politics again. We need to take responsibility for those we send to the statehouse and to hold them accountable for their votes. We need to restore the balance of power between the Executive, Legislative and Judicial branches of government. We need to understand and accept that if we tie the hands of the government it will inexorably fail.

First, the Citizens of Colorado should repeal TABOR immediately. The founders gave the power of the purse to the legislature intentionally. By hamstringing the legislature through the draconian provisions of TABOR we have removed their most critical function, that of overseeing and controlling the taxes and expenses of the state.

TABOR was sold to us as a way to control government, a control that was not and is not needed. The ballot box is, was and continues to be the appropriate place to control government. While the ballot box is a scalpel TABOR is a fire ax. Our state shows the effects of using that fire ax for delicate financial surgery.

Second. The state constitution must be modified to require that Constitutional amendments may

only be approved with a super majority of 60 percent of the votes cast. We have seen the difficulty caused by demagogues flat our lying to the electorate with respect to the multiple referenda proposed each election cycle. The Constitution is our foundational document and we trifle with it at our risk.

Third. Term limits must be repealed. Term limits were proposed by those who did not want to take the time to become involved in the political process and wanted to punish politicians for slights real or imagined. With the advent of term limits the institutional memory of the legislature has passed from our elected representatives and their staffs into the hands of the lobbyists and industry insiders. The founders gave us the power of the vote as the right and proper term limit.

Lastly, the people of Colorado need to look around and recognize that one of the foundational principals of our society is that the privileged have a moral obligation to ensure that the weakest among us are not tossed to the wolves simply because they are weak.

Glenn Hendricks lives in Silverthorne. EDITOR'S NOTE: This is an online-only column and has not been edited.

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