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Colorado Special Session: 10 Tips for Reading Media Reports
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Separating bloggers and journalists gets tougher and tougher every day. But the good news is that the commentary around the Governor's Special Session has made it easier to do.

So here are 10 tips to help you read the "information" written about the Special Session coming on October 2, 3, and 4.

First, some context: SB17-267 was almost the last bill passed in the 2017 legislative session. It was so rushed that it was completely re-written and introduced as an entirely new 76-page bill only one day before the first chamber needed to vote on it. It contained at least seven different law changes, one of which raised the special tax on retail marijuana sales from 8% to the already voter-approved rate of 15%. (The current rate of 10% was to be reduced to 8% on the same day SB17-267 raised it to 15%.)

To soften the blow of a near doubling of this tax, the midnight authors of 267 decided to back off of applying the State's regular 2.9% sales tax on top of 15%. That way, the increase would "only" be 4.1% instead of a whopping 7.0%.

What they forgot was that in 2013 when one party controlled both chambers of the legislature and the governorship (Hon. Hickenlooper), they raised the tax collections for RTD and Scientific and Cultural Facilities District (SCFD) when they set parity between those entities and the State (HB13-1272). Any exemptions or inclusions in the State's sales tax automatically applied to them. Hmm... no "mistake" was made then when those two districts received more tax revenue.

Now some tips while you read news articles:

1. See if the word "tax increase" is used when describing the fix. Fact: the tax on retail marijuana will have to go up by 2.9% to get these districts "back their money." Wouldn't this increase be an increase? That would need a vote of the taxpayers, not the legislators, per our Colorado Constitution Article X, Section 20.
2. See if the journalist mentions that the marijuana tax was set by law to decrease to 8% before being increased (nearly doubled) to 15% by HB267.

3. See if the article mentions that RTD's revenue is already \$1,257,000,000 annually and a \$6M decrease is .0048 of that revenue.
4. See if the journalist mentions that the RTD tax is collected in only 4 counties and parts of 4 other counties, and the SCFD tax is collected in 6 counties and parts of 1 other. Also, see if the author reminds the reader that 56 of Colorado's 64 counties do not collect either tax, so this is only a Denver Metro fix on a "Rural Sustainability" bill.
5. See if the article quotes any other person besides an RTD-subsidized rider about the effects that the loss of revenue will mean personally. It would seem balanced to interview one of the \$1B of retail marijuana buyers who will have his/her money taken away in a new tax and then redistributed to RTD recipients.
6. See if the reporter, while playing amateur economist, makes any effort to get a quote from a person who would have received the marijuana buyer's 2.9% money if the government had not taken it. These are the thousands of retailers who missed out on selling \$6M of goods and services because RTD got their money instead.
7. See if the blogger incessantly uses the words "fix", "inadvertent", "unintentional", and "mistake" in their blog. (The Governor used these words four times in his 2-page Executive Order.) This will help convince the reader that politicians consider tax decreases so anathema that they are actually unintentional.
8. See if the reporter includes a quote from any other elected official when quoting the Governor ad nauseam: "*Where I come from, if you make a mistake, you fix it.*" Maybe another elected official might say: "*Where I come from, when you swear an oath to the Constitution, by God, you uphold it.*"
9. And since that nasty word "Constitution" came up, see if your favorite commentator mentions that this "complex and historic" bill violated Article V, Section 21 of our Colorado Constitution: "*No bill, except general appropriation bills, shall be passed containing more than one subject...*"
10. And lastly, see if the blogger mentions that special districts collect tax revenue so their expenditures spend taxpayer money. Therefore, you can't save taxpayers money if special districts spend taxpayer's money on the cost of a special session.

I hope these few uncomfortable omissions, will help the reader better see the sales pitches taking place in the media under the guise of journalism.

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