



**Op-Ed: Amendment 74: Taking From The Taxpayer
Colorado Springs Mayor John Suthers and Sam Mamet, Executive Director, Colorado Municipal League**

“May it please the court” will be a familiar refrain for you the taxpayer should Amendment 74 pass. You will be paying a lot of money for a number of frivolous and costly legal claims. Your taxes will go up, and essential services, like police and fire, will be reduced.

The loosely worded language says that any state or local government regulation or law which “reduces” the “fair market value” of private property is subject to “just compensation.”

What exactly does this mean? No one really knows, and that’s the problem.

There are no exceptions; no protections for health and safety; and no ability for our state legislature to revise the language. It’s a take it or leave it proposition.

Think about some services your hometown provides for you like: land use, affordable housing, liquor licensing, protecting neighborhood integrity, undertaking public improvements, enforcing environmental regulations, and code enforcement. Any type of decision your city council or town board makes will be affected because one individual decides it is in their self-interest to file one very expensive lawsuit to stop your local government from moving forward. Every resident in your hometown will pay through increased taxes and strained budgets resulting in reduced services like fire and police.

The simplicity of the amendment’s text is only exceeded by its complexity. No one has a clear understanding of what these words mean. And when it’s in the Colorado Constitution, words definitely matter.

This is not a debate over property rights. As municipal leaders, we understand and value the importance of protecting private property. This is not a debate about the oil and gas industry, even though certain companies may have had a hand in drafting and bankrolling this measure. We understand the industry and what it does for Colorado’s economy both in terms of jobs and tax revenues generated.

Finally, although we are disappointed with the endorsement of this measure by our friends at the Colorado Farm Bureau, this is certainly not a debate about the importance of farming and ranching in the state.

At its core, this is a debate about clarity and in the case of Amendment 74, the critical lack thereof.

It is also about protecting taxpayers from an unprecedented level of legal exposure that will cost billions. Oregon approved a similar initiative in 2004. A few years later, voters there repealed the measure. Why? Over several billion dollars in claims were filed against the state or local governments. The taxpayers said enough.

In 2006, Washington voters rejected a measure like ours when a University of Washington study revealed that nearly \$8 billion in claims could be filed, costing more than \$1,000 per resident. The only “taking” Amendment 74 represents is from local taxpayers. Your city and town elected officials across Colorado urge a NO vote on Amendment 74. It is a very bad deal.