

Rates the Legislature

The Taxpayer's Voice
Since 1976



Second Regular Session of the 70th General Assembly adjourned on May11, 2016 • Report Prepared by Colorado Union of Taxpayers

CONGRATULATIONS!

2016 Taxpayer Champions*

Senate Champion
Vicki Marble 91%

R - Fort Collins

House Champions
Janak Joshi 100%

R - Colorado Springs

Lori Saine 100%

R - Dacono

2016 Taxpayer Guardians*

Senate Guardian
Jerry Sonnenberg 86%

R - Sterling

House Guardian

Stephen Humphrey 97%

R - Windsor

* Highest score in each house. (rounded)

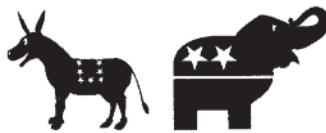
COLORADO UNION OF TAXPAYERS RATES THE 2016 LEGISLATURE

Friedrich Nietzsche, the German philosopher, once said: "That which does not kill us makes us stronger." Looking through the Nietzsche's prism, the current relative strength of Colorado's economy could only be explained with the understanding that the General Assembly, year after year, keeps trying to kill our state's economy with new needless regulations and more taxes.

It is widely acknowledged that too many legislators are mercenaries of the establishment. They do the establishment's bidding and care very little about the hardships they impose on fellow Coloradans. Among many of these hardships the following are particularly obnoxious. The government has a record breaking budget of nearly \$27.5 BILLION (up by 8.9% from last year) and various shenanigans of crony capitalism continue unabated. There are never ending attempts to undermine ballot initiative process, attempts to subvert the system of state caucuses, tax breaks to favorite groups and expensive mandates for various "green" fantasies. In addition, there exists preferential treatment to some groups over the rest of the citizens in distributing government contracts, and the list can go on and on and on. Seeing this long train of out of control legislative abuses, one may be forgiven for thinking that we do not live in the world's most advanced industrialized republic but rather in some backward, medieval land ruled by an ignorant despot.

Speaking of the land of ignorant despots, at least one legislation seems to have arrived directly from there - House Bill 16-1310 Concerning Liability For The Conduct Of Oil And Gas Operations. The relatively benign title of this bill hides the fact that its contents come straight from the time when mankind believed in sorcery, witch craft and a flat earth. The sponsors of this bill apparently believe that natural gas companies, using the method of hydraulic fracturing (in use since 1950), causes earthquakes! These sponsors are seemingly unaware that in the middle of our state there are Rocky Mountains, the chain of mountains created and continuously subject to various tectonic processes such as mountain building thrusts and tremendous earth-stretching tension, all of which are often accompanied by earthquakes. These actions, on the part of natural phenomenon, are the real causes of earthquakes not hydraulic fracturing, which simply cannot produce the necessary power needed to move billions of tons of rock.

Key Bill Summaries
Begin on Page 2



How Did the Parties Score?

Senate

Democrats 9%
Republicans 46%

House

Democrats 4%
Republicans 73%

Complete Listing and Scores Inside

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Year to Year?

Overall the Senate scored 29%, down from 50% last year.
The House scored 37%, down from 44% last year.
See the CUT Grid on pages 6-7.

Governor's Score...
See Page 4



SB-002 Health Exchange Voter Approval To Impose Tax

The bill directed the Secretary of State to submit to the voters, at the November 2016 statewide election, the question of whether the Colorado Health Benefit Exchange can impose a tax to support its ongoing operations. The bill considered the administrative fee assessed to carriers by the Exchange to be a tax, and states that in order to impose a new tax, Section 20 of Article X of the State Constitution requires voter approval of the tax. **POSTPONED INDEFINITELY.** Passed. Senate 18/17, PI House Committee on State, Veterans, & Military Affairs 5/4 (Sen. Lundberg/Rep. Sias). **CUT votes YES.** This bill proposed requiring the Secretary of State to comply with the Colorado Constitution's TABOR Amendment by requiring voter approval to implement the imposition of a new, additional tax.

SB-016 Modifications to the Scientific and Cultural Facilities District

The Scientific and Cultural Facilities District (SCFD), authorized through June 20, 2018, funds scientific and cultural facilities within the seven-county Denver metropolitan area by a 0.1% sales and use tax. This bill authorizes a ballot question to extend the tax for 12 more years through June 30, 2030, change fund allocation, and DOUBLE allowed administrative expense to 1.5%. along with other ballot provisions separate from the ballot initiative. **PASSED.** Senate 28/6/1; House 49/16. (Sens. Steadman & Cadman/Reps. Hullinghorst & Lawrence); Governor **SIGNED.** **CUT votes NO.** This bill allows an increase of tax revenue by \$3.5 million in the first year and will continue to increase until 2030 before voters can again vote on this issue. It also doubles allowed administrative expense and the safety clause does not permit voters any further modification of specifics not included in the ballot proposal. Although this bill recognizes the TABOR requirements for a citizen vote, it is typical of so many taxes that provide continued increased expenditures based on overall economic growth without regard to the actual budgeted needs of the receiving organizations or a legislative review of these expenditures.

SB-022 Child Care Assistance Cliff Effect Pilot Program

The Colorado Child Care Assistance Cliff Effect Pilot Program was created in 2012 to allow an

Senate Scores: Friend or Foe?

Highest to Lowest - Who is representing your best interest as a taxpayer? Here's what Members of Colorado's Senate earned on CUT's 2016 Ratings Scorecard:

Score	Senator	Pledge	Party	District	Home
91.30	Marble, Vicki	P	R	23	Fort Collins
86.21	Sonnenberg, Jerry		R	1	Sterling
84.00	Neville, Tim	P	R	16	Littleton
66.67	Baumgardner, Randy	P	R	8	Hot Sulfur Spgs
64.00	Holbert, Chris	P	R	30	Parker
58.33	Lambert, Kent	P	R	9	Colorado Springs
54.17	Scott, Ray		R	7	Grand Junction
48.28	Hill, Owen	P	R	10	Colorado Springs
47.83	Lundberg, Kevin	P	R	15	Berthoud
43.48	Tate, Jack		R	27	Centennial
37.50	Woods, Laura		R	19	Arvada
32.00	Cooke, John		R	13	Greeley
26.09	Martinez Humenik, Beth		R	24	Northglenn
25.00	Grantham, Kevin	P	R	2	Canyon City
21.74	Crowder, Larry		R	35	Alamosa
20.83	Roberts, Ellen		R	6	Durango
17.39	Merrifield, Michael		D	11	Colorado Springs
16.00	Kerr, Andy		D	22	Lakewood
14.29	Jones, Matt		D	17	Louisville
13.04	Cadman, Bill	P	R	12	Colorado Springs
13.04	Newell, Linda		D	26	Littleton
13.04	Scheffel, Mark		R	4	Parker
12.50	Garcia, Leroy		D	3	Pueblo
10.53	Ulibarri, Jessie		D	21	Commerce City
8.70	Jahn, Cheri		D	20	Wheat Ridge
8.70	Kefalas, John		D	14	Fort Collins
8.70	Todd, Nancy		D	28	Aurora
8.33	Johnston, Michael		D	33	Denver
8.33	Steadman, Pat		D	31	Denver
8.00	Hodge, Mary		D	25	Brighton
4.55	Aguiar, Irene		D	32	Denver
4.55	Guzman, Lucia		D	34	Denver
4.35	Carroll, Morgan		D	29	Aurora
4.35	Heath, Rollie		D	18	Boulder
0.00	Donovan, Kerry		D	5	Wolcott

P = Taxpayer Pledge Signer

Overall Senate Score 29%

initial 10 counties to modify their child care assistance programs so that families are able to phase out their participation in the program as they enter the workforce and receive higher incomes. Current cost is \$1.3M. This bill allows ALL counties to participate in the pilot program and also removes the two-year participation requirement. The pilot program ends in 2019. **PASSED.** Senate 25/10; House 44/19/2 (Sen. Martinez Humenik/Rep. Pettersen). Governor **SIGNED.** **CUT votes NO.** This bill effectively rolls out the pilot program statewide before any analysis of the data from the first years of the program. The amount of additional state expenditure

will depend on the number of counties participating, which is not estimated. This is an expansion of a welfare program without sufficient understanding of the fiscal consequence or evidence that it is effective or needed. Furthermore, citizens are not allowed the opportunity to modify the program through petition due to the inclusion of the Safety Clause.

SB-070 Prohibition Against Discrimination Against Employees Based on Labor Union Participation

The bill prohibits an employer from requiring any person, as a condition of employment, to

Key Bill Summaries continue on page 3

become or remain a member of a labor organization or to pay dues, fees, or other assessments to a labor organization or to a charity organization or other third party in lieu of the labor organization. Any agreement that violates these prohibitions or the rights of an employee is void. POSTPONED INDEFINITELY. Passed Senate 18/16/1; PI House Committee on State, Veterans & Military Affairs 5/4 (Sen. Neville T/Rep. Everett) **CUT votes YES.** This bill is similar to the Right-To-Work bills passed in 25 other states, the latest being Wisconsin in 2015. This bill supports the right of each individual to choose or not choose to join a union – a fundamental freedom of association which the courts have associated with the 1st amendment of the Constitution. It further prohibits unions from forcing non-members to pay fees similar to dues. The core principle is summed up in Thomas Jefferson's statement about freedom of association: "To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors is sinful and tyrannical."

SB-077 EMPLOYMENT FIRST FOR PERSONS WITH DISABILITIES

The bill creates a collaborative multiagency approach to increasing competitive integrated employment opportunities for persons with disabilities and in connection therewith advancing an Employment First Policy. PASSED. Senate 29/5/1; House 49/16. (Sen. Kefalas/Reps. Ginal/Primavera) Governor SIGNED. **CUT votes NO.** While everyone favors gainful employment of all persons willing and able to work, this bill creates a government bureaucracy for a small special interest group which costs taxpayers dollars while increasing government staff. Leave this to the private sector.

House Scores: Friend or Foe?

Highest to Lowest - Who is representing your best interest as a taxpayer? Here's what Members of Colorado's House earned on CUT's 2016 Rating Scorecard:

Score	Representative	Pledge	Party	District	Home
100.00	Joshi, Janak	P	R	16	Colorado Springs
100.00	Saine, Lori	P	R	63	Dacono
96.77	Humphrey, Stephen	P	R	48	Windsor
96.43	Klingenschmitt, Gordon	P	R	15	Colorado Springs
96.43	Ransom, Kim	P	R	44	Littleton
93.55	Neville, P. Patrick	P	R	45	Franktown
92.86	Everett, Justin	P	R	22	Littleton
90.32	Leonard, Timothy	P	R	25	Evergreen
89.29	Buck, Perry	P	R	49	Windsor
85.71	Van Winkle, Kevin		R	43	Highlands Ranch
85.19	Lundeen, Paul		R	19	Monument
84.62	Willet, Yeulin		R	54	Grand Junction
81.48	Carver, Terri		R	20	Colorado Springs
81.48	Navarro, Clarice	P	R	47	Pueblo
81.48	Nordberg, Dan	P	R	14	Colorado Springs
77.78	Landgraf, Lois	P	R	21	Fountain
76.00	Dore, Timothy	P	R	64	Elizabeth
74.19	Wist, Cole	P	R	37	Centennial
73.91	Becker, Jon		R	65	Fort Morgan
71.43	Sias, Lang		R	27	Arvada
70.37	Lawrence, Polly	P	R	39	Littleton
67.86	DelGrosso, Brian		R	51	Loveland
60.71	Windholz, JoAnn		R	30	Commerce City
60.00	Coram, Don		R	58	Montrose
55.56	Wilson, James		R	60	Salida
53.57	Conti, Kathleen	P	R	38	Littleton
42.86	Thurlow, Dan		R	55	Grand Junction
35.71	Priola, Kevin	P	R	56	Henderson
32.14	Roupe, Catherine "Kit"		R	17	Colorado Springs
32.14	Brown, J. Paul		R	59	Ignacio
26.92	Rankin, Bob		R	57	Carbondale
12.90	Foote, Mike		D	12	Lafayette
7.14	Arndt, Jeni James		D	53	Fort Collins
7.14	Buckner, John		D	40	Aurora
7.14	Mitsch Bush, Diane		D	26	Steamboat Springs
7.14	Salazar, Joseph		D	31	Thornton
7.14	Winter, Faith		D	35	Westminster
6.45	Lontine, Susan		D	1	Denver
3.57	Court, Lois		D	6	Denver
3.57	Danielson, Jessie		D	24	Wheat Ridge
3.57	Duran, Crisanta		D	5	Denver
3.57	Esgar, Daneya		D	46	Pueblo
3.57	Fields, Ronda		D	42	Aurora
3.57	Garnett, Alec		D	2	Denver
3.57	Ginal, Joann		D	52	Fort Collins
3.57	Hamner, Millie		D	61	Dillon
3.57	Hullinghorst, Dickey Lee		D	10	Niwot
3.57	Kagan, Daniel		D	3	Denver
3.57	Lebsock, Steve		D	34	Thornton
3.57	Lee, Sanford "Pete"		D	18	Colorado Springs
3.57	Melton, Jovan		D	41	Aurora
3.57	Moreno, Dominick		D	32	Aurora
3.57	Pabon, Don		D	4	Denver
3.57	Rosenthal, Paul		D	9	Denver
3.57	Singer, Jonathan		D	11	Longmont
3.57	Vigil, Edward		D	62	Alamosa
3.57	Williams, Angela		D	7	Denver
3.57	Young, David		D	50	Greeley
3.23	Primavera, Dianne		D	33	Broomfield
3.23	Ryden, Su		D	36	Aurora
3.23	Tyler, Max		D	23	Lakewood
0.00	Kraft-Tharp, Tracy		D	29	Arvada
0.00	Becker, KC		D	13	Boulder
0.00	McCann, Elizabeth		D	8	Denver
0.00	Pettersen, Brittany		D	28	Lakewood

P = Taxpayers Pledge Signer

Overall House Score37%

A SPECIAL BREED

In 1998, CUT established a ten-point Candidate/Legislator Pledge for legislative candidates. See Page 9. CUT's pledge signers are shown with a "P" on pages 2-3. CUT Champions and Guardians are almost always pledge signers. Be sure to congratulate them for their high scores and integrity in following through on their campaign promise to be fiscally conservative.

SB-083 GOVERNMENT-ISSUED PHOTO ID FOR VOTING

This Bill would require an elector establish identification for voting purposes by showing a government issued form identification that shows a photograph of the eligible elector. **POSTPONED INDEFINITELY.** Passed Senate 18/17; PI House State Affairs 5/4. (Sen. Baumgardner/Rep. Joshi). **CUT votes YES.** Requiring photo identification for voting purposes would help eliminate election fraud; and, in no way should disenfranchise voters. Picture ID's are required for almost all personal transactions and should definitely be required for voting.

SB-167 SEVERANCE TAX OPERATIONAL FUND RESERVE REDUCTION

The Bill takes \$2.9M funds from Tier 1 programs, Department of Natural Resources, including the Colorado Oil and Gas Conservation Commission and allocates to Tier 2 programs while also reducing the Tier 1 reserve requirements. **PASSED.** Senate 29/6; House 45/19/1 (Sen. Grantham/Rep. Rankin). Governor **SIGNED.** **CUT votes NO.** Robbing Peter to pay Paul never works. Reducing reserves is problematic and habit-forming. The two tiers were established for reasons and making these exceptions is hurtful to our oil and gas industry.

SB-209 Authorize School District Property Lease to Higher Ed Institute

This Bill authorizes school districts to lease facilities to, or even erect buildings for, providers of higher education to provide advanced classes, for which payback can be made in-kind. It also authorizes districts to issue bonds for this purpose. **PASSED.** Senate 26/9; House 44/21. (Sens. Todd & Holbert/Reps. Buckner & Priola). Governor **SIGNED.** **CUT Votes NO.** At a time when some school district enrollments are decreasing due to students electing to attend charter or other schools, emphasis should be first given to efficient use of presently surplus classroom space. Furthermore those districts whose Boards have been smitten with "edifice complexes" due to change-in-commands, rather than improving the quality of their educational offerings, should not be given license to construct more off-campus campuses for community colleges. Taxpayers do not need more debt.

HB-1001 State Contractor Certify Compliance with Equal Pay Laws

This Bill would have required that businesses having more than 50 employees must submit with their bids for government contracts: certification that they are in compliance with state and federal equal pay standards and laws; that their subsequent subcontractors will also be in compliance; and that all will keep detailed records as to their employees' ethnicity and predilections - subject to state audit and contract forfeiture. **POSTPONED INDEFINITELY.** Passed House: 34/29/2, PI State Affairs 3/2 (Reps. Danielson & Buckner/Sen. Ulibarri). **CUT Votes NO.** In addition to compelling contractors to incur extra costs by jumping through additional hoops, this Bill would have been a back-door measure to enforce union style wage scales without regard to actual employee productivity, thus insuring higher costs for all taxpayers.

HB-1048 Expand Business Enterprise Program

Among other functions, the Bill's primary goal seems to be creating "preferential bid opportunities for licensed blind vendors on contracts for goods and services, opportunities to operate food service and vending facilities" at the state's "institutions of higher education" as well as "the Department of Correction, the Department of Natural Resources, the Colorado State Fair, and other state departments". **PASSED.** House 50/15, Senate 26/8/1. (Rep. Primavera/Sen. Lundberg). Governor **SIGNED.** **CUT Votes NO.** Colorado Union of Taxpayers opposes government discrimination for or against any citizen of our state. Vending contracts at state facilities should be based exclusively on economic considerations such as price, quality of service, selection, etc.

HB-1088 Fire Protection District to Impose Impact Fee on New Development

The stated goal of this Bill is "as a condition of issuance of a development permit, a local government may impose an impact fee or other similar development charge to fund expenditures by such local government of a fire and emergency services provider that provides fire protection, rescue, and emergency services in the new development on capital facilities needed to serve new development." **PASSED.** House 41/22/2, Senate 24/9/2. (Rep. Dore/Sen. Roberts). Governor **SIGNED.** **CUT Votes NO.** The local governments are given power to

circumvent constitutional requirements of the Taxpayers Bill of Rights (Article X of the Colorado Constitution) and impose back door taxes on new development in order to fund expansion of fire and rescue facilities. As important as these facilities may be, the power to fund them, our state Constitution, reserves exclusively to individual Colorado voters and not local governments.

HB-1142 Rural & Frontier Health Care Preceptor Tax Credit

This Bill creates a \$1000 state income tax credit for up to 200 licensed rural health care providers who provide uncompensated professional mentoring to Colorado institutional graduate students seeking various medical degrees. **PASSED.** House 51/13/1, Senate 26/9. (Reps. Buck & Ginal, Sens. Crowder & Cooke) Governor **SIGNED.** **CUT votes NO.** While recognizing the needs and merits addressed by this Bill, we must oppose it due to its off-budget means of funding. Furthermore it discriminates against those providers who may mentor professionals who must attend out-of-state medical schools due to no fault of their own.

HB -1178 In -State Tuition for American Indian Tribes with Ties to Colorado

This Bill would have granted in-state tuition rates and all other related financial benefits to members, living outside Colorado, of the 47

Key Bill Summaries continue on page 8



Governor John Hickenlooper

How did the Governor Rate?

6%

Another failing grade for Governor Hickenlooper. The Governor continues walking in lock step with those pushing for additional special interest tax deductions, social and welfare program increases, tax increases through gimmicks which evade TABOR, and ever more government intrusion into citizens' lives.

2016 Taxpayer Champions



Senate Champion
Vicki Marble
SD23, Fort Collins



House Champion
Janak Joshi
HD16, Colorado Springs



House Champion
Lori Saine
HD63, Dacono

2016 Taxpayer Guardians



Senate Guardian
Jerry Sonnenberg
SD1, Sterling



House Guardian
Stephen Humphrey
HD48, Windsor

COLORADO UNION OF TAXPAYERS REWARDS OUR STATE LEGISLATORS

Our Awards Event to honor 2016 Taxpayer Champions and Guardians will be held in Fall 2016. Notice will be sent via USPS, email, and posted at www.coloradotaxpayer.org.

Walker Stapleton:



"It seems like common sense to many of us that Colorado cannot afford to add another \$25 billion to our \$26 billion state budget. However, sometimes people need reminding. Please share this article with your friends! Vote No on Amendment 69, it will literally double our state budget."

CUT Agrees! Vote No on Amendment 69!



CUT RATES COLORADO'S 2016 LEGISLATURE



Legend: "+", " " Reflects a CUT Positive Vote " - " Indicates a Vote Against CUT philosophy "E" Excused "A" Absent " " Not Voted On

SENATORS	Bill Number:		CUT'S STAND:																				POSITIVE									
	SB	SB	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	CUT	VOTES	CUT	SCORE						
Aguilar, Irene	D	32	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	22	4.55					
Baumgardner, Randy	R	8	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	16	24	66.67					
Cadman, Bill	R	12	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3	23	13.04					
Carroll, Morgan	D	29	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	23	4.35					
Cooke, John	R	13	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	8	25	32.00					
Crowder, Larry	R	35	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	5	23	21.74					
Donovan, Kerry	D	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	24	0.00					
Garcia, Leroy	D	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3	24	12.50					
Grantham, Kevin	R	2	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	6	24	25.00					
Guzman, Lucia	D	34	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	22	4.55					
Heath, Rolie	D	18	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	23	4.35					
Hill, Owen	R	10	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	14	29	48.28					
Hodge, Mary	D	25	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	25	8.00					
Holbert, Chris	R	30	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	16	25	64.00					
Jahn, Cheri	D	20	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	23	8.70					
Johnston, Michael	D	33	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	24	8.33					
Jones, Matt	D	17	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4	28	14.29					
Kefalas, John	D	14	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	23	8.70					
Kerr, Andy	D	22	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4	25	16.00					
Lambert, Kent	R	9	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	14	24	58.33					
Lundberg, Kevin	R	15	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	11	23	47.83					
Marble, Vicki	R	23	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	21	23	91.30					
Martinez Humenik, Beth	R	24	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	6	23	26.09					
Merrifield, Michael	D	11	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	4	23	17.39					
Neville, Tim	R	16	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	21	25	84.00					
Newell, Linda	D	26	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3	23	13.04					
Roberts, Ellen	R	6	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	5	24	20.83					
Scheffel, Mark	R	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3	23	13.04					
Scott, Ray	R	7	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	13	24	54.17					
Sonnenberg, Jerry	R	1	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	25	29	86.21					
Steadman, Pat	D	31	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	24	8.33					
Tate, Jack	R	27	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	10	23	43.48					
Todd, Nancy	D	28	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	23	8.70					
Ulibarri, Jessie	D	21	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	19	10.53					
Woods, Laura	R	19	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	9	24	37.50					
Total			18	6	10	18	5	18	6	9	3	8	9	7	3	8	12	3	6	2	18	11	7	5	7	5	3	5	4	242	836	28.95

Gov. Hickenlooper D Denver 1 18 5.56

REPRESENTATIVES	Bill Number:		CUT'S STAND:																				POSITIVE					
	SB	SB	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	YES	NO	CUT	VOTES	CUT	SCORE		
Arndt, Jeni James	D	53	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	28	7.14
Becker, Jon	R	65	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	17	23	73.91	
Becker, KC	D	13	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	27	0.00
Brown, J. Paul	R	59	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	9	28	32.14	
Buck, Perry	R	49	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	25	28	89.29	
Buckner, John	D	40	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	28	7.14	
Carver, Terri	R	20	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	22	27	81.48	
Conti, Kathleen	R	38	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	15	28	53.57	

registered American Indian tribes which have been deemed to have had some historical connection with our state. **POSTPONED INDEFINITELY.** Passed House: 35/30, PI Senate State Affairs 3/2. (Rep. Salazar, Sen. Ulibarri) **CUT Votes NO.** While this measure would have been in the 'feel good' category, there is no reason for our legislature to obligate Colorado taxpayers for a financial burden, when the proposed beneficiaries may have equal educational opportunities in their states of residence.

HB-1186 MAP-21 Rail Fixed Guideway Safety Fund Grant Match

This Bill requires that \$150,000 of the revenue collected on behalf of the PUC (Public Utilities Commission) from all sources be diverted from the General Fund to the FUF (Fixed Utilities Fund) where it might be used as seed money to entice rail safety related Federal grant money. **PASSED.** House 39/25/1, Senate 27/8. (Rep. Tyler, Sen. Baumgardner). Governor **SIGNED.** **CUT Votes NO.** In the absence of where the money, in what might become a slush-fund, could be spent (freight rail, trolley lines, or Elitch Gardens rides), is it wise or frugal to encourage the deeply indebted Federal Government to borrow even more money, (which will never be repaid) to perform so-called studies on tracks privately owned?

HB-1231 Restricting the Use of Red-Light Cameras

This Bill would ban the use of autonomous so-called 'Red Light Cameras' to detect traffic infractions for profit, except for use in very limited areas (such as school zones), or for the purpose of collecting highway tolls. **PASSED.** House 33/31/1, Senate 23/12. (Rep. Lebsack/Sen. Carroll) Governor **VETOED.** **CUT Votes NO.** While last year we supported a similar Bill, and in principle still do, the needless addition of the execrable 'Safety Clause' consigns this insult to Colorado's voters (by denying them constitutional due process) to the realm of the rejects.

HB-1275 Taxation of Corporate Income Sheltered in Tax Havens

This Bill would have subjected Colorado corporations, which may have parked overseas earnings in tax havens to avoid high federal corporate tax rates, to subsequently determined state income tax

liability, if approved by a voter referendum. The revenue gained would have gone directly to the State Education Fund, rather than to the General Fund, and would not have been subject to TABOR limits. **POSTPONED INDEFINITELY.** Passed House 34/30/1, PI State Affairs 3/2. (Reps. Foote & Petterson/Sens. Jones & Donovan). **CUT Votes NO.** All new revenues should flow into the General Fund from whence it could be put to its best use by the Legislature, not to slush funds for various favored entities. More importantly, the State should not erect a more onerous tax structure than the Federal Government, lest it drive corporations to relocate elsewhere with concurrent loss of instate jobs.

HB-1286 Increase Wildfire Mitigation Income Tax Deduction

The Bill will increase the amount that a property owner can deduct on his Colorado State Income Tax for wildfire mitigation expenses incurred for the purpose of protecting his own property. The total amount, per year, that a property owner may deduct is \$2500. **PASSED.** House 44/21; Senate 27/6/2. (Rep. Becker, K./Sen. Tate) Governor **SIGNED.** **CUT Votes NO.** The legislature has once again passed a bill that benefits a select group without any benefit to the majority of state tax paying citizens. Any person that chooses to live in heavily vegetative areas has a natural incentive to clear a defensible space around structures to prevent loss from fire and those that choose to live elsewhere should not be responsible to subsidize their way of life. This bill enriches the few at the expense of the many and is yet another example of legislators picking winners and losers. Tax incentives should be broad based, used sparingly, and accessible to everyone...not just to those who decide to live a certain lifestyle.

HB-1288 Industry Infrastructure Grant Program

The Bill provides tax revenues to Eligible Non Profit Entities for the purpose of supplying "skilled talent ready for high-quality careers." **PASSED.** House 42/23, Senate 24/9/2. (Reps. Kraft-Tharp, Wist/Sens. Tate/Merrifield) Governor **SIGNED.** **CUT Votes NO.** This grant program is yet another boondoggle in which government intervenes on behalf of industries that fail to properly train their own workforce and further seeks to provide



Legislative Phone Numbers Call Your Colorado Legislators

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Democrats: (303) 866-2904
Republicans: (303) 866-2904

Senators

Democrats: (303) 866-2316
Republicans: (303) 866-2316

HOW OUR RATING IS DONE

Each state legislator is rated on his or her tax, spending, or government intrusion votes. For a bill to be chosen, it must relate to the CUT pledge (see page 9) mission, it must have a split vote, with votes both for and against the bill. The bill must have a full vote in one chamber and at least a committee vote or full vote in the second chamber. Each legislator's percentage is calculated by the number of votes cast. Year-to-year comparisons indicate that CUT is accurately measuring whether a legislator favors lower taxes and less government, is a friend of the taxpayer, or continues with higher spending and creating more government intrusion in our lives.

CUT Board of Directors ruled to be identified as Taxpayer Champion legislator must score 75% or better.

Key Bill Summaries continue on page 9

the training to this workforce that it claims is highly educated but inexperienced by granting contracts to so called Non-Profits (as if the tax structure of a corporation has any bearing on the quality of the product or service it provides). In an attempt to rectify the failures of public education, and the societal failure to teach people how to work, this latest attempt at cradle to grave government dependency is another cash cow in the never ending cycle of Public/Private partnerships and yet another drain on the tax paying citizens of Colorado without much hope of seeing a reasonable return on their investment.

HB-1297 Reestablish Check-Offs Excluded from 2015 Tax Form

The Bill expands the number of charitable causes that a person can contribute to directly from their State Income Tax Form from 15 to 20. PASSED. House 56/8/1, Senate 27/8. (Rep. Court/Sen. Martinez-Humenik) Governor SIGNED. **CUT Votes NO.** Lacking any constitutional authority to be involved in the marketing, and collection efforts of private charities, the government

should refrain from such activities. If State Government has the time and resources to allocate to these private endeavors, perhaps it is admitting to being bloated and should immediately reduce FTE's and provide a TABOR refund to its citizens. Furthermore, the use of the Safety Clause on this bill is laughable. Would the sponsors care to explain how the expansion from 15 charitable deductions to 20 such deductions on the State Income Tax Form is "necessary for the immediate preservation of the public peace, health, and safety"?

HB-1334 ALLOW COUNTIES TO REQUIRE "INCLUSIONARY" ZONING.

This Bill would have authorized counties to "encourage" or even require a set portion of housing units in a proposed development to be priced in a way that is affordable for low to moderate-income households. POSTPONED INDEFINITELY. Passed House 34/31. PI Senate State Affairs 3/2. (Rep. Winter/Sen. Hodge). **CUT votes NO.** This bill would have enabled county governments to impose expensive new regulatory burdens on home builders and

possibly violate the Constitutional prohibition on the taking of private property without just compensation by imposing improper exactions. The high cost of housing is driven primarily by governments not allowing builders to build a sufficient number of homes, resulting in price increases which price low and moderate-income families out of the market. The solution to this problem is to enable home builders to build enough homes for everyone, not to impose further expensive regulatory burdens. On the positive side, CUT notes that this bill was subject to the right of citizens to petition against it, and did not contain an improper safety clause.

HB-1352 Appropriation for History Colorado Cash Fund

This Bill created a "History Colorado Cash Fund" within the Treasury and appropriated \$2 million in the 2016-2017 fiscal year for the use of the State Historical Society. PASSED. House 38/25/2, Senate 29/6. (Rep. Hamner/Sen. Grantham) Governor SIGNED. **CUT votes NO.** Government funds should

Key Bill Summaries continue on page 10

CANDIDATE / LEGISLATOR PLEDGE

I _____, candidate / legislator for _____ do hereby pledge to the Citizens of Colorado:

- TABOR** to honor and uphold the spirit as well as the letter of TABOR.
- New Taxes** to oppose any new net tax increase.
- Spending Limit** to limit government spending to growth of Colorado population and inflation.
- Tax Surplus** to support the refund of surplus taxes to the citizens of Colorado proportional to their contributions.
- Prioritize Spending** to support prioritizing the budget by shifting spending from lower valued programs to higher priorities, and not fund spending with new taxes.
- Education** to support educational alternatives such as vouchers to create competition and improve student results at a lower cost.
- Privatize** to support privatization of government departments and functions to make them more efficient and less expensive.
- Property Rights** to defend property rights from "takings" by government or by regulation.
- Payroll Deductions** to oppose payroll deductions that are used for political purposes.
- Petition Rights** to support the citizen's right to petition with rules as non-restrictive as possible.

Signature: _____ Date: _____

not be expended outside core government functions such as roads and education. CUT also notes this bill contained an improper "safety clause," thereby eliminating the right of citizens to petition against the bill.

HB-1361 Patient Choice in Pharmacy.

This Bill would have required insurance providers to allow patients to select their own pharmacy, and to allow any licensed pharmacist to participate in network contracts. POSTPONED INDEFINITELY. Passed House 34/31. PI Senate Finance 3/2. (Reps. Primavera, Becker J/Sens. Sonnenberg, Newell. **CUT votes YES.** Patient choice is fundamental when selecting a pharmacy. Government restriction of choice is overreaching and interfering in citizens' rights.

HB-1383 Child Welfare Predictive Analytic Pilot Program

This Bill would require DHS (Department of Human Services) to develop a database pilot program at a cost of over \$465,000. DEEMED LOST. House 37/28, Senate 15/18/2 (Reps. Singer, Fields/Sen. Grantham). **CUT votes NO.** This bill increases the broad growth of government and spending and jeopardizes private property rights using an invasive data-collecting program at the expense of the taxpayer.

HB16-1401 Retail Food Licensure and Inspection

This Bill increases the annual licensing paid by retail food establishments beginning January 2017 with subsequent increases until 2018 depending upon compliance results with the Department of Public Health and Environment. PASSED. House 42/11/12, Senate 23/11/1. (Reps. Becker K, Priola/Sens. Woods, Hodges,) LAW Without Governor Signature. **CUT votes NO.** This bill is the result of removing licensing fees via statute to the State Board of Health. As a result we see an increase in government and fees and the inability to control these costs and have the taxpayer pay for these increases.

HB-1404 Regulate Fantasy Contests

This Bill attempts to regulate and register small fantasy contest operators, create eligibility requirements for large fantasy contest operators, and give the Department of Regulatory Agencies the authority to issue cease and desist orders. PASSED. House 44/21, Senate 26/7/2. (Reps. Duran, Wist/

Sens. Cooke, Guzman,). Governor SIGNED. **CUT votes NO.** This bill micromanages licensed fantasy contest operators with background checks, fingerprinting, and annual audits. These operators can also be subjected to civil penalties up to \$1000. This bill can create a situation when any gaming activity by any individual person can be subject to laws and penalties. It imposes new taxes, and can limit free market competition.

HB-1405 Long Appropriations (Budget)

The 2015-16 budget increased \$2.9 BILLION or 8.9% over the previous year to a total of \$27.5BILLION. Despite Colorado's relatively strong economy, such a huge increase is out of any proportion to the current level of inflation and population growth in the state. PASSED. House 39/26; Senate 30/5. (Reps. Hammer/Young/Sens. Lambert/ Grantham) Governor SIGNED. **CUT Votes NO.** The Constitutional functions of state government such as public safety, education and infrastructure are seemingly regarded as secondary compared to Medicaid/Obamacare, welfare, bureaucracy, some vanity projects as well as assorted collection of waste, fraud, and abuse. Education, while is a constitutional function of state government, year after year gets a funding increase without showing any corresponding increase in quality. Colorado will not realize its great economic potential until such time that the General Assembly stops treating public treasury the way a teenager treats his parents' credit card.

HB-1414 FUNDING BASE FOR TELECOM RELAY SERVICES

This Bill would increase taxes on wireless phone users by an additional \$2,218,292. There are an estimated 3,667,154 wireless phones in Colorado which are currently not subjected to a \$0.60 annual user fee. PASSED House 39/25/1, Senate 28/7 (Rep. Rankin/Sen. Steadman). Governor SIGNED. **CUT votes NO.** This bill circumvents TABOR by \$2,218,292.

HB-1415 DRIVER AND MOTOR VEHICLE SERVICES

This Bill changes how the state funds driver and vehicle services. The fees increase \$1,093,742 in 2016-2017; \$1,940,679 in 2017-2018; and \$2,630,875 in 2018-2019. PASSED. House 35/30; Senate 30/5 (Rep. Hamner/Sen. Steadman) Governor SIGNED. **CUT votes NO.** These annual increases attempt to circumvent TABOR.

HB-1420 COLORADO HEALTHCARE AFFORDABILITY & SUSTAINABILITY ENTERPRISES

The Bill creates a Colorado Healthcare Affordability and Sustainability Enterprise within the Department of Health Care Policy and Financing (HCPF). POSTPONED INDEFINITELY Passed House 39-26; PI Senate Finance 3/2.(Rep. Hullinghorst/Sen. Crowder). **CUT votes NO.** The bill increases enterprise fees (TABOR-exempt) by \$73.1 million.

HB-1430 Oil & Gas Operators Share Dev Plans With Local Government

This Bill would have required an oil and gas operator register with both the Colorado Oil and Gas Conservation Commission (COGCC), and the local governments in whose jurisdiction the operator has either an approved state drilling permit, or an application for a new well. POSTPONED INDEFINITELY. Passed. House 34/31, PI Senate Agriculture, Natural Resources, & Energy 5/4. (Rep. Hodge/Sen. Lebsock). **CUT votes NO.** This Bill would have imposed an unnecessary, redundant registration requirement & expense on businesses. Furthermore, to exacerbate the insult to the taxpayers, the Bill's sponsors appended the Safety Clause, which blocks public review.

HB-1466 Promoting Affordable Housing

This Bill would have required the State Treasurer to transfer \$40 million from the state's Unclaimed Property Trust Fund to the Division of Housing in the Department of Local Affairs and to the Colorado Housing and Finance Authority. POSTPONED INDEFINITELY. Passed House 37/27/1, PI Senate Appropriations 4/3. (Reps. Tyler, Becker, K./Sen. Ulibarri). **CUT votes NO.** This Bill would have used, or spent, the property (money) of unidentified citizen owners without their authority. The money in that fund is not the property of the State. The State has a fiduciary duty to protect this money as the property of its citizens. This is a de facto tax without a TABOR vote by the taxpayers clearly an unconstitutional proposal. Again the Safety Clause was added which blocks potential taxpayer review.



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How Coloradoans in US CONGRESS Scored*

Senate Results

(D) Bennet, M F
(D) Udall, M F

State Scoring Average 9%

House Results

(R) Coffman A
(D) DeGette, D D
(R) Gardner, C B
(R) Lamborn, D B+
(D) Perlmutter, E F
(D) Polis, J D
(R) Tipton, S B-

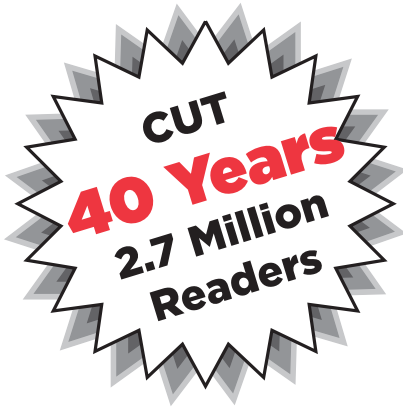


* Source: National Taxpayers Union, Ratings for the 1st Session of the 113th Congress

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from the Colorado Union of Taxpayers

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From CUT President Gregory Golyansky



President's Message

The job of defending the citizens of Colorado from its government can sometimes be a lonely endeavor. The government elites are constantly using the power of the state to bend the citizens to their will by enacting policies of social control and social engineering. Let us look at some of the battles that Colorado Union of Taxpayers fought on behalf of our state's taxpayers.

Among many others we opposed:

SB16-209 "Edifice complex", the bill would have allowed school districts to divert their focus from education and get involved in the business of erecting more buildings.

HB16-1275, this bill attempts to create a slush fund for the benefit of the education bureaucracy and outside of TABOR's constitutional limits.

SB16-022, here there is an expansion of the welfare system.

HB16-1466, in this bill, we observe another in the long line of failed "affordable housing" schemes, funded outside of TABOR's constitutional limits.

There were some attempts in the State Senate to do the right thing, for example SB16-070. This right-to-work bill was designed to prevent unions from forcing the non-members to pay union fees/dues. Also, the Senate defeated the ill considered "hospital provider fees", which was yet another attempt to undermine TABOR's constitutional limits. Unfortunately, these examples of doing the right thing were relatively few and almost all of them were smashed against the State House's totalitarian minded majority.

Colorado Union of Taxpayers had success in fighting a wide spread misuse, by the legislators, of the "Safety clause", but a great deal of work still remains to be done.

Finally, supporters of people's sovereignty, CUT among them, won a narrow victory when the 10th U.S. Circuit Court of Appeals ruled against several Colorado lawmakers in the five year old lawsuit, which was designed to abolish the Taxpayers Bill of Rights enshrined in the Colorado Constitution.