



The Kim Monson Show

2020 VOTER'S GUIDE

By Rick Turnquist and Kim Monson

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It seems like every election is “the most important election in our lifetimes”. We think that 2020 will actually *be* the most important in our lifetimes. On a national level, we are choosing between preserving what’s left of our constitutional republic or giving in to anarchy and the progressive agenda. On the state level there are several important ballot measures that will have significant impacts on our lives if they are passed or not. This voter guide is intended to break down each ballot question and share our analysis and thought process in arriving at our recommendations. We approached these questions with the core principle of what upholds the values of the American Founding and what is best for everyday Coloradans.

Several of the 2020 ballot questions are propositions or amendments to the Colorado Constitution that would either raise taxes or keep current tax rates. Before taxes are increased, we suggest that Colorado PBI’s (Politicians, Bureaucrats and Interested Parties) stop picking winners and losers. When PBI’s award tax breaks and incentives to big corporations, non-profits and big businesses, it hurts everyday, hardworking people because we have to pay to fill the gap. Good Jobs First is a website that tracks subsidies and tax incentives. They report that Colorado PBIs have awarded 21,920 different subsidies totaling \$1,865,206,006 (that's billions) since 1994, with most of that activity occurring since 2016. Here’s the link:

<https://subsidytracker.goodjobsfirst.org/prog.php?statesum=CO>

We think it important that you have the actual ballot language and text of each ballot question so that you know what you are really voting on. Below is the direct link to the Colorado Secretary of State with the ballot questions, links to supporting documents, and the registered issue committees:

<https://www.sos.state.co.us/pubs/elections/Initiatives/ballot/contacts/2020.html>

Here is a summary of the ballot questions and our recommendations. More detailed analysis follows.

		The Kim Monson Show with Rick Turnquist 2020 Colorado Voter's Guide			
Amendment/ Proposition	Bill/Measure	Title	Recommendation		
			Yes	No	
Amendment B	SCR 20-001	Modify Property Taxes		X	
Amendment C	HCR 20-1001	Conduct of Charitable Gaming	✓		
Amendment 76	Initiative 76	Citizenship Qualifications of Voters	✓		
Amendment 77	Initiative 257	Local Voter Approval of Casino Bet Limits and Games in Black Hawk, Central City and Cripple Creek	✓		
Proposition EE	HB 20-1427	Taxes on Nicotine Products		X	
Proposition 113	SB 19-042	Adopt Agreement to Elect US President by National Popular Vote		X	
Proposition 114	Initiative 107	Reintroduction and Management of Gray Wolves		X	
Proposition 115	Initiative 120	Prohibit Abortions After 22 Weeks	✓		
Proposition 116	Initiative 306	State Income Tax Reduction	✓		
Proposition 117	Initiative 295	Voter Approval for Certain New State Enterprises	✓		
Proposition 118	Initiative 283	Paid Family and Medical Leave Insurance Program		X	

Preface – Colorado’s Budget Growth

In fiscal year (FY) 1993-94, the year that the Taxpayer’s Bill of Rights (TABOR) went into effect, Colorado’s state budget stood at just over \$8 billion. The General Fund (funded mostly by sales, use and income taxes) was \$3.4 billion. In FY 2019-20, the complete state budget, adjusted for inflation, was \$17.5 billion with the General Fund at \$6.6 billion, growth rates of 119% and 95%, respectively. This growth occurred in spite of TABOR and exceeds the population growth rate of 60% over the same time frame.

Because Colorado’s constitution requires a balanced budget, this means that spending in FY 2019-20 was \$17.5 billion in inflation adjusted dollars. The biggest growth in spending was in the Health Care/Public Health/Human Services total (42% of the total budget), which grew at 208%, followed by K-12 and Higher Education (34% of the total budget), which grew at 91%.

Spending for what we consider the core functions of government, which only accounts for 14% of the total budget, grew by 75%. Transportation, which is apparently not a priority for the people we elect, accounted for 6.5% of the total budget and grew by 129%.

It's worth noting that because of the COVID-19 pandemic and the government's response to it, a \$3 billion revenue shortfall was forecasted and the FY 2020-21 budget was only "balanced" by raiding cash funds and other legislative shenanigans. Not one Republican in the House voted for it. Indeed, as State Representative and Joint Budget Committee member Kim Ransom (R-HD 44) notes in her chapter of the book [Unmasked2020](#):

"A proposed new tax on tobacco and nicotine products must go to the voters for approval in November, and while technically not a part of the balancing formula for the coming fiscal year, it illuminates a dysfunctional characteristic of Democrat fiscal policy: the irresistible impulse to create new long-term spending obligations even in the midst of an unprecedented financial crisis. Typically, the price tag for any new program is modest in the first year and then grows substantially in the "out years."

*The voters of Colorado have let us know over and over at the ballot box that they expect us to work without raising taxes unless they approve yet another increase. We can increase the budget as population and inflation grow, which we do. **In fact, the budget has been growing far in excess of the allowed formula, as legislators vote to move monies into TABOR exempt enterprises and also to add ever-increasing fees to many of the services that citizens need and expect from the state government. The Taxpayer Bill of Rights gives the legislature a much-needed curb which prevents us from increasing tax rates to spend money on new programs that many Coloradans may or may not want.**"*

[Emphasis ours]

We will be discussing the proposed new tax on tobacco and nicotine products later in this guide and talk about closing the "enterprise" loophole in TABOR.

Research has shown that when the private sector grows faster than government, economic success follows. It's time to get our state budget under control and ask the hard questions of how we will fund the legitimate functions of government.

Amendment B-Repeal Property Tax Assessment Rates: VOTE “NO”

Referred to the voters by the state legislature

TEXT OF BALLOT QUESTION:

“Without increasing property tax rates, to help preserve funding for local districts that provide fire protection, police, ambulance, hospital, kindergarten through twelfth grade education, and other services, and to avoid automatic mill levy increases, shall there be an amendment to the Colorado constitution to repeal the requirement that the general assembly periodically change the residential assessment rate in order to maintain the statewide proportion of residential property as compared to all other taxable property valued for property tax purposes and repeal the nonresidential property tax assessment rate of twenty-nine percent?”

TEXT OF LEGISLATIVE BILL:

https://leg.colorado.gov/sites/default/files/documents/2020A/bills/2020a_scr001_enr.pdf

Companion Legislation:

https://leg.colorado.gov/sites/default/files/2020a_223_signed.pdf

DISCUSSION:

This issue is a complicated one. It is so interesting how campaign strategists and the Blue Book language is manipulated to push forth a certain narrative. Legislators who are proponents of this issue wrote both the pro and con arguments in the Blue Book. A Colorado Judge upheld this. It is not intellectually honest for one side to present both sides of the issue. On this basis alone, we recommend a “NO” vote. <https://coloradosun.com/2020/09/11/gallagher-amendment-lawsuit-blue-book/>

We have spent countless hours researching this amendment. We agree that the intersection of the Gallagher Amendment (1982) and the TABOR Amendment (Colorado’s Taxpayers Bill of Rights) (1992) creates challenges for special districts. If a fire, school or special, etc. district wants to increase taxes, they can. They just have to ask us, the citizens, via a ballot question.

When you read this carefully, you see that this ballot question would repeal the property tax rates enshrined in the Gallagher Amendment and put those rates in the hands of the legislature. As we have watched this governor and this state legislature make and sign numerous executive orders, rules and laws that hurt small businesses, we think that placing our trust in these PBI’s to lower taxes on small businesses is not a good idea. Companion legislation Senate Bill 20-223 places a moratorium on changing the valuation ratio, however future legislatures are not bound by this legislation.

We realize that small businesses are getting squeezed because of this intersection between Gallagher and TABOR. Something must be done. Amendment B is not the answer. Did you know that businesses pay taxes on their equipment? A small little pizza kitchen or craft brew house not only pays property taxes on their land and building, they must pay a tax on their ovens, chairs, tables, brew equipment, etc. If PBI's are really serious about helping small businesses, we suggest they start with getting rid of the Business Personal Property Tax. Additionally, note from earlier in this guide that PBI's have awarded over \$1.8 Billion in subsidies and tax incentives to many big businesses. Picking economic big business winners at the expense of main street businesses is not fair.

Ultimately, we see this as a potential residential property tax increase. As your property tax values increase, the "frozen" tax rate increases your property taxes as well.

RECOMMEND: VOTE "NO"

Amendment C – Conduct of Charitable Gaming: VOTE "YES"

TEXT OF BALLOT QUESTION:

"Shall there be an amendment to the Colorado constitution concerning the conduct of charitable gaming activities, and, in connection therewith, allowing bingo-raffle licensees to hire managers and operators of games and reducing the required period of a charitable organization's continuous existence before obtaining a charitable gaming license?"

TEXT OF LEGISLATIVE BILL:

https://leg.colorado.gov/sites/default/files/documents/2020A/bills/2020a_hcr1001_rr2.pdf

DISCUSSION:

This amendment appears to increase freedom by allowing licensees to hire professional managers and operators of games. It further allows licensees to obtain permission from the government to offer charitable games.

In Colorado, charitable organizations are required to obtain a license to conduct bingo games and raffles. The "qualified organization" must be operated as a non-profit and must have been in existence for a period of five years before applying for a license.

According to the regulations (an [84 page document](#)), the person conducting the game of chance (bingo or raffle) must be a member of the organization to which the bingo-raffle license was issued.

RECOMMEND: VOTE “YES”

Amendment 76 – Citizenship Qualification of Electors: VOTE “YES”

TEXT OF BALLOT QUESTION:

“Shall there be an amendment to the Colorado constitution requiring that to be qualified to vote at any election an individual must be a United States citizen?”

TEXT OF MEASURE:

<https://www.sos.state.co.us/pubs/elections/Initiatives/titleBoard/filings/2019-2020/76Final.pdf>

DISCUSSION:

The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 prohibits non-citizens from voting in federal elections with limited exceptions. Non-citizens are not prohibited from voting in state or local elections and in some states local governments have the power to allow noncitizens to vote in local elections.

At the present time, eleven local governments in Maryland allow non-citizens to vote in local elections. San Francisco, CA allows non-citizens to vote in school board elections.

Our state constitution says that “every citizen of the United States” can vote, but it does not prohibit non-citizens from voting. Amendment 76 would change that.

Under the concept of “nationhood”, people who live in a state or nation that pledge allegiance to that state and are either native or naturalized have a stake in the governance of that state or nation.

The only people who should have a say in the governance of our state are the ones who are citizens of the United States.

RECOMMEND: VOTE “YES”

Sources:

https://en.wikipedia.org/wiki/Right_of_foreigners_to_vote_in_the_United_States#cite_note-7

https://ballotpedia.org/Laws_permitting_noncitizens_to_vote_in_the_United_States

Amendment 77 – Local Voter Approval of Casino Bet Limits and Games in Black Hawk, Central City and Cripple Creek: VOTE “YES”

TEXT OF BALLOT QUESTION:

“Shall there be an amendment to the Colorado constitution and a change to the Colorado Revised Statutes concerning voter-approved changes to limited gaming, and, in connection therewith, allowing the voters of Central City, Black Hawk, and Cripple Creek, for their individual cities, to approve other games in addition to those currently allowed and increase a maximum single bet to any amount; and allowing gaming tax revenue to be used for support services to improve student retention and credential completion by students enrolled in community colleges?”

TEXT OF MEASURE:

<https://www.sos.state.co.us/pubs/elections/Initiatives/titleBoard/filings/2019-2020/257Final.pdf>

Discussion

The principle of self-determination means that voters in these communities should be able to regulate the gambling venues in their cities for their benefit, and to use tax revenues raised from gambling as they see fit.

This one seems pretty straight forward. It allows the voters in these communities with legalized gambling to expand the gaming options available to customers and how tax revenues are used.

RECOMMEND: VOTE YES

Proposition EE – Cigarette Tobacco and Nicotine Products Tax: VOTE “NO”

TEXT OF BALLOT QUESTION:

“SHALL STATE TAXES BE INCREASED BY \$294,000,000 ANNUALLY BY IMPOSING A TAX ON NICOTINE LIQUIDS USED IN E-CIGARETTES AND OTHER VAPING PRODUCTS THAT IS EQUAL TO THE TOTAL STATE TAX ON TOBACCO PRODUCTS WHEN FULLY PHASED IN, INCREMENTALLY INCREASING THE TOBACCO PRODUCTS TAX BY UP TO 22% OF THE MANUFACTURER'S LIST PRICE, INCREMENTALLY INCREASING THE CIGARETTE TAX BY UP TO 9 CENTS PER CIGARETTE, EXPANDING THE EXISTING CIGARETTE AND TOBACCO TAXES TO APPLY TO SALES TO CONSUMERS FROM OUTSIDE OF THE STATE, ESTABLISHING A MINIMUM TAX FOR MOIST SNUFF TOBACCO PRODUCTS, CREATING AN INVENTORY TAX THAT APPLIES FOR FUTURE CIGARETTE TAX INCREASES, AND INITIALLY USING THE TAX REVENUE PRIMARILY FOR PUBLIC SCHOOL FUNDING TO HELP OFFSET REVENUE THAT HAS BEEN LOST AS A RESULT OF THE ECONOMIC IMPACTS RELATED TO COVID-19 AND THEN FOR PROGRAMS THAT REDUCE THE USE OF TOBACCO AND NICOTINE PRODUCTS, ENHANCE THE VOLUNTARY COLORADO PRESCHOOL PROGRAM AND MAKE IT WIDELY AVAILABLE FOR FREE, AND MAINTAIN THE FUNDING FOR PROGRAMS THAT CURRENTLY RECEIVE REVENUE FROM TOBACCO TAXES, WITH THE STATE KEEPING AND SPENDING ALL OF THE NEW TAX REVENUE AS A VOTER-APPROVED REVENUE CHANGE?”

TEXT OF LEGISLATIVE BILL

https://leg.colorado.gov/sites/default/files/documents/2020A/bills/2020a_1427_re.pdf

DISCUSSION:

This proposition should receive a “NO” vote just because the text of the legislative bill is 50 pages long. The legislative bill is convoluted and complicated. We should not be passing laws, regulations and rules that people cannot understand.

Founder James Madison said, “It will be of little avail to the people, that the laws are made by men of their own choice, if the laws be so voluminous that they cannot be read, or so incoherent that they cannot be understood...”

Basically, this significantly raises the taxes on nicotine products by \$294,000,000 annually, ostensibly to encourage the reduction of nicotine products. It is not responsible governance to raise taxes by a defined amount to reduce the use of the product being taxed. If indeed the use of the product is reduced, then the tax revenue will be reduced as well, therefore politicians and bureaucrats will look to non-nicotine users, over the long haul, to make up the revenue difference to fund the new government programs introduced and funded by the tax increase.

Additionally, when taxes on products get too high, it creates an illegal market. According to the *New York Daily Post*, the famous 2014 Eric Garner case in New York which resulted in Eric Garner's death, began with Garner initially being stopped on Staten Island for selling single cigarettes which was against the law. One could make the case that if cigarettes taxes were not so high in New York, there would have been no illegal market, therefore Eric Garner would not have been stopped for selling single cigarettes.

RECOMMEND: VOTE "NO"

Proposition 113 – National Popular Vote: VOTE "NO"

TEXT OF BALLOT QUESTION:

"Shall the following Act of the General Assembly be approved: An Act concerning adoption of an agreement among the states to elect the President of the United States by national popular vote, being Senate Bill No. 19-042?"

TEXT OF LEGISLATIVE BILL:

<https://www.sos.state.co.us/pubs/elections/Resources/files/SB19-042FinalBill.pdf>

DISCUSSION:

This proposition seeks to have the voters of Colorado ratify an Act of the General Assembly from 2019. Senate Bill SB19-042 would join Colorado in the "Agreement Among the States to Elect the President by National Popular Vote." A "Yes" vote is a vote for having Colorado join this compact. A "No" vote would nullify SB19-042 and preserve Colorado's presidential electoral power.

Article II, Section 1 of the United States Constitution, as modified in 1804 by the Twelfth Amendment establishes the Electoral College as the mechanism by which the President of the United States is elected. It has been the means by which every president has been elected throughout the history of the United States.

The Founders intentionally designed the United States Government to reign in the passions of the public. Under the original Constitution, only the members of the House of Representatives were elected directly by the people. Each state's United States Senators were appointed by each state legislature, making them accountable to the states. The Supreme Court Justices are appointed by the president and are subject to the advice and consent of the U.S. Senate. The president was to be elected by the Electoral College, not directly by the people.

Initially, the Electoral College was created every four years by each state legislature appointing electors. However, as voting rights expanded in the early 19th century, the selection of the electors shifted from state legislatures to the voters in each state. Since 1864 the voters have chosen the electors in all the states.

Fun fact: when you are voting for a certain candidate for president, you aren't actually voting for that person. You are voting for the *electors* who will then cast their votes for the candidate in the Electoral College. Electors are in effect agents of the voters and are expected (and in some states bound by law) to vote for the candidates of the party that nominated them.

Each state gets one elector for each U.S. Senator and one for each member of delegation to the U.S. House of Representative. In addition, the District of Columbia has three electors. The total number of electors is 538, and the state of Colorado has 9. This ensures that the votes and voices of the small, less populous states would be counted and heard.

In all but four elections, the results of the electoral vote have matched the results of the sum of the popular votes in the several states. (Note: there is no such thing as a "National Popular Vote." Each of the 50 states administer elections according to its own laws, practices and customs. Various news organizations and the Federal Election Commission tabulate and compile the results to arrive at an aggregate total, but there is no actual national vote.)

In those four elections – 1876, 1888, 2000 and 2016 the President and Vice President were elected with a majority of electoral votes, but fewer aggregate popular votes than their major party opponents.

Because of the two most recent results, when Republican presidents were elected in 2000 and 2016, a movement has been afoot to change the rules regarding how presidents are elected, thus giving rise to the "National Popular Vote" movement. Instead of changing the Constitution itself through an amendment (which would be the right way to do it), they are seeking to subvert the Constitution by creating the "National Popular Vote Compact" (NPVC) whereby states who join the compact would give their votes to the winner of the mythical national popular vote, regardless of the results in their own states.

Here's an example of how this would work. In 2020, the voters of the state of Colorado vote for the electors for Mickey Mouse and his running mate Minnie. But nationally, the electors for Donald Duck and his running mate Goofy receive more votes. Under the NPVC, Colorado's electors would vote for Donald Duck and Goofy, thereby disenfranchising Colorado's voters in the presidential election.

If approved, the National Popular Vote takes away the votes and voices of Coloradans and gives our votes and voices to the big population centers like Los Angeles, San Francisco, Chicago and New York.

Allowing Colorado to join the so-called National Popular Vote Compact would disenfranchise the voters of the state in presidential elections. It undermines the intention of the Founders and the rules by which every president has been elected.

Lastly, SB 19-042 [violates the Colorado Constitution](#) and the U.S. Constitution.

RECOMMEND: VOTE "NO"

Learn more: <https://fas.org/sgp/crs/misc/RL32611.pdf>

Proposition 114: Restoration of Grey Wolves: VOTE "NO"

TEXT OF BALLOT QUESTION:

"Shall there be a change to the Colorado Revised Statutes concerning the restoration of gray wolves through their reintroduction on designated lands in Colorado located west of the continental divide, and, in connection therewith, requiring the Colorado parks and wildlife commission, after holding statewide hearings and using scientific data, to implement a plan to restore and manage gray wolves; prohibiting the commission from imposing any land, water, or resource use restrictions on private landowners to further the plan; and requiring the commission to fairly compensate owners for losses of livestock caused by gray wolves?"

TEXT OF MEASURE:

<https://www.sos.state.co.us/pubs/elections/Initiatives/titleBoard/filings/2019-2020/107Final.pdf>

DISCUSSION:

The introduction of gray wolves on designated lands west of the continental divide would economically harm Colorado ranchers and farmers on the western slope and hurt everyday, hardworking Coloradans by disrupting our food supply and increasing the cost of food at our grocery stores. This initiative would use taxpayer money to pick winners and losers by introducing gray wolves only west of the continental divide. It is unfair and uncompassionate that folks in the Denver/Boulder corridor would use the voting booth to approve an initiative that adversely affects people and their livelihoods in a completely different region of the state.

While the proponents of this measure have input language that a farmer or rancher would receive “fair compensation” for economic losses of their livestock herds by gray wolf predators, most citizens experience very high bars of proof and many hoops to jump through before receiving compensation from a bureaucratic, governmental entity. Additionally, this initiative gives the legislature the power to adopt additional legislation to facilitate the implementation of the restoration of gray wolves in Colorado without a vote of the people.

Hunters and fishermen contribute \$1.8 billion to the Colorado economy each year. A portion of this money is used for successful wildlife management in Colorado. The introduction of the gray wolf would adversely affect the deer and elk herds in Colorado and many hunters would spend their money in other states creating yet another revenue shortfall for Colorado after the COVID 19-Wuhan Virus Reaction Disruption shut-down.

Wildlife management should not be determined at the emotional ballot box. Wildlife management should be determined by professionals. It is not fair to introduce a predator in someone else’s neighborhood that harms their private property.

RECOMMEND: VOTE “NO”

Proposition 115: Prohibition on Late-Term Abortions: VOTE “YES”

TEXT OF BALLOT QUESTION:

“Shall there be a change to the Colorado Revised Statutes concerning prohibiting an abortion when the probable gestational age of the fetus is at least twenty-two weeks, and, in connection

therewith, making it a misdemeanor punishable by a fine to perform or attempt to perform a prohibited abortion, except when the abortion is immediately required to save the life of the pregnant woman when her life is physically threatened, but not solely by a psychological or emotional condition; defining terms related to the measure including “probable gestational age” and “abortion,” and excepting from the definition of “abortion” medical procedures relating to miscarriage or ectopic pregnancy; specifying that a woman on whom an abortion is performed may not be charged with a crime in relation to a prohibited abortion; and requiring the Colorado medical board to suspend for at least three years the license of a licensee whom the board finds performed or attempted to perform a prohibited abortion?”

TEXT OF MEASURE:

<https://www.sos.state.co.us/pubs/elections/Initiatives/titleBoard/filings/2019-2020/120FinalCorrected.pdf>

DISCUSSION:

Unbeknownst to many Coloradans, in Colorado a baby can be aborted right up until birth. Science has determined that a baby can feel pain at twenty-two weeks of gestational age.

Duedatetoolate.com notes that Colorado is 1 of only 7 states that allows abortion up until the moment of birth for any reason with no restrictions at all. Internationally, only 5 of 198 countries permit elective abortion after 24 weeks, 3 of 5 nations that permit late-term abortion are notorious human rights abusers.

“Preborn babies as young as 21 weeks have been born and survived with excellent developmental outcomes. By 22 weeks, approximately a 5 1/2-month-old baby, the mother can feel the baby “kick” and the baby can recognize and respond to her touch and voice. She can blink, open/close her mouth, stick out her tongue, suck her thumb, smile, and grimace. The baby also demonstrates the ability to learn in the uterus. After 22 weeks, the baby can acquire specific tastes for food and music, and retain those tastes for weeks or months after she’s born.”

This measure states, “If, in the reasonable medical judgement of the physician, an abortion is immediately required to save the life of a pregnant woman, rather than an expedited delivery of the living fetus, and if the pregnant woman’s life is threatened by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself, but not including psychological or emotional conditions, such an abortion is not unlawful. In such a situation, a physician may reasonably rely upon an assessment of gestational age made by another physician instead of abiding by the provisions of 18-6-903 (2).”

Additionally, the measure states, “Any person who intentionally or recklessly performs or attempts to perform an abortion in violation of this part 9 is guilty of a Class 2 Misdemeanor but may only be subject to punishment by fine and not by jail time.”

The measure notes that there will be, “No criminal penalties for women. A woman on whom an abortion is performed or a person who fills a prescription or provides equipment used in an abortion does not violate this Part 9 and cannot be charged with a crime in connection therewith.”

Proposition 116 is a compassionate and caring [compromise on abortion](#).

RECOMMEND: VOTE “YES”

Proposition 116 – State Income Tax Reduction: VOTE “YES”

TEXT OF BALLOT QUESTION:

“Shall there be a change to the Colorado Revised Statutes reducing the state income tax rate from 4.63% to 4.55%?”

TEXT OF MEASURE:

<https://www.sos.state.co.us/pubs/elections/Initiatives/titleBoard/filings/2019-2020/306Final.pdf>

DISCUSSION:

If passed, this would reduce the state income tax rate from 4.63% to 4.55%, a cut of 2%, starting with the tax year commencing on January 1, 2020.

Income taxes should be as low as possible to allow income earners to keep more of what they earn to be spent or saved how they deem fit.

With the passage of the 16th Amendment to the United States Constitution in 1913, the federal government began levying an income tax on U.S. citizens. The 16th Amendment states “The Congress shall have the power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.”

Income taxes are broad based, in that they apply to everybody who receives income, whether it's earned or unearned. Earned income is generally gained from employment, work and business activities. Unearned income is from investments and other sources not related to employment. Examples of unearned income are savings interest, dividends on stocks, bond interest and alimony. Not only are "incomes" taxed, but capital gains are taxed as well, though usually at a lower rate.

As an example of why voters should never give complete power to the Democrat Party, the last time the Democrats had full control over the Colorado state government was in 1936. That year they passed a bill to refer a constitutional amendment to the voters to create an income tax. The voters passed the measure by 167,268 to 159,143 on November 3, 1936.

For the first fifty years, the income tax had graduated rates like the federal income tax (**with a top tax rate of 10%** from 1947 to 1959), but that was changed in 1987 when the state legislature passed House Bill 1331, which established a flat 5.00% tax rate on individuals, estates and trusts. While the Republicans had solid control over the General Assembly that year, the bill was signed into law by Democrat Roy Romer.

The 5.00% income tax rate was lowered to 4.63% in tax year 2000 to reduce the TABOR surplus. It has been at 4.63% since then.

Thanks to capitalism, people thrive when they are able to keep more of what they earn. They will move from high tax states to low or no tax states. They will favor right-to-work states over forced-union states. In the book *An Inquiry Into the Nature and Causes of the Wealth of States: How Taxes, Energy and Worker Freedom Change Everything* the authors bring this point home by comparing a high-tax, progressive state (California) to a zero income tax, more libertarian state (Texas). **In every single measure of economic performance, Texas far outperforms California.** We would say that the people who live in Texas are flourishing on a higher level than Californians. They are better served by their governments, and they are able to keep more of what they earn. The fact that more people vote with their feet by moving from California to Texas (and other states) is proof positive of this.

In the public policies they promote, Colorado Democrats clearly wish for Colorado to follow in the same path as California. However, we would be better served by emulating Texas instead. While this is not an elimination of the income tax, it is a reduction in the tax rate. Every worker should be able to keep more of what they earn.

(Adapted from Rick Turnquist's Blog Post "[Taxation and Wealth](http://www.kimmonson.com)" published on www.kimmonson.com)

RECOMMEND: VOTE "YES"

Proposition 117 – Voter Approval for Certain New State Enterprises: VOTE ‘YES’

TEXT OF BALLOT QUESTION:

“Shall there be a change to the Colorado Revised Statutes requiring statewide voter approval at the next even-year election of any newly created or qualified state enterprise that is exempt from the Taxpayer’s Bill of Rights, Article X, Section 20 of the Colorado constitution, if the projected or actual combined revenue from fees and surcharges of the enterprise, and all other enterprises created in the last five years that serve primarily the same purpose, is greater than \$100 million within the first five fiscal years of the creation or qualification of the new enterprise?”

TEXT OF MEASURE:

<https://www.sos.state.co.us/pubs/elections/Initiatives/titleBoard/filings/2019-2020/295OriginalFinal.pdf>

DISCUSSION:

Colorado’s Taxpayer’s Bill of Rights (TABOR) places limits on government by requiring the following:

1. Governments cannot impose new taxes or raise existing taxes without an affirmative vote of the people.
2. Governments cannot issue new indebtedness without an affirmative vote of the people.
3. In the event governments take more money than they are supposed to, they are required to return the money to taxpayers unless we vote to allow them to keep it.
4. Such tax requests are only allowed to take place in regularly scheduled elections, not special elections.
5. TABOR specifies that the language to be used is “SHALL TAXES BE INCREASED...” and must be in ALL CAPITAL LETTERS.

The voters of the state of Colorado passed TABOR in 1992 with 53% of the vote. In the years since TABOR was enacted, there have been many votes to ease TABOR limits and to allow governments to keep excess revenues.

Over the years, voters have approved local tax increases, indicating the people are willing to fund local projects with accountability in their own communities. However, on a statewide basis the voters have been decidedly anti-tax, voting down sales tax increases and “progressive” (tiered) income tax rates.

Because TABOR requires voter approval for tax increases or new taxes, elected officials cannot simply raise taxes or create new ones to fund their desired government programs. Unfortunately, TABOR has a loophole that progressive politicians of both parties have exploited increasingly in the 28 years since TABOR was passed. That loophole is called an “enterprise” that allows it to charge “fees”. It works like this: Government creates a new program and says that it will charge “fees” to fund it. Never mind that these “fees” are collected by force to fund government programs. By creating a government-run “business”, they found a way to bypass TABOR and collect more money from citizens to fund government programs.

When certain state legislators put forward a paid family and medical leave insurance program, they specifically called it an “enterprise”, thus making it exempt from TABOR, and called the government takings to fund it “premiums”.

However, a government-run “business” is not a true commercial activity. Government has the legal monopoly on the use of force, so it can force people to consume its products or use its services. Similarly, customers can choose which businesses to patronize. Not so the government, there is usually no way to opt-out of the government program.

Proposition #117 aims to change that. It closes the “enterprise” loophole by stipulating that the voters must approve the enterprise and the “fees” it will charge. This proposition greatly strengthens the limits on government that the Taxpayer’s Bill of Rights imposed.

RECOMMEND: VOTE “YES”

(Note: portions of this are adapted from [Why TABOR Matters](#) and [Taxation and Wealth](#), written by Rick Turnquist and published on www.kimmonson.com.)

Proposition 118 – Paid Family and Medical Leave Insurance Program: VOTE “NO”

TEXT OF BALLOT QUESTION:

“Shall there be a change to the Colorado Revised Statutes concerning the creation of a paid family and medical leave program in Colorado, and, in connection therewith, authorizing paid family and medical leave for a covered employee who has a serious health condition, is caring for a new child or for a family member with a serious health condition, or has a need for leave related to a family member’s military deployment or for safe leave; establishing a maximum of

12 weeks of family and medical leave, with an additional 4 weeks for pregnancy or childbirth complications, with a cap on the weekly benefit amount; requiring job protection for and prohibiting retaliation against an employee who takes paid family and medical leave; allowing a local government to opt out of the program; permitting employees of such a local government and self-employed individuals to participate in the program; exempting employers who offer an approved private paid family and medical leave plan; to pay for the program, requiring a premium of 0.9% of each employee's wages, up to a cap, through December 31, 2024, and as set thereafter, up to 1.2% of each employee's wages, by the director of the division of family and medical leave insurance; authorizing an employer to deduct up to 50% of the premium amount from an employee's wages and requiring the employer to pay the remainder of the premium, with an exemption for employers with fewer than 10 employees; creating the division of family and medical leave insurance as an enterprise within the department of labor and employment to administer the program; and establishing an enforcement and appeals process for retaliation and denied claims?"

TEXT OF MEASURE:

<https://www.sos.state.co.us/pubs/elections/Initiatives/titleBoard/filings/2019-2020/283Final.pdf>

DISCUSSION:

If passed, this would create a statewide government-run family and medical insurance leave (FAMLI) program. It would provide for up to 16 weeks of paid leave for certain qualifying conditions and would be financed by taxes on all employers in the state, with few exceptions; and by issuance of revenue bonds. Employers would be able to deduct up to 50% of the payroll taxes for this program from employees, meaning it would be financed by taxes on both employers and employees.

The primary purpose of government is to protect life, liberty and property. It is not a proper function of government to be in the insurance business, nor is it moral to redistribute property and earnings.

Rick Turnquist has written several blog posts about this concept in Colorado. His latest one summarizes the arguments against Proposition #118 and links to all of his previous posts. It's titled "No More FAMLI" and is linked [here](#).

The arguments against can be summarized as follows:

- It is funded through an illegal tax. Though the proponents call it a "premium", any money taken by government force is a "tax", and **in Colorado is subject to a vote of the taxpayers under the Article X, Section 20 the "Taxpayers Bill of Rights" or TABOR.** (See the discussion of Proposition #117 for more)
- The FAMLI program would have the ability to issue revenue bonds. Revenue bonds are a form of debt financing that can cost millions of dollars in debt issuance costs, require

periodic interest payments, and must eventually be repaid. They are secured by specific government revenues (in this case FAMILI “premiums”), and are bonded indebtedness of the state government, **which again under TABOR requires a vote of the people.**

- The “director” of this program would have vast, unaccountable powers including the ability to adjust the tax rate, set fines for employers, issue fraud waivers, establish rules and regulations and others. This person would be an unelected bureaucrat accountable to nobody but the governor.
- States that have similar programs have experienced higher than expected utilization rates and some have had to raise their taxes in the early years.
- States that have similar programs are not performing as well economically as Colorado.
- This program would make it more expensive to start and operate small businesses in Colorado and would make it harder for people at the margins to find jobs.
- The tax burden would be difficult for smaller businesses and lower income workers to deal with.

Programs of this nature, once passed, are virtually impossible to repeal. This program is based on a lie and it would cost jobs and harm small businesses. Check out Rick’s most recent blog: <https://toadvancefreedom.com/other-voices-against-famli/>

RECOMMEND: VOTE “NO”

Candidate Recommendations

As libertarian conservatives, we recommend voting for the Republican candidate in every race, from President of the United States to County Commissioner.

As we’ve seen over the summer of 2020, the Democrat Party has become the party of socialism, lawlessness, domestic terrorism and mayhem. We’ve seen Democrat-run cities burn, people being murdered and police officers being shot. If you go to www.blacklivesmatter.com and click the donate button, the link goes directly to Act Blue which is the big fundraising arm of the Democrat party. Connect the dots. Division, destruction and mayhem is being financed by the Democrat party. In Democrat controlled Colorado, this picture of the state capitol from July is a graphic representation of what this election is all about.



Photo credit: Michael Fields

Emerge Candidates are Trained to Push Forward the Radical, Progressive, Activist Agenda:

Another litmus test in determining your vote is whether a candidate has graduated from the EmERGE Colorado candidate training program. EmERGE trains only progressive women candidates and they are very well-trained and financed. They have access to a nationwide network of big money donors. They are polished and know what to say to different audiences to garner votes and support. They are skilled at posing as “moderates”, however once elected they push forward the radical, progressive agendas that are destroying communities and increasing crime in our neighborhoods.

According to the [EmERGEAmerica](#) website, “EmERGE is a unique national organization that focuses on effective state programming and has built an inclusive network. We are the only

political organization aimed at recruiting, training and providing a powerful network for our Emerge women with staff, alumnae, boards and volunteers on the ground 365 days each year. Since 2002, Emerge has offered a premier, in-depth training program that provides aspiring woman leaders with cutting-edge tools and training to run and win elected office. Emerge has trained over 4,000 Democratic women to run and 690 serve in elected office today.”

[EmergeColorado](#) is “a state affiliate of Emerge, which has trained more than 4,000 women to run for office since 2002. Emerge alumnae across the country have won more the 1,000 elections to date and hold office at every level of government. There are currently Emerge affiliates in 27 states — Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Georgia, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Nevada, New Jersey, New Mexico, New York, Oregon, Pennsylvania, South Carolina, Tennessee, Texas, Vermont, Virginia, Washington and Wisconsin with plans to expand to more soon. Women who graduate from Emerge Colorado’s training programs are plugged into both the state network of Emerge Colorado alumnae, as well as the national network of Emerge alumnae across the country.”

Here is the link to their advisory board members: <https://emergeamerica.org/about/advisory-board/>

Notable Emerge alumna include Denver City Councilwoman Candy CdeBaca who brands herself as a Democratic Socialist and has called for defunding the Denver Police Department and called them “[guard dogs](#)”. Several Emerge candidates are running in Douglas County (they’re desperate to “flip” Dougco)!

To learn if a candidate is an Emerge graduate, just search [EmergeColorado](#) and the candidate’s name or [EmergeAmerica](#) and the candidate’s name. The websites list candidates and those currently in office. Many of the most extreme elected officials in Colorado are Emerge alumna.

No One Should Die Alone but Apparently These 17 Colorado Representatives Disagree:

One of the tragedies of the COVID 19/Wuhan Virus Reaction Disruption is that people have died without their loved ones nearby to hold their hand and talk to them as they pass on. Personally, Kim had two WWII Veteran uncles who passed on during this time. For one of them, the family is still waiting to remember him at a memorial service. The other uncle was

buried at a military cemetery and only eight people could attend the service. Kim was not even allowed to sit in her car to pay her respects.

A riveting story is that of Elizabeth and Steve Reiter. Neither Elizabeth nor Steve had COVID-19, however, Elizabeth spent 20 days in the hospital with none of her loved ones allowed to visit her. Steve thought he would bring Elizabeth home. Instead she went into cardiac arrest and died alone.

Check out Elizabeth and Steve's story here:

1. https://kimmonson.com/featured_articles/nope-nope-and-nope/
2. https://kimmonson.com/featured_articles/no-one-should-die-alone/
3. https://kimmonson.com/kim_monson_show/elizabeth-reiter-died-without-the-comfort-and-company-of-her-family-she-did-not-have-covid-19/
4. https://kimmonson.com/sounding_off/episode-21-steve-reiter/

HB20-1425, "Concerning Hospital Patient Visitation Right During the COVID-19 Pandemic was introduced in the Colorado legislature this past session to assure that "No one would die alone." **It passed unanimously in the State Senate.** It seems it would be a no-brainer that it would pass unanimously in the State House as well. However, 17 House Democrats voted against this measure. Apparently, they are in favor of hospital patients dying alone. This cruelty is unconscionable, and we strongly recommend voting for their opponents. Here is the link to the House vote on HB20-1425:

<https://leg.colorado.gov/content/hb20-1425vote5cb4ab>.

Here's the Uncompassionate and Uncaring Seventeen:

DO NOT VOTE FOR THE CRUEL 17. VOTE FOR THEIR COMPASSIONATE OPPONENT

1. No: Adrienne Benavidez (HD 32) Yes: Opponent: **Tony Caputo**
2. No: Janet Buckner (SD 28) Yes: Opponent: **Karl Stecher**
3. No: Yadira Caraveo (HD 31) Yes: Opponent: None
4. No: Monica Duran (HD 24) Yes: Opponent: **Laurel Imer**
5. No: Meg Froelich (HD 3) Yes: Opponent: **Dean L. Titterington**
6. No: Serena Gonzales-Gutierrez (HD 4) Yes: Opponent: **Grant Price**
7. No: Matt Gray (HD 33) Yes: Opponent: **Mandy Quiachon**
8. No: Sonya Jaquez Lewis (SD 17) Yes: Opponent: **Matthew D. Menza**
9. No: Cathy Kipp (HD 52) Yes: Opponent: **Donna Walter**
10. No: Susan Lontine (HD 1) Yes: Opponent: **Samantha Koch**
11. No: Barbara McLachlan (HD 59) Yes: Opponent: **Marilyn Harris**
12. No: Dafna Michaelson-Jenet (HD 30) Yes: Opponent: **Kerrie Gutierrez**
13. No: Kyle Mullica (HD 34) Yes: Opponent: **Mark Bromley**
14. No: Emily Sirota (HD 9) Yes: Opponent: **Larry L. Braig**
15. No: Tom Sullivan (HD 37) Yes: Opponent: **Caroline Cornell**

16. No: Kerry Tipper (HD 28) Yes: Opponent: **Pedro (Pete) Roybal**
17. No: Mary Young (HD 50) Yes: Opponent: **Sean Short**
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Summary:

In terms of voting for the people who will support limited government, the Taxpayer's Bill of Rights, and freedom generally, the choice is clear. Democrats are the party of big government, higher taxes, redistribution of wealth and property and are hostile to our free speech rights and our right to keep and bear arms. Presidential candidate Joe Biden (D) [denounces](#) "right-wing militias" but fails to condemn Black Lives Matter and Antifa which is responsible for the overwhelming majority of the violence we've seen since Memorial Day.

The divide in this country is between people – largely "progressives" aligned with the Democrat Party who want to tear our country down and those of us who want to "conserve" the values of the American Founding, which mostly aligns with the Republican Party. This November, we literally have the choice of voting for those principles or tyranny via mob rule.

Sadly, some Republicans are progressive and are not true to the principles that we libertarian/conservatives hold dear. These people must be coached, guided and held accountable. However, in our view, the worst Republican is better than the best Democrat most of the time.

To sum up:

Vote **Republican. They may not be perfect, but they are better than the alternative!**

The recommendations in this guide have not been influenced nor funded by any candidate nor issue campaign. We have looked at each issue from the lens of what is best for everyday, hardworking Coloradans. Please share this with your friends, your family and your colleagues.

If this has been of help to you, we would greatly appreciate your consideration in making a contribution to help keep our independent voices heard.

You can contribute at www.kimmonson.com.

In Freedom,

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