

2008 EDITION
COLORADONFIB
The Voice of Small Business.®

VOTING RECORD

YOUR LEGISLATORS' VOTING RECORD ON SMALL BUSINESS ISSUES

2007–2008 SESSION: Roll call votes by state legislators on those issues where NFIB had an official position, and where a Key Vote card was used to alert lawmakers that the issue was important to small business, are listed below. The *Voting Record* is only one measure of a legislator's performance. A vote tally does not indicate which legislators represented small business interests in committees or behind the scenes. However, the record does indicate their positions when asked to vote on key issues on the floor of the House or the Senate. Please take the time to thank those legislators who supported legislation important to small business.

1. HB08-1225: Concerning an increase in the property tax exemption for business personal property, and making an appropriation in connection therewith. The exemption from the personal property tax would increase from the current \$2,500 to \$7,000 in three steps: \$4,000 for 2008, \$5,500 for 2009 and 2010, and then \$7,000 for 2011 and 2012. For 2013 and afterwards, the amount would be increased to adjust for inflation on a two-year cycle. NFIB has consistently called for an elimination of the business personal property tax. **A "Yes" vote supports the NFIB/Colorado position.** Passed the House 61–0 and passed the Senate 34–0. (2008)

2. HB08-1325: Concerning the Colorado nonimmigrant agricultural seasonal worker pilot program, and making an appropriation therefore. The pilot program would expedite the seasonal worker application so that eligible workers could come to Colorado legally, safely and in a timely manner, while retaining the federal requirements for fingerprinting and screening applicants. It would also allow Colorado to enter into voluntary agreements with foreign countries for the purpose of expediting the

seasonal worker application. The program would help ensure that seasonal workers are available to the businesses that need them and give Colorado the opportunity to be viewed as an advocate for change. **A "Yes" vote supports the NFIB/Colorado position.** Passed the House 46–18 and passed the Senate 20–15. (2008)

3. SB08-164: Concerning the alignment of the limitation on damages for noneconomic loss or injury in actions brought pursuant to the Health Care Availability Act, with the limitation on damages for noneconomic loss or injury in general civil actions. The cap on noneconomic damages would be raised and a new category of damages for disfigurement would be created. These changes would adversely affect the practices of health care professionals by increasing liability, and would therefore increase the cost of health care. Small business owners and their employees are already at a breaking point concerning the affordability of health insurance coverage. **A "No" vote supports the NFIB/Colorado position.** Passed the Senate 18–16 and was postponed indefinitely in the House committee. (2008)

4. HB08-1393: Concerning the creation of a consumer guide to hospital charges that includes insurance reimbursement rates for diagnostic related groups, and making an appropriation therefore. Healthcare providers and carriers would be required to share more information on prices and reimbursement rates. Information technology should enable all parties to access accurate, user-friendly information on costs, quality and outcomes. Such transparency is one of the key principles of reform supported by NFIB in its national small business health-care reform campaign. **A "Yes" vote supports the NFIB/Colorado position.** Passed the House 62–2 and passed the Senate 35–0. (2008)

5. SB07-117: Concerning the award of financial recompense for legal expenses to a prevailing party in a civil action to remedy unfair employment practices regarding legal activities of the employee conducted off the premises of the employer. The plaintiff bringing the lawsuit for unfair employment practices would no longer be required to pay attorney's fees and court costs should the plaintiff lose the case. Employers could face unwarranted lawsuits from terminated employees, who felt they were terminated because of their activities when off of work, if the "loser pays" provision were no longer in place. **A "No" vote supports the NFIB/Colorado position.** Passed the House 36–29 and passed the Senate 19–14. (2007)

6. SB07-036: Concerning the inclusion of certain additional mental disorders in the mandatory health

insurance coverage for mental illness, and, in connection therewith, making an appropriation. The mental health mandatory coverage would include additional mental health disorders. Additional mandates to large or small group insurance, at a time when discussion is centered on getting more individuals insured and reducing premiums, and at a time when the Senate Bill 208 Commission is still active, is not supported by NFIB/Colorado. **A “No” vote supports the NFIB/Colorado position.** Passed the House 45–19 and passed the Senate 25–9. (2007)

7. HB07-1325: Concerning an increase in the property tax exemption for business personal property, and making an appropriation therefore. The exemption from the personal property tax would

increase from the current \$2,500 to \$7,000 in three steps: \$4,000 for 2007, \$5,500 for 2008 and 2009, and then \$7,000 for 2010 and 2011. For 2012 and afterwards, the amount would be increased to adjust for inflation on a two-year cycle. NFIB has consistently called for an elimination of the business personal property tax. **A “Yes” vote supports the NFIB/Colorado position.** Passed the House 63–0 and postponed indefinitely in the Senate committee. (2007)

8. HB07-1072: Concerning the elimination of the requirements for a vote ratifying an all-union agreement. Unions would be allowed to close shop on a first, simple majority ballot, and workers choosing not to join the closed shop would be required to still pay a fee for union representation. The Colorado Labor

Peace Act, which has kept the state from losing competitive advantage to its neighboring right-to-work states, established the requirement that labor unions seek a second, super-majority vote in order to become the bargaining agent for a company’s workers. **A “No” vote supports the NFIB/Colorado position.** Passed the House 35–29 and passed the Senate 19–15. (2007)

Voting Key

- Y** = Vote in support of proposed legislation
- N** = Vote in opposition of proposed legislation
- = Replaced former legislator during term of office
- *** = Excused, absent or no vote taken on issue
- N/A** = Minimum of five votes required for tabulation
- %** = Percentage of votes favorable to NFIB position

COLORADO HOUSE	
ISSUE NUMBER	1 2 3 4 5 6 7 8 %
NFIB/COLORADO POSITION	Y Y N Y N N Y N 100%
BALMER, DAVID (R, ARAPAHOE) DIST 39	Y Y * Y N N Y N 100%
BENEFIELD, DEBBIE (D, JEFFERSON) DIST 29	Y Y * Y Y Y Y Y 57%
BORODKIN, ALICE (D, DENVER, ARAPAHOE) DIST 9	Y Y * Y Y Y Y N 71%
*BRUCE, DOUGLAS (R, EL PASO) DIST 15	Y N * N - - - - N/A
BUESCHER, BERNIE (D, MESA) DIST 55	Y Y * Y N Y Y N 86%
BUTCHER, DOROTHY (D, PUEBLO) DIST 46	Y * * Y Y Y Y Y 50%
CARROLL, MORGAN (D, ARAPAHOE) DIST 36	Y N * Y Y Y Y Y 43%
CARROLL, TERRANCE (D, DENVER) DIST 7	Y Y * * Y Y Y Y 50%
CASSO, EDWARD (D, ADAMS) DIST 32	Y Y * Y Y Y Y Y 57%
CURRY, KATHLEEN (D, EAGLE, GARFIELD, GUNNISON, HINSDALE, PITKIN) DIST 61	Y Y * Y Y Y Y Y 57%
*FERRANDINO, MARK (D, DENVER) DIST 2	Y N * Y - - - - N/A
FISCHER, RANDY (D, LARIMER) DIST 53	Y Y * Y Y Y Y Y 57%
FRANGAS, JERRY (D, DENVER) DIST 4	* Y * Y Y Y Y Y 50%

COLORADO HOUSE	
ISSUE NUMBER	1 2 3 4 5 6 7 8 %
NFIB/COLORADO POSITION	Y Y N Y N N Y N 100%
GAGLIARDI, SARA (D, JEFFERSON) DIST 27	Y N * Y Y Y Y Y 43%
GALLEGOS, RAFAEL (D, CONEJOS, ALAMOSA, COSTILLA, HUERFANO, MINERAL, PUEBLO, RIO GRANDE, SAGUACHE) DIST 62	Y Y * Y Y Y Y Y 57%
GARDNER, BOB (R, EL PASO, FREMONT) DIST 21	Y Y * N N N Y N 86%
GARDNER, CORY (R, ADAMS, CHEYENNE, CROWLEY, KIOWA, KIT CARSON, LINCOLN, MORGAN, WASHINGTON, YUMA) DIST 63	Y N * Y N N Y N 86%
GARZA HICKS, STELLA (R, EL PASO) DIST 17	Y Y * Y N N Y N 100%
GREEN, GWYN (D, JEFFERSON) DIST 23	Y Y * Y Y * * Y 60%
HODGE, MARY (D, ADAMS) DIST 30	Y Y * Y Y Y Y Y 57%
JAHN, CHERI (D, DENVER) DIST 24	* Y * Y N Y Y N 83%
JUDD, JOEL (D, DENVER) DIST 5	Y Y * Y Y Y Y Y 57%
KEFALAS, JOHN (D, LARIMER) DIST 52	Y Y * Y Y Y Y Y 57%
KERR, ANDY (D, JEFFERSON) DIST 26	Y Y * Y Y Y Y Y 57%
KERR, JAMES (R, JEFFERSON) DIST 28	Y N * Y N N Y N 86%

COLORADO HOUSE ISSUE NUMBER NFIB/COLORADO POSITION	1 Y	2 Y	3 N	4 Y	5 N	6 N	7 Y	8 N	% 100%
KING, STEVE (R, DELTA, MESA) DIST 54	Y	N	*	Y	N	N	Y	N	86%
LABUDA, JEANNE (D, ARAPAHOE, DENVER, JEFFERSON) DIST 1	Y	Y	*	Y	Y	Y	Y	Y	57%
LAMBERT, KENT (R, EL PASO) DIST 14	Y	Y	*	Y	N	N	Y	N	100%
LEVY, CLAIRE (D, BOULDER, CLEAR CREEK, GILPIN) DIST 13	Y	Y	*	Y	Y	Y	Y	Y	57%
LISTON, LARRY (R, EL PASO) DIST 16	Y	Y	*	Y	N	N	Y	N	100%
LOOPER, MARSHA (R, EL PASO) DIST 19	Y	Y	*	Y	N	N	Y	N	100%
LUNDBERG, KEVIN (R, LARIMER, WELD) DIST 49	Y	Y	*	Y	N	N	Y	N	100%
MADDEN, ALICE (D, BOULDER) DIST 10	Y	Y	*	Y	Y	Y	Y	Y	57%
MAROSTICA, DON (R, LARIMER) DIST 51	Y	Y	*	Y	N	N	Y	N	100%
MARSHALL, ROSEMARY (D, DENVER) DIST 8	Y	N	*	Y	Y	Y	Y	Y	43%
MASSEY, TOM (R, CHAFFEE, CUSTER, FREMONT, PARK, PUEBLO, SAGUACHE) DIST 60	Y	Y	*	Y	N	Y	Y	N	86%
MAY, MIKE (R, DOUGLAS) DIST 44	Y	N	*	Y	N	N	Y	N	86%
MCFADYEN, LIANE (D, FREMONT, PUEBLO) DIST 47	Y	Y	*	Y	Y	Y	Y	*	67%
MCGIHON, ANNE L. (D, ARAPAHOE, DENVER) DIST 3	Y	Y	*	Y	Y	Y	Y	Y	57%
MCKINLEY, WES (D, BACA, BENT, HUERFANO, LAS ANIMAS, OTERO, PROWERS) DIST 64	Y	Y	*	Y	Y	Y	Y	Y	57%
MCNULTY, FRANK (R, DOUGLAS) DIST 43	Y	N	*	Y	N	N	Y	N	86%
MERRIFIELD, MIKE (D, EL PASO) DIST 18	Y	Y	*	Y	Y	Y	* Y		50%
*MIDDLETON, KAREN (D, ARAPAHOE) DIST 42	*	Y	*	Y	-	-	-	-	N/A
MITCHELL, VICTOR (R, DOUGLAS, TELLER) DIST 45	Y	N	*	Y	N	N	Y	N	86%
PENISTON, CHERYLIN (D, ADAMS) DIST 35	Y	Y	*	Y	Y	Y	Y	Y	57%
POMMER, JACK (D, BOULDER) DIST 11	Y	N	*	Y	Y	Y	Y	Y	43%
PRIMAVERA, DIANNE (D, ADAMS, BOULDER, BROOMFIELD, WELD) DIST 33	Y	N	*	Y	Y	Y	Y	Y	43%

COLORADO HOUSE ISSUE NUMBER NFIB/COLORADO POSITION	1 Y	2 Y	3 Y	4 N	5 Y	6 N	7 Y	8 N	% 100%
RICE, JOE (D, ARAPAHOE, JEFFERSON) DIST 38	Y	Y	*	Y	N	Y	Y	Y	71%
RIESBERG, JAMES (D, WELD) DIST 50	Y	Y	*	Y	Y	Y	Y	Y	57%
ROBERTS, ELLEN (R, ARCHULETA, LA PLATA, MONTEZUMA, SAN JUAN) DIST 59	Y	Y	*	Y	N	Y	Y	N	86%
ROMANOFF, ANDREW (D, ARAPAHOE, DENVER) DIST 6	Y	N	*	Y	Y	Y	Y	Y	43%
ROSE, RAYMOND (R, DELTA, DOLORES, MONTEZUMA, MONTROSE, OURAY, SAN MIGUEL) DIST 58	*	Y	*	Y	N	N	Y	N	100%
*SCANLAN, CHRISTINE (D, EAGLE, LAKE, SUMMIT) DIST 56	Y	Y	*	Y	-	-	-	-	N/A
SOLANO, JUDY (D, ADAMS) DIST 31	Y	Y	*	Y	Y	Y	Y	Y	57%
SONNENBERG, JERRY (R, LOGAN, PHILLIPS, SEDGEWICK, WELD) DIST 65	Y	Y	*	Y	N	N	Y	N	100%
SOPER, JOHN (D, ADAMS) DIST 34	Y	Y	*	Y	Y	Y	Y	Y	57%
STAFFORD, DEBBIE (D, ARAPAHOE, ELBERT) DIST 40	Y	Y	*	Y	N	Y	Y	N	86%
STEPHENS, AMY (R, EL PASO) DIST 20	Y	N	*	Y	N	Y	Y	N	71%
SUMMERS, KEN (R, JEFFERSON) DIST 22	Y	N	*	Y	N	Y	Y	N	71%
SWALM, SPENCER (R, ARAPAHOE) DIST 37	Y	Y	*	Y	N	N	Y	N	100%
TODD, NANCY (D, ARAPAHOE) DIST 41	Y	Y	*	Y	Y	Y	Y	Y	57%
VAAD, GLENN (R, WELD) DIST 48	Y	Y	*	Y	N	N	Y	N	100%
WEISSMANN, PAUL (D, BOULDER) DIST 12	Y	N	*	Y	Y	Y	Y	Y	43%
WHITE, AL (R, GARFIELD, GRAND, JACKSON, MOFFAT, RIO BLANCO, ROUTT) DIST 57	Y	Y	*	Y	N	Y	Y	N	86%
WITWER, ROB (R, JEFFERSON) DIST 25	Y	N	*	Y	N	Y	Y	N	71%

***LEGISLATOR SUBSTITUTIONS**
 DOUGLAS BRUCE REPLACED BILL CADMAN
 MARK FERRANDINO REPLACED MICHAEL GARCIA
 KAREN MIDDLETON REPLACED MIKE CERBO
 CHRISTINE SCANLAN REPLACED DAN GIBBS

YOUR LEGISLATORS' VOTING RECORD ON SMALL BUSINESS ISSUES

COLORADO SENATE		COLORADO SENATE	
ISSUE NUMBER	1 2 3 4 5 6 7 8 %	ISSUE NUMBER	1 2 3 4 5 6 7 8 %
NFIB/COLORADO POSITION	Y Y N Y N N Y N 100%	NFIB/COLORADO POSITION	Y Y N Y N N Y N 100%
BACON, BOB (D, LARIMER) DIST 14	Y Y Y Y Y Y * Y 43%	SCHULTHEIS, DAVID (R, EL PASO) DIST 9	Y N N Y N * * N 83%
BOYD, BETTY (D, JEFFERSON) DIST 21	Y Y Y Y Y Y * Y 43%	SCHWARTZ, GAIL (D, ALAMOSA, CHAFFEE, CONEJOS, COSTILLA, DELTA, GUNNISON, HINSDALE, MINERAL, PITKIN, RIO GRANDE, SAGUACHE) DIST 5	Y Y Y Y * Y * Y 50%
BROPHY, GREG (R, CHEYENNE, ELBERT, KIOWA, KIT CARSON, LINCOLN, LOGAN, MORGAN, PHILLIPS, PROWERS, SEDGWICK, WASHINGTON, YUMA) DIST 1	Y N N Y N N * N 86%	SHAFFER, BRANDON (D, BOULDER) DIST 17	Y N Y Y Y Y * Y 29%
*CADMAN, BILL (R, EL PASO) DIST 10	Y N N Y - - * - N/A	SPENCE, NANCY (R, ARAPAHOE) DIST 27	Y Y N Y N Y * N 86%
*GIBBS, DAN (D, BOULDER, CLEAR CREEK, GILPIN, GRAND, JEFFERSON, SUMMIT) DIST 16	Y Y Y Y - - * - N/A	TAKIS, STEPHANIE (D, ADAMS) DIST 25	Y N Y Y Y Y * Y 29%
GORDON, KEN (D, ARAPAHOE, DENVER) DIST 35	Y Y Y Y Y Y * * 50%	TAPIA, ABEL (D, PUEBLO) DIST 3	Y Y Y Y Y Y * Y 43%
GROFF, PETER (D, ADAMS, DENVER) DIST 33	Y N Y Y Y Y * Y 29%	TAYLOR, JACK (R, EAGLE, GARFIELD, JACKSON, MOFFAT, RIO BLANCO, ROUTT) DIST 8	Y Y N Y Y Y * N 71%
HAGEDORN, BOB (D, ARAPAHOE) DIST 29	Y Y N Y Y Y * Y 57%	TOCHTROP, LOIS (D, ADAMS) DIST 24	* Y Y Y Y Y * Y 33%
HARVEY, TED (R, DOUGLAS) DIST 30	Y N N Y N Y * N 71%	TUPA, RON (D, BOULDER) DIST 18	Y N Y Y Y Y * Y 29%
ISGAR, JIM (D, ARCHULETA, DOLORES, LA PLATA, MONTEZUMA, MONTROSE, OURAY, SAN JUAN, SAN MIGUEL) DIST 6	Y Y Y Y Y Y * Y 43%	VEIGA, JENNIFER (D, ADAMS, DENVER) DIST 31	Y Y Y Y Y Y * Y 43%
JOHNSON, STEVE (R, LARIMER) DIST 15	Y Y N Y N Y * N 86%	WARD, STEVE (R, ARAPAHOE, JEFFERSON) DIST 26	Y N N Y N N * N 86%
KELLER, MARYANNE (D, JEFFERSON) DIST 20	Y Y Y Y * Y * Y 50%	WIENS, TOM (R, DOUGLAS, EL PASO, LAKE, PARK, TELLER) DIST 4	Y N N Y N N * N 86%
KESTER, KENNETH (R, BACA, BENT, CROWLEY, CUSTER, FREMONT, HUERFANO, LAS ANIMAS, OTERO, PUEBLO) DIST 2	Y Y N Y N Y * N 86%	WILLIAMS, SUZANNE (D, ARAPAHOE, DENVER) DIST 28	Y Y Y Y Y Y * Y 43%
KOPP, MIKE (R, JEFFERSON) DIST 22	Y N N Y N N * N 86%	WINDELS, SUE (D, JEFFERSON) DIST 19	Y Y Y Y Y Y * Y 43%
MCELHANY, ANDREW (R, EL PASO) DIST 12	Y Y N Y N N * N 100%		
MITCHELL, SHAWN (R, ADAMS, BROOMFIELD, WELD) DIST 23	Y N N Y N N * N 86%		
MORSE, JOHN (D, EL PASO) DIST 11	Y N Y Y Y Y * Y 29%		
PENRY, JOSHUA (R, GARFIELD, MESA) DIST 7	Y N N Y N N * N 86%		
RENFROE, SCOTT (R, WELD) DIST 13	Y N N Y N N * N 86%		
ROMER, CHRIS (D, DENVER, JEFFERSON) DIST 32	Y Y Y Y Y Y * Y 43%		
SANDOVAL, PAULA (D, DENVER) DIST 34	Y Y * Y Y Y * Y 50%		
		<i>*LEGISLATOR SUBSTITUTIONS</i>	
		BILL CADMAN REPLACED RON MAY	
		DAN GIBBS REPLACED JOAN FITZ-GERALD	