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We have 18 statewide questions on the ballot this year, many of which, if adopted, will have far reaching consequences. **Amendment 59 is the biggest tax increase ever to be considered by the people of Colorado. Amendment 47 will turn Colorado into a right-to-work state. Amendment 48 is a pro-life measure** that finally gives clarity to the term “person.”

Some amendments will put job-crushing regulations in place, and the final measure, Referendum O, will make it more difficult for citizens to exercise their right to petition their government through the citizen’s initiative. This year’s ballot contains the possibility of significantly changing the state of Colorado. Consider all of these issues carefully.

The state issued Blue Book gives most of the particulars of each measure, along with some of the arguments for and against. If you want to dig deeper I would recommend that resource, as well as the web sites for and against each issue. However, sometimes it is hard to find the essence with too many details. This is a brief summary of the issues, and my recommendations, which I trust will help you make wise decisions for these important choices.

**Amendments:**

**46 - Yes - Discrimination and Preferential Treatment by Governments**

This requires that government be “color blind.” It restricts racial preference programs. These programs were put in place to counteract discrimination, but far too often they have created a public policy of discrimination. Our hiring and enrollment policies are then driven by the status of the applicant, rather than the abilities of the applicant.

**47 - Yes - Prohibits Mandatory Contributions to a Union as a Condition for Employment**

Amendment 47 is the right to work measure. It brings Colorado law in line with most of our surrounding states. Unions have every right to operate in Colorado, but employees should also have every right to choose to support or not support a union.

**48 - Yes - Defines a person to include the unborn.**

Current abortion laws are based on the premise that an unborn child is not a “person,” and therefore can be destroyed without any moral or legal consequence. Scientific facts available today clearly establish the unique personhood of every unborn individual. Passage of this amendment would be an important step toward Colorado actually putting into practicing the first responsibility of government, which is to defend life.

**49 - Yes - Prohibits Paycheck Deductions from Government Employees for Union Dues**

This stops the state from automatically deducting union dues and union fees for political action committees for state employees. The state should not be in the business of running (and filling) the treasuries of the state employee unions. Amendment 49 would make the unions collect their own fees.

**50 - No - Allows the Small Stake Casinos to Add New Games and Increase the Stakes by 2000%**

This amendment will help the “small stake” casinos expand their hours, stakes, and types of games, much like the big casinos in Las Vegas. It also eliminates the TABOR revenue limits on the additional tax dollars that would be raised. In my opinion casinos are not businesses that should be expanded in such a wholesale fashion.

**51 - No - Increases the State Sales Tax for the Developmentally Disabled**

This raises state sales taxes by two tenths of one percent (which results in a 7% increase of the current 2.9% state sales tax - over \$186 million per year increase), sidesteps TABOR limits with all revenues it creates, and micromanages the state budget for many years to come. It may sound like a good idea, but this is bad fiscal policy and if everyone did it, the legislature would not be able to make a budget at all.

**52 - Yes - Requires a Portion of Severance Taxes be Spent on Road Construction**

If maintaining our road system in Colorado is a high priority, and current construction funds are inadequate, then insisting that future increases of the severance tax revenues be directed toward building our roads is a good idea. Current law already requires that severance taxes be spent in specified areas. Amendment 52 requires that additional revenues (after adjusting for inflation) are used for highway construction.

**53 - No - Hold an Executive Criminally Liable for Misdeeds of the Company**

We already can and do punish corporate executives who break the law. This extends their liability beyond their own actions to that of others and may criminalize noncompliance with questionable and conflicting laws. Amendment 53 will be a strong detriment in attracting the best and the brightest to the top positions in Colorado’s business, industry, and nonprofit organizations. If this passes, we all lose.

**54 - Yes - Requires Competitive Bidding for Most Large Government Contracts**

This measure will encourage competitive government bids, require more transparency for government contracts, and discourage unions and big businesses from exercising too much influence on elections if they have large, non-bid government contracts.

**55 - No - Prohibits a Private Employer from Firing an Employee Without Specific Cause**

This is a job-busting measure and a deep intrusion into the affairs of private employers, including nonprofit organizations. Bottom line: Employment in Colorado will suffer as fewer businesses take on this added liability that will come with hiring employees. In addition, those who do hire will offer that much less because of the inevitable costs of this new public policy.

## **56 - No - Requires Employers of 20 or More to Provide Medical Insurance**

Just like 55, this amendment is a job-busting measure and a deep intrusion into the affairs of private businesses. Employment in Colorado will again suffer as fewer businesses take on this added liability of having employees and those who do hire will offer that much less for those jobs because of the inevitable costs of this policy. This effect will be particularly noticeable with businesses who are about to expand to over 20 employees.

## **57 - No - Allows an Injured Employee to Sue an Employer for Compensation Above and Beyond Workman's Compensation Benefits**

Just like 55 and 56, this is another job-busting measure. Workman's comp insurance is already required, and it is intended to cover the costs related to a workplace injury. This amendment ignores that fact and will discourage businesses from providing good jobs in Colorado.

## **58 - No - Increases the Taxes on Oil and Gas Industry by Over \$300 Million**

We will all pay this tax with higher energy costs and an additional stress on our economy as more oil and gas businesses take their business out of the state. A strong comparison is being made with the severance tax system in Wyoming. What they ignore is that Wyoming does not have any income tax (including corporate income tax), the total sales tax is limited to no more than five percent (in Colorado it is unlimited and averages six to eight percent), and there is no property tax on minerals. Amendment 58 will make Colorado's total tax burden the second highest on the oil and gas industry of all major energy producing states.

## **59 - No - Permanently Removes the Revenue Limits for State Government**

Amendment 59 is the biggest tax increase in Colorado's history.

In its essence, Amendment 59 makes the five year tax increase of Referendum C permanent. Referendum C is costing the taxpayer over six billion dollars and because of the open-ended nature of Amendment 59, it will ultimately cost several times that amount.

This amendment is being presented as an increase for education funding, but it does not increase that funding at all. It puts more money into the State Education Fund, but that simply means the legislature will not have to spend that amount from the General Fund for education. In addition, and ironically, Amendment 59 actually removes current constitutional requirements for education funding increases.

Making the Referendum C tax increase permanent strips out a major portion of the Tax Payer's Bill of Rights (TABOR) and then state government will always be allowed to keep all the revenue they can collect. This ends up giving the legislature billions of additional taxpayer dollars to spend on any programs they choose. It also encourages the legislature to increase fees and work for even higher taxes. My six years in the House of Representatives have taught me that the legislature is incapable of controlling its spending habits without the strict constitutional control of TABOR.

Amendment 59 is also advertised as a rainy-day fund for education. Since I have been the primary advocate for a meaningful rainy-day fund for our state for the past six years, this is particularly annoying to me because this provision of Amendment 59 is a bit absurd. The current State Education Fund, set up several years ago, is a long-term fund for education. That is what a rainy-day fund is. Now Amendment 59 proposes to put a rainy-day fund within this already existing long-term fund for education, and the rest of the state's budget will continue to go without any rainy-day fund at all! This is a ridiculous redundancy that ignores our real need for budget stabilization of the entire General Fund.

Finally, it should be noted that the prime sponsor of this issue, House Speaker Andrew Romanoff could not find enough votes to get this out of the Colorado House of Representatives. We knew better -I trust the people of Colorado will know better as well.

## **Referendums:**

### **L - Yes - Lower the Age Requirement for Serving in the Legislature to 21**

I have seen examples of qualified people below the age of 25 who have run for and served in legislatures of other states. In my opinion 21 is the more appropriate minimum age.

### **M - Yes - Obsolete Constitutional Provision Relating to Land Value Increases**

This removes an archaic "arboreal planting" tax waiver that has already been superseded by other laws and policies.

### **N - Yes - Obsolete Constitutional Provisions Relating to Alcohol Beverages**

This removes archaic "spurious liquor" restrictions that are superseded by current state and Federal law.

### **O - No - Increasing Requirements for Citizen Initiated Changes to the Constitution**

This measure makes it more difficult for citizens to initiate a constitutional change. It will not eliminate amendments, but it will make it that much more difficult for citizens to put an amendment on the ballot. Big money interests will still be able to buy signatures (it will simply cost more) and the legislature will not have any higher standard. Grassroots efforts will be most affected by this measure.