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Amendment 41 promises lockbox on VIP freebies

*By Jim Spencer Denver Post Staff Columnist
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A \$629 IBM Pocket computer/phone. If someone gave me one of those, I'd remember them. Fondly.

According to a new report by Coloradans for Clean Government, a \$629 pocket computer/phone was among the many gifts legislators and other state officials received in 2005. Democratic Rep. Michael Garcia of Aurora got it from Qwest.

"I was looking for a phone that was easier to do e-mail and do work as I moved around," Garcia said. "I inquired. Qwest is my phone service. And they gave me the phone."

Garcia's gift was legal, said Jared Polis, co-chairman of Coloradans for Clean Government. "But it's not healthy for democracy."

That is precisely the point of Amendment 41, which voters will consider in November. It takes only one trip to [www](http://www.bangifts.org)

[.bangifts.org](http://www.bangifts.org) to see why Coloradans should vote for Amendment 41. The amendment "prohibits public officials and government officials from accepting any amount of money or any gift worth more than \$50," according to the state's official explanation.

The amendment also "bans lobbyists from giving gifts or meals to public officials or employees or the immediate family members of the public officials and employees."

It makes ex-legislators and former state officeholders wait two years before lobbying certain of their erstwhile brethren.

Finally, Amendment 41 "creates a new ethics commission to hear state and local complaints, assess penalties and issue advisory opinions."

For those who think this is regulatory overkill, consider your newfound access to professional sports.

In the first six months of this year, Coloradans for Clean Government reported, state legislators and the governor took 58 free tickets to Avalanche hockey matches, 11 tickets to Broncos football games, 34 tickets to Rockies baseball games and 17 tickets to Nuggets basketball games.

Toss in 19 free rounds of golf and \$1,736 worth of theater tickets, and you get some idea why Amendment 41 exists.

Politicians may claim that their votes cannot be bought with tickets to see Jimmy Buffet or Elton John. But think about your own life. If someone comps you to a hot show or a ballgame, you are more likely to give them face time and consideration in your crowded schedule than someone who never did you an expensive favor. That's human nature.

To mitigate human nature, you sometimes need a stick to keep you away from rotten carrots. That's where Amendment 41 comes in. The case made at www.bangifts.org is overwhelming. It is the Internet at its most

persuasive. A glossy report leads you through levels of outrage meant to sway your vote. But ultimately, substance overwhelms style.

Current ethics laws ban only money or gifts related to "official duties." That leaves a world of favor to curry without Amendment 41.

Besides free tickets, how does \$81,987 worth of free out-of-state travel strike you?

It struck Colorado lawmakers and the governor just fine in 2005.

"I think most Coloradans are shocked that this is legal," said Polis.

Letting them know is much more than half the battle. Current ethics laws cover the governor, lieutenant governor, secretary of state, attorney general, treasurer, legislators, district attorneys, members of the State Board of Education and University of Colorado regents.

The official state explanation says Amendment 41 extends gift restrictions to state department heads, "salaried members of state boards and commissions, county and municipal officials and most government employees, including independent contractors." It extends to "favors or services, travel, meals, entertainment and honoraria, as well as promises of future employment."

Sledgehammer on a gnat, you say?

Polis said records show that in 2005, Kansas City's Economic and Cultural Office paid \$5,000 for Colorado Sen. Peter Groff, D-Denver, to go to China. Something called Project Citizen spent two grand to send Sen. Sue Windels, D-

Arvada, to Prague and Slovakia. And Republican Rep. Ray Rose of Montrose went to Ottawa and Newfoundland for \$1,248, compliments of Huskey Energy and the Energy Council.

In all of 2005, state politicians and public officials reported \$200,537 in lobbyist gifts, Polis said. In the first half of 2006, the number was already \$127,127.

"It could be trending worse than 2005," Polis said.

The new amendment may make it harder for legislators to legally learn about issues from lobbyists. But for those worried about that, here's some advice: Buy your own lunch, pay for your own tickets and never sleep in a hotel you can't afford.

If what you're about is public service, you'll get all the information you need.

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