



# COVERUP CLAIMS

Website defending Lance Armstrong, left, calls drug accusations on "60 Minutes" by Tyler Hamilton "trash for cash." »1B

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Voice of the Rocky Mountain Empire

# THE DENVER POST

MONDAY, MAY 23, 2011



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# Lawsuit targets TABOR

## SIZING UP THE RIGHT TAP



Danny Huneycutt of Lexington, N.C., lines up his next shot Sunday during the championship match of the fourth annual Rocky Mountain International Open Croquet Tournament, which was held at Washington Park. Huneycutt went on to defeat Jeff Soo of Durham, N.C., for the title.

Photos by John Leyba, The Denver Post

dp Photo gallery. More images from the Rocky Mountain International Open Croquet Tournament. » [denverpost.com/mediacenter](http://denverpost.com/mediacenter)



A group says the measure cuts into the legislature's constitutional authority to govern the state.

By Tim Hoover The Denver Post

In a case that could affect citizen initiatives nationally, a bipartisan group of current and former state legislators and local officials is expected to file a lawsuit today in federal court challenging the constitutionality of Colorado's Taxpayer's Bill of Rights.

The suit alleges that TABOR, which prohibits the legislature from raising taxes without a vote of the people, limits the General Assembly's power in violation of the U.S. Constitution guarantee that states have a "republican" government, in which the authority to govern is given to elected officials.

The plaintiffs argue in their legal petition that TABOR, which voters added to the state constitution in 1992, has caused "a slow, inexorable slide into fiscal dysfunction" in Colorado.

Attorney General John Suthers, a Republican whose office would be charged with defending TABOR, was out of the country and unavailable for comment last week.

Chief Deputy Attorney General Cynthia Coffman said that while she could not comment on a lawsuit that state attorneys had not yet reviewed, the attorney general's office would "vigorously defend" TABOR in court.

TABOR limits state revenue, and it requires all governments to get voter approval for tax increases.

The lawsuit is being led by Rep. Andy Kerr, D-Lakewood, and includes 33 other plaintiffs, including

LAWSUIT » 18A

## More lean on quick fix for old joints

By Marilyn Marchione The Associated Press

SAN DIEGO» We're becoming a nation of bum knees, worn-out hips and sore shoulders, and it's not just the Medicare set. Baby-boomer bones and joints also are taking a pounding, spawning a boom in operations to fix them.

Knee-replacement surgeries have doubled in the past decade and more than tripled in the 45-to-64 age group, new research shows. Hips are trending that way too.

And here's a surprise: It's not all because of obesity. Ironically, trying to stay fit and avoid extra pounds is taking a toll on a generation that expects bad joints to be swapped out like old tires on a car.

"Boomeritis" or "fix-me-itis" is what Dr. Nicholas DiNubile, a suburban Philadelphia surgeon, calls it.

"It's this mind-set of 'fix me at any cost; turn back the clock,'" said DiNubile, an adviser to several pro

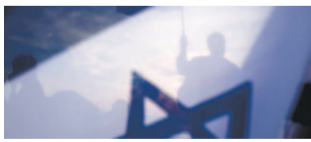
BONES » 12A

Boning up. Find out ways to prevent injuries and bone-replacement surgeries. » 12A

## NATION & WORLD

### TORNADOES BATTER THE MIDWEST

Tornadoes ripped through parts of the Midwest on Sunday, killing an unknown number of people in Joplin, Mo., where a hospital was hit. »2A



Oded Balilty, The Associated Press

Obama: Israel must make hard choices. President Barack Obama, speaking Sunday to the nation's foremost pro-Israel lobbying group, repeated his call for Palestinian statehood based on Israel's pre-1967 borders. »10A

Yemen president refuses to step down. »11A

## DENVER & THE WEST

### CHATFIELD PROJECT STIRS CONCERNS

A proposed \$100 million project to nearly double the water stored in Chatfield Reservoir would inundate 10 percent of Colorado's premier state park. »13A

## SPORTS



David Kohl, Special to The Post

### BRUTON GOES BACK TO SCHOOL

Broncos safety David Bruton is keeping busy during the lockout — as a substitute teacher in his hometown in Ohio. »1B

## Dark side to state's lower divorce rate

By Colleen O'Connor The Denver Post

In the few years that Victoria Hutson worked in the litigation department of a law firm, she witnessed a seismic change in the way clients ended their marriages.

"A number of women were divorcing, and we felt they made out pretty well when they got the house," said Hutson, who was divorced in 2009. "It's completely the opposite now."

As home prices and the economy plummeted, the divorce rate has trended downward.

The divorce rate in Colorado has dropped to 4.2 percent per 1,000 people, a rate hit only once — in 2003 — in the past 21 years.

In 2007, the year the recession began, the rate was 4.4 percent, according to the National Center for Health Statistics. The latest data available are from 2009.

Though that might seem like good news, there is a shadow side.

Those familiar with divorce, from

“They see the work they need to do to have a marriage that's good, but they're so overwhelmed by the financial stress.”

Mary Kelly Williams, Boulder therapist

lawyers to investment advisers to marital therapists, say the drop is mostly because of economic issues: People can't afford to maintain two households or pay an attorney.

Often, the house is worth less than when it was bought, so there is no equity for either partner to start a new life.

And the financial issues are now

DIVORCE » 18A