



Stateline

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STATE BUILDING RECEIVES NATIONAL RECOGNITION

The Colorado Department of Labor and Employment (CDLE) received a national award from the U.S. Green Building Council, the nation's foremost coalition of leaders from the construction and architectural industries, working to promote buildings that are environmentally responsible. The building received LEED (Leadership in Energy and Environmental Design) certification in recognition of the CDLE's newly designed building. The Colorado Department of Personnel and Administration



and the Governor's Office of Energy Management and Conservation (OEMC) were also involved in the project. The CDLE building received LEED certification specifically for conservation of materials and resources during the construction phase as well as in energy efficiency and water conservation. The Department's unemployment insurance operations were previously housed in two separate buildings. They were consolidated into a single location at 251 East 12th Avenue, by remodeling the old building and constructing a four story 40,000 square foot extension. There are 16 LEED certified projects in Colorado. The Department's is the first state building to achieve this certification.

Not only is the entire building enjoying more efficient energy use, the new square footage is a seamless addition to the original structure.

Please see LEEDS, p. 6



KNOW YOUR RIGHTS

BY JEFF WELLS
EXECUTIVE DIRECTOR, DPA

Life After State Employment

This is part of a continuing series of articles intended to provide guidance to employees on issues they may face during their career with the State.

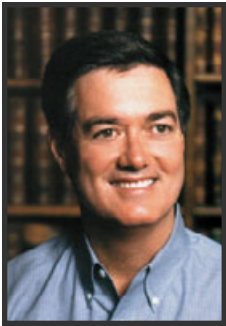
At one time or another during our state service, each of us has thought about leaving government to do something else with our lives; and each year hundreds of our colleagues do just that. While I hate to lose good employees, I also realize that people who are thinking about leaving need to be able to make a fully informed decision. Being able to compare your current total compensation package, not just salary, with what might be available from another employer, and knowing about continued health care coverage, cashing out accrued leave, and withdrawing or transferring retirement contributions is critical to making a good decision.

Many employees may not be aware of the full value of the State's total compensation package, but it's easy to find out. Visit *My Total Compensation* on DPA's web site at www.colorado.gov/dpa/dhr/comp/pay.htm and complete the secure questionnaire – it's easy to use and takes just a few minutes. This will help you compare the relative financial pros and cons so you can make the right choice for you and your family.

In addition to your salary, there are several other benefits that should be considered:

- **Unused Annual Leave.** If you leave state employment, you are entitled to be paid for unused annual leave. The maximum amount for which you

Please see *KNOW YOUR RIGHTS*, p. 4



PERA AT THE PRECIPICE

BY GOVERNOR BILL OWENS

Of the many issues facing the legislature this session, reform of the Colorado Public Employees Retirement Association (PERA) may be the one I feel most strongly about.

PERA needs to be reformed to protect benefits for its members – and to protect taxpayers who help fund PERA benefits.

If the Legislature fails to act on substantive reforms, a citizen's initiative looms on the horizon that would convert PERA from the current "defined benefit plan" to a 401(k)-style "defined contribution plan." [See box on opposite page.]

If voters see that the average monthly benefit of a PERA retiree is \$2,288, compared with \$1,002 for a retiree on social security, many voters will think of PERA as a gold-plated pension plan. While PERA replaces social security for public employees, I don't believe this will matter at the ballot box.

An initiative to rein in PERA could easily win voter support. Therefore, it is in PERA members' interest to fix the problem now, in the legislature, rather than through an initiative placed in the State Constitution.

PERA must reform to remain a solvent and viable pension fund for both current and future beneficiaries. Despite impressive returns in recent years, PERA's financial solvency actually has declined. Solvency is measured by assets as a percent of promised benefits. According to PERA, investment returns totaled 14.1% in 2004, but solvency *declined* from 75.6% in 2003 to 70.6% today – its lowest point since 1980.

Put another way, PERA earned nearly *twice* its expected return, but still lost ground. PERA's solvency has been as high as 105% in 2000 (over-funded) but has dropped nearly 35 points to roughly 70% today.

Simply put, we cannot afford the promises we have made to current and future beneficiaries and we must take action to meet them.

Some critics contend that if PERA earns the 10.9% historical average, everything will be fine. Mathematically that's true. The problem is, even PERA's staff doesn't believe that will happen. Meanwhile, on a 14-2 vote, the current PERA board denied the recommendation of the State Treasurer and the State Auditor to reduce the assumed 8.5% rate of return. A financial plan that includes only a booming stock market is not a plan; it is flight of fancy at best.

Even if this 8.5% rate is earned, PERA's solvency will reach a crisis point (just 49.5% solvency) in less than 30 years. I don't want to leave this problem to the next governor and a future legislature to solve. That's why I worked over the summer with State Treasurer Mark Hillman and Senator Dave Owen on a reasonable plan to change PERA.

Our plan:

- Changes the board of directors to include more outside members with expertise in running pensions. The new board would be smaller (11 instead of 16) and still include 5 members from the PERA membership. Four would be outside experts and the State Treasurer and the State Auditor would remain on the board.
- Treats PERA benefits as a part of an employee's "total compensation" package. Total compensation is just that – the total an employee earns each year in salary *plus* benefits. Our plan asks employees to give up one percentage point of their salary increase for the next three years and send this money to support their PERA benefits. This will increase funding to PERA by \$75 million, without any impact on taxpayers, since this money would have otherwise been spent on salary increases.
- Reforms the benefits for new employees hired after January 1, 2007. (PERA's reform proposal includes this step as well.)
- Raises the minimum retirement age to 60 for those current employees who are under age 40 and who are not yet vested in PERA (less than 5 years of service).
- Expands the option of a defined contribution plan to all employees.

Importantly, our plan does NOT:

- Reduce benefits for current retirees, or current vested members of PERA. Protecting benefits should be a primary goal of PERA and it is a primary goal of mine.
- Politicize the board. Requiring pension experts to serve on the board is a common sense step that will improve its governance.

As for changing the board of directors, in no way do I question the goodwill of these members who serve. However, I do believe they would benefit from additional expertise and experience. As the corporate world reforms its retirement plans and governance policies, state pension funds must do the same. Illinois, led by Democratic majorities in its legislature, recently took a similar step and Colorado should, as well.

I hope you will make it a point to closely follow the debate in the Legislature regarding PERA. Modest changes now will mean solvency for the future. Everyone's mutual goal should be to protect PERA for current and future retirees.

State Softball League Season Begins

BY TED ABAD

OFFICE MANAGER, CDOT

The Colorado State Employees Softball League would like to invite all State Agencies to participate in the league's summer softball season.

The season runs May 15th thru July 29th and consists of 11 regular season games, a week for make up games and a one-day softball tournament (all teams will participate) to be played on Saturday, July 29th.

Teams must consist of a minimum of 10 players (four Women and six Men). In addition, by rule, a minimum of five state employees must be on the playing field at all times.

The league has two conferences; **Conference A**, which on Mondays or Tuesdays and **Conference B**, which plays on Wednesdays or Thursdays.



State employee Todd Olson gets ready to hit one out of the park.

All games are scheduled to start at 6 p.m. with a forfeit time of 6:30 p.m. Games will be held at one of two parks: City Park on fields 3 and 5 (Tuesdays and Wednesdays); Crestmore Park on fields 1,2 and 3 (Mondays, Wednesdays and Fridays).

If you're a state employee interested in playing but can not field a team, submit your name to **Johnie.Abad@dot.state.co.us**. Your name will be added into a player's pool to be contacted by a team that may need players. For more information please contact League

Commissioners Ted or Johnie Abad at 303-757-9163 Work, 303-287-2797 Home, 720-939-9519 Cell.

Defined benefits versus defined contributions...

A defined benefit plan defines the benefits a participant expects to receive from the plan, while a defined contribution plan defines the amount an employer contributes to the plan. Many of the nation's corporations are eliminating their legacy defined benefit plans as not sustainable – and replacing them with defined contribution plans that give individuals more responsibility for their retirement savings. In January, both IBM and Alcoa joined other corporations that are moving to more financially stable defined contribution plans.

Allison Eid Colorado's Newest Supreme Court Justice

On March 13, 2006, Colorado welcomed a new Justice to the Colorado Supreme Court; Allison Eid. Not only does Justice Eid have a distinguished educational and professional background, she has been a state employee since 1998.



Eid received her undergraduate degree from Stanford University (1987) and went on to graduate from the University of Chicago Law School with high honors (1991). She also clerked for United States Supreme Court Justice Clarence Thomas and Judge Jerry E. Smith of the Court of Appeals for the Fifth Circuit.

Eid practiced commercial and appellate litigation in the private sector, before becoming an associate professor at the University of Colorado School of Law, in 1998. During her professional career she has published numerous papers and articles in legal trade publications and been appointed to the Permanent Committee for the Oliver Wendell Holmes Devise by President George W. Bush.

Justice Eid is married to former DPA Executive Director Troy Eid. They have two children; a son and a daughter.

can be paid depends on the length of your state service:

- 1 to 5 years – 192 hours
- 6 to 10 years – 240 hours
- 11 to 15 years – 288 hours
- 16+ years – 336 hours

The value of the leave is determined by converting your annual salary to an hourly rate and then multiplying by the number of leave hours. For example, if you're a full-time employee making \$40,000 per year, with 14 years of service and 310 hours of annual leave, we divide your \$40,000 salary by 2080 hours (the annual number of work hours for a full-time employee). The result is \$19.23, which is the value of one hour of your annual leave. We then multiply \$19.23 times 288 hours, which is the maximum amount of leave you are allowed to accrue, and arrive at \$5,538.24, which is what would be paid for your unused annual leave. Because of the maximum payout limits, most employees try to use any leave over their limit before leaving state employment.

- **Unused Sick Leave.** No payment for accrued sick leave is available unless you are eligible to retire when you separate from state employment. If you are eligible, you will be paid 25% of your accrued sick leave, subject to your sick leave maximum accrual. Using the annual leave example above, if you had 360 hours of sick leave and that is also your maximum accrual, you would be entitled to \$1,730.70 (\$19.23 x 360 x .25). For more information on leave earning rates and maximum accruals, see Rule 5-11 of the State Personnel Rules found on the Division of Human Resources web site at www.colorado.gov/dpa/dhr/ or contact your human resources office.
- **Continuation of Health and Dental Benefits.** If you are already enrolled in any of the State's group health or dental plans, federal law allows you and your dependents to remain covered for up to 18 months after you leave if you pay the entire premium (that is, there will be no State contribution), plus a 2% administrative fee. While the State does not pay for these benefits, it does allow you to temporarily take advantage of the group coverage and rates at your own expense. These rights are commonly known as "COBRA," which stands for the Consolidated Omnibus Reconciliation Act of 1985. Health Care Flexible Spending Accounts (FSAs) may only be continued until the end of the plan year in which you leave state employment, and only if you have a positive balance in the FSA. Your covered dependents may also have rights under COBRA to enroll separately under the state plan coverage if they cease to become eligible as your dependents.

Your health and dental coverage automatically ends at the end of the month in which you leave, so act quickly if you want to continue. Although you will receive a COBRA enrollment package within 14 days after you leave, and you will have 60 days to decide, you could have a gap in coverage if you do not enroll and pay the first month's premium within 45 days after you enroll. The enrollment process can take several weeks to complete. If you are contemplating leaving state employment, do not wait and look for your COBRA packet in the mailbox. I urge you to discuss these options in detail with your agency's benefits administrator so that you fully understand your rights and the process for exercising those rights. And be sure your agency has the correct mailing address on file to ensure you receive your COBRA packet. Our web site for COBRA rights and responsibilities is www.colorado.gov/dpa/dhr/benefits/cobra06.htm.

- **Life and Disability Benefits.** As with health and dental, your coverage automatically ends at the end of the month in which you depart unless you take action to continue them. You have two options for continued life insurance coverage, depending upon your age and other factors. Although your short-term disability coverage cannot be continued, you may be eligible to convert your optional long-term disability coverage. If you choose to exchange or convert your life or disability coverage, you must do so within 31 days of leaving state employment. Detailed information on the life and disability plan descriptions is posted at www.colorado.gov/dpa/dhr/benefits/index.htm.
- **Performance Pay Awards.** To receive any performance pay increase awarded in one fiscal year, you must be an employee on the next July 1. Base-building increases are paid out only to the extent they are earned up to the date of separation – any salary that would have been paid in the future has not yet been earned and so is not included. In contrast, the entire amount of a non-base-building performance award will be paid, so long as you are still employed by the State on July 1. If you have any questions about your final pay, contact your payroll office.
- **Retirement Plan Contributions.** Employees in the state personnel system can choose between two types of retirement savings plans. One is mandatory and the other is voluntary. Employees hired before January 1, 2006 must participate in the traditional Public Employees Retirement Association (PERA) plan. New hires starting on or after that date must choose one of three options: the traditional PERA defined benefit plan, the new PERA defined contribution plan, or the new State defined contribution plan. For these mandatory plans, the

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State makes a contribution every month on your behalf along with your monthly contribution. In addition, you may choose to participate in one of the voluntary supplemental plans, such as the State's "457" or PERA's "401(k)."

When you leave state employment prior to retirement you are entitled to receive whatever you have contributed to these plans, and all or a portion of the employer's contribution, depending on the plan. For example, if you are in the traditional PERA plan, and not retirement-eligible when you leave state employment, you would have the option to withdraw your account or leave it in PERA until you reach retirement age. If you choose to withdraw your account prior to retirement eligibility you would receive your account balance plus a 50% match of the account balance.

If you are not retirement eligible, and you do not elect to leave your account with PERA, the money you receive *will be taxable if you do not put it into another retirement plan*. Plus, if you are too young to qualify for retirement under federal tax law when you take the money out, you will also pay an early withdrawal penalty of 10% for any amounts you take as cash.

If you leave your account with PERA until you reach retirement age, the account will continue to accrue interest and you would be eligible for a 100% match on the account balance. Once you reach retirement age you would also have the option of receiving a lifetime monthly benefit instead of the cash withdrawal.

For more information on PERA plans, or to access your 401(k) account, call PERA at **303-832-9550**, or visit PERA's web site at **www.copera.org**. For more information on the State's Defined Contribution Plan or processing a distribution of your 457 plan account, visit DPA's web site at **www.colorado.gov/dpa/dhr/benefits/retire06.htm** or call 800-838-0457.

As the State Personnel Director, I am committed to ensuring that it is easy and convenient for you to find out what you need to know about your compensation and benefits packages so that you can make informed decisions about your future.

This is general guidance only and should not be considered legal advice. For any legal advice you should always consult an attorney.

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OPEN ENROLLMENT IS COMING

April 24, – May 19, 2006 is Open Enrollment for the next plan year - July 1, 2006 – June 30, 2007

Information about premiums and plan choices will be provided soon:

Be proactive. Review your current choices and the open enrollment materials to determine if you must act. In most cases, if you are already enrolled in any of the plans your current choices will automatically continue if you do nothing. However, in some cases you will have to choose a different alternative in order to continue coverage.

Choose carefully. The plan you choose by May 19 is the plan you will have for all of the next plan year.

Know what your plans cover and what they do not – such as types of medical or dental procedures, prescriptions etc.

During the plan year additions or deletions to your plan can only be made as a result of a major life change, such as marriage, divorce, or birth. **Changes must be made within 31 days of the event.**

Enter your open enrollment elections into the online benefits administration system before the close of open enrollment on May 19.

Stateside MattHolman



"Hair? Really? I thought it was pasta."

STATE PERSONNEL BOARD CANDIDATES

BY KRISTIN F. ROZANSKY, DIRECTOR

The State Personnel Board will be holding an electronic election amongst state employees in June for Elizabeth Salkind's seat with the new five-year term beginning July 1st. Instructions for the election will be on the back of May paychecks. Candidates are:

Rich Djokic was the Board Director from March 2004 to July 2005 when he retired. Prior to that, Rich was Deputy Securities Commissioner for Colorado. In 1987 Rich worked at the Colorado Attorney General's Office in the Regulatory Law Section, representing the Colorado Division of Securities. In 1991, Rich was appointed First Assistant Attorney General over the Financial Unit in the Regulatory Law Section, supervising attorneys representing the State's licensing agencies, the PUC, State Personnel Board, and Department of Agriculture. Prior to 1987, Rich was in the private practice of law in Fort Collins in the areas of real estate, securities, bankruptcy, and employment law and litigation. A native of Colorado, Rich is an avid hunter, and enjoys fishing and golf. Rich believes that his experience in the personnel system as an employee, supervisor and manager would bring a value perspective to the Board in discharging its constitutional mandate to provide guidance to stakeholders in carrying out their respective missions under the state personnel system.

Kathy Newell was the Director of Administration for the Department of Law from approximately 1986 until she retired in January 2006. She began at the department in 1984 as the chief accountant. Prior to working at the Department of Law, she worked in the

State Controller's Office, Department of Administration for ten years, for a total of thirty-one years with the state as a classified employee. She has also served as the Attorney General's designated representative to the Total Compensation Advisory Council. Kathy has a Bachelor of Arts in English with a minor in Business Administration from Metropolitan State College. As a supervisor of payroll for the Department of Administration for several years, and the supervisor of the HR Unit at the Department of Law for over 18 years, Kathy saw a lot of changes to the classified system, changes that did not always benefit the employee. By running for the Board, she is hoping to provide classified employees with a positive voice on the Board.

Ira Sanders is a Hearing Officer II with the Colorado Department of Labor and Employment who's retiring in April 2006. He has served as a hearing officer from 1981 to 1987 and from 1991 to present. From 1987 to 1991 he was Staff Counsel for the State Compensation Insurance Fund, State Compensation Insurance Authority, Colorado Compensation Insurance Authority. From 1979 to 1981 he had a law practice in Fort Collins. Ira has been twice elected to the Employees Advisory Council to represent the Unemployment Appeals Section. He and his wife do volunteer work for Colorado State Parks and the Colorado Division of Wildlife. After 25 years as a state employee, Ira wants to be in a position where he can affect the working conditions for state employees in a positive way by ensuring fair hiring, promotional and disciplinary practices. He will work towards getting the personnel regulations rewritten so that everyone can understand them. The regulations must be written in easily understood language, not legalese.

For more information please see the Board's web site at <http://www.colorado.gov/dpa/spb/>.

LEEDS, from p. 1

"The CDLE building is an example of how several state agencies are leaders in designing smart, energy-efficient buildings," said Drew Bolin, OEMC director. "Programs that incorporate energy efficiency are essential for managing the state's fiscal responsibilities."

In July 2003, Governor Owens enacted an Executive Order that requires performance contracting to be the first approach used for capital improvements in state buildings. Performance contracting, which leverages future energy savings to pay for capital improvements, shares a common goal of energy-efficiency. These energy-saving efforts reduce the burden on taxpayers of Colorado for many years to come.

LEED puts a premium on constructing buildings with superior indoor air quality, access to views, daylight and natural ventilation. As a result, building occupants benefit from a healthier, more pleasant environment.

The CDLE building received the LEED certification from attributes such as urban redevelopment, access to public transportation, using non-toxic paints and sealants and materials made with high recycled content; water conservation; a high efficiency boiler that reduces energy usage by 21 percent; energy-efficient windows and others.

"Of course, we are grateful for this recognition from the U.S. Green Building Council," says Rick Grice, CDLE executive director, "but our real reward is in what we have created. In this project, we combined healthy, high-quality and high-performance advantages with greatly reduced environmental impacts. So even prior to achieving this certification, we had already achieved so much. It's rewarding to know that this effort will be paying benefits to the environment and the taxpayers of Colorado for many years after the Owens administration is gone."

MARK YOUR CALENDAR NOW: CFMA/CIMA/CSMA SPRING EDUCATIONAL SEMINAR



*Photos courtesy of Corey Kopischke/
Steamboat Springs Chamber Resort
Association*

The Associations' Spring Educational Seminar committee is currently planning another great event. This year's theme is *Investing in the Future: People, Programs, and Performance*, plan now to join us on **May 17 through 19, 2006 in Steamboat Springs**. This year's event will be co-hosted by the Steamboat Grand and Steamboat Sheraton Conference Centers. Conference registration will be found at www.state.co.us/cima.

Those who register early will receive an early registration discount: fees are as follows:

- \$95 full seminar fee (early registration received by May 1, 2006)
- \$115 full seminar fee (late registration received after May 1, 2006)
- \$75 one day seminar fee (early registration received by May 1, 2006)
- \$95 one day seminar fee (late registration received after May 1, 2006).

Individuals are responsible for their own lodging reservations. You can log onto www.steamboatgrand.com or www.sheraton.com/steamboat for more information concerning the resorts. Contact the Steamboat Grand at (877) 269-2628 or the Steamboat Sheraton at (970) 879-2220. You will need to identify that you are part of the CFMA/CIMA/CSMA group. Lodging costs start at \$89 per night at the Sheraton and \$93 at the Grand.



*Photos courtesy of Larry Pierce/Steamboat
Springs Chamber Resort Association*

Look for more details coming soon, or check the CFMA, CIMA, and CSMA websites:

www.state.co.us/cfma/home.htm
www.state.co.us/cima
www.csma.info

STAR AWARD NOMINATION DEADLINE EXTENDED

You now have until Friday, **March 24** to submit nominations. Don't miss this opportunity to nominate a outstanding, fellow State Employee. This years award categories include: Outstanding Service, Manager/Supervisor of the Year, Employee of the Year, Creativity, Mentorship and Citizenship. Nomination forms and award criteria may be obtained from your department HR Unit or at www.colorado.gov/dpa/dhr/STAR/criteria.htm





MY BACK PAGES: GOING TO THE DOGS

BY PAUL FARLEY

No, this is not another analysis of the Rockies' bullpen. I have previously described the odyssey that led to our acquiring a Shetland sheepdog "No Man's Land," March/April 2005, and thought it was about time for an update on the state of Colorado dogdom.

We named her Duchess, not only because of her regal appearance but also because it was the name of my grandmother's prized collie. Fortunately, she has turned out to be fastidious, affectionate, and obedient, and has taken to us as thoroughly as we have to her. Shortly after we got her my wife found a small scrap of paper on which my daughter Virginia had scrawled, "Duchess is very goot and she has preshis momins eyes." If you're familiar with the insipid figurines produced in Carthage, Missouri, you know what she means. For those of you who aren't, I'd like to tell you about the year I spent there one afternoon with my wife and daughter but my gastroenterologist absolutely forbids it.

Shelties have a reputation for being a little barky, and ours is no exception, although Virginia stoutly defended her in a school assignment: "Duchess barks at the squeriles. It's not Duchess' falt she barks at the squeriles. The squeriles tees Duchess with thair tails." However, we have been vigilant about correcting Duchess whenever she barks indoors, and unless the house is burning down she will not bark regardless of the provocation (or how bad she needs to go to the bathroom). Instead, she will go through the motions of barking but only make a semi-audible "hupp" – doing everything she normally would except use her vocal chords. It impresses and amazes our friends, and is an extremely welcome talent.

It remains to be seen to what extent Duchess will ever become a celebrity (or even, for that matter, succeed in catching one of those confounded "squeriles"), but at least one Colorado pooch has found a measure of fame (if not fortune).

In 1988, the small South Park town of Guffey (population about 50 soaking wet), annoyed with county officials in Fairplay, decided to elect a cat named Paisley as mayor as some sort of protest. After Paisley died of

natural causes, another cat, Smudge le Plume, became mayor. In 1991, Smudge was reportedly eaten by an owl (would this be considered "natural" or "unnatural" causes?), and was succeeded by Whifley le Gone.

At this point, I know what you're thinking, and I am *not* making this up. It's all right there on the Park County Chamber of Commerce website, and as you know, if it's on the Internet, it must be true: www.parkchamberofcommerce.org/life/guffey.htm

Anyway, in 1993 Whifley moved out of town, and a dog, Shanda, became mayor when her owner bought the general store where the mayor's office is located. Shanda even appeared on the Oprah Winfrey show, which I am told some people think is even bigger than being on the Internet.



Duchess and Virginia Farley at Great Sand Dunes. Duchess is on the left.

I'm not quite sure if they have term limits in Guffey, but in any event they had an election in 1998 in which a black cat named Monster beat out two dogs and a cockatiel to succeed Shanda as mayor.

More on the pantheon of Colorado canine greats in the future, but with April 15 being just around the corner I needed to save space to offer a few words of encouragement

This and That (income tax edition):

- "The difference between death and taxes is death doesn't get worse every time Congress meets." – Will Rogers
- "The only difference between a tax man and a taxidermist is that the taxidermist leaves the skin." – Mark Twain
- "A government that robs Peter to pay Paul can always depend on the support of Paul." – George Bernard Shaw
- "Democracy must be something more than two wolves and a sheep voting on what to have for dinner." – James Bovard
- "Giving money and power to government is like giving whiskey and car keys to teenage boys." – P.J. O'Rourke