

NFIB

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VOTING RECORD INSIDE

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VOTING RECORD

YOUR LEGISLATORS' VOTING RECORD ON SMALL BUSINESS ISSUES 2016 EDITION

Roll call votes by your state legislators on key small business issues are listed inside. Although this Voting Record does not reflect all elements considered by a lawmaker when voting, nor does it represent a complete profile of a legislator, it can be a guide in evaluating your legislator's attitudes toward small business. Please thank those legislators who supported small business.

- 1. Pay Equity (HB 1133)** would have reconvened the Pay Equity Commission that expired in 2015 to evaluate the status of pay equity in the state and allow the commission to propose legislation for the required implementation of pay equity standards that likely would have exceeded Federal law and opened up small businesses to new lawsuits. **NFIB requested a NO vote.** Passed the House 36–28–1, failed in the Senate State Affairs committee.
- 2. Minimum Wage (HB 1300)** would have removed the state pre-emption on local governments setting their own minimum wage levels. **NFIB requested a NO vote.** Passed the House 34–30–1, failed in Senate State Affairs.
- 3. Health Exchange Audit (SB 019)** directs the State Auditor's office to conduct a performance audit of the Colorado health benefit exchange. This bill was in response to critical reports by the State Auditor's office in the operation of the Colorado health benefit exchange. **NFIB requested a YES vote.** Passed the Senate 35–0, passed the House of Representatives 64–1. Signed by the Governor April 3, 2015.
- 4. Repeal Punitive Damages (SB 069)** would have repealed the "Job Protection and Civil Rights Enforcement Act of 2013," which allows for employees to file all employment discrimination lawsuits against their employer in state court as well as allowing for punitive damages to be awarded. **NFIB requested a YES vote.** Passed the Senate 19–16, failed House State Affairs.
- 5. Regulations (SB 078)** would have required Legislative Council to assemble notices of Business Fiscal Impacts indicating the actual cost to small businesses of new regulations enacted by the General Assembly. **NFIB requested a YES vote.** Passed the Senate 18–17, failed in House State Affairs.
- 6. Regulatory Fines (SB 180)** would have allowed a small business to be exempt from monetary fines for minor rules infractions of any new regulation not affecting the health, safety or wellness of the public by enacting the "Regulatory Reform Act of 2015." **NFIB requested a YES vote.** Passed the Senate 20–14–1, failed in House State Affairs.
- 7. Employment (HB 1114)** eliminates the duplicate reporting requirement affirming all new employees are eligible to work in the United States and affirming the employer has completed the I-9 form required by the Federal government. **NFIB requested a YES vote.** Passed the House 65–0, passed the Senate 35–0. Signed by the Governor.
- 8. Salary History (HB 1166)** would have made it an unfair employment practice for an employer to seek salary history about an applicant for employment. **NFIB requested a NO vote.** Passed the House 34–31, failed Senate State Affairs.
- 9. Ban the Box (HB 1388)** would have required an employer to wait until an interview was granted or a job offer had been extended to an applicant before the employer could request information about an employee's or job applicant's criminal history. This legislation is commonly referred to as "Ban the Box." **NFIB requested a NO vote.** Passed the House 35–29–1, failed Senate State Affairs.
- 10. Taxes (HB 1420)** would have removed the Hospital Provider Fee program from the restrictions of TABOR and allowed excess earnings to be used for other purposes such as transportation and education. The HPPF is designed to increase the state's dollar for dollar match with Federal funding assisting hospitals in the state with the cost of uncompensated care. **NFIB requested a NO vote.** Passed the House 39–26, failed in Senate Finance.
- 11. Taxes (SB 002)** would have required voter approval for any increase in taxes for the operation of the Colorado Health Benefit Exchange. Currently the board of

the Colorado Health Benefit Exchange is allowed to raise dollars by the use of assessments on all health plans issued by companies providing coverage in the state. These assessments are passed along to the customer raising the cost of their healthcare coverage. **NFIB requested a YES vote.** Passed the Senate 18–17, failed House State Affairs.

12. Appeals Process (SB 036) removes requirements placed on a taxpayer when the taxpayer appeals a tax bill that the state and local government claims is due. The tax payer would no longer be required to place the entire amount due in an escrow account with the Executive Director of Revenue or obtain a bond for two times the amount that the state or local government claims is due. **NFIB requested a YES vote.** Passed the Senate 34–0–1, passed the House 65–0. Signed by the Governor June 10, 2016.

13. Penalties (SB 117) would have limited the ability of a state agency to impose a fine for a minor rule violation, not having adverse effect on the health, safety or welfare of the public, of a dollar amount arbitrarily

determined. **NFIB requested a YES vote.** Passed the Senate 18–16–1, failed in House Finance.

14. Independent Contractors (SB 179) improves the processes used by the department of labor and employment regarding employment classifications of an individual hired as an independent contractor. Requires the department of labor and employment assist employers in the determination of the correct classification of individuals who are independent contractors. **NFIB requested a YES vote.** Passed the Senate 34–0–1, passed the House 65–0. Signed by the Governor June 10, 2016.

15. Tax Expenditures (SB 203) establishes a process to evaluate the effectiveness of state tax expenditures. This bill does not revoke or modify tax credits and exemptions but rather allows the State Auditor to conduct evaluations determining if the tax credit or exemption is meeting the desired purpose. **NFIB requested a YES vote.** Passed the Senate 35–0, passed the House 65–0. Signed by the Governor June 6, 2016.

VOTING KEY

Y	=	Voted Yes	%	=	Percentage of Votes Favorable to NFIB Position
N	=	Voted No	N/A	=	Not Enough Votes to Score (5 Required)
*	=	Did Not Vote			

SENATE VOTING RECORD

ISSUE NUMBER	3	4	5	6	7	11	12	13	14	15	%
NFIB POSITION	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	100%
Jerry Sonnenberg (R-Sterling, Dist. 1)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	100%
Kevin Grantham (R-Clear Creek, Dist. 2)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	100%
Leroy M. Garcia Jr. (D-Pueblo, Dist. 3)	Y	N	N	N	Y	N	Y	N	Y	Y	50%
Mark Scheffel (R-Douglas, Dist. 4)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	100%
Kerry Donovan (D-Eagle, Dist. 5)	Y	N	N	N	Y	N	Y	N	Y	Y	50%
Ellen Roberts (R-Durango, Dist. 6)	Y	Y	Y	Y	Y	Y	*	Y	Y	Y	100%
Ray Scott (R-Mesa, Dist. 7)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	100%
Randy Baumgardner (R- Garfield, Dist. 8)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	100%

ISSUE NUMBER	3	4	5	6	7	11	12	13	14	15	%
NFIB POSITION	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	100%
Kent Lambert (R-El Paso, Dist. 9)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	100%
Owen Hill (R-El Paso, Dist. 10)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	100%
Michael Merrifield (D-El Paso, Dist. 11)	Y	N	N	N	Y	N	Y	N	Y	Y	50%
Bill Cadman (R-El Paso, Dist. 12)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	100%
John Cooke (R-Weld, Dist. 13)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	100%
John Kefalas (D-Larimer, Dist. 14)	Y	N	N	Y	Y	N	Y	N	Y	Y	60%
Kevin Lundberg (R-Larimer, Dist. 15)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	100%
Tim Neville (R-Jefferson, Dist. 16)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	100%
Matt Jones (D-Boulder, Dist. 17)	Y	N	N	N	Y	N	Y	N	Y	Y	50%
Rollie Heath (D-Boulder, Dist. 18)	Y	N	N	N	Y	N	Y	N	Y	Y	50%
Laura Woods (R-Jefferson, Dist. 19)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	100%
Cheri Jahn (D-Jefferson, Dist. 20)	Y	Y	N	Y	Y	N	Y	N	Y	Y	70%
Jessie Ullbarri (D-Adams, Dist. 21)	Y	N	N	N	Y	N	Y	N	*	Y	44%
Andy Kerr (D-Jefferson, Dist. 22)	Y	N	N	N	Y	N	Y	N	Y	Y	50%
Vicki Marble (R-Larimer, Dist. 23)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	100%
Beth Martinez Humenik (R-Adams, Dist. 24)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	100%
Mary Hodge (D-Adams, Dist. 25)	Y	N	N	Y	Y	N	Y	N	Y	Y	60%
Linda Newell (D-Arapahoe, Dist. 26)	Y	N	N	Y	Y	N	Y	N	Y	Y	60%
Jack Tate (R-Arapahoe, Dist. 27) ¹	*	*	*	*	Y	Y	Y	Y	Y	Y	100%
Nancy Todd (D-Arapahoe, Dist. 28)	Y	N	N	N	Y	N	Y	N	Y	Y	50%
Morgan Carroll (D-Arapahoe, Dist. 29)	Y	N	N	N	Y	N	Y	*	Y	Y	56%
Chris Holbert (R-Douglas, Dist. 30)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	100%
Pat Steadman (D-Denver, Dist. 31)	Y	N	N	N	Y	N	Y	N	Y	Y	50%
Irene Aguilar (D-Denver, Dist. 32)	Y	N	N	N	Y	N	Y	N	Y	Y	50%
Michael Johnston (D-Denver, Dist. 33)	Y	N	N	*	Y	N	Y	N	Y	Y	56%
Lucia Guzman (D-Denver, Dist. 34)	Y	N	N	N	Y	N	Y	N	Y	Y	50%
Larry Crowder (R-Alamosa, Dist. 35)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	100%

1: Jack Tate replaced David Balmer

HOUSE OF REPRESENTATIVES VOTING RECORD

ISSUE NUMBER	1	2	3	7	8	9	10	12	14	15	%
NFIB POSITION	N	N	Y	Y	N	N	N	Y	Y	Y	100%
Susan Lontine (D-Denver, Dist. 1)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Alec Garnett (D-Denver, Dist. 2)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Daniel Kagan (D-Arapahoe, Dist. 3)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Dan Pabon (D-Denver, Dist. 4)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Crisanta Duran (D-Denver, Dist. 5)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Lois Court (D-Denver, Dist. 6)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Angela Williams (D-Denver, Dist. 7)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Beth McCann (D-Denver, Dist. 8)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Paul Rosenthal (D-Arapahoe, Dist. 9)	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	40%
Dickey Lee Hullinghorst (D-Boulder, Dist. 10)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Jonathan Singer (D-Boulder, Dist. 11)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Mike Foote (D-Boulder, Dist. 12)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
KC Becker (D-Boulder, Dist. 13)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Dan Nordberg (R-El Paso, Dist. 14)	N	N	Y	Y	N	N	N	Y	Y	Y	100%
Gordon Klingenschmitt (R-El Paso, Dist. 15)	N	N	Y	Y	N	N	N	Y	Y	Y	100%
Janak Joshi (R-El Paso, Dist. 16)	N	N	Y	Y	N	N	N	Y	Y	Y	100%
Kit Roupe (R-El Paso, Dist. 17)	Y	N	Y	Y	N	N	Y	Y	Y	Y	80%
Pete Lee (D-El Paso, Dist. 18)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Paul Lundeen (R-El Paso, Dist. 19)	N	N	Y	Y	N	N	N	Y	Y	Y	100%
Terri Carver (R-El Paso, Dist. 20)	N	N	Y	Y	N	N	N	Y	Y	Y	100%
Lois Landgraf (R-El Paso, Dist. 21)	N	N	Y	Y	N	N	N	Y	Y	Y	100%
Justin Everett (R-Jefferson, Dist. 22)	N	N	Y	Y	N	N	N	Y	Y	Y	100%
Max Tyler (D-Jefferson, Dist. 23)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Jessie Danielson (D-Jefferson, Dist. 24)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Tim Leonard (R-Jefferson, Dist. 25) ¹	*	*	*	Y	N	N	N	Y	Y	Y	100%
Diane Mitsch Bush (D-Eagle, Dist. 26)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Lang Sias (R-Jefferson, Dist. 27) ²	N	*	Y	Y	N	N	N	Y	Y	Y	100%
Brittany Pettersen (D-Jefferson, Dist. 28)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Tracy Kraft-Tharp (D-Jefferson, Dist. 29)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
JoAnn Windholz (R-Adams, Dist. 30)	N	N	Y	Y	N	N	N	Y	Y	Y	100%
Joseph A. Salazar (D-Adams, Dist. 31)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Dominick Moreno (D-Adams, Dist. 32)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Dianne Primavera (D-Broomfield, Dist. 33)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%

ISSUE NUMBER	1	2	3	7	8	9	10	12	14	15	%
NFIB POSITION	N	N	Y	Y	N	N	N	Y	Y	Y	100%
Steve Lebsock (D-Adams, Dist. 34)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Faith Winter (D-Adams, Dist. 35)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Su Ryden (D-Arapahoe, Dist. 36)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Cole Wist (R-Arapahoe, Dist. 37) ³	*	*	*	*	N	N	N	Y	Y	Y	100%
Kathleen Conti (R-Arapahoe, Dist. 38)	N	N	Y	Y	N	N	N	Y	Y	Y	100%
Polly Lawrence (R-Douglas, Dist. 39)	N	N	Y	Y	N	N	N	Y	Y	Y	100%
Janet Buckner (D-Arapahoe, Dist. 40)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Jovan Melton (D-Arapahoe, Dist. 41)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Rhonda Fields (D-Arapahoe, Dist. 42)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Kevin M. Van Winkle (R-Douglas, Dist. 43)	N	N	Y	Y	N	N	N	Y	Y	Y	100%
Kim Ransom (R-Douglas, Dist. 44)	N	N	Y	Y	N	N	N	Y	Y	Y	100%
Patrick Neville (R-Douglas, Dist. 45)	N	N	Y	Y	N	N	N	Y	Y	Y	100%
Daneya Esgar (D-Pueblo, Dist. 46)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Clarice Navarro-Ratzlaff (R-Pueblo, Dist. 47)	N	N	Y	Y	N	N	N	Y	Y	Y	100%
Stephen Humphrey (R-Weld, Dist. 48)	N	N	Y	Y	N	N	N	Y	Y	Y	100%
Perry L. Buck (R-Weld, Dist. 49)	N	N	Y	Y	N	N	N	Y	Y	Y	100%
Dave Young (D-Weld, Dist. 50)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Brian DelGrosso (R-Larimer, Dist. 51)	N	N	Y	Y	N	N	N	Y	Y	Y	100%
Joann Ginal (D-Larimer, Dist. 52)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Jennifer Arndt (D-Larimer, Dist. 53)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Yeulin Willett (R-Mesa, Dist. 54)	N	N	Y	Y	N	N	N	Y	Y	Y	100%
Daniel Thurlow (R-Mesa, Dist. 55)	N	N	Y	Y	N	N	Y	Y	Y	Y	90%
Kevin Priola (R-Adams, Dist. 56)	N	*	Y	Y	N	Y	N	Y	Y	Y	89%
Bob Rankin (R-Garfield, Dist. 57)	N	N	Y	Y	N	N	Y	Y	Y	Y	90%
Don Coram (R-Dolores, Dist. 58)	N	N	Y	Y	N	N	Y	Y	Y	Y	90%
J. Paul Brown (R-Gunnison, Dist. 59)	N	N	Y	Y	N	N	Y	Y	Y	Y	90%
Jim Wilson (R-Chaffee, Dist. 60)	N	N	Y	Y	N	N	N	Y	Y	Y	100%
Millie Hamner (D-Summit, Dist. 61)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Edward Vigil (D-Alamosa, Dist. 62)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	50%
Lori Saine (R-Weld, Dist. 63)	N	N	Y	Y	N	N	N	Y	Y	Y	100%
Tim Dore (R-Kiowa, Dist. 64)	*	N	Y	Y	N	N	N	Y	Y	Y	100%
Jon Becker (R-Morgan, Dist. 65)	N	N	Y	Y	N	N	N	Y	Y	Y	100%

1: Tim Leonard replaced Jon Keyser

2: Lang Sias replaced Libby Szabo

3: Cole Wist replaced Jack Tate