

Business Ratings of the 2009 North Carolina General Assembly

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2009 Legislative Session

The North Carolina General Assembly convened the 2009 Legislative Session in the face of a mounting budget deficit and an unemployment rate at near-record levels. State lawmakers faced a daunting task of balancing the state budget with declining revenues and increasing needs, especially in the areas of education and health and human services. Meanwhile, North Carolina's business community sought to provide meaningful direction and answers to the state's most pressing needs.

In the end, state lawmakers approved a \$19 billion state budget, including close to \$1 billion in new taxes. The General Assembly increased the state sales tax by one cent and added a three percent surtax on corporate profits, as well as a surtax on personal taxable income above certain levels effective for the next two years. It also boosted the cigarette tax by 10 cents per pack and increased the excise tax on alcohol.

In addition to the state budget, many other pieces of legislation important to North Carolina's business community were considered. Among these were measures that would:

- replace contributory negligence with a comparative fault standard, exposing businesses to greater levels of legal liability and increased liability insurance costs;
- enact restrictions on the passage of new rules by state agencies, making the state's rulemaking process more deliberate and predictable;
- restructure insurance liability coverage for coastal properties,

limiting the exposure of insurance companies and citizens; and

- ban smoking in restaurants and bars, preempting the right of establishment owners to decide this issue for themselves.

Ultimately, some of these bills were enacted into law, while others were not.

Business Ratings

The Business Ratings of the 2009 North Carolina General Assembly are published by the North Carolina FreeEnterprise Foundation to inform the state's business community, and the public at-large, how state lawmakers performed on business-related issues during the 2009 Legislative Session.

Not only are the 2009 Business Ratings based on votes cast by members of the State House and State Senate during the session, but the Ratings also incorporate the informed opinions of business leaders and government affairs professionals who work in and around the state's political and policy-making arena on a daily basis.

This report does not include all the legislation affecting business and industry in North Carolina that was voted on during the 2009 Legislative Session. Rather, it is intended to provide an overview of the business philosophy of state legislators and a representative sample of important bills and votes from the 2009 Legislative Session that impact North Carolina's business environment.

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2009 Senate Business Ratings

	District	Senator (Party)	Business Rating		District	Senator (Party)	Business Rating	
B A S E	S-43	David Hoyle (D)	90.8	S W I N G O C C A S I O N A L	S-27	Don Vaughan (D)	69.8	
	S-15	Neal Hunt (R)	89.5		S-19	Tony Rand (D)	69.0	
	S-48	Tom Apodaca (R)	85.3		S-13	David Weinstein (D)	68.5	
	S-34	Andrew Brock (R)	85.0		S-33	Stan Bingham (R)	68.2	
	S-2	Jean Preston (R)	84.9		S-32	Linda Garrou (D)	66.6	
	S-30	Don East (R)	84.8		S-8	R.C. Soles (D)	64.2	
	S-12	David Rouzer (R)	84.6		S-1	Marc Basnight (D)	63.7	
	S-46	Debbie Clary (R)	84.0		S-36	Fletcher Hartsell (R)	61.8	
	S-26	Philip Berger (R)	83.5		S-37	Daniel Clodfelter (D)	61.7	
	S-17	Richard Stevens (R)*	83.2		S-25	William Purcell (D)	56.7	
	S-35	Eddie Goodall (R)	83.1		S-50	John Snow (D)	55.9	
	S-39	Bob Rucho (R)	82.5		S-45	Steve Goss (D)	54.9	
	S-22	Harris Blake (R)	82.1		S-4	Ed Jones (D)	50.9	
	S-6	Harry Brown (R)	80.8		S-10	Charles Albertson (D)	50.5	
	S-29	Jerry Tillman (R)	78.3		S-24	Tony Foriest (D)	48.6	
	S-31	Pete Brunstetter (R)	76.9		S-5	Don Davis (D)	48.6	
	S-44	Jim Jacumin (R)	76.1		S-9	Julia Boseman (D)	47.9	
	S-41	Jim Forrester (R)	76.1		S-47	Joe Sam Queen (D)	47.1	
S-11	A. B. Swindell (D)	74.9	S-14	Dan Blue (D)**	46.6			
S-3	Clark Jenkins (D)	74.4	S-38	Charlie Dannelly (D)	44.2			
S-42	Austin Allran (R)	74.2	S-18	Robert Atwater (D)	43.5			
			S-40	Malcolm Graham (D)	41.7			
			S-21	Larry Shaw (D)	39.7			
			S-49	Martin Nesbitt (D)	39.4			
			S-28	Katie Dorsett (D)	39.0			
			S-7	Doug Berger (D)	38.1			
			S-16	Josh Stein (D)	32.5			
			S-20	Floyd McKissick (D)	31.2			
			S-23	Ellie Kinnaird (D)	20.6			

* Sen. Richard Stevens was recovering from surgery during the end of the 2009 Session and was officially excused from voting on more than half the bills selected. As a result, his evaluation was based upon the subjective portion of the 2009 Business Rating Survey.

** Sen. Dan Blue was appointed to fill the unexpired term of Sen. Vernon Malone, who passed away during the 2009 Legislative Session. Because Sen. Blue cast votes on fewer than half of the bills selected, his evaluation was based upon the subjective portion of the 2009 Business Rating Survey.

BUSINESS RATING SCALE

BASE = Legislators with a Business Rating of 70 or above
- consistent supporter of the free enterprise position.

SWING = Legislators with a Business Rating between 69 - 55
- frequent supporter of the free enterprise position.

OCCASIONAL = Legislators with a Business Rating below 55
- occasional supporter of the free enterprise position.

2009 House Business Ratings

	District	Representative (Party)	Business Rating
B	H-98	Thom Tillis (R)	89.6
	H-40	Marilyn Avila (R)	88.3
	H-53	David Lewis (R)	87.4
	H-36	Nelson Dollar (R)	87.1
A	H-19	Daniel McComas (R)	86.2
	H-78	Harold Brubaker (R)	85.0
S	H-80	Jerry Dockham (R)	84.0
	H-37	Paul Stam (R)	83.7
E	H-97	Johnathan Rhyne, Jr. (R)	83.2
	H-32	Jim Crawford (D)	82.9
B	H-104	Ruth Samuelson (R)	82.6
	H-73	Larry Brown (R)	82.6
	H-85	Mitch Gillespie (R)	82.5
	H-120	Roger West (R)	82.3
A	H-103	Jim Gulley (R)	81.5
	H-14	George Cleveland (R)	81.3
	H-68	Curtis Blackwood (R)	81.2
	H-105	Ric Killian (R)	81.2
S	H-96	Mark Hilton (R)	81.0
	H-13	Pat McElraft (R)	80.8
E	H-79	Julia Howard (R)	80.4
	H-113	David Guice (R)	80.2
B	H-87	Edgar Starnes (R)	79.9
	H-92	Darrell McCormick (R)	79.1
	H-109	William Current, Sr. (R)	79.0
	H-61	Laura Wiley (R)	78.9
A	H-26	Leo Daughtry (R)	78.8
	H-65	Nelson Cole (D)	78.5
	H-62	John Blust (R)	77.8
	H-15	Robert Grady (R)	77.4
S	H-83	Linda Johnson (R)	76.6
	H-74	Dale Folwell (R)	76.6
	H-84	Phillip Frye (R)	76.5
	H-89	Mitchell Setzer (R)	76.4
E	H-82	Jeff Barnhart (R)	76.3
	H-117	Carolyn Justus (R)	75.8
	H-28	James Langdon, Jr. (R)	75.8
	H-115	Bruce Goforth (D)	75.2
B	H-6	Arthur Williams (D)	75.0
	H-20	Dewey Hill (D)	74.9
	H-75	William McGee (R)	74.7
	H-86	Hugh Blackwell (R)	74.6
A	H-22	William Brisson (D)	74.3
	H-94	Shirley Randleman (R)	74.2
	H-91	Bryan Holloway (R)	74.0
	H-90	Sarah Stevens (R)	73.9
S	H-55	W.A. "Winkie" Wilkins (D)	73.9
	H-95	Grey Mills (R)	73.5
	H-52	Jamie Boles (R)	73.5
	H-10	Van Braxton (D)	73.2
E	H-76	Fred Steen (R)	73.1
	H-11	Efton Sager (R)	73.0
	H-108	Wil Neumann (R)	72.6
	H-69	Pryor Gibson (D)	72.3
B	H-70	Pat Hurley (R)	72.3
	H-67	Justin Burr (R)	71.8
	H-111	Tim Moore (R)	71.5

	District	Representative (Party)	Business Rating
S	H-23	Joe P. Tolson (D)	69.2
	H-1	W.C. "Bill" Owens (D)	68.9
	H-2	Tim Spear (D)	68.2
	H-4	Russell Tucker (D)	67.8
W	H-16	Carolyn Justice (R)	65.1
	H-46	Douglas Yongue (D)	64.2
I	H-77	Lorene Coates (D)	63.4
	H-110	Pearl Burris-Floyd (R)	63.3
N	H-51	Jimmy Love (D)	61.0
	H-49	Lucy Allen (D)	60.9
	H-27	Michael Wray (D)	60.3
	H-88	Ray Warren (D)	59.4
G	H-44	Margaret Dickson (D)	57.8
	H-81	L. Hugh Holliman (D)	57.8
	H-25	Randy Stewart (D)	57.5
	H-102	Becky Carney (D)	57.0
O	H-47	Ron Sutton (D)	56.9
	H-9	Marian McLawhorn (D)	55.3
	H-112	Bob England (D)	51.9
	H-12	William Wainwright (D)	51.5
C	H-72	Earline Parmon (D)	51.3
	H-60	Earl Jones (D)	51.0
	H-93	Cullie Tarleton (D)	50.3
	H-42	Marvin Lucas (D)	49.6
C	H-8	Edith Warren (D)	49.2
	H-116	Jane Whilden (D)	46.7
	H-59	Maggie Jeffus (D)	46.1
	H-118	Ray Rapp (D)	46.0
A	H-66	Melanie Goodwin (D)	45.5
	H-29	Larry Hall (D)	45.1
	H-101	Beverly Earle (D)	45.0
	H-3	Alice Underhill (D)	44.9
S	H-41	Ty Harrell (D)	44.0
	H-100	Tricia Cotham (D)	42.0
	H-48	Garland Pierce (D)	41.7
	H-119	R. Phillip Haire (D)	41.7
I	H-54	Joe Hackney (D)*	41.5
	H-45	Rick Glazier (D)	41.5
	H-18	Sandra S. Hughes (D)	41.3
	H-21	Larry Bell (D)	41.1
O	H-43	Elmer Floyd (D)	41.0
	H-34	Grier Martin (D)	40.9
	H-107	Kelly Alexander (D)	40.2
	H-24	Jean Farmer-Butterfield (D)	40.1
N	H-31	Mickey Michaux, Jr. (D)	39.4
	H-39	Darren Jackson (D)	38.9
	H-50	Bill Faison (D)	37.8
	H-38	Deborah Ross (D)	35.9
A	H-71	Larry Womble (D)	35.3
	H-99	Nick Mackey (D)	34.3
	H-106	Martha Alexander (D)	33.3
	H-63	Alice Bordsen (D)	33.0
L	H-5	Annie Mobley (D)	32.8
	H-7	Angela Bryant (D)	31.8
	H-57	Pricey Harrison (D)	31.3
	H-58	Alma Adams (D)	29.7
S	H-114	Susan Fisher (D)	29.0
	H-35	Jennifer Weiss (D)	22.7
	H-30	Paul Luebke (D)	22.1
E	H-56	Verla Insko (D)	18.8

* House Speaker Joe Hackney did not cast votes on any of the bills selected (as is the prerogative of the Speaker of the House), therefore his evaluation was based upon the subjective portion of the 2009 Business Rating Survey.

NOTE: Reps. Rosa Gill, Frank Iler and Dan Ingle were appointed to fill the unexpired terms of Reps. Dan Blue, Bonner Stiller and Cary Allred respectively, all of whom resigned from the N.C. House during the 2009 Legislative Session. Because Gill, Iler and Ingle served only a portion of the 2009 Legislative Session and cast votes on less than half of the bills selected, they were not evaluated in this report.

Methodology & Terminology:

To produce the 2009 Business Ratings, the North Carolina FreeEnterprise Foundation invited more than 300 business leaders and government affairs professionals to take part in a confidential evaluation of the 2009 North Carolina General Assembly. Survey participants represented a wide range of industries, interests and geographical areas across the state.

The Business Ratings are comprised of two components:

- An **Objective Evaluation** based on the voting records of lawmakers on select business-related legislation acted upon during the 2009 Legislative Session.
- A **Subjective Evaluation** based on the informed opinions of survey respondents regarding the likelihood that individual legislators would consider and support the interests of business and industry in the North Carolina General Assembly.

The overall 2009 Business Ratings are derived from combining and weighting the Objective Evaluation and Subjective Evaluation scores based on the following weighting scale:

Percent of all Votes Used that are Contested Votes*	Weighting: Subjective to Objective
80% – 100%	1 : 1
60% – 79%	2 : 1
40% - 59%	3 : 1
20% - 39%	4 : 1
0% – 19%	5 : 1

*Percentages of contested votes are rounded to the nearest whole number.

Thus, a weighting of 2:1 (subjective to objective) was applied in the N.C. House, where 62 percent of the votes selected were contested votes, and a weighting of 3:1 (subjective to objective) was applied in the Senate, where 45 percent of the votes selected were contested.

Roll Call Vote Key

“Y” indicates a vote of “Aye”

“N” indicates a vote of “No”

“EA” indicates “Excused Absence”

“NV” indicates “Not Voting”

“EV” indicates “Excused Vote”

“–” indicates No Vote Was Cast

Objective Evaluation

The objective component of the Business Ratings is based on recorded votes taken during the 2009 Session. Survey respondents were asked to identify the three most important House and Senate roll call votes to the business interest(s) they represent, *“that are indicative of a philosophical division within the legislature.”* Along with identifying roll call votes, respondents were also asked to indicate the preferred vote on the bill from their perspective.

The Foundation’s Research Committee carefully analyzed the votes submitted and selected those that:

- represent a broad range of business interests,
- are meaningful to the business community, and
- illustrate a distinction between the perspectives of legislators on business issues.

Due to the increasing difficulty in identifying “contested” votes that illustrate a meaningful distinction between lawmakers’ positions on business-related legislation, some uncontested votes are included in the Business Ratings. Contested votes, however, are weighted more heavily in the overall calculations.

Contested vote: A contested vote is a vote in which 10% or more of legislators present and voting, vote opposite the prevailing vote. For example, if 50 senators are present and voting and the prevailing vote is “Aye,” at least five senators must vote “No” for the vote to be considered contested.

Uncontested vote: An uncontested vote is a vote in which less than 10% of legislators present and voting, vote opposite the prevailing vote. For example, if all 50 senators are present and voting, and the prevailing vote is “Aye,” less than five senators must vote “No” for the vote to be considered uncontested. Unanimous votes are “uncontested.”

The North Carolina FreeEnterprise Foundation takes no position on legislation, but instead asks survey respondents to identify the “preferred vote” on identified bills, amendments and motions, and then utilizes this information to establish the objective portion of the Business Ratings.

Subjective Evaluation

For the subjective component of the Business Ratings, respondents were asked to score each legislator on a scale of zero to 100 (in 10 point increments) based on:

“the percentage of the time that lawmaker can be counted on to advocate for the interests of business and industry (i.e. promotes values consistent with the free enterprise system including but not limited to: low corporate taxes, limited government regulation of business, tort reform, respect for private property rights, a willingness to listen to the concerns of the business community, etc.)”

Respondents were asked to refrain from evaluating legislators whom they did not know well enough to have an informed opinion. The subjective scores for each legislator were averaged after dropping the highest and lowest individual responses.

2009 Senate Recorded Votes Used In Business Ratings

Bill	Short Title	Reading Vote	Preferred Vote	Vote Count
SB 117	Clarifying Development Moratoria Authority	Senate 2nd Reading	Aye	41-8
Senate Bill 117 clarifies when local governments may impose development moratoria by addressing a current abuse of that authority.				
SB 367	Franchise Tax-Overbilling Out of Capital Base	Senate 3rd Reading	Aye	48-0
Senate Bill 367 prevents the NC Dept. of Revenue from applying a franchise tax to overbillings, saving the construction industry millions of dollars.				
SB 749	Revise UM/UIM Liability Coverage Requirements	Motion to Concur	Aye	41-0
Senate Bill 749 clarifies the requirements for uninsured and underinsured motorist coverage in motor vehicle liability insurance policies.				
SB 866	APA Rules: Increasing Costs Prohibition	Senate 2nd Reading	Aye	38-10
Senate Bill 866 would make the state's rulemaking process more deliberate and predictable by prohibiting government agencies from promulgating rules unless the rule is required "to respond to at least one of the following: a serious and unforeseen threat to the public health, safety or welfare; an act of the General Assembly or United States Congress; a change in federal or state budgetary policy; a federal regulation, or a court order."				
SB 967	Creation of Yadkin River Trust	Senate 2nd Reading	No	44-4
Senate Bill 967 would have established the Yadkin River Trust for the express purpose of enabling the State of North Carolina to take over the operation and ownership of privately owned hydroelectric generating facilities on the Yadkin River (the Alcoa facility) at below fair market value.				
HB 2	Prohibit Smoking in Certain Public Places	Senate 3rd Reading	No	30-18
House Bill 2 enacts a statewide ban on smoking in restaurants and bars in North Carolina, preempting the ability of the owners of these establishments to decide the issue for themselves.				
HB 1180	Consumer Choice and Investment Act of 2009	Senate 3rd Reading	Aye	45-0
House Bill 1180 allows for the deregulation of local telephone service providers.				
HB 1228	ABC Rules/Private Clubs	Senate 3rd Reading	Aye	30-13
House Bill 1228 repeals a law used by the State Alcoholic Beverage Control Commission to impose a waiting period for membership in private clubs that serve alcohol.				
HB 1305	Beach Plan Changes	Vote on Amendment #2	Aye	42-5
Amendment by Sen. Phil Berger (R-Rockingham) to reduce the maximum insurance coverage limit for beach property through the Coastal Property Insurance Pool from \$1,000,000 to \$750,000.				
HB 1516	JDIG Technical Modifications	Senate 2nd Reading	No	45-1
House Bill 1516 extends for an additional six years the sunset on the Job Development Investment Grant (JDIG) Program enabling state government to continue selectively subsidizing certain businesses in the state at the expense of others.				
HB 1523	S.A.F.E. Mortgage Licensing Act	Senate 2nd Reading	Aye	47-0
House Bill 1523 requires all mortgage brokers and lenders to have a regular audit of their financial statements by a Certified Public Accountant among other changes.				

About the North Carolina FreeEnterprise Foundation:

The North Carolina FreeEnterprise Foundation is a statewide nonprofit organization that provides innovative and educational programs, non-partisan political research, and objective analysis to foster informed civic involvement, develop an understanding of free enterprise economics, and strengthen North Carolina's prosperous business environment.

The report of the Business Ratings of the 2009 North Carolina General Assembly is one of a number of projects conducted by the North Carolina FreeEnterprise Foundation to assist the state's business community and public at-large to better understand North Carolina's business and political environment.

The North Carolina FreeEnterprise Foundation is organized as a 501(c)(3) nonprofit organization and may be contacted via the following:

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2009 House Recorded Votes Used In Business Ratings

Bill	Short Title	Reading Vote	Preferred Vote	Vote Count
HB 2	Prohibit Smoking in Certain Public Places	Vote on Amendment #2	Aye	70-46
Amendment to House Bill 2 by Rep. Nelson Cole (D-Rockingham) to exempt certain businesses from the statewide smoking ban if the business does not serve persons under the age of 18, does not allow smoke to migrate into enclosed areas where smoking is prohibited, and conspicuously posts signs at all entrances that the business allows smoking.				
HB 120	Public Municipal Campaigns	House 3rd Reading	No	60-56
House Bill 120 would establish a pilot program for public financing of municipal elections and could serve to eliminate or substantially curtail the participation of Political Action Committees in local elections.				
HB 593	Change School Starting Date	House 3rd Reading	No	79-39
House Bill 593 would move the starting date for non-year-round public schools from August 25 or later to the second Monday in August, shortening the summer break and negatively impacting tourism and tourism-related businesses.				
HB 813	Uniform Apportionment of Tort Responsibility	House 2nd Reading	No	67-50
House Bill 813 proposes to adopt a comparative fault system for personal injury, property loss and other cases exposing North Carolina businesses to increased liability in tort actions and increased cost for liability insurance.				
HB 852	Defer Tax on Builders' Inventory	House 2nd Reading	Aye	106-8
House Bill 852 would allow home builders to defer a portion of property taxes owed for certain improvements made to residential properties.				
HB 1180	Consumer Choice and Investment Act of 2009	House 2nd Reading	Aye	102-11
House Bill 1180 allows for the deregulation of local telephone service providers.				
HB 1228	ABC Rules/Private Clubs	House 2nd Reading	Aye	89-28
House Bill 1228 repeals a law used by the State Alcoholic Beverage Control Commission to impose a waiting period for membership in private clubs that serve alcohol.				
HB 1305	Beach Plan Changes	Vote on Amendment #1	No	52-63
Amendment to House Bill 1305 by Rep. Pat McElraft (R-Carteret) that would have increased the level of subsidy provided by property insurers in the state from \$1 billion to \$2 billion for properties insured through the state-created Coastal Property Insurance Pool.				
HB 1516	JDIG Technical Modifications	House 2nd Reading	No	96-21
House Bill 1516 extends for an additional six years the sunset on the Job Development Investment Grant (JDIG) Program enabling state government to continue selectively subsidizing certain businesses in the state at the expense of others.				
HB 1523	S.A.F.E. Mortgage Licensing Act	House 3rd Reading	Aye	113-3
House Bill 1523 requires all mortgage brokers and lenders to have a regular audit of their financial statements by a Certified Public Accountant among other changes.				
SB 367	Franchise Tax-Overbilling Out of Capital Base	House 2nd Reading	Aye	115-0
Senate Bill 367 prevents the NC Dept. of Revenue from applying a franchise tax to overbillings, saving the construction industry millions of dollars.				
SB 749	Revise UM/UIM Liability Coverage Requirements	House 2nd Reading	Aye	110-0
Senate Bill 749 clarifies the requirements for uninsured and underinsured motorist coverage in motor vehicle liability insurance policies.				
SB 967	Creation of Yadkin River Trust	House 2nd Reading	No	39-66
Senate Bill 967 would have established the Yadkin River Trust for the express purpose of enabling the State of North Carolina to take over the operation and ownership of privately owned hydroelectric generating facilities on the Yadkin River (the Alcoa facility) at below fair market value.				

***Visit the North Carolina FreeEnterprise Foundation
on the web at:***

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2009 Senate Votes

District	Senator	Clarifying Development Moratoria Auth.	Franchise Tax-Overbilling Out of Capital Base	Revise UM/JUM Liability Coverage Requirements	APA Rules: Increasing Costs Prohibition	Creation of Yadkin River Trust	Prohibit Smoking in Certain Public Places	Consumer Choice and Investment Act of 2009	ABC Rules/Private Clubs	Beach Plan Changes (Amend. #2)	JDIG Technical Modifications	S.A.F.E. Mortgage Licensing Act
		SB 117	SB 367	SB 749	SB 866	SB 967	HB 2	HB 1180	HB 1228	HB 1305	HB 1516	HB 1523
	Preferred Business Vote	(Y)	(Y)	(Y)	(Y)	(N)	(N)	(Y)	(Y)	(Y)	(N)	(Y)
S-10	Albertson, Charles	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	NV
S-42	Allran, Austin	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y
S-48	Apodaca, Tom	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y
S-18	Atwater, Robert	N	Y	EA	N	Y	Y	Y	Y	EA	Y	Y
S-1	Basnight, Marc	Y	Y	Y	Y	Y	Y	Y	Y	Y	NV	Y
S-7	Berger, Doug	Y	Y	Y	N	Y	N	Y	Y	Y	Y	Y
S-26	Berger, Philip	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y
S-33	Bingham, Stan	Y	Y	EA	Y	Y	Y	Y	N	EA	Y	Y
S-22	Blake, Harris	Y	Y	Y	EA	EA	EA	Y	Y	Y	Y	Y
S-14	Blue, Dan*	-	Y	EA	-	-	-	Y	Y	Y	EA	Y
S-9	Boseman, Julia	Y	Y	EA	Y	Y	Y	Y	Y	N	Y	Y
S-34	Brock, Andrew	Y	Y	Y	Y	N	N	Y	N	Y	N	Y
S-6	Brown, Harry	Y	Y	Y	Y	Y	N	Y	Y	N	Y	Y
S-31	Brunstetter, Pete	Y	Y	Y	Y	Y	Y	EV	Y	Y	Y	Y
S-46	Clary, Debbie	Y	Y	Y	Y	N	N	Y	N	Y	Y	Y
S-37	Clodfelter, Daniel	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
S-38	Dannelly, Charlie	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
S-5	Davis, Don	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
S-28	Dorsett, Katie	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
S-30	East, Don	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
S-24	Foriest, Tony	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
S-41	Forrester, Jim	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
S-32	Garrou, Linda	Y	Y	Y	Y	Y	N	Y	Y	N	Y	Y
S-35	Goodall, Eddie	Y	Y	Y	Y	Y	N	EA	Y	Y	Y	Y
S-45	Goss, Steve	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
S-40	Graham, Malcolm	N	Y	EA	Y	Y	Y	Y	EA	Y	Y	Y
S-36	Hartsell, Fletcher	Y	Y	Y	Y	Y	Y	Y	N	N	Y	Y
S-43	Hoyle, David	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
S-15	Hunt, Neal	Y	Y	Y	Y	N	N	Y	Y	Y	Y	Y
S-44	Jacumin, Jim	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y
S-3	Jenkins, Clark	Y	Y	EA	Y	Y	Y	EA	Y	Y	Y	EA
S-4	Jones, Ed	Y	Y	Y	Y	Y	Y	Y	EA	Y	Y	Y
S-23	Kinnaird, Ellie	N	Y	Y	N	Y	Y	Y	Y	Y	Y	Y
S-20	McKissick, Floyd	N	Y	EA	N	Y	Y	Y	Y	Y	Y	Y
S-49	Nesbitt, Martin	N	EA	Y	N	Y	Y	Y	EA	Y	Y	Y
S-2	Preston, Jean	Y	Y	Y	Y	Y	N	Y	EA	Y	NV	Y
S-25	Purcell, William	Y	Y	Y	N	Y	Y	Y	EA	Y	Y	Y
S-47	Queen, Joe Sam	Y	Y	Y	N	Y	Y	Y	EA	Y	Y	Y
S-19	Rand, Tony	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
S-12	Rouzer, David	Y	Y	Y	Y	N	N	Y	N	Y	Y	Y
S-39	Rucho, Bob	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
S-21	Shaw, Larry	Y	Y	NV	N	Y	Y	EA	Y	Y	Y	Y
S-50	Snow, John	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
S-8	Soles, R.C.	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
S-16	Stein, Josh	N	Y	Y	N	Y	Y	Y	Y	Y	Y	Y
S-17	Stevens, Richard**	Y	EA	EA	Y	Y	Y	EA	EA	EA	EA	EA
S-11	Swindell, A. B.	Y	Y	Y	Y	Y	N	Y	Y	N	Y	Y
S-29	Tillman, Jerry	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y
S-27	Vaughan, Don	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
S-13	Weinstein, David	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

VOTE KEY: "Y" = "Aye" "N" = "No" "EA" = "Excused Absence" "NV" = "Not Voting" "EV" = "Excused Vote" "-" = No Vote Cast

* Sen. Dan Blue was appointed to fill the unexpired term of Sen. Vernon Malone, who passed away during the 2009 Legislative Session. Because Blue cast votes on fewer than half of the bills selected, his evaluation was based upon the subjective portion of the 2009 Business Rating Survey.

** Sen. Richard Stevens was recovering from surgery during the end of the 2009 Session and was officially excused from voting on more than half the bills selected. As a result, his evaluation was based upon the subjective portion of the 2009 Business Rating Survey.

2009 House Votes

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		H 2	H 120	H 593	H 813	H 852	H 1180	H 1228	H 1305	H 1516	H 1523	S 367	S 749	S 967
	Preferred Business Vote	(Y)	(N)	(N)	(N)	(Y)	(Y)	(Y)	(N)	(N)	(Y)	(Y)	(Y)	(N)
H-58	Adams, Alma	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
H-107	Alexander, Kelly	N	Y	Y	Y	Y	Y	Y	NV	Y	Y	Y	Y	Y
H-106	Alexander, Martha	N	Y	Y	Y	Y	N	Y	EA	Y	Y	Y	Y	Y
H-49	Allen, Lucy	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
H-40	Avila, Marilyn	Y	N	N	N	Y	Y	Y	N	N	Y	Y	Y	N
H-82	Barnhart, Jeff	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y
H-21	Bell, Larry	N	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
H-86	Blackwell, Hugh	Y	N	Y	N	Y	Y	N	Y	Y	Y	Y	Y	N
H-68	Blackwood, Curtis	Y	NV	N	N	Y	Y	NV	Y	N	Y	Y	Y	N
H-62	Blust, John	Y	N	N	Y	Y	Y	N	N	N	Y	Y	Y	N
H-52	Boles, Jamie	Y	N	N	Y	Y	Y	N	N	Y	Y	Y	Y	Y
H-63	Bordsen, Alice	N	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	Y
H-10	Braxton, Van	Y	N	Y	N	Y	Y	Y	N	Y	Y	Y	Y	N
H-22	Brisson, William	Y	Y	N	N	Y	NV	Y	N	Y	Y	Y	Y	N
H-73	Brown, Larry	Y	N	N	N	Y	Y	N	N	N	Y	Y	Y	N
H-78	Brubaker, Harold	Y	N	Y	N	Y	Y	Y	EA	Y	Y	Y	Y	Y
H-7	Bryant, Angela	N	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
H-67	Burr, Justin	Y	N	Y	N	Y	Y	N	Y	N	Y	Y	Y	Y
H-110	Burriss-Floyd, Pearl	N	N	Y	N	Y	Y	N	N	Y	Y	Y	Y	N
H-102	Carney, Becky	N	EA	EA	EA	Y	EA	EA	N	Y	EA	Y	Y	Y
H-14	Cleveland, George	Y	N	N	N	Y	Y	N	Y	N	Y	Y	Y	N
H-77	Coates, Lorene	Y	NV	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
H-65	Cole, Nelson	Y	Y	Y	N	Y	Y	Y	N	Y	Y	Y	Y	N
H-100	Cotham, Tricia	N	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
H-32	Crawford, Jim	Y	N	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	NV
H-109	Current, Sr., William	Y	N	Y	N	Y	Y	N	N	Y	Y	Y	Y	N
H-26	Daughtry, Leo	Y	N	Y	Y	N	EA	Y	N	Y	Y	Y	Y	N
H-44	Dickson, Margaret	N	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
H-80	Dockham, Jerry	Y	N	N	N	Y	Y	N	N	Y	Y	Y	EA	EA
H-36	Dollar, Nelson	Y	N	N	N	Y	Y	N	N	Y	Y	Y	Y	N
H-101	Earle, Beverly	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	NV
H-112	England, Bob	N	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
H-50	Faison, Bill	N	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
H-24	Farmer-Butterfield, Jean	Y	Y	Y	Y	Y	NV	Y	N	Y	Y	Y	Y	Y
H-114	Fisher, Susan	N	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	Y
H-43	Floyd, Elmer	N	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N
H-74	Folwell, Dale	Y	N	Y	N	Y	Y	N	Y	N	N	EA	Y	N
H-84	Frye, Phillip	Y	N	N	N	Y	Y	N	Y	Y	Y	Y	Y	N
H-69	Gibson, Pryor	NV	Y	Y	N	Y	EV	Y	N	Y	Y	EA	Y	Y
H-33	Gill, Rosa**	-	-	-	-	Y	-	-	N	Y	-	Y	Y	EA
H-85	Gillespie, Mitch	Y	N	N	N	Y	Y	N	Y	Y	Y	Y	Y	N
H-45	Glazier, Rick	N	Y	Y	Y	Y	Y	Y	N	Y	Y	EA	EA	EA

VOTE KEY: "Y" = "Aye" "N" = "No" "EA" = "Excused Absence" "NV" = "Not Voting" "EV" = "Excused Vote" "-" = No Vote Cast

2009 House Votes (continued)

District	Representative	Prohibit Smoking in Certain Public Places (Amendment #2)	Public Municipal Campaigns	Change School Starting Date	Uniform Apportionment of Tort Responsibility	Defer Tax on Builders' Inventory	Consumer Choice and Investment Act of 2009	ABC Rules/ Private Clubs	Beach Plan Changes (Amendment #1)	JDIG Technical Modifications	S.A.F.E. Mortgage Licensing Act	Franchise Tax- Overbilling Out of Capital Base	Revise UM/UM Liability Coverage Requirements	Creation of Yadkin River Trust
		H 2	H 120	H 593	H 813	H 852	H 1180	H 1228	H 1305	H 1516	H 1523	S 367	S 749	S 967
	Preferred Business Vote	(Y)	(N)	(N)	(N)	(Y)	(Y)	(Y)	(N)	(N)	(Y)	(Y)	(Y)	(N)
H-115	Goforth, Bruce	N	Y	Y	N	EV	Y	Y	N	Y	Y	Y	Y	N
H-66	Goodwin, Melanie	N	Y	Y	Y	Y	N	Y	N	Y	Y	Y	EA	EA
H-15	Grady, Robert	Y	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	EA
H-113	Guice, David	Y	N	Y	N	Y	Y	Y	N	N	Y	Y	Y	N
H-103	Gulley, Jim	Y	N	N	N	Y	Y	Y	Y	N	Y	Y	Y	N
H-54	Hackney, Joe*	NV	NV	NV	NV	NV	NV	NV	NV	NV	NV	EA	NV	NV
H-119	Haire, R. Phillip	N	Y	Y	Y	N	Y	Y	N	Y	Y	Y	Y	N
H-29	Hall, Larry	N	Y	Y	Y	EA	N	Y	Y	EA	Y	Y	Y	N
H-41	Harrell, Ty	N	Y	N	Y	Y	NV	Y	N	Y	Y	Y	Y	Y
H-57	Harrison, Pricey	Y	Y	Y	Y	N	N	Y	N	N	Y	Y	Y	N
H-20	Hill, Dewey	Y	Y	N	N	Y	Y	Y	Y	Y	Y	Y	Y	N
H-96	Hilton, Mark	Y	N	N	N	Y	Y	N	Y	Y	Y	Y	Y	N
H-81	Holliman, L. Hugh	N	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
H-91	Holloway, Bryan	Y	N	Y	Y	Y	Y	N	Y	N	Y	Y	Y	N
H-79	Howard, Julia	Y	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y
H-18	Hughes, Sandra S.	N	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N
H-70	Hurley, Pat	N	N	Y	N	Y	Y	N	Y	N	Y	Y	Y	N
H-17	Iler, Frank**	-	-	-	-	Y	-	-	Y	Y	-	Y	Y	N
H-64	Ingle, Dan**	-	-	-	-	Y	-	-	Y	Y	-	Y	Y	N
H-56	Insko, Verla	N	Y	Y	Y	N	N	Y	Y	Y	Y	EA	Y	Y
H-39	Jackson, Darren	N	Y	Y	Y	N	Y	Y	N	Y	Y	Y	Y	Y
H-59	Jeffus, Maggie	N	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
H-83	Johnson, Linda	Y	N	N	N	Y	Y	Y	Y	Y	N	Y	Y	Y
H-60	Jones, Earl	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
H-16	Justice, Carolyn	EA	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
H-117	Justus, Carolyn	Y	N	N	N	Y	Y	N	Y	Y	Y	Y	Y	N
H-105	Killian, Ric	Y	N	Y	N	Y	Y	Y	Y	N	N	Y	Y	N
H-28	Langdon, Jr., James	Y	N	N	N	N	Y	N	Y	Y	Y	Y	Y	N
H-53	Lewis, David	Y	N	N	EA	Y	Y	N	N	N	Y	Y	Y	N
H-51	Love, Jimmy	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
H-42	Lucas, Marvin	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
H-30	Luebke, Paul	N	Y	Y	Y	Y	N	Y	Y	N	Y	Y	EA	EA
H-99	Mackey, Nick	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
H-34	Martin, Grier	N	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N
H-19	McComas, Daniel	Y	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	N
H-92	McCormick, Darrell	Y	N	Y	N	Y	Y	Y	N	Y	Y	Y	Y	N
H-13	McElraft, Pat	Y	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	N
H-75	McGee, William	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	NV
H-9	McLawhorn, Marian	N	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	EA	EA
H-31	Michaux, Jr., Mickey	N	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	NV	N
H-95	Mills, Grey	Y	N	Y	Y	Y	Y	N	N	N	Y	Y	Y	N
H-5	Mobley, Annie	N	Y	Y	Y	EA	Y	Y	Y	Y	Y	Y	Y	N

VOTE KEY: "Y" = "Aye" "N" = "No" "EA" = "Excused Absence" "NV" = "Not Voting" "EV" = "Excused Vote" "-" = No Vote Cast

2009 House Votes (continued)

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		H 2	H 120	H 593	H 813	H 852	H 1180	H 1228	H 1305	H 1516	H 1523	S 367	S 749	S 967
	Preferred Business Vote	(Y)	(N)	(N)	(N)	(Y)	(Y)	(Y)	(N)	(N)	(Y)	(Y)	(Y)	(N)
H-111	Moore, Tim	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
H-108	Neumann, Wil	N	N	Y	N	Y	Y	N	N	Y	Y	Y	Y	Y
H-1	Owens, W.C. "Bill"	N	Y	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y
H-72	Parmon, Earline	Y	Y	Y	Y	Y	Y	Y	N	Y	NV	Y	Y	N
H-48	Pierce, Garland	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
H-94	Randleman, Shirley	Y	N	Y	Y	Y	Y	N	N	Y	Y	Y	Y	N
H-118	Rapp, Ray	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
H-97	Rhyne, Jr., Johnathan	Y	N	Y	N	Y	Y	N	N	N	Y	Y	NV	N
H-38	Ross, Deborah	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	EA	EA
H-11	Sager, Efton	Y	N	Y	Y	N	Y	N	N	Y	Y	Y	Y	N
H-104	Samuelson, Ruth	Y	N	N	N	Y	Y	Y	N	Y	Y	Y	Y	N
H-89	Setzer, Mitchell	Y	N	N	N	EA	Y	N	Y	Y	Y	Y	Y	N
H-2	Spear, Tim	Y	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y
H-37	Stam, Paul	Y	N	N	Y	Y	Y	N	N	N	Y	Y	Y	N
H-87	Starnes, Edgar	Y	N	N	N	Y	Y	N	Y	Y	Y	Y	Y	N
H-76	Steen, Fred	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y
H-90	Stevens, Sarah	Y	N	Y	Y	Y	Y	N	N	Y	Y	Y	Y	N
H-25	Stewart, Randy	N	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
H-47	Sutton, Ron	Y	N	Y	Y	Y	Y	Y	Y	EA	Y	Y	Y	N
H-93	Tarleton, Cullie	N	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
H-98	Tillis, Thom	Y	N	Y	N	Y	Y	Y	N	N	Y	Y	EA	EA
H-23	Tolson, Joe P.	Y	Y	Y	N	N	Y	Y	N	Y	Y	Y	Y	N
H-4	Tucker, Russell	Y	Y	Y	N	Y	Y	Y	N	Y	Y	Y	Y	EA
H-3	Underhill, Alice	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	EA
H-12	Wainwright, William	N	Y	Y	Y	EA	Y	Y	Y	Y	Y	Y	Y	N
H-8	Warren, Edith	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
H-88	Warren, Ray	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N
H-35	Weiss, Jennifer	N	Y	Y	Y	Y	N	Y	Y	N	Y	Y	Y	Y
H-120	West, Roger	Y	N	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	N
H-116	Whilden, Jane	N	Y	Y	Y	Y	Y	Y	EA	Y	Y	Y	Y	N
H-61	Wiley, Laura	Y	N	N	Y	Y	Y	Y	Y	N	Y	Y	Y	N
H-55	Wilkins, W.A. "Winkie"	Y	Y	Y	N	Y	Y	Y	N	Y	Y	Y	Y	N
H-6	Williams, Arthur	Y	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	N
H-71	Womble, Larry	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
H-27	Wray, Michael	N	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N
H-46	Yongue, Douglas	N	Y	Y	N	Y	Y	Y	N	Y	Y	Y	Y	N

VOTE KEY: "Y" = "Aye" "N" = "No" "EA" = "Excused Absence" "NV" = "Not Voting" "EV" = "Excused Vote" "-" = No Vote Cast

* House Speaker Joe Hackney did not cast votes on any of the bills selected (as is the prerogative of the Speaker of the House), therefore his evaluation was based upon the subjective portion of the 2009 Business Rating Survey.

** Reps. Rosa Gill, Frank Iler and Dan Ingle were appointed to fill the unexpired terms of Reps. Dan Blue, Bonner Stiller and Cary Allred respectively, all of whom resigned from the N.C. House during the 2009 Legislative Session. Because Gill, Iler and Ingle served only a portion of the 2009 Legislative Session and cast votes on less than half of the bills selected, they were not evaluated in this report.