

2012 Colorado General Election Projection Analysis

**COLORADO SOCIETY
OF EYE PHYSICIANS
AND SURGEONS**



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Introduction

This analysis was first prepared in early May and has been periodically refined as more information has become available. The information contained in this analysis projects the most likely scenario and election outcome as of September 21, 2012. While the official election day is November 6, 2012, Colorado makes extensive use of mail ballots and early voting. Mail ballots will be delivered to voters beginning October 15, 2012 and those voters have a tendency to complete and return their ballots quickly. Although the results will not be known until after the polls close on Election night, mail and early voting will probably decide the outcome of a number of these races many days prior to Election Day.

It should be realized that this election has been very contentious and it is likely that it will become increasingly harsh and negative during October. Voter sentiments are hardening and there are few undecided voters remaining.

Because there is so much uncertainty about the economy, the national debt, troubled foreign relations and other significant issues, the electorate is very volatile. Shocks to the system are not easily contained, they can cause quite erratic reactions by the voters. Things that may seem absolutely certain today can be relegated to the trash bin tomorrow because of external factors that cannot be anticipated. This analysis has taken a conservative approach and has developed a set of forecasts that seem to be rational and consistent with events and the mood of the voters.

This analysis is also designed to provide a "watcher's guide" to the state legislative races. It systematically stratifies the races by virtue of which candidate is most likely to win and proceeds from the safest seats to the most contested. The most contested are also the ones that are the hardest to predict, and not surprisingly the outcome of those races will likely determine which party holds the majority power for the next two years. The analysis does not include much information about the candidates themselves; it is an analysis of numbers. Almost all candidates now have web sites and more information can be obtained by simply Googling the name of the candidate and connecting to his or her web site.

The Senate

The Colorado State Senate is composed of 35 members, with each member serving a four year term. Members are term limited and may serve only two consecutive terms. There is an idiosyncratic calendar issue in that a Senator may serve 10 years if that Senator was appointed to fill a vacancy of a Senate seat after more than half the preceding term had expired. In that special case, the Senator may run for two full terms.

In a normal election cycle, about half the Senate is up for election each two years. This year, there are 20 seats up which is attributable to extended terms resulting from vacancy appointments and because at least one new seat was created de novo during redistricting.

With 35 members in the Senate, it requires a party to hold 18 seats in order to constitute the majority. All leadership positions of the Senate, committee chairmanships and the voting majority on each committee are held by members of the majority party. Members of the minority party only hold a few leadership positions and those Senators are never in a position where they can stage a coup and trump the majority party. This is true of the House of Representatives as well.

Currently, the Democrat Party holds the majority status with 20 members to the Republican Party's minority status with 15 members.

This election reflects the redrawing of Senate district boundaries necessitated by the census.

Holdover Midterm Senators

Elections are exercises in the gathering of numbers. Going into this election, the Republicans have 8 holdover (i.e., midterm) Senators and the Democrats have 7 holdover Senators. To gain the majority, the Republicans must win 10 of the 20 races. To hold their current majority, the Democrats must win 11 of the 20 races.

The Uncontested Districts

There are only 2 races that are uncontested, and both are now certain Republican wins. The two seats are both in El Paso County and are Senate District 10 which will be won by Owen Hill and Senate District 12 which will be won by incumbent Senator Bill Cadman. With these two given wins, the Republicans go into the election with 10 of the 18 seats that they need to constitute the majority. This arithmetic puts an increased burden on the Democrats to hold their majority because they now face a 3 seat disadvantage and must still win 11 seats, but their pool is now 11 out of 18 rather than 11 out of 20.

The Really Safe Districts

Each party enjoys such strength in certain districts that the other party cannot hope to win them. There are several variables that go into identifying such districts - registration numbers, demographics, the relative strength of the candidates, party infrastructure, success in raising campaign money and voting

histories among others. Incumbency matters, and incumbents have a distinct advantage over challengers. For an incumbent to be rejected by the voters is akin to that legislator being fired.

In this category of districts, the Democrats have a strong edge over the Republicans. Some of that edge is the result of redistricting, which was controlled by the Democrats. The Democrats took advantage of their voting control of the Reapportionment Commission and carved up the map to provide their party with strategic advantages in both houses. The results on November 6 will tell whether their strategy worked.

The Republicans have 3 really safe districts whereas the Democrats have 7 really safe districts.

Republican really safe districts are: SD 4 (Douglas County where Senator Mark Scheffel (R) is facing Holly Gorman (D)); SD 23 (mostly Broomfield where Vickie Marble (R) is facing Lee Kemp (D)) and SD 27 (Arapahoe County where David Balmer (R) is facing David Paladino (D)). All three districts should be easily won by the Republican candidates, which brings the Republicans to a total of 13 of the 18 seats that they need.

The Democrat really safe districts are: SD 17 (Boulder where Matt Jones (D) is facing Charlie Palagainos (R)); SD 18 (Boulder where Senator Rollie Heath (D) is facing Barry Thoma (R)); SD 21 (Adams County where Jesse Ulibarri (D) is facing Francine Bigelow (R)); SD 29 (Arapahoe County where Senator Morgan Carroll (D) is facing William Ross (R)); SD 31 (Denver where Senator Pat Steadman (D) is facing Michael Carr (R)); SD 32 (Denver where Senator Irene Aguilar, MD (D) is facing Roger Logan (R)); and SD 33 (Denver where Senator Michael Johnston (D) is facing Jason DeBerry (R)). The Democrats will win all of these seats which brings their total to 14 of the 18 seats they need for the majority.

Factoring in the really safe districts, the advantage turns from the Republicans to the Democrats by 1 seat (14-13). Moreover, the pool of remaining seats becomes reduced from the original 20 to 8. Each party must carve its majority out of those 8 races. The Democrats must win 4 of those 8, while the Republicans must win 5.

The Very Likely Districts

Each party has some districts in which they enjoy a decided advantage over the other party. These districts are not as reliable as being as safe as the preceding group, but most often the candidate of the dominant party is in a position where it is considered to be their district to lose.

In this election, the Republicans do not have any such districts whereas the Democrats have 2. The Democrat very likely districts are:

SD 14 - Fort Collins where John Kefalas (D) is facing Syndi Anderson (R) and an Unaffiliated candidate, Barrett Rothe and a Libertarian candidate, Jeff Johnston. The registration in the district shows that unaffiliated voters constitute 38% of the voters, Democrats are 31% and Republicans are 30%. Kefalas has been representing the area in the House and has a strong organization and enjoys a high level of support from many health care groups. Kefalas will likely win the race with a comfortable margin.

SD 25 - Adams County where Senator Mary Hodge (D) is in a realigned district and is being challenged by John Sampson (R) and Libertarian Ronald Schweitzer. The registration is very close but Hodge is very popular. It will unlikely to be close enough that the Libertarian will be a factor in the outcome.

With these two very likely Democrat wins, the Democrat total rises to 16 of the 18 seats that they need and gives them a 3 seat edge (16-13). The remaining pool reduces again from 8 to 6. The Democrats will have improved their position and will need to win only two of the remaining 6 seats. The Republicans will now be faced with winning 5 of the 6 seats - a formidable task, but still possible.

The Likely Districts

Similar in nature to the very likely districts, but not evaluated as being quite as strong or reliable enough to be considered very likely. In this election, each party has one such district. Often these districts turn on the candidates more than on the party and its infrastructure.

The likely Democrat district is SD 28 in Arapahoe County where Nancy Todd (D) faces John Lyons (R). This district has seesawed between the parties, and the registration is very competitive. Todd is given the edge because she has represented the area in the House for the past 8 years and is very popular.

If Todd wins this seat, it will bring the Democrats to 17 of the 18 seats they need.

The Republican district is SD 22 in Jefferson County, which pits Ken Summers (R) against Andy Kerr (D). The Democrats have been playing catch up in this district all summer. There is some sense that the Democrats thought that Kerr was a shoo-in because he is very talented, has a good reputation from his tenure in the House and is considered one of the Democrats who could ascend to higher office. Republican Ken Summers also is a term limited House member, and began working on his race as soon as the district lines were finalized by the Supreme Court. Summers has generated substantially more campaign donations than has Kerr, and Kerr has had the advantage of strong union and trial lawyer support. The Republicans have a slight registration edge.

If Summers wins this seat as it currently appears, it will give the Republicans 14 of the 18 seats needed. The margin remains at an advantage of 3 for the Democrats (17-14). However, if Kerr, who must be considered the underdog wins, the Senate will stay in the hands of the Democrats because the win will clinch the 18th seat. This is pretty much a must win district for the Republicans. If the Republicans lose, they cannot win the majority without winning an unexpected upset in one of the previously noted safe Democrat districts.

The pool is reduced again from 6 to 4. If Summers wins, the Democrats will need to win 1 of the remaining 4 seats, but the Republicans will need to win them all.

The Contested Districts

For a variety of reasons, each election has some districts where the dynamics are such that neither party has a clear shot at winning. These are the contested districts and often, as in this election, the majority status depends on how these elections turn out.

I stratify these districts into 3 subcategories. Those districts which lean toward one of the parties with a margin of less than 3% and those districts that are just too close to predict.

The 3% Districts

There is only 1 district that appears to fall within the 3% stratification and that is SD 26 in Arapahoe County. Incumbent Senator Linda Newell (D) is facing Dave Kerber (R). Redistricting put Newell at a disadvantage by adding some new areas that have some strong Republican precincts. I rate this race as giving Kerber a slight edge over Newell with a potential to pull an upset. If the election were held today, I would expect Kerber to win with a 51-49 edge.

This race may be the one that holds the Senate for the Democrats if Summers beats Kerr in SD22 as previously discussed. If Newell holds the seat, it will be the 18th seat for the Democrats and the Democrats will have the luxury of losing all 3 of the too close to call seats because if the Republicans win all three their total can only come to 17.

If, however, Kerber wins this race, the Republicans must win all 3 of the too close to call races while the Democrats need only win 1 of those 3. A Kerber win along with a Summers win puts the Republicans in a position to threaten the majority status of the Democrats because the Republicans will have pulled within 2 seats of the Democrats with a 17-15 disadvantage.

The Too Close to Call Districts

There are 3 districts which, at this point, are just too close to call. The reasons vary from district-to-district.

SD 8 in Northwest Colorado. Rep. Randy Baumgardner (R) won the Republican primary over the incumbent Senator Jean White and is facing Emily Tracy (D). This district runs from Steamboat Springs to Breckenridge and each candidate is strong in a portion of the district. Registration favors the Republicans and unaffiliateds outnumber Democrats. Tracy has a clear advantage in fund raising and that is partly the result of Baumgardner running a campaign deficit because of the primary. It is very much too close to call, but if the election were held today, I believe that Baumgardner might get a narrow win over Tracy. By election day, things could change quite dramatically but I give Baumgardner the slight edge over Tracy. If Baumgardner, Kerber and Summers all win, the Republicans fall 1 seat behind the Democrats at 17-16 with two races left.

SD 35 - Southeast Colorado. This is a new district because of redistricting. Neither candidate has ever held office. It literally runs from Denver to the San Luis Valley. The district is bigger than some states and includes parts of 16 separate counties. The race pits Larry Crowder (R) against Christina Martinez

(D), each has roots in the district and each has served at the county government level. Martinez seems to have done better than Crowder in fund raising and has secured the support of some substantial Democrat activists. The district has a competitive registration and it is too close to call.

SD19 in Arvada. This race pits incumbent Senator Evie Hudak (D) against challenger Lang Sias (R). Hudak has shown very strong fund raising from the unions and the trial lawyers. She is considered a strong advocate for the teachers' unions and the unions are working very hard to keep her in the Senate. Sias is pushing her hard, but is slightly behind in fund raising. He is a graduate of Vassar, has a Masters in Economics from the London School of Economics and is a graduate of the University of Michigan Law School. He was a Navy combat pilot in the Gulf War and graduated from the Top Gun school. He now flies as a commercial pilot for FedEx. This one is one of the most hotly contested and closely watched races this election cycle. While it is too close to call, the fact that Sias has pushed Hudak into such a desperate situation may be an indication of an upset brewing.

Summarizing the Totals

Given this analysis, it appears that the Democrats are better positioned to hold their majority status than the Republicans are positioned to pull an upset and take control of the Senate.

The following table demonstrates the likely outcomes:

Total Seats In Play - 20: Remaining Seats After Each Category	Category	Republicans	Democrats
20	Holdovers	8	7
18	Uncontested	2	0
8	Safe Seats	3	7
6	Very Likely	0	2
4	Likely	1	1
3	Contested Seats - the 3% Districts	1	0
0	Too Close to Call - 3	?	?
	Total	15	17

As the returns are broadcast on Election Night, most of these contested races will be slow to be reported. In particular, SD 8 in Northwest Colorado and SD 35 in Southeast Colorado may not be finally

called until the morning following the election. We may not know which party has won the Senate for several hours, perhaps as late as noon.

There are 3 metropolitan area races that might serve as bellwethers as the results come in.

If Senator Linda Newell (D) wins reelection in SD 26, it will be a pretty safe bet that the Republicans will not be able to get to the required 18 seats. If, however, Dave Kerber (R) beats Newell, then Republicans can keep their hopes up.

If Ken Summers (R) wins in SD 22, then the Democrats are still vulnerable. If, however, Andy Kerr (D) beats Summers in SD 22, then it is hard to put together a scenario that shows the Republicans winning the Senate.

And, SD 19 between Senator Evie Hudak (D) and challenger Lang Sias (R) will be one to watch. If Hudak wins reelection, then the only real issue is the margin of the Democrat majority in the Senate. If Sias wins, the stars and planets may be aligning for the Republicans.

The House of Representatives

The House is composed of 65 members, and it requires a party to hold 33 seats to constitute the majority. House members serve two year terms, and are limited to no more than 4 consecutive terms (8 years). All members of the House stand for election each 2 year election cycle so unlike the Senate there are no holdover Representatives in any election.

Currently the Republicans hold the majority by a single seat (33-32) over the Democrats.

As was the situation with the Senate, all districts were redrawn because of the census and the Democrat majority on the Reapportionment Committee attempted to gerrymander several districts into being safe Democrat districts. Because of redistricting, the Democrats were able to force some incumbent Republicans into primaries with each other thereby reducing the overall Republican presence in the general election. We will know on election night whether the Democrats carefully laid plans worked for them.

The Uncontested Seats

There is only 1 uncontested seat and that is HD 65 in Northeastern Colorado and it is held by Rep. Jerry Sonnenberg (R). The Democrats did not field a candidate to challenge Sonnenberg so the Republicans start off with one seat to the Democrats 0. This seat does not have any minor party or unaffiliated candidates, so as long as Rep. Sonnenberg remembers to vote for himself, he will win.

The Contested, But Safe, Seats

In this category of races, there is great similarity to the analogous category in the Senate analysis. These races have competing candidates but in several of the races the competing candidate is a minor party candidate (such as the Libertarian Party or American Constitutional Party) or is unaffiliated. It is theoretically possible for such a candidate to pull enough votes to damage one of the major party candidates, but it is highly unlikely.

In this category, the Republicans have a huge advantage over the Democrats. There are 9 races where the Democrats did not field a candidate and even though there is a minor party candidate in these races, the Democrats effectively conceded each race to the Republican many months ago. By contrast, there is only 1 race where the Democrat candidate does not face a Republican opponent but does have a minor party challenger.

For the Republicans, those districts are: HD 14 (El Paso County, Dan Nordberg); HD 15 (El Paso County, Rep. Mark Waller); HD 16 (El Paso County, Rep. Janek Joshi); HD 19 (El Paso County, Rep. Amy Stephens); HD 21 (El Paso County, Lois Landgraf); HD 44 (Douglas County, Rep. Chris Holbert); HD 54 (Mesa County, Jared Wright); HD 58 (Montrose County, Rep. Don Coram) and HD 64 (Eastern Plains, Tim Dore).

The lone Democrat in this category is Jevon Melton in HD 41 in Arapahoe County.

This is a significant deficiency for the Democrats in a quest to gain the majority in the House. They literally begin with a 9 seat disadvantage from districts that they have not fielded a candidate. With these races called, the Democrats must pull 32 victories out of the remaining 54 races - they have to win 60% of the remaining seats.

Safe Seats

As with the Senate, there are just some districts that are extremely safe for one party as opposed to the other. In this category the Democrats rely on Denver County to give them 9 safe seats whereas the Republicans have 6 such districts. By winning these seats, the Democrats make up some ground but remain at a 6 seat disadvantage.

The safe Republican seats are: HD 43 which pits Speaker of the House Frank McNulty against Democrat challenger Gary Semro in Douglas County; HD 45 with Rep. Carole Murray v. Tony Stoughton (D) in Douglas County; HD 48 with Stephen Humphrey (R) against John Gibson (D) in Weld County; HD 49 with Perry Buck (R) against James Shelton (D) in Weld County; HD 51 with Rep. Brian DelGrasso (R) against Mark Shaffer (D) in Larimer County; and HD 25 with Rep. Cheri Gerou (R) v. Lorna Idol (D) in Jefferson County.

The safe Democrat seats are mostly situated in Denver: HD 2 with Rep. Mark Ferrandino v. TJ Tyrell (R); HD 4 with Rep. Dan Pabon v. David Dobson (R); HD 5 with Rep. Crisanta Duran v. Ronnie Nelson (R); HD 6 with Rep. Lois Court v. Robert Hardaway (R); HD 7 with Rep. Angela Williams v. Travis French (R); HD 8 with Rep. Beth McCann v. Alan Johnson (R); HD 10 with Rep. Dickie Lee Hullinghorst v. William Eckert (R) in Boulder; HD 53 with Rep. Randy Fischer v. Jon Fye (R) in Larimer County; and HD 62 with Rep. Ed Vigil v. Timothy Walters (R) in the San Luis Valley.

Following these races, and there is little opportunity for an upset in any of them, the Republicans will be holding 16 seats to the Democrats 10 seats. With 26 seats accounted for, there is a pool of 39 races left from which the Republicans need to win 17 to hold the majority and the Democrats must win 23 to gain the majority.

Very Likely

In this category, the Republicans come back with 11 such districts to the Democrats 5. These outcomes would bring the Republicans to 27 seats - striking distance of holding the majority. The Democrats fall further behind have lost the margin that they narrowed previously. With these outcomes, the Democrats are secure in 15 seats - a full dozen behind the Republicans and not yet close to capturing the majority. With the close of this category, 42 of the 65 seats are pretty much accounted for - that is nearly two-thirds of the House. The Democrats need to win 18 seats out of the remaining 23 races to win the majority - a very formidable hill to climb. Up to this point, the Democrats were in a position that they had to win 60% of the remaining seats, if there are no Democrats who upset any Republicans in this category, the Democrat burden increases from needing 60% to having to win 78% of the remaining seats.

The Republican seats in this category are: HD 20 Rep. Bob Gardner v. Michael Goldsborough (D) in El Paso County - there is also a write in Republican in this race; HD 22 Justin Everett v. Mary Parker (D) in Jefferson County; HD 27 Rep. Libby Szabo v. Tim Allport (D) in Jefferson County; HD 37 Rep. Spencer Swalm v. Jan Spooner (D) in Arapahoe County; HD 38 Rep. Kathleen Conti v. Donovan O'Dell (D) in Arapahoe County; HD 39 Polly Lawrence v. Carla Turner (D) in Arapahoe County; HD 55 Rep. Ray Scott v. Dan Robinson (D) in Mesa County; HD 56 Rep. Kevin Priola v. Dave Rose (D) in Adams-Arapahoe counties; HD 60 James Wilson v. Pier Cohen (D) (and unaffiliated and minor party candidates) in what is largely Chaffee County; HD 63 Lois Saine v. Timothy Erickson (D) in Weld County; and HD 57 Bob Rankin v. JoAnn Baxter (D) in what is largely Garfield County.

The Democrat seats in this category are: HD 13 Rep. Claire Levy v. Adam Ochs (R) in what is mostly Boulder County; HD 24 Rep. Sue Schafer v. E.V. Lyendecker (R) in Jefferson County; HD 32 Dominick Moreno v. Paul Reimer (R) in Adams County; HD 42 Rep. Rhonda Fields v. Mike Donald (R) in Arapahoe County; and HD 52 Joann Ginal v. Bob Morain (R) in Larimer County.

It is unlikely that an upset in either the Republican or Democrat very likely seats will occur.

Likely

In this category, the Democrats make up some of the deficiency with 8 seats to the Republicans 2 seats. With these outcomes, the Republicans reach 29 of the needed 33 while the Democrats reach 23 and can now make the race for the majority competitive. These are also races where uncertainties begin to emerge and things can turn rather quickly.

The two Republican edge seats in this category are both among the most closely watched races in the election and each would represent a major upset win for the Republican. In HD 3, Brian Watson (R) faces incumbent Rep. Dan Kagan (D) in a seat that was massively changed by redistricting. The district, which used to include a sizeable segment of southwestern Denver County now is completely contained inside Arapahoe County and the registration slightly favors the Republican. However, incumbency is important and this race is expected to be competitive right to the end. I think the quality of the Republican candidate coupled with an extraordinarily committed party and strong financing give him the edge to pull the upset.

The other Republican edge seat in this category is HD 18 in El Paso County where Jennifer George (R) is challenging incumbent Rep. Pete Lee (D). Ordinarily, this district might be considered to favor the incumbent Democrat but George has mounted an exceptionally strong campaign that is well financed. The numbers slightly favor the Republicans and the Democrat registration lags both Republican and Unaffiliated. Republican and Unaffiliated registrations are nearly identical. The unions and trial lawyers have begun to make large contributions to Lee's reelection, and this one will be close. I have given the Republican an edge to pull the upset.

The Democrats are much stronger in this category than are the Republicans and are in pretty solid shape in 8 races: HD 1 Rep. Jeanne Labuda v. John Kidd (R) in Denver; HD 9 Paul Rosenthal v. Celeste Gamache

(R) in Denver; HD 12 Mike Foote v. Russ Lyman (R) in Boulder County; HD 30 Jenise May v. Mike Sheely (R) in Adams County; HD 31 Joseph Salazar v. Beth Humenik (R) in Adams County; HD 34 Steve Lebsock v. Jodina Widhalm (R) in Adams County; and HD 46 LeRoy Garcia v. Jerry Denney (R) in Pueblo County.

If the Republicans reach 29 seats with this category, they are only 4 shy of retaining the majority. If the Democrats hold all 8 of their likely districts, their total rises to 23 seats and they will have made up some of their deficit. However, this category will close the books on 52 of the 65 races, which is 80% of the House. There would be only 13 seats remaining for the two parties to capture. The Republicans need to win 4 of those 13 seats while the Democrats are still facing an uphill trek by having to win 10 of the 13 - a daunting 77%.

The Leaning Districts

This category is composed of districts that, all other factors being equal, should go to one of the candidates by a reasonable margin. However, for various reasons the districts just do not seem to be gelling as they probably should be this close to the election. In this category, the Democrats have 2 such districts and the Republicans do not have any.

The two Democrat districts are HD 12 with Rep. Jonathan Singer v. Ellyn Hilliard (R). Singer was appointed to the seat and has never run a campaign before. The numbers are very competitive, but the Republicans are down a bit in registrations. Hilliard has strong roots in the district but it is difficult to conclude that she might pull the upset. This district is centered on Longmont and the adjacent communities.

HD 33, which is Broomfield County, pits former Representative Diane Primavera (D) v. David Pigott (R). The numbers favor the Republicans, and history favors the Republicans. Primavera was unseated in 2010 and is trying for a comeback. It does not appear that the Pigott campaign has ever come together and it appears to have floundered while Primavera has run a pretty solid campaign. This should be a Republican seat, but it appears that the Republicans may have squandered the opportunity.

If the Democrats win these two seats, their total rises to 25 against the Republican 29 and the race for the majority becomes highly competitive as the races close in on the highly contested ones. However, at this point 54 of the 65 seats (over 80%) are accounted for - assuming that the analyses hold. There are only 11 seats remaining, and the Democrats must win 8 (75%) of them. The Republicans have a bit of wiggle room in that they only need win 4 of the 11 in order to hold their majority.

The Contested Races

In this category, the races get very competitive, very intense and very costly. As was done with the stratification for the Senate races, this category has been subdivided into two groups: those in which the margin appears to favor one candidate over the other by less than 3% and those which are just too close to call. These are the kinds of races where the winner may take only 51% of the vote to the challenger's 49% - sometimes the margin is even thinner.

The 3% Races

Each party has 4 districts that can be considered to be within the 3% margin for their candidate.

The Republican 3%: HD 23, Jefferson County: Rick Enstrom (R) v. Rep. Max Tyler (D); HD 28, Jefferson County: Amy Attwood (R) v. Brittany Petterson (D); HD 59, La Plata County: Rep. J. Paul Brown (R) v. Mike McLachlan (D) and HD 47, Pueblo County: Clarice Navarro-Ratzlaff v. Chuck Radosovich (D).

The Democrat 3%: HD 35, Adams County: Rep. Cherylin Peniston (D) v. Brian Vande Krol (R); HD 40, Arapahoe County: Rep. Cindy Acree (R) v. John Buckner (D); HD 50, Weld County: Rep. Dave Young (D) v. Skip Carlson (R); HD 61, Gunnison County: Rep. Millie Hamner (D) v. Debra Irvine (R) v. Kathleen Curry (U).

The HD 61 race bears some discussion. Kathleen Curry is seeking a comeback. She represented the district as a Democrat and dropped her affiliation as a Democrat. She sought to run as an unaffiliated in 2010 but was denied access to the ballot by the court that ruled she had not changed registration soon enough. She came back as an unaffiliated candidate this cycle. Rep. Hamner is from Summit County, which was added to the district by redistricting. Curry is popular and if she gains a significant number of votes, she might force the election to a plurality win among the three. There is debate as to which candidate Curry would damage more, but that overlooks the outside chance that she might win. If Curry were to win as an unaffiliated and the Republicans and Democrats split 32-32 we will have a deadlocked House with Curry being the swing vote on most every major issue.

As things stand now, I think the Republicans will gain the upset in HD 23 with Rick Enstrom, bringing their total to 30 seats.

I think the Republicans will hold HD 59 with Rep. J. Paul Brown winning a narrow victory over trial lawyer Mike McLachlan, bringing their total to 31.

The Republican in HD 47, which is largely Pueblo West, Clarice Navarro-Ratzlaff seems to have a slight edge over the Democrat Chuck Radosovich because she grew up in Otero County and the district has been a reasonably reliable Republican district. Radosovich has the clear advantage in fund raising because of the strength of the unions located in Pueblo. The 3rd Congressional District race between Sal Pace (D) and incumbent Scott Tipton (R) is a high profile race and the Democrats will push hard to maximize votes out of Pueblo County for Pace. This House race could go either way, but right now seems to favor the Republicans. If the Republican wins, it will bring their total to 32 just 1 shy of holding the majority.

The Democrats have brought out as much firepower as possible to assist Brittany Petterson in HD28 in her race against Amy Attwood (R). Attwood seems to have the current advantage because she has walked the district at least 3 times this summer. The Democrats got started late and are playing catch up, which accounts for the massive fund raising drive that is currently underway. Attwood could represent the 33rd Republican.

However, the Democrats are far from foreclosed in this category and could pull an upset in one of the seats where the Republican holds a nominal edge. But, the Democrats are also vulnerable to a potential upset.

In HD 35, incumbent Rep. Cherylin Peniston (D) is facing a very strong challenge from Brian Vande Krol (R), who came within 200 or fewer votes of winning in 2010. Redistricting actually improved the Republican registration and the race is highly competitive. Peniston is backed by the unions and trial lawyers but has reached out to groups she has not historically worked with - an indication that the Democrats know that this seat is vulnerable. The edge has to be given to Peniston because of incumbency and if she wins it will bring the Democrats to 26 seats.

The best opportunity for the Democrats to pull an upset over the Republican is in HD 40 in Arapahoe County where incumbent Rep. Cindy Acree (R) is facing a very strong challenge from John Buckner (D). This district changed in ways that have hurt the Republicans because all of Elbert County, a Republican stronghold, was removed from the district. The edge has to be given to the Democrats which would bring their total seats to 27.

As discussed just previously, the HD 61 race is a wild card with Kathleen Curry (U) playing a yet unknown role in the outcome. For Curry to win, she would have to pull significant support from the Republicans and the Democrats which will be very hard in the two most populous counties of Delta and Summit. I give incumbent Rep. Millie Hamner (D) the edge to win the district by plurality. That would bring the Democrats to 28 seats.

The Republicans had a great opportunity to upset incumbent Rep. Dave Young (D) in Greeley since he was a vacancy appointee and has never run a campaign or established much of a base in the district. However, the Republican candidate Skip Carlson has not shown great campaign skills and has mostly relied on name recognition in the district. I give the edge to Young to hold the seat, bringing the Democrats to 29.

If these races hold as analyzed, the Republicans could have held their majority before the final 3 highly contested races are determined. However, any one or two of the candidates in either party could lose their respective races. If that occurs, the Democrats might be able to secure 33 seats or come within 1 seat of that.

The Too Close to Call Races

There are three races that appear to be too close to call at this point:

HD 17, El Paso County: Rep. Mark Barker (R) v. Tony Exum (D)

HD 26, Eagle-Routt counties: Chuck McConnell (R) v. Diane Mitsch-Bush (D). Unaffiliated voters outnumber Republicans and Democrats, with Democrats coming in last.

HD 29, Jefferson County: Rep. Bob Ramirez (R) v. Tracy Kraft-Tharp (D). Registration is almost identical. Democrats have really targeted this race because it was the one that gave the Republicans the majority for the past two years.

The Summary

Going into the final weeks leading up to the election, either party has the potential of being the majority party. The Republicans have a bit easier task in holding the majority while the Democrats have to make a sustained effort to pull some victories. The Republicans need to win 4 of the 11 contested races to maintain their majority position. The Democrats must win 8 of those 11 races in order to establish the majority.

Neither party can make a mistake and suffer a significant number of upsets. Each might weather one or two upsets, but beyond that the party is in real trouble.

Which way will it go? Best guess is that the Republicans will win HD 23 with Rick Enstrom and HD 28 with Amy Attwood, bringing their total to 31.

The Democrats are likely to win all 4 of their 3% races, bringing their total to 29 - just 2 seats behind the Republicans.

That leaves the Republicans needing to win 2 seats out of the remaining 5 races but the Democrats have to win 4 of those 5 races.

Which are the bellwether races to watch on election night?

The first race to watch is HD18 in El Paso County which matches Jennifer George (R) v. Rep. Pete Lee (D). If George pulls the upset, then the Republicans can breathe a sigh of relief. If Lee holds the seat, the Democrats live to fight on.

The other immediate race is HD 3 in Arapahoe County where Brian Watson (R) is challenging incumbent Rep. Dan Kagan (D). Watson is expect to pull the upset and a tandem win between Watson and George sets the stage for a good Republican evening. If, however, Kagan holds on and wins reelection in a district that was changed to his disadvantage, then the Republicans might be weaker than they thought.

If the Democrats hold both those seats, the chances of the Republicans holding the majority are put in peril.

The third race to watch is HD 33 in Broomfield. This is a Republican seat that should not be as vulnerable as it appears to be. Democrat Diane Primavera is expected to win this race and return the seat to the Democrats. However, if she loses to the Republican, it is a harbinger of difficulty for the Democrats.

Following those 3 races, the ones to watch become the Republican 3% races. If the Republicans hold all 4 of those races, the night is looking pretty good for them. If the Democrats pull 1 or 2 upsets in these

races, things get more problematic for the Republicans. If the Democrats succeed in upsetting all 4 of those races and holding their 3% races, the tables will have turned and the Democrats are probably on their way to winning the majority.

Total Seats in Play - 65: Remaining Seats Following Each Category	Category	Republicans	Democrats
64	Uncontested Seats	1	0
54	Contested, But Safe	9	1
39	Safe	6	9
23	Very Likely	11	5
13	Likely	2	8
11	Lean	0	2
3	Contested - 8 Races	?	?
0	Contested - Too Close to Call - 3 Races	?	?
	Total	29	25