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MC054
Common Cause Records

COMMON CAUSE

Common Cause: History

Colorado Project/Common Cause.

Volunteer Program.



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COLORADO PROJECT/COMMON CAUSE

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December 12, 1972

Mr. John W. Gardner, Chairman
Common Cause
2100 M Street, N.W.
Washington, D.C. 20037

Dear Mr. Gardner:

Here is a summary of events and conclusions pertaining to the Colorado Project to bring you up to date.

I. The Initiative Campaign

This campaign began with the introduction of our "Right-to-Know" reform bills into the 1971 legislative session. The initiatives were the good-faith extension of the effort and performance on our promise to carry through what we began, using all available tools which the system offered.

A. Accomplishments

1. A successful lawsuit in the Colorado Supreme Court in March, 1971, to invalidate a requirement for exorbitant pre-initiative publication costs, thus opening up the initiative process in Colorado to persons and organizations with modest or limited funds. This victory achieved national significance when the citizens of Colorado, acting through the Common Cause-revived initiative process, voted to deny funding to the 1976 Winter Olympics.
2. Exposure of about 600 activists to the detailed information on the four issues and distribution to about 300,000 persons of general publicity, thus beginning to create a climate of public opinion for change in each of four major areas. This is similar to the national Common Cause effort against the war. The victory is in creating the continuing pressure. An example of the fruit of this work is the declaration by leadership in both houses and both parties this month--citing the initiative--that property tax reform will be the number one priority this session. No-fault may very well be number two, and 353,000 people voted for utility reform. All of this is progress.
3. Publication of two reports on variations in tax assessment practices in Colorado, one of these demonstrating favoritism to industry. These are valuable reports in and of themselves. Copies are enclosed.
4. Increase in memberships in Common Cause, or subscriptions by about 550 persons.
5. Editorial endorsement by some outstate and weekly newspapers not otherwise likely to have become interested in these issues, and now their probable continuing commitment to the Sunshine Amendment, utility reform, no-fault, and tax reform.

6. Passage of the Sunshine Amendment by a vote of 497,708 to 318,368, or by about a 60% margin. This is perhaps the most significant single act of legislative reform in Colorado's history. Each of the three sections of the bill was modeled on a separate law of another state and thus, in effect, we have passed three laws in one. The provisions of the other states' laws have been upgraded (a) with help from national Common Cause (Larry Gilson) and (b) based on our own experience. For example, for the first time anywhere, as far as we are aware, this lobby control bill also applies to lobbying before boards and commissions. The open meetings section also requires keeping full and complete minutes of all meetings of all policy-making, rule-making boards and commissions and all legislative committees. Hereafter, we will have enormously valuable legislative histories.

B. Number of issues

It is impossible to say with certainty whether we were well-advised to seek passage of four issues. The temptation is to say that we should have stayed with only one. I don't think, however, in the future I would advise limiting the issues to one alone. The result this time of such strategy would likely have been no victory at all. There was substantial opposition to the Sunshine Amendment, but the additional issues on the ballot diverted our opponents' attention and advertising money. The possibility of tax and utility reform created an immediate threat to major financial interests here who chose to fight the tax and utility amendments with massive monies and to postpone worrying about lobbying disclosure. For example, the president of one of the state's most powerful lobbying groups, the Colorado Association of Commerce and Industry, told me they strongly opposed Sunshine but would have to fight it later.

That same person then put together a coalition which financed 2,695 minutes of radio advertising, 88 minutes of TV ads, and 3,640 column inches of newspaper space in opposition to our tax initiative. We are fortunate this money was not spent against Sunshine.

The insurance industry and trial lawyers spent an undetermined amount in pamphleteering, radio and television and newspaper ads against no-fault. Responsible observers estimate that at least as much as \$250,000 was spent in this effort. (Had our bill not been a secondary coverage bill and, therefore, not so strongly consumer-oriented, perhaps insurance companies would have given support. We went for the best bill we could draft, but politically-speaking, the coalition to support it would have been stronger had the bill been somewhat watered down.) Again, we are fortunate such major sums of money were not available to spend against Sunshine, and it is quite possible that had they not been preoccupied with no-fault, some portion of this energy would have gone to do just that.

In a third instance, utilities united with the chairman of the Public Utilities Commission, who personally lobbied all over the state against the Utility Consumer Counsel Amendment. Mountain Bell did a mailing to stockholders in Colorado. The Public Service Company, one of the largest employers in the state, held mandatory meetings of employees and requested each employee mail postcards, supplied by the Company and opposing the increase, to acquaint-

tances. I alone received three such mailings. Here again, one of the state's major lobbying coalitions was too active saving its own skin to look to the Sunshine bill.

As it happened, only the Sunshine Amendment escaped adverse advertising aimed specifically to discredit the bill, and it alone passed. How important this is is pointed up by the fact that in recent weeks, the Governor, Lieutenant Governor, Speaker, and Republican Senate Caucus Chairman have all expressed shock at the extent of Sunshine, and these expressions are sometimes accompanied by the phrase, "I wish we had read it before the election."

Therefore, to return to the original point, if we had sponsored only one issue, it is not at all clear that we would have escaped without substantial opposition or, indeed, that we would have won at all. In addition, not only did we pass one (which is the ultimate victory when only one is introduced), we went beyond that in pushing forward and expanding the debate and consciousness of the community on three other major issues. The tide on these issues is continuing to rise. And again, one is reminded of the national debate against the war. We have never won in the voting in Congress but clearly, beyond a shadow of doubt, the pressure which you all have brought to bear has been successful in obtaining policy changes. Your contribution will not be acknowledged by politicians as much as by historians. That should be adequate reward for Common Cause. Hopefully, the same may also be said concerning our contribution toward the victories we have not yet won here but which are significantly closer now than they were a year ago.

C. Organizational tactics

1. Precinct and district organizations:

These organizations were modeled after those current in political campaigns. They functioned superbly. An analysis and identification of key districts was followed by briefing meetings of district captains, distribution through the captains of key precinct maps, instructions, and campaign materials. No campaign ever enjoyed more loyal workers who covered nearly all of the identified target districts all over the state. Approximately 300,000 pieces of literature were distributed.

2. Media:

Research generated in the spring and summer provided materials for numerous consecutive press conferences in October. We held one conference to announce the results of our study on the legislature (House), one on the PUC, two on no-fault, and two on taxation. Attendance was consistent and remained constant through to the last conference, which was a high compliment to those who had done the research. In particular, Jeff Pearson, who supervised much of the research, deserves great credit for this series. On at least two occasions, opponents of our no-fault initiative called conferences which were simply not attended and were ignored by the press. By contrast, Jeff, Jeremy Shamos and Sister Rene Ann Weeks had generated sufficient new research to be consistently treated as "news" with coverage in all the major newspapers and all major radio and TV.

The news we generated, however, in each case lasted only a couple of days and in the end was no match for the constant saturation advertising against us. Although we did eventually obtain help from the FCC and proportionate free time on two stations, the scores of other stations which carried paid advertising, which was not rebutted by us, were enough to overwhelm us.

3. Speakers' Bureau:

A wonderful volunteer, a retired school administrator, coordinated the Speakers' Bureau, and twenty speakers spoke at 100 meetings in all parts of the state in October when the Bureau was most active. These efforts climaxed ten months of speaking by various representatives of Common Cause on the issues. Regular reports on apparently successful debates confirmed that head-to-head meetings with opponents were effective. That is, when the discussions went behind advertising slogans, our speakers were extremely well received.

4. Detailed information on the issues:

In-depth memoranda on each of the issues were distributed to speakers and district captains and precinct workers. Copies of research materials prepared for press conferences were often distributed outstate to weeklies.

5. Coalitions:

The Colorado Labor Council, AFL-CIO, was our chief ally. They printed another 200,000 pieces of literature, a newspaper called "Labor's Language," which were widely distributed through an interlocking network of labor and Common Cause blockworkers. (A sample is enclosed.) We attended innumerable labor meetings and one employee of COPE was assigned to work nearly fulltime on the initiatives.

II. New and Continuing Issues

A. Keeping the Sunshine in

There have been such cries of anguish from the Legislature, from the Governor, Lieutenant Governor, the Speaker and even from judges concerning the disclosure and open meetings provisions of the Sunshine Law that we are going to have to fight extremely hard to hold onto it. An interim committee on legislative procedures met last week to consider the bill and repeatedly asked subjunctively "whether they would want such a law." No Common Cause witness was called and the only purpose of the meeting seemed to be to frame critical questions for response by the Attorney General. They are obviously looking for some basis for repeal or substantial amendment under the guise of "improvements."

We will seek to remind them that the people have already passed this law, that is, that judgment on its desirability has already been made and a fullscale lobbying effort is being planned. A mailing to members is be-

ing prepared with detailed information about the Act, their representatives, and the popular vote on the Act in their districts.

The session begins January 3. The time is ripe for conventional lobbying, and I have enjoyed fruitful meetings with the Speaker and Majority Leader of the House to discuss the new law. We are also using the office staff extensively to contact selected members.

The "Colorado Sunshine Act of 1972" is moving toward center stage and will probably become a major issue in state affairs for at least this session and, depending upon the outcome, the next as well. Some of the clippings from the growing volume of media coverage are enclosed. Especially encouraging are editorials supporting Sunshine in both the Denver Post and Rocky Mountain News.

B. Public utilities regulation

We have entered an appearance in a new rate proceeding and cross-examination of company witnesses begins December 15. Just as they did a year ago, the Commission has scheduled hearings in the middle of the holiday season, a difficult time to mount an intensive volunteer effort. The Colorado Project has, again, been given extensive coverage in the Denver Post on the utility fight--this time viewing the rising consumer pressures from an historical standpoint. We want to continue to keep the pressure on, if at all possible. (Copies are enclosed here, too.)

The Company seeks to roll back the gains in the law we achieved in the decision in October, 1971, such as the limitations of advertising expenses and charitable contributions. They have infinite resources to keep on coming back and back, and they know that our legal expenses and costs may bleed us dry. But, if Common Cause does not crack these barriers of procedures and expenses that make utility pricing such an unmitigated fleecing, who will? The people, generally, and even two state legislators have in recent days sought our help. The victories are not cloaked in the usual liberal rhetoric, but the money saved is significant to many, including the old, middle income businessmen and the poor.

C. Public agency accountability act

We are working on an exciting new bill to create an office of consumer advocacy with a lawyer and staff empowered to intervene in board and commission hearings of nearly any conceivable kind. Our Board of Advisors held a public meeting last week and the concept received favorable support. The full Board will meet again Tuesday, December 12, to consider how to proceed.

A copy of an outline of proposed provisions is enclosed. Please let us know what you think, and any advice or help you could give generally would be great.

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D. Follow-up on no-fault and tax reform

We have had meetings with persons active in these fields to investigate the possibility of further action. No decision has been made.

III. Financial Situation

A. Budget

1. Monthly expenditures.

Salaries	\$2,800.00	
Taxes (payroll, unemployment, etc.)	200.00	
Rent	255.00	
Equipment rental	100.00	
Furniture rental	50.00	
Office supplies	100.00	
Postage	400.00	
Printing	50.00	
Telephone	300.00	
Misc.	50.00	
		\$4,305.00

2. Monthly income from pledges 850.50

3. Monthly deficit 3,454.50

4. Accumulated revenues to offset deficit:

a. Prepaid pledges and contributions	\$2,241.00	
b. Subscriptions and contributions	6,413.50	
c. Net from "The Hostage"	356.50	
d. Total accumulated revenues		9,011.00

5. Additional needed to continue present program through 1973 \$ 32,443.00

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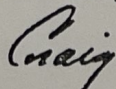
B. Potential sources of funding

1. Individual solicitations
2. Benefit with John Kenneth Galbraith
3. Contributions from members
4. Contributions from labor
5. Regis High School benefit
6. Game sales
7. Contributions from small businessmen
8. Additional Colorado Project subscriptions
9. Fundraising events in various cities throughout the state--
planned and carried out by local groups
10. Build-up of additional pledges

The Board of Advisors has undertaken primary responsibility for fund-raising. This will be an enormous help because the staff is and has always been so involved in substantive issues that we have been unable to spend much time raising money. The Board is enthusiastic, and I am hopeful that we will somehow find between \$30,000 and \$50,000 needed to finish out the year. Some things are already beginning to get underway, e.g., John Kenneth Galbraith's acceptance of our invitation to appear at a fund-raiser here, and the acceptance by one of our major department stores of the game which will be on sale from this week forward.

As the year comes to a close, I want to emphasize especially our gratitude to you and to Jack Conway and David Cohen and Dick Tempero for having given us such marvelous support in the past year.

Sincerely,



Craig S. Barnes

CSB:dc

cc: Jack Conway
David Cohen ✓
Richard Tempero