Resolution Opposing Amendments 60, 61 and Proposition 101

WHEREAS, the Expeditionary Learning School Board of Cooperative Educational Services (BOCES) is a public entity that provides educational services for students and School Districts; and

WHEREAS, the following three ballot measures will appear on the general election ballot November 2, 2010 and will collectively have a devastating impact on the ability of the state and local governments to provide services and build public improvements:

Amendment 60: an amendment to Article X, Section 20 ("Taxpayers Bill of Rights" or "TABOR") of the Colorado Constitution, will reduce school property tax collections by an estimated $1.5 billion annually by cutting in half all local property taxes used for our BOCES member School District's general funds and mandate that the state replace this revenue from the state general fund without providing a credible means to do so.

Amendment 61: an amendment to the Colorado Constitution, will curtail approximately $2 billion a year in publicly financed construction projects, resulting in a significant loss of public and private sector jobs, by banning the use of any kind of debt by the State of Colorado and severely restricting the ability of local school districts and other local public entities to issue debt or to utilize appropriate and prudent business practices in managing the finances of our member School Districts and the BOCES.

Proposition 101: an amendment to Colorado Statutes, will reduce state and local government revenue by approximately $1.6 billion annually by reducing the state income tax rate over time, reducing specific ownership taxes and other taxes and fees related to motor vehicles and prohibiting state and local governments from charging any telecommunication fees or taxes.

WHEREAS, it is estimated that the total fiscal and economic impact of these three initiatives will be $6.3 billion if they were fully implemented in this fiscal year which includes cuts in local state and local government revenues, losses in federal funding if the state is unable to match Medicaid funding and cessation of financing for state and local construction projects, including schools, highways and other public infrastructure; and

WHEREAS, estimates by the Colorado Legislative Council, the nonpartisan research agency for the General Assembly, indicate that once these measures are completely phased-in, funding for K-12 education will consume about 99 percent of the state general fund budget, leaving the state $38 million to fund all other state services; and

WHEREAS, these measures are unnecessary because there are already provisions in the Colorado Constitution which require the state to balance its budget and that give citizens the right to vote on all tax increases and creation of debt; and

WHEREAS, sales and income tax revenues were down significantly because of the recent recession and the State of Colorado had to balance its budget, school districts faced an unprecedented 6.3 percent cut in total program funding this fiscal year which was on top of a state-imposed rescission of 2.3 percent in the previous fiscal year; and

WHEREAS, it is extremely difficult to fully appreciate the major tax policy changes that these three ballot measures impose because there are so many issues addressed in each initiative, the changes are phased-in on different cycles and there is widespread confusion about the legal implications of each, which means voters are deprived of an opportunity to weigh the costs and benefits of each tax cut or change in policy on its own merits;
THEREFORE, BE IT RESOLVED, the Expeditionary Learning School BOCES officially declares its opposition to Amendments 60, 61 and Proposition 101 because each of these proposals will significantly interfere with the ability of the State of Colorado and local governments, including school districts and BOCES, to provide the public services and infrastructure that the citizens expect and deserve and because collectively, these three proposals will cripple the ability of the State to meet its obligations to sufficiently fund public education, leading to more budget cuts, larger class sizes, and fewer teachers and programs to meet the educational needs of this community.