VOTINGRECORD 2009-2010 COLORADO

YOUR LEGISLATORS' VOTING RECORD ON SMALL BUSINESS ISSUES

2009-2010 SESSION: Roll call votes by your state legislators on small business issues are listed below. While the Voting Record does not reflect all elements considered by a lawmaker when voting, it can be a guide in evaluating your legislator's attitude toward small business. Please thank those legislators who supported small business.

1 **HB 09–1057:** Requires Colorado employers with more than 50 employees to allow a parent up to 18 hours of unpaid leave per academic year for the purpose of attending their children's school activities. The legislation requires, when possible, employees to give the employer up to one week's notice and allows the employer to require verification of the need to attend. HB 09–1057 places the burden of employee staffing directly on the employer, yet the school districts are exempt from having to accommodate a parent's work schedule. **A "No" vote supports the NFIB position.** Passed the House 35–30 and passed the Senate 21–13. Signed by the governor. (2009)

2 **HB 09–1170:** Requires unemployment benefits to be paid to employees who are locked out due to a labor dispute. Under Colorado unemployment law, when workers are out of the workplace due to a lock-out, the employee continues to hold the job position and is not required to seek re-employment after the labor dispute has ended. Workers who are the subjects of a lock-out are eligible to collect private funds set up through the collective bargaining unit for this purpose. **A "No" vote supports the NFIB position.** Passed the House 37–27 and passed the Senate 21–14. Vetoed by the governor. (2009)

3 **SB 09–037:** Lowers the premium surcharge on workers' compensation insurance. Lowering the premium surcharge means only enough money is collected annually to pay benefits for injured workers who have been admitted to the Major Medical Fund and the Subsequent Injury Fund. **A "Yes" vote supports the NFIB position.** Passed the Senate 32–0 and passed the House 63–1. Signed by the governor. (2009)

4 **SB 09–244:** Mandates coverage requiring the treatment of Autism Spectrum Disorder. Some estimates state SB 09–244 will raise premiums $8 to $12 per covered life monthly. With each new mandated coverage, premiums increase. **A "No" vote supports the NFIB position.** Passed the Senate 19–16 and passed the House 45–20. Signed by the governor. (2009)

5 **SB 09–281:** Clarifies the operation of Pinnacol Assurance, the workers' compensation insurer of last resort, as a political subdivision of the state, creating a legislative interim committee to study the operation of Pinnacol and requiring performance audits of Pinnacol Assurance. SB 09–281 is believed to set the stage for the state to take control of Pinnacol Assurance once again and access the reserves Pinnacol has accumulated for other state budgetary uses. **A "No" vote supports the NFIB position.** Passed the Senate 18–15 and passed the House 33–30. Signed by the governor. (2009)

6 **HB 10–1012:** Attempts to limit the use of employee surveillance by imposing severe restrictions on employers and insurance companies. Requires that the employee be provided copies of all reports received upon request and that the employer destroy all records not considered to be "useful." An expedited hearing process would have jeopardized the effective use of surveillance. **A "No" vote supports the NFIB position.** Passed the House 34–28, but was killed in a Senate Committee. (2010)

7 **HB 10–1023**: Clarifies in statute the conditions under which an employer could be held liable for hiring an individual with a criminal history. Allows an employer to hire an ex-offender and be aware of the limits of liability. **A "Yes" vote supports the NFIB position.** Passed the House 63–0 and passed the Senate 35–0. Signed by the governor. (2010)

8 **HB 10–1160:** Allows for more favorable pricing options for small businesses carrying health coverage for their employees. Allows carriers to give discounts for completing defined wellness programs. Roughly 80 percent of healthcare costs go to 20 percent of the patients. Managing costs of a minority of patients can have a substantial effect on the overall costs. **A "Yes" vote supports the NFIB position.** Passed the House 40–24 and passed the Senate 22–12. Signed by the governor. (2010)

TONY GAGLIARDI, NFIB/COLORADO STATE DIRECTOR | 303-860-1778 | WWW.NFIB.COM/CO

(VOTING RECORD)

9 **HB 10–1190:** Eliminates the tax credit for energy used in manufacturing. A greater tax burden is placed on business (increasing business costs) which can be passed on to the consumer. Businesses could also be forced to lay off employees, or even worse, go out of business. **A "No" vote supports the NFIB position.** Passed the House 35–30 and passed the Senate 18–16. Signed by the governor. (2010)

10 **SB 10–112**: Restores the ability of interested parties to examine the workers' compensation premium rates submitted by the Commissioner of Insurance. SB 10–112 puts transparency back in the rate setting process. **A "Yes" vote supported the NFIB position.** Passed the Senate 33–1 and passed the House 63–0. Signed by the governor. (2010)

VOTING KEY

Y	=	Voted "Yes"
N	=	Voted "No"
-	=	Did Not Vote
NA	=	Not Enough Votes to Complete Record

HOUSE OF REPRESENTATIVES ISSUE NUMBER	1	2	3	4	5	6	7	8	9	10	%
NFIB/CO POSITION	N	N	Y	N	N	N	Y	Y	N	Y	100%
Acree, Cindy (R, Arapahoe, Elbert) Dist 40	N	N	Y	N	N	N	Y	Y	N	Y	100%
Apuan, Dennis (D, El Paso) Dist 17	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	40%
Balmer, David (R, Arapahoe) Dist 39	N	N	Y	Y	N	N	Y	Y	N	Y	90%
Baumgardner, Randy (R,Garfield, Grand, Jackson, Moffat, Rio Blanco, Routt) Dist 57	N	N	Y	N	N	N	Y	N	N	Y	90%
Benefield, Debbie (D, Jefferson)Dist 29	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	40%
Bradford, Laura (R, Mesa) Dist 55	N	N	Y	N	N	-	Y	Y	N	Y	100%
Carroll, Terrance (D, Denver) Dist 7	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	40%
Casso, Edward (D, Adams) Dist 32	Y	Y	Y	Y	Y	N	Y	N	Y	Y	40%
Court, Lois (D, Arapahoe, Denver) Dist 6	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	30%
Curry, Kathleen (U, Eagle, Garfield, Gunnison, Hinsdale, Pitkin) Dist 61	N	Y	Y	Y	Y	N	Y	Y	N	Y	70%
Delgrosso, Brian (R, Larimer) Dist 51*	-	-	-	-	-	N	Y	Y	N	Y	100%
Ferrandino, Mark (D,Denver)Dist 2	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	30%
Fischer, Randy (D, Larimer) Dist 53	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	30%
Frangas, Jerry (D, Denver) Dist 4	Y	Y	Y	Y	N	Y	Y	N	Y	Y	40%
Gagliardi, Sara (D, Jefferson) Dist 27	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	30%
Gardner, Bob (R, El Paso, Fremont) Dist 21	N	N	Y	Y	N	N	Y	Y	N	Y	90%
Gardner, Cory (R, Adams, Cheyenne, Crowley, Kiowa, Kit Carson, Lincoln, Morgan, Washington, Yuma) Dist 61	N	N	Y	N	N	-	Y	Y	N	Y	100%
Gerou, Cheri (R, Jefferson) Dist 25	N	N	Y	N	N	N	Y	Y	N	Y	100%
Hullinghorst, Dickey Lee (D, Boulder) Dist 10	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	40%
Judd, Joel (D, Denver) Dist 5	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	40%
Kagan, Daniel (D, Arapahoe, Denver) Dist 3*	-	-	-	Y	N	Y	Y	N	Y	-	33%
Kefalas, John (D, Larimer) Dist 52	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	30%
Kerr, Andy (D, Jefferson) Dist 26	Y	Y	Y	Y	Y	Y	Y	N	Y	-	22%
Kerr, Jim (R, Jefferson) Dist 28	N	N	Y	N	N	N	-	Y	N	Y	100%
King, Steve (R, Delta, Mesa) Dist 54	N	N	Y	N	N	-	Y	Y	N	Y	100%
Labuda, Jeanne (D, Arapahoe, Denver, Jefferson) Dist 1	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	30%
Lambert, Kent (R, El Paso) Dist 14	N	N	Y	N	N	N	Y	Y	N	Y	100%

(VOTING RECORD)

HOUSE OF REPRESENTATIVES ISSUE NUMBER	1	2	3	4	5	6	7	8	9	10	%
NFIB/CO POSITION	N	N	Y	N	N	N	Y	Y	N	Y	100%
Levy, Claire (D, Boulder, Clear Creek, Gilpin) Dist 13	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	30%
Liston, Larry (R, El Paso) Dist 16	N	N	Y	N	N	N	Y	Y	N	Y	100%
Looper, Marsha (R, El Paso) Dist 19	N	N	Y	N	N	N	Y	Y	N	Y	100%
Massey, Tom (R, Chaffee, Custer, Fremont, Park, Pueblo, Saquache) Dist 60	N	N	Y	Y	N	N	Y	Y	N	Y	90%
May, Mike (R, Douglas) Dist 44	N	-	Y	N	N	N	Y	Y	N	Y	100%
McCann, Elizabeth (D, Denver) Dist 8	Y	Y	Y	Y	Y	N	Y	N	Y	Y	40%
McFayden, Liane (D, Fremont, Pueblo) Dist 47	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	40%
McKinley, Wes (D, Baca, Bent, Huerfano, Las Animas, Otero, Prowers) Dist 64	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	50%
McNulty, Frank (R, Douglas) Dist 43	N	N	Y	N	N	N	Y	Y	N	Y	100%
Merrifield, Michael (D, El Paso) Dist 18	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	30%
Middleton, Karen (D, Arapahoe) Dist 42	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	30%
Miklosi, Joe (D, Denver, Arapahoe) Dist 9	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	40%
Murray, Carole (R, Douglas, Teller) Dist 45	N	N	Y	N	N	N	Y	Y	N	Y	100%
Nikkel, B.J. (R, Larimer, Weld) Dist 49	N	N	Y	N	N	N	Y	-	N	Y	100%
Pace, Sal (D, Pueblo) Dist 46	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	30%
Peniston, Cherilyn (D, Adams) Dist 35	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	40%
Pommer, Jack (D, Boulder) Dist 11	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	30%
Primavera, Dianne (D, Adams, Boulder, Broomfield, Weld) Dist 33	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	30%
Priola, Kevin (R, Adams) Dist 30	N	N	Y	Y	N	N	Y	Y	N	Y	90%
Rice, Joe (D, Arapahoe, Jefferson) Dist 38	N	Y	Y	Y	N	N	Y	Y	N	Y	80%
Riesberg, Jim (D, Weld) Dist 50	Y	N	Y	Y	Y	Y	Y	N	Y	Y	40%
Roberts, Ellen (R, Archuleta, La Plata, Montezuma, San Juan) Dist 59	N	N	Y	N	N	N	Y	Y	N	Y	100%
Ryden, Su (D, Arapahoe) Dist 36	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	40%
Scanlan, Christine (D, Eagle, Lake, Summit) Dist 56	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	40%
Schaffer, Sue (D, Jefferson) Dist 24	N	Y	Y	Y	N	Y	Y	N	Y	Y	50%
Solano, Judy (D, Adams) Dist 31	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	40%
Sonnenberg, Jerry (R, Logan, Phillips, Sedgwick, Weld) Dist 65	N	N	Y	N	N	N	Y	N	N	Y	90%
Soper, John (D, Adams) Dist 34	Y	Y	Y	Y	N	Y	Y	N	Y	Y	40%
Stephens, Amy (R, El Paso) Dist 20	N	N	Y	Y	N	N	Y	Y	N	Y	90%
Summers, Ken (R, Jefferson) Dist 22	N	N	Y	Y	N	N	Y	Y	N	Y	90%
Swalm, Spencer (R, Arapahoe) Dist 37	N	N	Y	N	N	N	Y	Y	N	Y	100%
Tipton, Scott (R, Delta, Dolores, Montezuma, Montrose, Ouray, San Miquel) Dist 58	N	N	Y	N	-	N	-	Y	N	Y	100%
Todd, Nancy (D, Arapahoe, Denver) Dist 41	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	40%
Tyler, Max (D, Jefferson) Dist 23*	-	-	-	-	-	Y	Y	N	Y	Y	40%
Vaad, Glenn (R, Weld) Dist 48	N	N	Y	N	N	N	Y	Y	N	Y	100%
Vigil, Edward (D, Alamosa, Conejos, Costilla, Huerfano, Mineral, Pueblo, Rio Grande, Saguache) Dist 62	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	30%
Waller, Mark (R, El Paso) Dist 15	N	N	Y	N	N	N	Y	Y	N	Y	100%
Weissmann, Paul (D, Boulder) Dist 12	Y	Y	-	Y	-	Y	Y	Y	Y	Y	38%

*Legislator Substitutions: Brian DelGrosso replaced Don Marostica, Daniel Kagan replaced Anne McGihon, Max Tyler replaced Gwyn Green

(VOTING RECORD)

SENATE ISSUE NUMBER	1	2	3	4	5	6	7	8	9	10	%
NFIB/CO POSITION	N	N	Y	N	N	N	Y	Y	N	Y	100%
Bacon, Bob (D, Larimer) Dist 14	Y	Y	Y	Y	Y	-	Y	N	Y	Y	33%
Boyd, Betty (D, Jefferson) Dist 21	Y	Y	Y	Y	Y	-	Y	N	Y	Y	33%
Brophy, Greg (R, Cheyenne, Elbert, Kiowa, Kit Carson, Lincoln, Logan, Morgan, Phillips, Prowers, Sedgwick, Washington, Yuma) Dist 1	N	N	Y	N	N	-	Y	Y	N	Y	100%
Cadman, Bill (R, El Paso) Dist 10	N	N	-	N	N	-	Y	Y	N	Y	100%
Carroll, Morgan (D, Arapahoe) Dist 29	Y	Y	Y	Y	Y	-	Y	N	Y	Y	33%
Foster, Joyce (D, Denver, Arapahoe) Dist 35	Y	Y	Y	Y	Y	-	Y	N	Y	Y	33%
Gibbs, Dan (D, Boulder, Clear Creek, Gilpin, Grand, Jefferson, Summit) Dist 16	Y	Y	Y	Y	N	-	Y	Y	Y	Y	56%
Harvey, Ted (R, Douglas) Dist 30	N	N	-	N	N	-	Y	Y	N	Y	100%
Heath, Rollie (D, Boulder) Dist 18	Y	Y	Y	Y	-	-	Y	N	Y	Y	38%
Hodge, Mary (D, Adams) Dist 25	Y	Y	Y	Y	Y	-	Y	Y	Y	Y	44%
Hudak, Evie (D, Jefferson) Dist 19	Y	Y	Y	Y	Y	-	Y	N	Y	N	22%
Johnston, Michael (D, Denver, Arapahoe) Dist 33*	-	-	-	-	-	-	Y	Y	Y	-	NA
Keller, Maryanne (D, Jefferson) Dist 20	Y	Y	Y	Y	Y	-	Y	Y	Y	Y	44%
Kester, Ken (R, Baca, Bent, Crowley, Custer, Fremont, Huerfano, Las Animas, Otero, Pueblo) Dist 2	N	N	Y	N	N	-	Y	Y	N	Y	100%
King, Keith (R, El Paso) Dist 12	N	N	Y	N	N	-	Y	Y	N	Y	100%
Kopp, Mike (R, Jefferson) Dist 22	N	N	Y	N	N	-	Y	Y	-	Y	100%
Lundberg, Kevin (R, Larimer) Dist 15	N	N	Y	N	N	-	Y	Y	N	Y	100%
Mitchell, Shawn (R, Adams, Broomfield, Weld) Dist 23	-	N	Y	N	N	-	Y	Y	N	Y	100%
Morse, John (D, El Paso) Dist 11	Y	Y	Y	Y	Y	-	Y	N	Y	Y	33%
Newell, Linda (D, Arapahoe, Jefferson) Dist 26	Y	Y	Y	Y	Y	-	Y	Y	Y	Y	44%
Penry, Josh (R, Garfield, Mesa) Dist 7	N	N	Y	N	-	-	Y	Y	N	Y	100%
Renfroe, Scott (R, Weld) Dist 13	N	N	Y	N	N	-	Y	Y	N	Y	100%
Romer, Chris (D, Denver, Jefferson) Dist 32	Y	Y	-	Y	Y	-	Y	Y	Y	Y	38%
Sandoval, Paula (D, Denver) Dist 34	Y	Y	Y	Y	N	-	Y	N	N	Y	56%
Scheffel, Mark (D, Douglas, El Paso, Lake, Park, Teller) Dist 4	N	N	Y	N	N	-	Y	Y	N	Y	100%
Schultheis, David (R, El Paso) Dist 9	N	N	Y	N	N	-	Y	-	N	Y	100%
Schwartz, Gail (D, Alamosa, Chaffee, Conejos, Costilla, Delta, Gunnison, Hinsdale, Mineral, Pitkin, Rio Grande, Saguache) Dist 5	Y	Y	Y	N	N	-	Y	Y	N	Y	78%
Shaffer, Brandon (D, Boulder) Dist 17	Y	Y	Y	Y	Y	-	Y	N	Y	Y	33%
Spence, Nancy (R, Arapahoe) Dist 27	N	N	Y	N	N	-	Y	Y	N	Y	100%
Steadman, Pat (D, Denver, Adams) Dist 31*	-	-	-	-	-	-	Y	N	Y	Y	NA
Tapia, Abel (D, Pueblo) Dist 3	Y	Y	Y	Y	Y	-	Y	N	Y	Y	33%
Tochtrop, Lois (D, Adams) Dist 24	Y	Y	Y	Y	Y	-	Y	N	Y	Y	33%
White, Al (R, Routt, Jackson, Moffat, Rio Blanco, Garfield, Eagle) Dist 8	N	N	Y	N	Y	-	Y	Y	N	Y	89%
Whitehead, Bruce (D, Archuleta, Dolores, La Plata, Montezuma, Ouray, San Juan, San Miguel) Dist 6*	-	-	-	-	-	-	Y	Y	N	Y	NA
Williams, Suzanne (D, Arapahoe) Dist 28	Y	Y	Y	Y	Y	-	Y	Y	Y	Y	44%

*Legislator Substitutions: Michael Johnston replaced Peter Groff, Pat Steadman replaced Jennifer Veiga, Bruce Whitehead replaced Jim Isgar