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# The Voice of Golden

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INSIDE – Things to know

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Contact: Marian Olson, 303-279-7479 [mlolson@ix.netcom.com](mailto:mlolson@ix.netcom.com)  
203 Iowa Drive, Golden, CO 80403

For immediate Release

# Did Fear of Retaliation Halt Golden Recall Effort?

## What is it about the First Amendment that terrifies the Golden City Council?

Intimidation and harassment were directed at petition circulators, signers, potential signers and recall supporters. Did this violate the constitutionally protected right of recall and the constitutionally protected exercise of the use of paid circulators?

Recall petition committees advised Golden City Clerk Susan Brooks on February 23 that no recall petitions would be submitted. This resulted from situations that raised a serious concern for the well-being of signers of the petitions had their names become public. Petition circulation was halted after petition circulators were harassed while attempting to obtain signatures and a Petition Committee person was accosted in his home by Citizens for Golden leader Matt Burde.

Literature was sent to citizens with the message “Don’t sign.” A robo caller “warned” citizens that people were in their neighborhoods collecting signatures.

An inordinate amount of city resources (paid for with taxpayer dollars) were directed to opposition of the recall. The city council’s TV time was used to present anti-recall positions. The City Attorney prepared memoranda for subjects of recall, but not for Petition committees. The city offices mailed letters to citizens praising the financial condition of the city, a subject addressed in the petitions.

“From my personal experience and other information, I am aware that the City of Golden City Council and staff have a record of retaliating against those who do not agree with them,” commented Marian Olson, publisher of the Voice of Golden, who assisted initiators with the recall effort. “The opponents had already made targets of recall supporters. I believe the fear of possible retaliation was very real. Would making public the names of people who signed the petitions so they might become targets have been a responsible thing to do?”

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## LINDA NEWBROUGH reports invasion of home by Matt Burde

On Sat 24 Jan around 3pm someone rang my doorbell. I answered the door and there was a man with 2 little children. He told me he lived in the neighborhood and wanted to speak with my parents about a city issue. I told him I was the home owner. He said he wanted to talk to my parents, he used their names. My mother was not available but I opened the door and let him in. He didn't stop at the door but barged through the house to where my father was sitting. My father is 88 years old and hard of hearing. He did not know what was going on and was confused at why this person was harassing him. The person, Matt B, wanted to know why he signed the recall petition, why he was trying to split the community. My father could only half hear and understand him. I stepped in and told him we did not like the present city council except for one individual and that council woman was ganged up on when she tried to help the community. I said I thought they were crooks and not looking out for the citizens of Golden. He totally ignored me and started harassing my father again "why did you sign for a recall"? At this time I told him to get out of my house now. He did not move and again started harassing my father. His tone was not a pleasant tone and his children were there listening to everything. I again told him to get out of my house now or I would call the police. This time he started toward the door but stopped and asked if he could talk to me. I told him know and why I wanted the recall. He said how expensive that would be. I told him I was not concerned with the expense, that the present council wasn't concerned how they spent our money anyway. He left the house. About 10 minutes later I got a phone call. It was Matt B apologize for his behavior and asked if it would help if he sent the Mayor over to talk to me. I said "no" he was one of them and hung up the phone.

I was confused and not sure about everything going on, but after this and the continued harassment in the form of letters and phone call, I'm no longer confused and would definitely like to see a new city government in Golden. I feel if the present government officials had nothing to hide or anything to be ashamed of they would not try so hard to intimidate and harass me, my family and other citizens of Golden.

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203 Iowa Drive  
Golden, CO 80403  
March 11, 2009

David S. Williamson  
Williamson & Hayashi, LLC  
1650 38<sup>th</sup> Street  
Suite 103 West  
Boulder, Colorado 80301

Dear Mr. Williamson:

While the words you refer to in your letter of January 19, 2009 may not be an exact quote, those watching the city council session got the impression that campaign finance rules were not in effect until after the recall election was scheduled, including reporting requirements.

I have obtained a copy of your memoranda to the mayor and city council dated January 7, 2009 and February 3, 2009. Both make reference to the Fair Campaign Practices Act. Section E from the January memorandum reads as follows:

E. Fair Campaign Practices

Council is reminded that the usual restrictions associated with elections, and in particular the Fair Campaign Practices Act (FCPA), apply to recall elections. However, the provisions of the FCPA do not take effect until the recall election date is set by council.

I believe your words here reinforce the understanding, whether correct or incorrect, that expenditures prior to the setting of an election date do not have to be reported.

You said the FCPA applied to recall elections. You did not cite anything to support that. Perhaps you were referring to 1-12-122 that says, "Recall elections are subject to the appropriate sections of article 45 of this title." This was added in 1995. There is no claim that the version of the FCPA in effect at the time was frozen in stone. This allows for amendments to it over time. This means that the version in effect after the 2003 amendments to the FCPA apply. 1-45-116 makes it clear that neither the Colorado Constitution Article XVIII nor the FCPA have applied to Golden since Ordinance 1682 was adopted in 2005.

Also section 12 was to provide guidance for state recall. Municipal recall is covered beginning at 31-4-501. 31-4-506. Disclosures of contributions, contributions in kind, and expenditures was repealed in 2002.

It is intriguing that reference is made to the Fair Campaign Practices Act. In the second memorandum, at the top of page 2, you said, "Although the City is not required to follow the state laws regarding this issue as long as the city's laws are more stringent than the state law, our interpretation, is consistent with state law. Under the Secretary of State's rules, ..."

Under D. City Expenditure Prohibitions you wrote, "Finally, the prohibition of the City's spending of public funds regarding urging electors to vote for or against the recall is governed by state law, specifically the Fair Campaign Practices Act."

You seem to have forgotten that, by adopting its own campaign finance regulations in 2005 (Ordinance 1682), neither the Colorado Constitution Article XXVIII nor the FCPA apply to Golden.

Each time I saw or heard you make a reference to the Fair Campaign Practices Act (FCPA), I couldn't imagine why you did that. Then, in going through the Simpson case file, it came to me. You must be still looking at the memo that came out of your office before the hearing in that case. That letter was written to try to get the judge to grant summary judgment in a campaign finance case that could have resulted in significant fines for candidates, a corporation and a political action committee that were all supportive of the political status quo in Golden. She ruled against the motion saying that Ordinance 1540 just affirmed that the city was going to act in accordance with the FCPA. Since that didn't work, Mr. Windholz testified under oath:

*Q. Do you have an opinion as to which version of the Fair Campaign Practices Act the City of Golden currently has in place?*

*A. Your Honor, because Ordinance 1540 which was enacted in 2001 adopts the fair Campaign Practices Act by reference then the version of the Fair Campaign Practices Act in effect is that which was the State law in the Fair Campaign Practices Act as of April 2, 2001. [Transcript, p.154]*

*... if the Fair Campaign Practices Act in accordance with Council's intent and direction to me to draft this Ordinance was to enact by reference the Fair Campaign Practices Act as it may or could have been subsequently amended I would have written the ordinance accordingly, I did not. [Transcript, p. 158]*

...whether a subsequent constitutional amendment which is silent on these home rule powers [Article XX, Sec. 6] can trump that is in my opinion not legal and not so. [Transcript, p. 158]

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In 2003, the FCPA had been amended, after Amendment 27/ Article XXVIII of the Colorado Constitution was adopted by a vote of the people, to make it conform to the constitutional article.

FCPA Section 1-45-116. Home rule counties and municipalities was amended to include “The requirements of article XXVIII of the state constitution and of this article shall not apply to home rule counties or home rule municipalities that have adopted charters, ordinances, or resolutions that address the matters covered by Article XXVIII and this article.”

As a result of Mr. Windholz’ testimony, the judge ruled that she had no jurisdiction in the case. [The evidence that the FCPA was not adopted by reference in 2001 was still in the hands of the Attorney Regulation staff in early 2008.]

Mr. Windholz next prepared Ordinance No. 1682 which was adopted by the Golden City Council in November of 2005. Section 1 reads, “Section 2 of Ordinance No. 1540 is repealed in its entirety.” He thus disposed of the FCPA.

Pursuant to 1-45-116, the state constitution and the FCPA do not apply to the home rule municipality Golden. This makes your references to the FCPA and its application to anything in Golden totally inappropriate and misleading to those who rely on you for legal guidance

With respect to your memoranda, I have other observations.

The Golden City Charter addresses recall:

Golden City Charter. Section 4.6. RECALL. Any elected officer of the city may be recalled at any time after six months in office by the electors entitled to vote for a successor or such incumbent through the procedure and in the matter provided for in article XXI of the constitution. Consistent with the constitution and this charter the council may provide by ordinance for further recall procedure.

The Colorado Supreme Court ruled in Groditsky v. Pinckney, 661 P.2d 279 (Colo. 1983), Power of recall is a fundamental constitutional right of Colorado Citizens and the reservation of this power in the people must be liberally construed.

It can be seen that recall is a matter between the citizens and the elected official(s) involved. It is not a matter of city business.

The Golden City Charter addresses the duties of the city attorney:

Golden City Charter. Section 9.2. CITY ATTORNEY. The council shall appoint a city attorney to serve at the pleasure of the council. ... The city attorney shall be the legal representative of the city and he shall advise the council and city officials in matters relating to their official powers and duties and perform such other duties as council may prescribe by ordinance or resolution. ...

There is every appearance that it was not only irresponsible, but unethical, for you to write such memoranda to the city council, six of whom were subject to recall efforts. It was the responsibility of each of them to read the law and get help from some source other than you if they needed it.

You serve at the pleasure of the council. Given a successful recall signature collection effort and a subsequent election of a majority of councilors who did not find your performance to their liking, you could be replaced. Thus you have a personal interest in maintaining the existing make-up of the council. This is an obvious conflict of interest that surely rises to the level of ethics violation.

Beyond your writing the memoranda and sending them to the individuals who were the subject of recall discussions, you did not send copies of it to the citizens on the six petition committees.

While you are charged by the charter to advise the council in matters relating to their official powers and duties, recall falls under neither of these headings. Recall is a personal matter.

The Colorado Supreme Court, in Berzsen v. City of Boulder, 186 Colo. 81, 525 P.2d 416 (1974), held that Colorado is not a state in which official misconduct is necessarily required as a ground for recall. Rather, the dissatisfaction, whatever the reason, of the electorate is sufficient to set the recall procedures in motion.

It is interesting that you chose to place in bold “regular election” in the January memorandum. Petition committee person Leslie Olsen, in a memo, asked City Clerk Susan Brooks the number of signatures required to be sufficient for each of the six positions. The clerk’s reply included data for the two positions for which there had been special elections. She used the number of special election votes cast to calculate the number required for those two positions. Had the petitioners relied on the clerk’s reply, the number of signatures submitted would have been severely fewer than the number required had regular election numbers been used.

Leslie Olsen replied to the clerk that it appeared she had used the special election data, that the committees would use higher numbers based on 2005 regular election data on the city’s web site and wanted assurance that the signatures would be checked to the higher number to preclude a protest. The clerk responded with the official higher numbers.

In the February memorandum, page 2, second paragraph, you wrote, “For clarity and consistency, Council may wish to amend the LCFO to follow this provision of the state statute regarding registration for those political committees opposing any recall.”

Section 1.05.010 (l) of the LCFO reads:

Political committee shall mean any person(s), who are elected, appointed or chosen, or have associated themselves, for the purpose of making contributions to candidate committees or other political committees, or to make expenditures in support of or **opposition to** [emphasis supplied] candidates, ballot issues, ballot questions or issues and have registered as a political committee as required in Section 1.05.0340 of the Code.”

It should be noted that Section 1.05.010 (b) reads:

Ballot issue, ballot question or issue shall mean any measure put to a vote of the registered electors of the City and/or by the City Council at any election held under the provisions of the Home Rule Charter. For purposes of this chapter, ballot issue, ballot question or issue shall also mean any measure for which **recall**, initiative or referendum proceedings have been commenced pursuant to Chapter IV, Section 4.2, section 4.3, and Section 4.6, and Chapter VI, Section 6.6 and Section 6.7 of the Charter.

Section 1.05.030 Registration of committees. All candidate committees and political committees shall register with the City Clerk before accepting or making any contributions. Registration shall include a statement listing: ... (c) the purpose or nature of interest of the committee.

In the current situation, there was an awareness that a recall effort was developing, perhaps as early as October. Conceivably opponents could have started collecting funds to oppose a recall effort before the petitions were approved as to form. It appears that, had that been the case, a committee had to be registered when it started receiving contributions. The same could be said for an initiative or referendum matter. The trigger is the acceptance of contributions. There is no need to muddy the water with talk of when something was known. Bannack Publishing Co. submitted two reports of non-committee expenditures prior to the petition approval as to form. These were not returned to me as not required.

It now appears that you have billed the city of Golden for work done on the recall matter. As I pointed out above, recall is a personal matter between the recallee and the citizens. It is not city business. Not only did you provide uncalled for information to the recallees, you did not provide the same information to the petition committees. I do not know whether your performance in this matter should be classified as unethically self-serving or incompetent or both. In any case, it is shocking. I believe that if you are to charge for any work you did on the recall, the six councilors should have to pay the bill, NOT the city’s citizens.

I have enclosed my bill for developing the information that shows your incorrect references to the Fair Campaign Practices Act.

January 16, 2009

To: Responsible Golden Citizens

## **GOLDEN IS ON THE PROGRESSIVE MAJORITY POLITICAL ACTION COMMITTEE'S LIST**

Municipal elections are supposed to be non-partisan. Jacob Smith, who has been elected as a councilor and now mayor in Golden, was recruited and trained by the Progressive Majority Political Action Committee and used the Progressive Majority web site to solicit money for his Golden campaign. He has indicated that he aspires to higher office. He has made the political environment in Golden elections partisan. That is why this letter is directed to you as a responsible Golden voter. Read this and see if it makes you feel like doing ***something!***

### **PROGRESSIVE MAJORITY [from their web site]**

"Progressive Majority is not giving conservatives a chance to regroup. We haven't let up on recruiting and electing progressives since we opened our doors in Washington State in 2004. In 2008, Progressive Majority elected 10 progressives to local and state offices. Through their successful campaigns, our candidates are proving that progressive values are American values."

**-Gloria A. Totten**

**President, Progressive Majority**

Progressive Majority is recruiting, training and electing a new breed of candidates — leaders willing to stand up and fight for what matters. We are the nation's only political organization dedicated exclusively to electing progressive champions at the state and local level.

Leaders from organized labor, Members of Congress, and progressive donors founded Progressive Majority in 2001 to serve as a multi-issue political action committee (PAC) and to enhance the political effectiveness of the progressive movement.

Our network has grown to over 50,000 progressives nationwide. We operate locally led, state-focused programs in Arizona, California, Colorado, Minnesota, Ohio, Pennsylvania, Washington, and Wisconsin. Our growth will continue until we are in the top 24 battleground states.

"Progressives won up and down the ballot on Nov. 4! Eighty-seven Progressive Majority candidates won election, and we helped flip two state legislatures, four local governments and filled one statewide position. This year's wins mean that we have flipped six state legislatures, 34 local governments and filled four statewide positions since 2004! Way to go progressives!" **-Gloria A. Totten**

**President, Progressive Majority**

## **JACOB SMITH**

At Progressive Majority, we take pride in recruiting and training candidates with real innovation and vision. Jacob Smith, elected to the Golden, City Council in 2005, was successful in his 2007 run for Mayor of Golden. Now, Jacob is showing Golden and all of Colorado why progressive ideas deserve their place in government.

As a councilman, Jacob designed a new program to make Golden a more sustainable city by **involving the community**. The new all-volunteer Sustainability Advisory Board will draft goals and write new sustainability policy for Golden. Progressive community initiatives like Jacob's Sustainability Advisory Board are challenging the way government does its business, and we're proud to be a part of pushing for this change.

Every time a community enlists its own citizens to work for progress, it furthers the aims of the movement and draws more people into investing in their own progressive activism.

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### **If you feel like doing "something," how about a recall?**

In September of 2008, the Golden City Council accepted the high bid from the Friends of the Astor House to manage the three museums – Astor House, Pioneer Museum and Clear Creek History Park. The Pioneer Museum submitted a bid that was lower by \$100,000 a year. Most of the items in the Pioneer Museum were owned by the Daughters of the American Revolution or the Museum or were on loan to the Museum. Most of the items have been removed and the Pioneer Museum is no more.

The Pioneer Museum people were quite distressed by this turn of events and, in addition to legal action, started a recall effort against the mayor and city councilors who voted with him. Ward 1 Councilor Mary Weaver, a responsible small business owner, was the lone vote against accepting the high bid.

Ward 4 Councilor Bill Fisher had been elected in a special election in April so all the elements of the recall petitions cover the time period from May through October of 2008. All the votes were six to one – Weaver always being the one.

Those votes revealed that the city makes a practice of disregarding rules concerning the bidding process and it is willing to spend large sums on an unproven sound wall technology. Thus they are fiscally irresponsible. The votes revealed that the city council willfully violates the Open Meetings Law and disregards the Golden City Charter.

The votes revealed that the city council passed a resolution supporting two school bond issues, matters that are not city business and that they had no information authorizing them to speak for the citizens on the matter. They also wasted city funds to have the city attorney draft the resolution that was political in nature as it supported a ballot issue.

The city councilors were particularly unpleasant to volunteers who were present in the council chambers during the September meeting. This kind of abuse, and more, has frequently been applied and continues to be applied to others who oppose them.

There has not been, nor can there be, a denial that the votes occurred. The information came directly from the minutes of meetings as reported on the City of Golden web site. Having no defense, the opponents of the recall launch attacks on people.

The opponents claim there should be no special election because it will cost a lot of money – perhaps \$50,000. They say we should wait until November. A responsible city council could find ways to save far more than \$50,000 in that six month period. By November, most of the 2009 budgeted funds will be spent and the current city council will have had 6 more months to further damage to the well-being of the city and its citizens.

We need to change the situation now. Responsible citizens in Golden have an opportunity to establish themselves as people who have the best interests of the citizens at heart, who believe rules and laws should be followed, and who believe the council should treat people with courtesy and respect. We can help the Pioneer Museum by supporting the recall process with signatures on the petitions. This will also help us restore respect for the rule of law and dignity to the government of Golden. We can set an example for other communities to follow. It will take all of us to make this happen. People will be coming around to collect signatures soon. Call 303-279-7479 or e-mail moaa@ix.netcom.com, if we miss you or if you have questions. If you can help pick up signatures, please call. Petition committee persons include: Susan Riebe and Mary Rains in Ward 3, Tom Squires in Ward 2 and Lynne Carrol in Ward 4.

Since the petitions were drafted, the council has continued down the path of fiscal irresponsibility and abuse of the oath of office. Unpleasant treatment of opponents has degenerated into more serious attacks. You can help change this. You can help stop this.

**Transparency meets resistance in Colorado!**

*There are currently two proposals* on school district transparency being discussed in the legislature. **The first is a bill sponsored by Senator Harvey, SB09-057, which would require that school districts put their expenses on-line in a searchable database.** The bill was gutted in committee and as written now would be merely a suggestion for districts, supposedly because of concerns about the cost, (even though there's a group that will run the whole system for a district, if they can't do it on their own, for \$10,000/year). The full Senate will hear the bill this Tuesday, February 4<sup>th</sup>, at 9:00 am, and can restore the bill to its original intent IF a majority of senators can be persuaded that it's important.

*So, what's the big deal about transparency?* Extra "eyes and ears" can only help districts save money! Boards of education, oversight committees, are all volunteers, most of them with full-time jobs. The more "eyes" on spending the better! Other governments that have enacted transparency measures have also found they get better bids from vendors – more people compete, with better information, and agencies and districts can get better pricing. Districts need to think of transparency as an investment in cost savings and public accountability.

*What's wrong with the public accountability information we have now?* First, it doesn't provide anything current or anything in detail -- budgets and annual reports are good, but they're generalized projections and summaries. Nobody could figure out if a district could purchase say, office supplies, more efficiently, or at better prices with the aggregate information which may be available, and boards and oversight committees are likely not going to get into that level of detail! Second, some senators suggested making official "sunshine law" requests is more than adequate. To which I would say, how cost-effective is that? Many districts will first have their attorneys review requests, then must devote staff to researching and pulling the required documents, making copies and the like, and the process often has to be repeated numerous times to get all the information desired. "Worse than pulling teeth" is a euphemism commonly used by people who have had to procure documents by "sunshine law" requests.

For me, there isn't any downside to full transparency, just institutions resistant to change. Don't let your legislators duck this, the public has the right to know how their money is spent!

The **second proposal** has not yet found a sponsor. It relates to letting the public become more involved in school facility decisions, to **Put the "Public" Back in Public Schools.** Colorado taxpayers were asked for \$2.5 billion by school districts for capital needs, yet there's no requirement that a district even share its plans with the public -- Colorado statutes give boards the absolute power to build or acquire as they see fit, they are accountable to no one (except they do have to get a safety permit from the state). Now, how sensible is that? The bill proposal is a virtually no-cost, common sense approach to making the process transparent, responsive and efficient in four simple steps:

- 1) **Districts are to have copies of master plans and site plans available** at least at their offices if not on-line, with a log sheet as to when meetings will be held. If a district is reluctant to have a copy of plans available for the public to review, it's not because they don't have the money to make a copy.
- 2) **All meetings are to be open to the public.** Nobody has to rent rooms, or provide special notice, the meeting time and place is just there on a log sheet next to the plans; if someone's interested they can show up and listen in.
- 3) **Districts are to share their proposed plans with local government,** and local government will be encouraged to reflect proposals on its community development plans. The district has to talk to the local government anyhow to coordinate infrastructure, how much extra work is it to get them the info in the proposal stage? With this coordination, citizens have a better chance of finding out what might be under consideration which could affect their property values, AND, there's an opportunity for better efficiency in traffic planning and other infrastructure costs -- if you know what might be coming down the pike, you can plan better!
- 4) **Boards of education are to hold a public hearing** before they make a final decision. Boards are required to hold scheduled public meetings anyhow, and, if they're planning on spending millions of taxpayers money, why wouldn't they give the public the opportunity to comment before they make final decisions? Remember, board members are all volunteers, most have full time jobs. Having the public's eyes, ears, and often, expertise, to help them can only benefit the process.

These simple steps were just part of the recommendations the Legislative Council's staff put forth as "need to do" in the 2005 School Finance Act review. There's no more effective budget control process than public participation, and there's no excuse for any district to want the power to make decisions about spending the public's money behind closed doors. In sum, if you see value in transparency, your legislators need to hear from you; *where there's a will, there's a way.* The \$41 billion in the federal stimulus package that would go to schools nationwide, for operations and construction, could easily be the "way." But if there's to be a political "will," the political courage for legislators to stand up for the taxpayer, it must come from us. Please call your Colorado senators and representatives about both proposals, and consider standing up with Senator Harvey at Tuesday's hearing on spending transparency. *Visit [www.TransparencyInEducation.org](http://www.TransparencyInEducation.org) for links and updates.*

**1<sup>st</sup> grade school teacher had twenty-six students in her class. She presented each child in her classroom the 1st half of a well-known proverb and asked them to come up with the remainder of the proverb. It's hard to believe these were actually done by first graders. Their insight may surprise you. While reading, keep in mind that these are first-graders, 6-year-olds, because the last one is a classic!**

1.	Don't change horses	until they stop running.
2.	Strike while the	bug is close.
3.	It's always darkest before	Daylight Saving Time.
4.	Never underestimate the power of	termites.
5.	You can lead a horse to water	How?

	but	
6.	Don't bite the hand that	looks dirty.
7.	No news is	impossible
8.	A miss is as good as a	Mr.
9.	You can't teach an old dog new	Math
10.	If you lie down with dogs, you'll	stink in the morning.
11.	Love all, trust	Me.
12.	The pen is mightier than the	pigs.
13.	An idle mind is	the best way to relax.
14.	Where there's smoke there's	pollution.
15.	Happy the bride who	gets all the presents.
16.	A penny saved is	not much.
17.	Two's company, three's	the Musketeers.
18.	Don't put off till tomorrow what	you put on to go to bed.
19.	Laugh and the whole world laughs with you, cry and	You have to blow your nose.
20.	There are none so blind as	Stevie Wonder.
21.	Children should be seen and not	spanked or grounded.
22.	If at first you don't succeed	get new batteries.
23.	You get out of something only what you	See in the picture on the box
24.	When the blind lead the blind	get out of the way.
25.	A bird in the hand	is going to poop on you.
<b>And the WINNER and last one!</b>		
26	Better late than	Pregnant

February 05, 2009

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**For Immediate Release:** February 5, 2009

**Contact:** Greg Schnacke, 1-866-416-0659

### **Westerners Say Salazar's Utah Lease Cancellation Runs Counter to Economic Stimulus**

Denver, CO (Feb. 5) – Interior Secretary Ken Salazar's decision to cancel previously issued oil and gas leases on 130,000 acres of federal government owned lands in Utah is "is going to cost the state of Utah many millions of dollars in lost revenues, right at a time when states are struggling to make ends meet," according to a Western Democratic state senator.

"Secretary Salazar's decision is a disappointment on many levels," said Wyoming Senator Bill Vasey (D-Rawlins), Chairman of Americans for American Energy. "As a state legislator who is right now looking at having to make hard choices at the state level in tough economic times, I know that natural resource development is one of the few bright spots we have in the West."

"In fact, I understand that Utah may have to cut back the length of its school year to address its budget shortfall. This decision may make that situation worse," Vasey said.

The Salazar decision “runs counter to current efforts to stimulate the nation’s economy,” added Greg Schnacke, President of Americans for American Energy. “This move will hurt economic development across the West and deprive Americans of large, new sources of clean U.S. energy.”

“Coming on the heels of one of the largest run-ups ever seen in energy prices this past year, the Secretary’s decision is a major disappointment for those advocating responsible development of domestic energy reserves to reduce our reliance on foreign sources of energy,” Schnacke said. “This decision runs counter to the notion of economic stimulus because it kills jobs, reduces tax revenue for schools and communities and continues America on the path of dependency on foreign sources of energy which aids our enemies abroad.”

“I hope this decision does not foreshadow where the Obama Administration will come down on new offshore drilling,” he added.

Schnacke explained that the Utah lease sale was the product of a seven-year public land management planning process, and will cost Utah millions of dollars through losses of royalty and tax revenue. The lands that were affected were thought to contain significant new natural gas reserves that would eventually serve American markets in Utah, the western U.S. and in the Midwest. Although Utah’s unemployment rate is significantly lower than the nation’s, the state is facing up to a 15% budget shortfall, according to some reports.

“Natural resource development is a significant contributor to Utah’s economy and unemployment rates in the areas of Utah that produce oil and gas are traditionally very low,” Schnacke said.

“The East Coast environmental extremists who are applauding this decision don’t have to make a payroll in Utah, or decide whether school kids must be sent home in order to balance the state budget,” said Schnacke.

The BLM manages some 22.9 million acres of lands in Utah with approximately 4.5 million acres currently under lease. In 1984, approximately 20 million acres were under lease according to industry sources. Surface disturbance is limited to about 31,000 acres which is less than 0.1%. Leasing is the first step in the oil and gas development process. The issuance of a lease does not guarantee that oil or gas will be found and much scientific and technical work must be completed to make that determination. In order to actually receive a federal permit to produce oil and gas, additional federal environmental requirements must be met including comprehensive NEPA environmental impact analysis.

“We call upon Secretary Salazar to conduct a rapid re-review of these leases and allow this responsible American energy development to go forward,” said Schnacke.

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VOICE OF GOLDEN (ISSN 1529-496X)

Office: 203 Iowa Drive, Golden, CO 80403

Phone: 303-279-7479 FAX 303-271-1447

E-mail: [moaa@ix.netcom.com](mailto:moaa@ix.netcom.com)

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