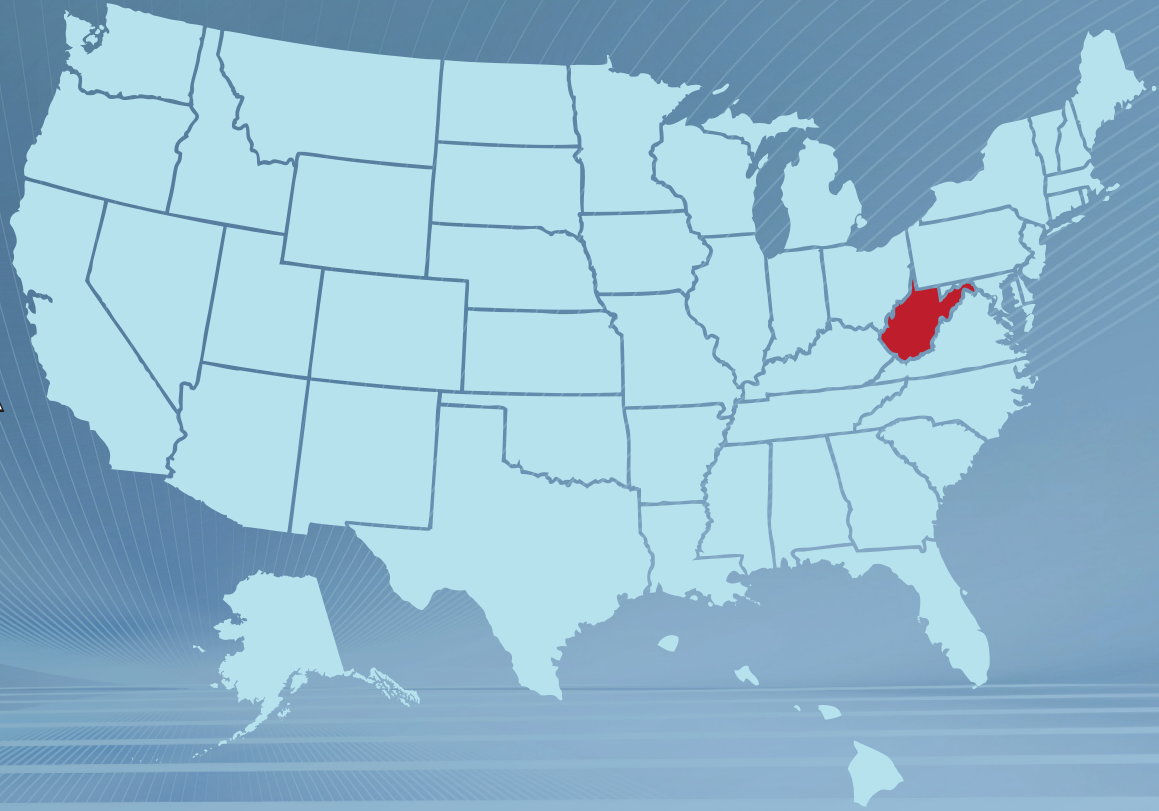




AMERICAN CONSERVATIVE  
UNION FOUNDATION  
**CENTER FOR  
LEGISLATIVE  
ACCOUNTABILITY**

# ACU FOUNDATION'S RATINGS of WEST VIRGINIA 2019



*The nation's gold standard to hold nearly 8,000 lawmakers accountable for their voting records.*

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/acuconservative



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conservative.org/ratings



## LETTER FROM THE CHAIRMAN

Dear Fellow Conservative,

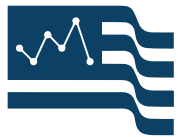
The American Conservative Union Foundation's Center for Legislative Accountability is proud to present our *Ratings of the West Virginia Legislature for 2019*. Like our Ratings of Congress, which date back 48 years, ACU Foundation's *Ratings of the States* are meant to reflect how elected officials view the role of government in an individual's life. We begin with our philosophy (conservatism is the political philosophy that sovereignty resides in the person) and then apply the correct purpose of government (its essential role is to defend Life, Liberty and Property).

As a 501(c)(3) educational endeavor, these Ratings serve as a retrospective analysis to explain to voters, the media, scholars and activists how consistently lawmakers apply conservative principles when casting votes. ACU Foundation evaluates over 100,000 bills and ultimately selects around 2,000 bills to produce scorecards for Congress and all 50 states.

Our American Experiment in self-governance depends on our ability as citizens to evaluate whether our elected officials implement policies that help people live happier, healthier, more productive lives. ACU Foundation's *Ratings of the States* equips citizens with clear and effective analysis to hold the nation's 8,000 lawmakers accountable for their votes.

The Left has renewed its commitment to advance socialism in their zeal to fundamentally transform America. With such an important fight ahead, it's never been more important for our elected officials to understand the proper role of government and for Americans to defend our conservative values and take action to preserve liberty.

Matt Schlapp  
Chairman  
American Conservative Union Foundation



AMERICAN CONSERVATIVE UNION FOUNDATION  
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## ACUF

### Executive Committee

Matt Schlapp  
*Chairman*

Millie Hallow  
*Vice Chair*

Van D. Hipp, Jr.  
*Treasurer*

Kimberly Bellissimo  
*Secretary*

Dan Schneider  
*Executive Director*

### Board Members

José Cárdenas

Gordon Chang

Jonathan Garthwaite

Charlie Gerow

Niger Innis

Adam Laxalt

Willes K. Lee

Carolyn D. Meadows

Randy Neugebauer

Thomas Winter

## ACU

### Executive Committee

Matt Schlapp <i>Chairman</i>	Ron Christie <i>Secretary</i>
Charlie Gerow <i>Vice Chairman</i>	Ed Yevoli <i>At-Large</i>
Carolyn D. Meadows <i>2<sup>nd</sup> Vice Chair</i>	Dan Schneider <i>Executive Director</i>
Bob Beauprez <i>Treasurer</i>	

### Board Members

Jackie Arends	KT McFarland
Larry Beasley	Priscilla O'Shaughnessy
Kimberly Bellissimo	Ron Robinson
Morton C. Blackwell	Mike Rose
Jamie Burke	Peter Samuelson
José Cárdenas	Terry Schilling
Muriel Coleman	Matt Smith
Sean Fieler	Chris Turner
Alan M. Gottlieb	Bill Walton
Van D. Hipp, Jr.	Thomas Winter
Dr. M. Zuhdi Jasser	

## SELECTING THE VOTES

ACU Foundation researched and selected a range of bills before the West Virginia legislature that determine a member's adherence to conservative principles. We selected bills that focus on Ronald Reagan's philosophy of the "three-legged stool": **1) fiscal and economic:** taxes, budgets, regulation, spending, healthcare, and property; **2) social and cultural:** 2nd amendment, religion, life, welfare, and education; and **3) government integrity:** voting, individual liberty, privacy, and transparency. This wide range of issues are designed to give citizens an accurate assessment that conveys which of West Virginia's elected leaders best defend the principles of a free society: Life, Liberty and Property.

## Center for Legislative Accountability Staff

Fred McGrath <i>Director</i>	Francis Finnegan <i>Data Analyst and Manager</i>	Abigail Draiss <i>Policy Fellow</i>	Jonathan Moy <i>Policy Fellow</i>
Luke Schneider <i>Public Affairs &amp; Policy Analyst</i>	Larry Hart <i>Senior Policy Fellow</i>	Joseph Johns <i>Policy Fellow</i>	



## 2019 WINNERS & LOSERS



### 90-100% AWARD FOR CONSERVATIVE EXCELLENCE

#### SENATE

n/a

#### HOUSE

BIBBY, TOM

CADLE, SCOTT

CRISS, VERNON

ESPINOSA, PAUL

FOSTER, GEOFF

HILL, JORDAN

#### HOUSE

HOUSEHOLDER, ERIC

HOWELL, GARY

KESSINGER, KAYLA

PHILLIPS, CHRIS

WILSON, S. MARSHALL



### ≤ 10% COALITION OF THE RADICAL LEFT

#### SENATE

n/a

#### HOUSE

n/a



### 80-89% AWARD FOR CONSERVATIVE ACHIEVEMENT

#### SENATE

AZINGER, MIKE

BLAIR, CRAIG

CARMICHAEL, MITCH

CLINE, SUE

MAYNARD, MARK

ROBERTS, ROLLAN

RUCKER, PATRICIA

TARR, ERIC

TRUMP, CHARLES

WELD, RYAN

#### HOUSE

ATKINSON, RICK

AZINGER, THOMAS

BUTLER, JIM

COWLES, DARYL

ELLINGTON, JOE

FAST, TOM

GRAVES, DIANNA

HAMRICK, DANNY

HANNA, CALEB

HARDY, JOHN

HARSHBARGER, JASON

HIGGINBOTHAM, JOSHUA

HOTT, JOHN PAUL

JEFFIES, DEAN

JEFFIES, JOE

JENNINGS, D. ROLLAND

KELLY, JOHN

KUMP, LARRY

LINVILLE, DANIEL

MALCOLM, SHARON

MARTIN, CARL

MARTIN, PATRICK

MAYNARD, ZACK

McGEEHAN, PAT

PACK, JEFFREY

PORTERFIELD, ERIC

SHOTT, JOHN

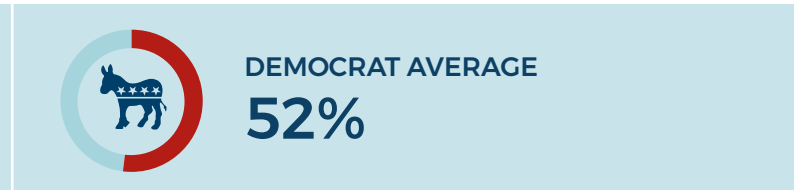
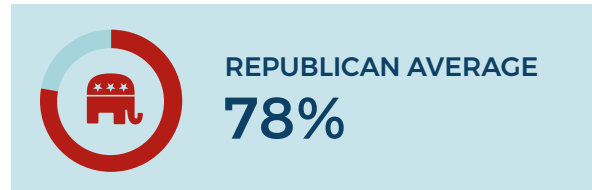
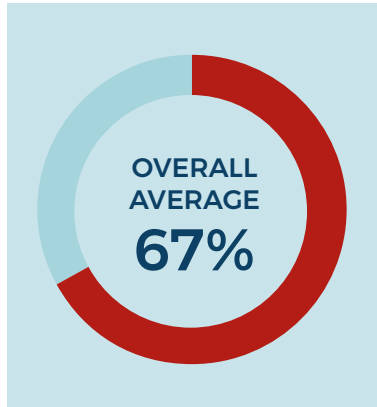
SUMMERS, AMY

SYPOLT, TERRI

WAXMAN, TERRY

WORRELL, EVAN

## WEST VIRGINIA SENATE STATISTICS



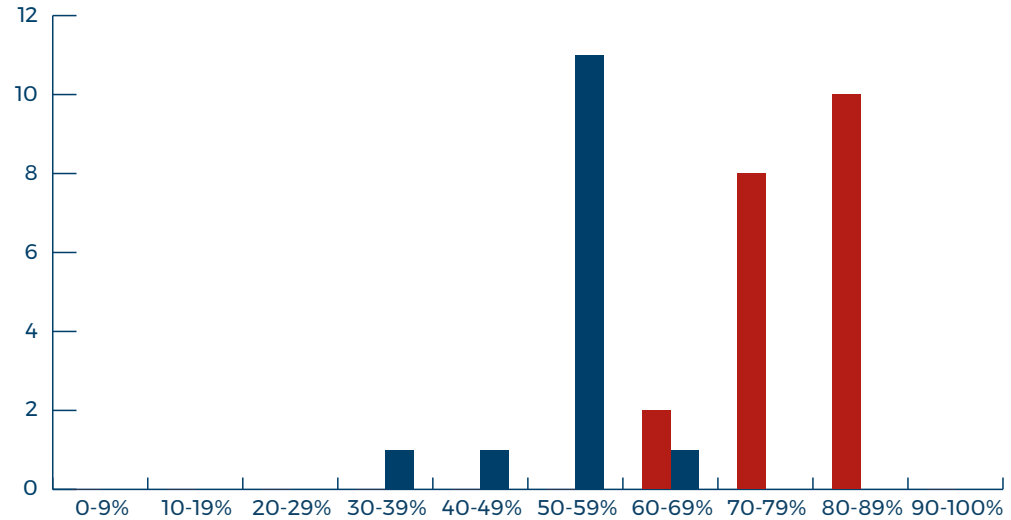
### WEST VIRGINIA SENATE CONSERVATIVE RATINGS

 RED = REPUBLICANS

 BLUE = DEMOCRATS



# OF STATE SENATORS



2019 ACUF PERCENTAGE

↓ LOWEST REPUBLICAN 

HAMILTON, WILLIAM  
**62%**

↑ HIGHEST DEMOCRAT 

WOELFEL, MIKE  
**64%**



# WEST VIRGINIA SENATE SCORES

## WEST VIRGINIA SENATE VOTE DETAIL

	Party	Dist.	ACU Foundation Position			N	N	Y	Y	Y	N	Y	N	Y	Y	Y	Y	N	Y	N	Y	Y	Y	N	Y	Y	Y	N	N	
			2019 %	2018 %	LIFETIME AVG																									
						SB 451 (Ihlenfeld Amd)																								
							SB 19																							
							SB 47																							
							HB 2481																							
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							SB 285																							
							HB 2010																							
							HB 2396																							
							SB 152																							
							SB 543																							
							SB 622																							
							HB 2486																							
							HB 206 (Hamilton Amd)																							
							HB 206 (Prezioso Amd)																							

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WEST VIRGINIA SENATE VOTE DETAIL

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			2019 %	2018 %	LIFETIME AVG	N	N	Y	Y	Y	N	Y	N	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y	N	Y	Y	Y	Y	N	N
						SB 451 (Ihlenfeld Amd.)	SB 19	SB 47	HB 2481	SB 377	SB 512	SB 318	SB 348	SB 414	HB 2204	HB 3083	SB 3	SB 393	HB 2405	SB 491	SB 1	SB 529	SB 285	HB 2010	HB 2396	SB 152	SB 543	SB 622	HB 2486	HB 206 (Hamilton Amd.)	HB 206 (Prezioso Amd.)
Ihlenfeld, William	D	1	54%	n/a	54%	-	-	-	+	+	-	+	-	+	+	+	+	-	+	-	+	+	+	-	+	+	-	+	-	-	
Jeffries, Glenn	D	8	54%	29%	37%	-	-	+	+	+	-	-	-	+	+	+	+	+	-	+	-	+	+	+	-	+	-	-	+	-	
Lindsay, Richard	D	8	38%	n/a	38%	-	-	+	+	-	-	-	-	-	+	-	+	+	-	+	-	+	+	-	-	+	-	-	+	-	
MANN, KENNY	R	10	65%	70%	72%	-	-	+	-	+	-	+	+	+	X	+	+	+	-	+	-	X	+	+	X	+	+	+	-	-	
MARONEY, MIKE	R	2	76%	75%	77%	+	-	+	+	+	-	+	-	X	+	+	+	+	-	+	-	+	+	+	-	+	+	+	+	+	
MAYNARD, MARK	R	6	85%	79%	84%	+	-	+	+	+	+	+	+	+	+	+	+	+	-	+	-	+	+	+	-	+	+	+	+	+	
Palumbo, Corey	D	17	50%	21%	34%	-	-	-	+	+	-	-	-	+	+	+	+	+	-	+	-	+	+	+	-	+	-	-	+	-	
Plymale, Robert	D	5	54%	54%	56%	-	-	-	-	+	-	+	-	+	+	+	+	+	-	+	X	+	X	+	-	+	+	-	+	-	
Prezioso, Roman	D	13	54%	36%	45%	-	-	+	-	+	-	+	-	+	+	+	+	+	-	+	-	+	+	+	-	+	-	-	+	-	
ROBERTS, ROLLAN	R	9	81%	n/a	81%	+	-	+	-	+	+	+	+	+	+	+	+	+	-	+	-	+	+	+	-	+	+	+	+	+	
Romano, Mike	D	12	40%	21%	24%	-	-	X	-	-	-	+	-	-	+	-	+	+	-	+	-	+	+	+	-	+	-	-	+	-	
RUCKER, PATRICIA	R	16	85%	75%	83%	+	-	+	+	+	+	+	+	+	+	+	+	+	-	+	-	+	+	+	-	+	+	+	+	+	
SMITH, RANDY	R	14	77%	77%	80%	+	-	+	-	+	-	+	+	+	+	+	+	+	-	+	-	+	+	+	-	+	+	+	+	+	

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Stollings, Ron	D	7	58%	29%	48%	-	-	+	+	+	-	-	-	+	+	+	+	+	-	+	-	+	+	+	-	+	+	-	+	-	-
SWOPE, CHANDLER	R	6	77%	71%	77%	+	-	+	+	+	-	-	-	+	+	+	+	+	-	+	-	+	+	+	-	+	+	+	+	+	+
SYPOLT, DAVID	R	14	77%	79%	79%	+	-	+	-	+	+	+	+	+	+	+	+	+	-	+	-	+	+	+	-	+	-	+	+	+	+
TAKUBO, TOM	R	17	77%	79%	79%	+	-	+	+	+	-	+	-	+	+	+	+	+	-	+	-	+	+	+	-	+	+	+	+	+	+
TARR, ERIC	R	4	81%	n/a	81%	+	-	+	+	+	+	+	+	+	+	+	+	+	-	+	-	+	+	+	-	-	+	+	+	+	+
TRUMP, CHARLES	R	15	81%	79%	83%	+	-	+	+	+	-	+	+	+	+	+	+	+	-	+	-	+	+	+	-	+	+	+	+	+	+
Unger, John	D	16	54%	50%	47%	-	-	+	-	+	-	+	-	+	+	+	+	+	-	+	-	+	+	+	-	+	-	-	+	-	-
WELD, RYAN	R	1	84%	79%	84%	+	-	+	+	+	X	+	+	+	+	+	+	+	-	+	-	+	+	+	-	+	+	+	+	+	+
Woelfel, Mike	D	5	64%	43%	50%	-	-	+	+	+	+	-	-	+	X	+	+	+	-	+	-	+	+	+	-	+	+	-	+	-	+

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## WEST VIRGINIA SENATE VOTE DESCRIPTIONS

1. **SB 451 Reducing School Choice by Eliminating ESAs (RN 62).** The Ihlenfeld (ACUF Lifetime 54%) et al., amendment (roll call number 62) to the education omnibus bill reduces school choice by eliminating the creation of an education savings account (ESA) program. Under the amendment, the bill is stripped of language establishing ESAs which allow parents to use their public education dollars toward the K-12 school of their choice, including private schools, online learning programs and charter schools. The amendment prevents the creation of 2,500 ESA accounts per year which would have provided funding at a rate of 75% of the cost the state spends to educate a child, amounting to roughly \$3,200 per year in funding for each ESA. ACU supports improving educational outcomes and empowering parents through school choice and opposed this amendment. The Senate rejected the amendment on February 1, 2019 by a vote of 16-18. (A "no" vote supported the ACU position.)
2. **SB 19 Subsidizing Farmers through Food Stamps.** This bill distorts the marketplace by forcing taxpayers to further subsidize local farmers. The federal government currently provides low-income seniors with funds to purchase produce from local farmers through the Senior Farmers Market Nutrition Program. This bill establishes a new fund to potentially provide additional matching state funds for this program. ACU opposes enriching certain industries, creating greater government dependency, and increasing tax burdens and opposed this bill. The Senate passed the bill on February 11, 2019 by a vote of 33-0. (The bill failed to advance in the House.)
3. **SB 47 Eliminating Special Tax Breaks for Wind Power Projects.** This bill reduces cronyism by eliminating the special tax break provided to wind power projects. Under the bill, wind power projects are taxed at standard property tax rates and are no longer classified as "pollution control facilities" which had resulted in them being taxed at rates of only a fraction of the normal level. ACU supports all sources of energy, believes government should not favor one source of energy over another and supported this bill. The Senate passed the bill on February 13, 2019 by a vote of 27-6. (The bill failed to advance in the House.)
4. **HB 2481 Strengthening Individuals Liberties by Lifting a Ban on Sunday Liquor Sales.** This bill strengthens individual liberties by lifting a ban on Sunday liquor sales. Under the bill, liquor sales are permitted on Sundays after 1 p.m., except for Christmas and Easter Sunday. Due to the bill, the misdemeanor penalties (maximum \$5,000 fine and 30 days' imprisonment) for Sunday sales are eliminated for afternoon and evening sales. ACU supports a free market in the alcoholic beverage industry and the expansion of individual liberties and supported this bill as a step in the right direction. The Senate passed the bill on February 18, 2019 by a vote of 22-11 and the bill was signed into law.
5. **SB 377 Expanding Job Opportunities for Amusement Park Workers.** This bill expands job opportunities for seasonal workers at amusement parks by exempting them from certain minimum wage mandates. Under the bill, amusement park employers and employees are able to more freely contract without being constrained by government overtime and wage mandates. As a result, employees may work more than 40 hours per week, something many employers prohibited due to the 150% overtime pay mandate. ACU supports the right of employees and employers to freely contract, supports expanding earning and job opportunities for all workers and supported this bill. The Senate passed the bill on February 20, 2019 by a vote of 30-3 and the bill was signed into law.
6. **SB 512 Imposing Unreasonable Regulatory Burdens on Pawnbrokers.** This bill imposes unreasonable regulatory burdens on pawnbrokers. Under the bill, pawnbrokers are required to record surveillance inside and outside of each public entrance to the shop, keep recordings of surveillance for at least 30 days and post numerous signs disclosing surveillance activity. Additionally, maximum fines for violations of regulations, including those added under the bill, are increased by 400% to \$1,000 and punishable by 30 days' imprisonment. ACU opposes these burdensome regulations that drive up costs and make it more difficult for small pawnbrokers to compete with larger competitors and opposed this bill. The Senate passed the bill on February 20, 2019 by a vote of 23-9. (The bill failed to advance in the House.)

**7. SB 318 Protecting Taxpayers from Medicaid Fraud by Improving Oversight.**

This bill protects taxpayers from Medicaid fraud by improving oversight of the Medicaid Fraud Control Unit (MFCU). Under the bill, MFCU is transferred to the office of the attorney general which is expected to result in increased enforcement. Additionally, the bill requires a performance audit of the unit before January 1, 2023. ACU supports efforts to improve oversight of a program that is the second most costly line item in the state budget and is rife with fraud and waste and supported this bill. The Senate passed the bill on February 27, 2019 by a vote of 26-8 and the bill was signed into law.

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**8. SB 348 Advancing the State's War on Nicotine by Raising the Age to 21.**

This bill violates individual liberties by prohibiting adults under age 21 from purchasing tobacco, nicotine or vaping and e-cigarette products such as Juul. Additionally, the bill increases by 500% the first offense penalties for selling nicotine products to a minor (from \$50 to \$300). Finally, the bill creates a secondary offense for using nicotine products while driving with a passenger who is a minor. ACU believes tobacco and nicotine usage is a personal liberty issue, believes those who are old enough to fight for our country are old enough to decide whether to use these products and opposed this bill. The Senate passed the bill on February 27, 2019 by a vote of 20-14. (The bill failed to advance in the House.)

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**9. SB 414 Protecting Free Speech by Ensuring Nonprofit Donor Privacy.**

This bill protects free speech and association by preventing the state from disclosing the identity or contributions of any individual who has donated to a nonprofit. Under the bill, the state is prohibited from requiring nonprofits to disclose their donors and the state is prohibited from releasing any donor information it obtains. ACU supports the founders' belief in the First Amendment, supports this measure to ensure individuals may freely associate and supported this bill. The Senate passed the bill on February 27, 2019 by a vote of 31-2. (The bill failed to advance in the House.)

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**10. HB 2204 Preventing Occupational Licensing Boards from Hiring**

**Lobbyists.** This bill reduces corruption and strengthens accountability by prohibiting state licensing boards (i.e., state regulatory agencies) from hiring lobbyists. ACU opposes the proliferation of licenses that primarily restrict competition, believes taxpayers should not be forced to foot the bill to pay for lobbyists who lobby against the interests of taxpayers and workers and supported this bill. The Senate passed the bill on March 1, 2019 by a vote of 32-0 and the bill was signed into law.

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**11. HB 3083 Protecting the Integrity of the Unemployment Compensation**

**Fund.** This bill helps ensure the proper disbursement of unemployment funds by clarifying that individuals are not eligible for the funds if they worked in the legislature on a temporary basis during the session. ACU supports protecting businesses and workers from high unemployment tax rates by ensuring the funds are only provided to those who contributed to the fund and were involuntarily let go by their employer and supported this bill. The Senate passed the bill on March 4, 2019 by a vote of 31-3 and the bill was signed into law.

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**12. SB 3 Advancing the Next Generation of 5G Technology.**

This bill paves the way for the expansion of 5G broadband technology across the state. Under the bill, a regulatory framework is established which prevents localities from blocking 5G infrastructure deployment on public right of ways, while ensuring localities are compensated for their expenses and have a say in device placement. ACU supports the ability of private enterprise to provide the next generation of wireless services and a reasonable framework for deployment to ensure taxpayers won't bear costs and supported this bill as a step in the right direction. The Senate passed the bill on March 5, 2019 by a vote of 34-0 and the bill was signed into law.

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**13. SB 393 Protecting the Right to Farm by Strengthening Property Rights.**

This bill strengthens property rights by protecting farmers' "right to farm" and protecting them from lawsuit abuse. The bill strikes a solid balance between protecting property rights of farmers and surrounding landowners. Specifically, the bill prohibits nuisance actions against agricultural operations unless the operation's expansion is a public safety hazard, violates federal, state or municipal law, or creates a measurably significant difference in environmental conditions, among other provisions. Complainants must be a majority owner of land within a half-mile radius of the operation. Additionally, the bill limits the period in which nuisance actions may be brought to one year from the start of operation. ACU's Center for 21st Century Property Rights is a leading voice on this issue and works to protect the property rights of all property owners. ACU supports efforts to protect property rights and reduce frivolous litigation and supported this bill. The Senate passed the bill on March 5, 2019 by a vote of 34-0 and the bill was signed into law.

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14. **HB 2405 Imposing New Taxes on Health Insurers to Fund a Medicaid Gimmick.** This bill, coupled with SB 546, is part of the state's attempt to game the federal Medicaid program. Under the bill, new taxes are imposed on health maintenance organizations (health insurers commonly known as HMOs). This revenue is then to be used to trigger greater matching funds from federal taxpayers under Medicaid. ACU opposes this gimmick which increases health insurance costs and burdens state and federal taxpayers through increased Medicaid spending and opposed this bill. The Senate passed the bill on March 5, 2019 by a vote of 33-0 and the bill was signed into law.
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15. **SB 491 Protecting Election Standards by Delaying a Plan for Automatic Voter Registration.** This bill protects election standards in West Virginia by delaying the implementation of automatic voter registration at the Division of Motor Vehicles (DMV). A law passed in 2016 completely flipped the voter registration process at the DMV by automatically registering individuals to vote unless they opted out—despite the fact the DMV was never required to verify eligibility to vote. This bill delays to 2021 the implementation of automatic voter registration and requires the DMV to create a plan to ensure noncitizens cannot register to vote. ACU opposes automatic registration which disenfranchises eligible voters by making it easier for ineligible individuals to vote, supports the full repeal of the 2016 automatic registration plan and supported this bill as a step in the right direction. The Senate passed the bill on March 6, 2019 by a vote of 34-0 and the bill was signed into law.
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16. **SB 1 Socializing the Cost of "Free" Community College.** This bill implements a socialist scheme in which taxpayer money is funneled to institutions of higher education to provide "free" college education. Under the bill, taxpayers pay the cost of tuition for individuals ages 18 and older to attend community or technical college. Individuals who receive "free" tuition must remain in the state for two years after graduating and remain drug-free during school. ACU believes "free" college plans represent the greatest transfer of wealth from low-income individuals to high-income individuals, opposes this socialism which burdens taxpayers and opposed this bill. The Senate passed the bill on March 7, 2019 by a vote of 33-0 and the bill was later signed into law.
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17. **SB 285 Strengthening "Food Freedom" by Permitting the Sale of Cottage Foods.** This bill strengthens "food freedom" by permitting the sale of numerous home-prepared foods, otherwise known as "cottage foods." Under previous law, a very limited selection of cottage foods were permitted to be sold at farmers markets or farm stands. Under the bill, cottage food producers are permitted to sell a wide variety of goods (excluding meat, poultry and low acid foods) from their home or over the internet without being subject to costly registrations and licenses. ACU supports food freedom and expanding consumer food and beverage options and supported this bill. The Senate passed the bill on March 7, 2019 by a vote of 33-0 and the bill was signed into law.
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18. **SB 529 Strengthening Individual Liberties by Lifting Anticompetitive Restrictions on Alcoholic Beverages.** This bill strengthens individual liberties and market competition by making a number of reforms in the regulation of the craft beer industry. Firstly, the bill provides brewers with greater ability to modify their recipes and expand their offerings by increasing the alcohol by volume limit in beer from 12% to 15%. Additionally, the bill reforms costly and anticompetitive regulations concerning growler sizes, beverage sampling, on-premises consumption and bonding requirements. ACU supports a free market in the alcoholic beverage industry and the expansion of individual liberties and supported this bill. The House passed the bill on March 8, 2019 by a vote of 33-0 and the bill was signed into law.
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19. **HB 2010 Improving Foster Care through Privatization.** This bill improves the wellbeing of children through a series of reforms, including privatization. Under the bill, the state is authorized to contract with private, managed care organizations to provide foster services. The bill also increases the efficiency of the foster system and directs the department of human services inspector general to investigate and ensure child wellbeing. The bill aligns with ACU Foundation's Seven Principles of Privatization. ACU supports improving children's wellbeing, especially foster children, through conservative reforms and privatization efforts and supported this bill. The Senate passed the bill on March 8, 2019 by a vote of 32-1 and the bill was signed into law.
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**20. HB 2396 Increasing Taxpayer Costs through Protectionist Food**

**Procurement Mandates.** This bill enriches local farmers and ranchers and drives up taxpayer costs by requiring all state-funded entities to obtain at least 5% of their fresh produce, meat and poultry from in-state producers. ACU opposes efforts such as this bill which drive up taxpayer costs by distorting and steering the market toward industries and businesses favored by government opposed this bill. The Senate passed the bill on March 8, 2019 by a vote of 33-0 and the bill was signed into law.

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**21. SB 152 Increasing Job Opportunities by Permitting Rehabilitated**

**Individuals to Petition for Expungement.** This bill increases job opportunities for individuals with previous criminal convictions by permitting them to petition a court for the expungement of certain nonviolent felony offenses. Under the bill, the state's expungement program is expanded to include nonviolent felony offenses regardless of the individual's age at the time of the conviction (previously only misdemeanors committed between ages 18 and 26). To be eligible for expungement, petitioners must have no convictions for at least three years subsequent to completing any sentence, including probation. Additionally, final order of expungement is only available eight years after completing a sentence. ACU Foundation's Nolan Center for Justice is a national leader in criminal justice reform and works to cut crime, reduce taxpayer costs, protect victims, define the proper scope of government, and responsibly reduce incarceration rates. ACU supports efforts to reduce recidivism by providing those with criminal convictions an opportunity to succeed in the workforce and supported this bill. The Senate passed the bill on March 9, 2019 by a vote of 32-1 and the bill was signed into law.

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**22. SB 543 Reducing Government Interference in the Car Industry by**

**Permitting "As-Is" Sales.** This bill expands consumer-used vehicle options by permitting dealers to sell vehicles in "as-is" condition under certain circumstances. Under the bill, a dealer may sell a vehicle in "as-is" condition if it meets one of the following conditions: has been modified as a total loss, sold under \$2,500, has 100,000 or more miles, or is seven years or older. A dealer must post a disclosure that the vehicle is sold "as-is" and the purchaser is responsible for any repairs after the sale. Additionally, the bill provides the purchaser the right to return the vehicle within 48 hours under certain conditions. ACU supports the right for vehicle dealers and purchasers to freely contract, supports reducing government interference in the vehicle industry and supported this bill as a step in the right direction. The Senate passed the bill on March 9, 2019 by a vote of 24-10 and the bill was signed into law.

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**23. SB 622 Strengthening Free Speech by Raising Campaign Finance Limits.**

This bill strengthens free speech by increasing the amount of money individuals may contribute to political candidates, parties and action committees. Under the bill, individuals may contribute up to \$2,800 to a candidate (previously \$1,000), up to \$10,000 to a political party (previously \$1,000), and up to \$5,000 to political action committees (previously \$1,000). ACU supports the Supreme Court's Citizens United ruling and supports expanding free speech by raising contribution limits and supported this bill. The Senate passed the bill on March 9, 2019 by a vote of 19-15 and the bill was signed into law.

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**24. HB 2486 Reducing Occupational Licensing Barriers for Individuals with Criminal Convictions.**

This bill makes it easier for individuals with past criminal convictions to obtain employment by reducing occupational licensing barriers. Under the bill, applicants may not be denied a license solely due to a past criminal conviction, unless the conviction directly relates to the occupation for which they are seeking licensure or the conviction meets certain other criteria such as being "sexually violent in nature." The bill is designed to prevent unaccountable regulatory and licensing boards from relying on a vague requirement that the applicant be of "good moral character" to exclude an ex-offender from licensure. ACU Foundation's Nolan Center for Justice is a leading authority on this issue and works to pursue policies that cut crime, reduce the size and scope of government and responsibly reduce incarceration rates. ACU supports expanding employment and reducing recidivism through this and other necessary reforms to our criminal justice system and supported this bill. The Senate passed the bill on March 9, 2019 by a vote of 33-0 but the bill was vetoed by the governor.

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**25. HB 206 Preventing School Choice by Placing Barriers to Establish Public**

**Charter Schools (RN 102).** The Hamilton (ACUF Lifetime 60%) et al., amendment (roll call number 102) to the education omnibus bill makes it harder to establish a public charter school by prohibiting the opening of any charter school unless it has been voted on in a general election within the city. In other words, this amendment is designed to empower the American Federation of Teachers Union and allow merely 51% of citizens to overrule the school choice of students and their families. ACU opposes this unnecessary barrier that is solely intended to restrict school choice and opposed this amendment. The Senate defeated the amendment on June 24, 2019 by a vote of 16-18.

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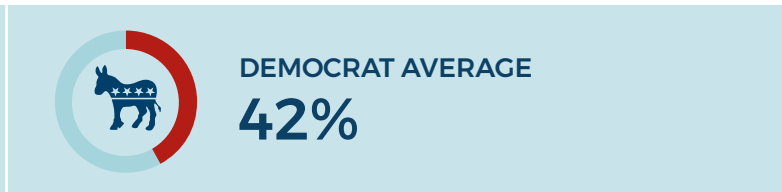
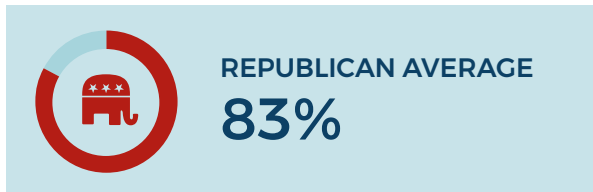
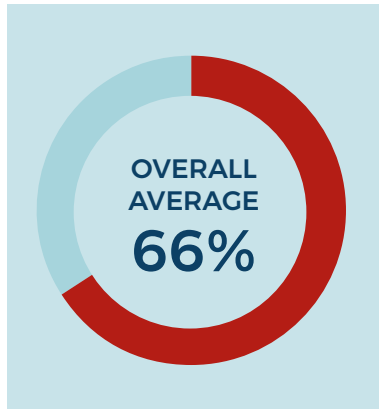
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**26. HB 206 Preventing School Choice by Blocking the Creation of Charter Schools (RN 99).** The Prezioso (ACUF Lifetime 45%) amendment (roll call number 99) to the education omnibus bill reduces school choice by eliminating provisions which would have authorized charter schools to operate in the state. ACU supports improving educational outcomes and empowering parents by expanding school choice and opposed this amendment. The Senate defeated the amendment on June 24, 2019 by a vote of 15-19.

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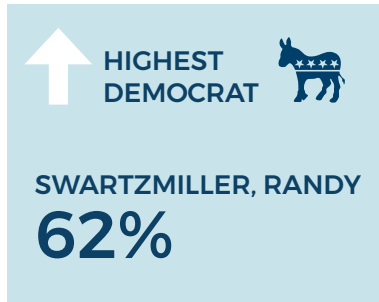
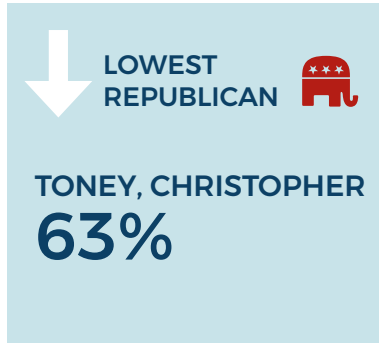
## WEST VIRGINIA HOUSE STATISTICS



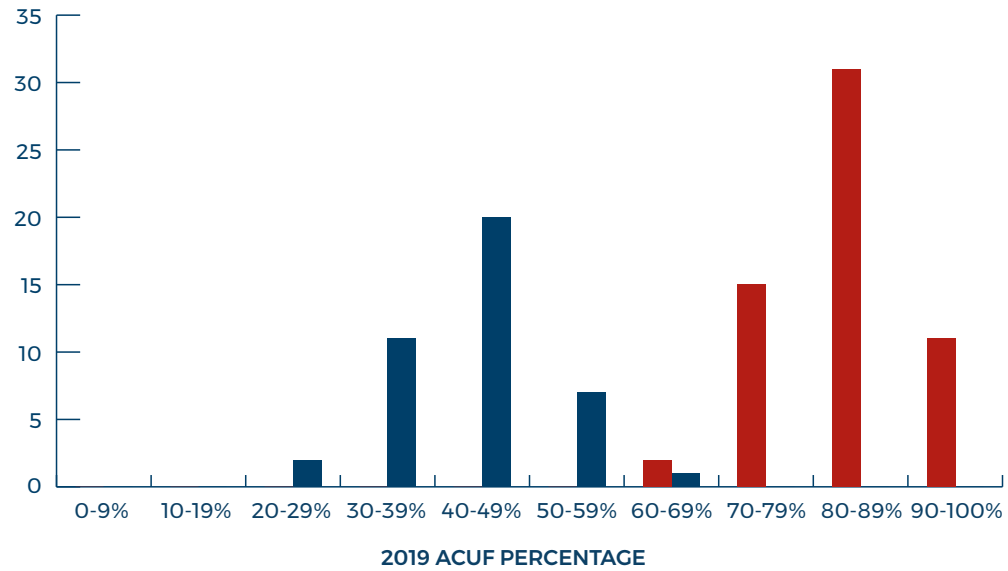
### WEST VIRGINIA HOUSE CONSERVATIVE RATINGS

RED = REPUBLICANS

BLUE = DEMOCRATS



# OF STATE REPS





# WEST VIRGINIA HOUSE SCORES

## WEST VIRGINIA HOUSE VOTE DETAIL

	Party	Dist.	ACU Foundation Position			ACU Foundation Position																															
			2019 %	2018 %	LIFETIME AVG	Y	Y	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	Y	N	Y	Y	Y	N	Y	N		
						HB 2038	HB 2204	SB 451 (Maxman Amd.)	HB 2720	SB 377	HB 2481	HB 2014	HB 2519 (Shott Amd.)	HB 2519	HB 2941	HB 3127	SB 3	SB 393	SB 491	HB 3083	SB 1	SB 285	HB 2405	SB 318	SB 529	SB 152	SB 543	HB 2010	HB 2396	SB 622	HB 2001	HB 2486	HB 206 (Dean Amd.)	HB 206 (Espinoza Amd.)	HB 206 (C. Thompson Amd.)		
ANDERSON, WILLIAM	R	8	77%	93%	75%	+	+	-	+	+	+	+	-	-	-	+	+	+	+	+	-	+	-	+	+	+	+	+	-	+	+	+	+	+	+	+	+
Angelucci, Michael	D	50	37%	n/a	37%	-	+	-	-	-	+	+	-	-	-	+	+	-	-	-	+	-	-	+	+	+	+	-	-	-	+	+	-	-	-	-	
ATKINSON, RICK	R	11	80%	93%	84%	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	-	+	-	+	+	+	+	+	-	+	+	+	+	+	+	+	
AZINGER, THOMAS	R	10	87%	n/a	87%	+	+	+	+	+	+	+	+	+	+	+	+	+	+	-	+	-	+	-	+	+	+	+	-	+	+	+	+	+	+	+	
Barrett, Jason	D	61	59%	57%	46%	-	+	-	+	-	+	+	+	-	+	+	+	-	-	-	+	-	-	+	+	+	+	+	-	-	+	+	X	X	X		
Bates, Mick	D	30	43%	33%	42%	-	+	-	+	-	+	+	-	-	-	+	+	-	-	-	+	-	-	+	+	+	+	-	-	+	+	+	-	-	-		
BIBBY, TOM	R	62	97%	n/a	97%	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	-	+	+	+	+	+	+	+	
Boggs, Brent	D	34	56%	60%	43%	-	+	-	+	+	+	+	+	+	-	+	+	-	-	X	X	X	-	+	+	+	+	-	-	-	+	+	-	-	-		
Brown, Nathan	D	20	43%	n/a	43%	-	-	-	+	-	+	+	+	-	-	+	+	-	-	-	+	-	-	+	+	+	+	-	-	-	+	+	+	-	-		
Brown, Sammi	D	65	29%	n/a	29%	-	-	-	-	X	+	+	-	-	-	+	X	-	-	-	+	-	-	+	+	-	-	-	-	+	+	+	+	+	+		
BUTLER, JIM	R	14	87%	93%	85%	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	-	+	+	+	+	+	+	+	

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- HB 2204 Preventing Occupational Licensing Boards from Hiring Lobbyists.
- SB 451 Expanding School Choice by Establishing ESAs (RN 153).
- HB 2720 Strengthening Second Amendment Rights by Permitting Emergency Medical Service Providers to Carry.
- SB 377 Expanding Job Opportunities for Amusement Park Workers.
- HB 2481 Strengthening Individuals Liberties by Lifting a Ban on Sunday Liquor Sales.
- HB 2014 Strengthening Intellectual Property Rights Protections.
- HB 2519 Violating Second Amendment Rights by Expanding Firearm Bans (RN 381).
- HB 2519 Strengthening Second Amendment Rights by Permitting Concealed Carry on College Campuses.
- HB 2941 Expanding Cronyism by Reestablishing a Film Tax Credit Program.
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- SB 622 Strengthening Free Speech by Raising Campaign Finance Limits.
- HB 2001 Providing Tax Relief by Gradually Eliminating the Tax on Social Security Benefits.
- HB 2486 Reducing Occupational Licensing Barriers for Individuals with Criminal Convictions.
- HB 206 Preventing School Choice by Placing Barriers to Establish Public Charter Schools (RN 892).
- HB 206 Expanding School Choice by Authorizing Additional Public Charter Schools (RN 897).
- HB 206 Placing Taxpayers on the Hook for \$700 Million by Hiking Pension Payouts (RN 890).



WEST VIRGINIA HOUSE VOTE DETAIL

	Party	Dist.	ACU Foundation Position			Y	Y	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	Y	N	Y	Y	Y	N	Y	N
			2019 %	2018 %	LIFETIME AVG	HB 2038	HB 2204	SB 451 (Maxman Amd.)	HB 2720	SB 377	HB 2481	HB 2014	HB 2519 (Shott Amd.)	HB 2519	HB 2941	HB 3127	SB 3	SB 393	SB 491	HB 3083	SB 1	SB 285	HB 2405	SB 318	SB 529	SB 152	SB 543	HB 2010	HB 2396	SB 622	HB 2001	HB 2486	HB 206 (Dean Amd.)	HB 206 (Espinoza Amd.)
Byrd, Andrew	D	35	44%	40%	45%	-	X	-	+	-	+	+	-	-	X	X	+	+	+	+	-	-	+	+	-	-	-	-	-	-	-	-	-	-
CADLE, SCOTT	R	13	93%	n/a	84%	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	-	+	+	+	+	+	-	+	+	+	+	+	+	+
Campbell, Jeff	D	42	43%	47%	45%	-	+	-	+	+	+	-	-	-	+	+	-	-	-	+	-	-	+	+	+	-	-	-	+	+	-	-	-	
Canestraro, Joe	D	4	43%	20%	30%	-	+	-	+	-	+	+	-	-	-	+	+	-	-	-	-	-	+	+	+	+	-	-	+	+	-	-	-	
CAPITO, MOORE	R	35	78%	92%	85%	+	+	+	+	X	+	+	-	+	-	X	X	+	+	-	+	-	+	+	+	+	-	+	+	+	+	+	+	+
Caputo, Mike	D	50	33%	7%	17%	-	+	-	-	-	+	+	-	-	-	+	+	-	-	-	-	-	+	+	-	-	-	-	+	+	-	-	-	
COOPER, ROY	R	28	77%	93%	76%	+	+	-	+	+	-	+	+	-	+	+	+	+	+	+	-	+	-	+	+	+	X	X	X	+	X	+	+	+
COWLES, DARYL	R	58	85%	86%	85%	X	+	+	+	+	+	-	+	+	+	+	+	+	+	-	+	-	+	+	+	+	-	+	+	+	+	X	X	X
CRISS, VERNON	R	10	90%	87%	87%	+	+	+	+	+	+	+	+	+	+	+	+	+	+	-	+	-	+	+	+	+	-	+	+	+	+	+	+	+
DEAN, MARK	R	21	75%	93%	80%	+	+	-	+	+	+	+	+	-	-	+	+	+	+	+	-	+	+	+	+	X	X	+	+	+	-	-	-	
Diserio, Phil	D	2	37%	20%	26%	-	+	-	+	-	+	-	-	-	+	+	-	-	-	+	-	-	+	+	-	-	-	-	+	+	-	-	-	
Doyle, John	D	67	40%	n/a	40%	-	+	-	-	+	+	-	-	-	+	+	-	-	-	+	-	-	+	+	+	-	-	-	+	+	-	-	-	
ELLINGTON, JOE	R	27	86%	87%	82%	+	+	+	+	+	+	+	+	-	+	+	+	+	-	+	-	+	+	+	+	+	-	+	X	X	+	+	+	

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WEST VIRGINIA HOUSE VOTE DETAIL

	Party	Dist.	ACU Foundation Position			Y	Y	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	N	Y	Y	Y	N	Y	N
			2019 %	2018 %	LIFETIME AVG	HB 2038	HB 2204	SB 451 (Maxman Amd.)	HB 2720	SB 377	HB 2481	HB 2014	HB 2519 (Shott Amd.)	HB 2941	HB 3127	SB 3	SB 393	SB 491	HB 3083	SB 1	SB 285	HB 2405	SB 318	SB 529	SB 152	SB 543	HB 2010	HB 2396	SB 622	HB 2001	HB 2486	HB 206 (Dean Amd.)	HB 206 (Espinosa Amd.)
ESPINOSA, PAUL	R	66	90%	93%	87%	+	+	+	+	+	+	+	+	+	+	+	+	-	+	-	+	+	+	+	+	-	+	+	+	+	+	+	+
Estep-Burton, Amanda	D	36	33%	n/a	33%	-	-	-	+	-	+	+	-	+	+	-	-	-	+	-	-	+	+	-	-	-	-	-	+	+	-	-	-
Evans, Ed	D	26	47%	33%	37%	-	+	-	+	-	+	+	-	-	+	+	+	-	+	-	-	+	+	+	+	-	-	+	+	-	-	-	
FAST, TOM	R	32	80%	87%	85%	+	+	+	+	+	-	+	+	+	+	+	+	-	+	-	+	-	+	+	+	+	-	+	+	+	+	+	+
Fleischauer, Barbara	D	51	23%	7%	15%	-	-	-	-	-	+	-	-	-	-	+	-	-	+	-	-	+	+	-	-	-	-	-	+	+	-	-	-
Fluharty, Shawn	D	3	43%	36%	39%	-	+	-	+	-	+	+	+	-	-	+	+	-	-	+	-	-	+	+	+	-	-	-	+	+	-	-	-
FOSTER, GEOFF	R	15	93%	93%	90%	+	+	+	+	+	+	+	+	+	+	X	+	+	+	-	+	+	+	+	+	+	-	+	+	+	+	+	+
GRAVES, DIANNA	R	38	80%	100%	90%	+	+	+	+	+	+	+	+	+	-	-	+	+	+	+	-	+	-	+	+	+	-	+	+	+	+	+	+
HAMRICK, DANNY	R	48	87%	93%	84%	+	+	+	+	+	+	+	+	+	-	+	+	+	+	+	-	+	+	+	+	+	-	+	+	+	+	+	+
HANNA, CALEB	R	44	83%	n/a	83%	+	+	+	+	+	-	+	+	+	+	+	+	-	+	-	+	+	+	+	+	+	-	+	+	+	+	+	+
Hansen, Evan	D	51	37%	n/a	37%	-	-	-	+	-	+	+	-	-	-	+	+	-	-	+	-	-	+	+	-	-	-	-	+	+	+	-	-
HANSHAW, ROGER	R	33	73%	93%	77%	+	+	+	+	+	+	+	-	-	-	+	+	+	+	-	+	-	+	+	+	+	-	+	+	+	+	+	+
HARDY, JOHN	R	63	87%	n/a	87%	+	+	+	+	+	+	+	+	+	+	+	+	-	+	-	+	+	+	+	+	+	-	+	+	+	+	+	+

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						HB 2038	HB 2204	SB 451 (Maxman Amnd.)	HB 2720	SB 377	HB 2481	HB 2014	HB 2519 (Shott Amnd.)	HB 2519	HB 2941	HB 3127	SB 3	SB 393	SB 491	HB 3083	SB 1	SB 285	HB 2405	SB 318	SB 529	SB 152	SB 543	HB 2010	HB 2396	SB 622	HB 2001	HB 2486	HB 206 (Dean Amnd.)	HB 206 (Espinoza Amnd.)	HB 206 (C. Thompson Amnd.)	
HARSHBARGER, JASON	R	7	87%	93%	91%	+	+	+	+	+	+	+	+	+	-	+	+	+	+	+	-	+	+	+	+	+	+	-	+	+	+	+	+	+	+	
Hartman, William	D	43	57%	60%	52%	-	+	-	+	+	+	+	+	+	-	-	+	+	+	+	-	+	-	-	+	+	+	+	-	-	+	+	-	-	-	
Hicks, Ken	D	19	40%	43%	47%	-	-	-	+	-	+	+	-	-	-	-	+	+	+	+	-	+	-	-	+	+	+	-	-	+	+	+	-	-	-	
HIGGINBOTHAM, JOSHUA	R	13	87%	93%	89%	+	+	+	+	+	+	+	+	+	-	+	+	+	+	+	-	+	+	+	+	+	+	-	+	+	+	+	+	+	+	
HILL, JORDAN	R	41	90%	100%	93%	+	+	+	+	+	+	+	+	+	-	+	+	+	+	+	+	-	+	+	+	+	+	-	+	+	+	+	+	+	+	
HOLLEN, RAY	R	9	74%	93%	85%	+	+	+	+	+	-	+	-	-	+	+	+	+	+	+	-	+	-	+	-	+	+	+	-	+	+	+	+	X	X	X
Hornbuckle, Sean	D	16	43%	40%	28%	-	+	-	+	-	+	+	-	-	-	-	+	+	+	+	-	+	-	-	+	+	+	-	-	-	+	+	-	-	-	
HOTT, JOHN PAUL	R	54	83%	n/a	83%	+	+	-	+	+	+	+	+	+	+	+	+	+	+	+	-	+	-	+	+	+	+	-	+	+	+	+	+	+	+	
HOUSEHOLDER, ERIC	R	64	96%	100%	92%	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	X	X	X	+	+	+	+	+	-	+	+	+	+	+	+	
HOWELL, GARY	R	56	90%	100%	91%	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	-	+	-	+	+	+	+	+	-	+	+	+	+	+	+	
JEFFIES, DEAN	R	40	80%	n/a	80%	+	+	+	+	+	-	+	+	+	-	+	+	+	+	+	-	+	-	+	-	+	+	+	-	+	+	+	+	+	+	
JEFFIES, JOE	R	22	83%	n/a	83%	+	+	-	+	+	+	+	+	+	-	+	+	+	+	+	-	+	-	+	+	+	+	+	-	+	+	+	+	+	+	

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JENNINGS, D. ROLLAND	R	53	83%	93%	88%	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
KELLY, DAVID	R	6	77%	n/a	77%	+	+	-	+	+	+	+	-	-	-	+	+	+	+	+	-	+	-	+	+	+	+	+	+	+	+	+	+	
KELLY, JOHN	R	10	80%	87%	81%	+	+	-	+	+	+	+	-	+	-	+	+	+	+	+	-	+	-	+	+	+	+	-	+	+	+	+	+	
KESSINGER, KAYLA	R	32	93%	100%	93%	+	+	+	+	+	+	X	+	+	-	+	+	+	+	+	+	+	+	+	+	+	-	+	+	+	+	+	+	
KUMP, LARRY	R	59	80%	n/a	80%	+	X	X	X	X	X	+	+	+	+	+	+	+	+	-	-	-	+	-	+	+	+	+	+	+	+	+	+	
Lavender-Bowe, Cindy	D	42	33%	n/a	33%	-	-	-	-	-	+	+	-	-	-	-	+	+	-	-	-	+	-	-	+	+	-	+	-	-	+	+	-	
LINVILLE, DANIEL	R	16	80%	n/a	80%	+	+	-	+	+	+	+	-	+	-	+	+	+	+	+	-	+	-	+	+	+	+	-	+	+	+	+	+	
LITTLE, CHUCK	R	9	n/a†	n/a	n/a	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	+	
Longstreth, Linda	D	50	38%	23%	25%	-	+	-	-	X	+	+	-	-	-	-	+	+	-	-	-	+	-	-	+	+	+	+	-	-	-	+	+	-
Lovejoy, Chad	D	17	43%	43%	39%	-	+	-	+	-	+	+	-	-	-	+	+	+	-	-	-	+	-	-	+	+	+	-	-	-	+	+	-	-
MALCOLM, SHARON	R	39	86%	n/a	86%	+	+	+	+	+	+	+	+	+	-	+	+	+	+	+	-	+	-	+	+	-	+	+	X	X	+	+	+	+
MANDT, JOHN	R	16	73%	n/a	73%	+	+	-	+	+	+	+	-	-	+	+	+	+	+	+	-	-	-	+	-	+	+	+	+	+	+	+	+	+
MARTIN, CARL	R	45	83%	n/a	83%	+	+	+	+	+	X	+	+	+	-	+	+	+	+	+	-	+	+	+	+	-	+	+	+	+	-	+	+	+

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MARTIN, PATRICK	R	46	87%	87%	89%	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
MAYNARD, ZACK	R	22	87%	93%	88%	+	+	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
McGEEHAN, PAT	R	1	80%	87%	86%	+	+	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Miley, Tim	D	48	43%	40%	33%	-	-	-	+	-	+	+	-	-	-	-	+	+	-	+	-	+	-	-	+	+	+	+	-	-	+	+	-	-	-		
Miller, Rodney	D	23	43%	33%	36%	-	-	-	+	+	+	+	-	-	-	-	+	+	-	+	-	+	-	-	+	+	+	+	-	-	+	+	+	-	-		
NELSON, ERIC	R	35	77%	93%	82%	+	+	-	+	+	+	+	-	-	+	-	+	+	+	+	+	-	+	-	+	+	+	+	+	-	+	+	+	+	+	+	
PACK, JEFFREY	R	28	83%	93%	88%	+	+	+	+	+	-	+	+	+	-	+	+	+	+	+	-	+	+	+	+	+	+	-	+	+	+	+	+	+	+	+	
PAYNTER, TONY	R	25	70%	80%	79%	+	+	-	+	-	+	+	+	+	+	-	+	+	+	+	+	-	+	+	+	+	+	+	-	-	+	+	+	+	-	-	
Pethel, David	D	5	47%	40%	33%	-	+	-	+	-	+	+	-	-	-	-	+	+	+	+	-	-	+	-	-	+	+	+	+	-	-	+	+	+	-	-	
PHILLIPS, CHRIS	R	47	90%	n/a	90%	+	+	+	+	+	+	+	+	+	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
PORTERFIELD, ERIC	R	27	83%	n/a	83%	+	+	+	+	+	-	+	+	+	+	+	+	+	+	+	+	-	+	-	+	-	+	-	+	+	+	+	+	+	+	X	+
Pushkin, Mike	D	37	40%	7%	22%	-	-	-	+	-	+	+	-	-	-	-	+	+	-	+	-	+	-	-	+	+	+	-	-	-	+	+	+	-	-		
Pyles, Rodney	D	51	40%	7%	21%	-	+	-	+	+	+	+	-	-	-	-	+	+	-	-	-	-	+	-	-	+	+	-	-	-	-	+	+	+	-	-	

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Robinson, Andrew	D	36	30%	13%	26%	-	-	-	+	-	+	+	+	-	-	-	-	-	-	-	-	-	+	+	-	-	-	-	-	+	+	-	-	-	
Rodighiero, Ralph	D	24	59%	40%	46%	-	+	-	+	X	+	+	+	+	-	+	+	+	-	+	-	-	+	+	+	+	-	-	+	+	-	-	-		
ROHRBACH, MAT-THEW	R	17	66%	87%	73%	+	+	-	+	+	+	+	+	+	-	-	+	+	+	-	+	-	-	+	+	+	+	-	X	+	-	-	-		
ROWAN, RUTH	R	57	77%	93%	85%	+	+	-	+	+	+	+	+	+	-	-	+	+	+	+	-	+	-	+	+	+	+	-	+	+	+	+	-	+	
Rowe, Larry	D	36	37%	20%	27%	-	-	-	+	-	+	+	-	-	-	-	+	+	-	+	-	+	-	+	+	-	-	-	-	+	+	-	-	-	
SHOTT, JOHN	R	27	80%	93%	79%	+	+	+	+	+	+	+	-	-	-	+	+	+	+	-	+	-	+	+	+	+	+	-	+	+	+	+	+	+	
Skaff, Douglas	D	35	50%	n/a	47%	-	+	-	+	-	+	+	-	-	-	-	+	+	+	-	+	-	-	+	+	+	+	-	-	+	+	-	-	-	
Sponaugle, Isaac	D	55	48%	47%	40%	-	+	-	+	-	+	+	+	-	-	-	+	+	-	-	-	+	-	-	+	+	+	-	-	-	+	+	X	X	X
Staggers, Margaret	D	32	53%	n/a	42%	+	+	-	+	-	+	+	+	+	-	+	+	-	-	-	+	-	-	+	+	+	-	-	-	+	+	-	-	-	
STEELE, BRANDON	R	29	79%	n/a	79%	+	+	-	+	+	+	+	+	+	-	X	-	+	+	+	-	+	-	+	+	+	+	-	+	X	+	+	+	+	
STORCH, ERIKKA	R	3	73%	86%	72%	+	+	-	+	+	+	+	-	-	-	-	+	+	+	+	-	+	-	+	+	+	+	-	+	+	+	+	+	+	
SUMMERS, AMY	R	49	83%	92%	88%	+	+	+	+	+	+	+	+	+	-	-	+	+	+	+	-	+	-	+	+	+	+	-	+	+	+	+	+	+	+

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WEST VIRGINIA HOUSE VOTE DETAIL

	Party	Dist.	ACU Foundation Position			ACU Foundation Position																															
			2019 %	2018 %	LIFETIME AVG	Y	Y	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	N	Y	Y	Y	N	Y	N			
Swartzmiller, Randy	D	1	62%	n/a	51%	-	+	-	+	+	+	+	+	+	-	-	-	+	+	+	+	-	-	+	+	+	+	+	+	+	+	+	+	+	X	-	
SYPOLT, TERRI	R	52	87%	87%	86%	+	+	+	+	+	+	+	+	+	-	+	+	+	+	+	+	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Thompson, Cody	D	43	40%	n/a	40%	-	+	-	+	-	+	+	+	-	-	-	+	+	-	-	-	+	-	-	+	+	-	-	-	-	-	-	-	-	-	-	
Thompson, Robert	D	19	47%	47%	39%	-	+	-	+	-	+	+	+	+	-	-	+	+	-	-	-	+	-	-	+	+	+	-	-	-	-	-	-	-	-	-	
Tomblin, Tim	D	24	50%	n/a	50%	+	-	-	+	-	+	+	+	+	-	-	+	+	-	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
TONEY, CHRISTOPHER	R	31	63%	n/a	63%	+	+	-	+	+	-	+	+	+	-	-	+	+	+	+	+	-	+	-	+	-	+	-	+	+	+	+	+	+	+	+	
Walker, Danielle	D	51	30%	n/a	30%	-	-	-	-	-	+	+	-	-	-	-	+	+	-	-	-	+	-	-	+	+	-	-	-	-	-	-	-	-	-	-	
WAXMAN, TERRY	R	48	87%	n/a	86%	+	+	+	+	+	+	+	+	+	-	+	+	+	+	+	+	-	+	-	+	+	+	+	+	+	+	+	+	+	+	+	
WESTFALL, STEVE	R	12	77%	93%	76%	+	+	-	+	+	+	+	-	-	+	-	+	+	+	+	+	-	+	-	+	+	+	+	+	+	+	+	+	+	+	+	
Williams, John	D	51	37%	13%	24%	-	+	-	+	-	+	+	-	-	-	-	+	+	-	-	-	-	-	-	+	+	+	+	-	-	-	-	-	-	-	-	
WILSON, S. MARSHALL	R	60	97%	100%	99%	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	X
WORRELL, EVAN	R	18	83%	n/a	83%	+	+	-	+	+	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	
Zukoff, Lisa	D	4	40%	n/a	40%	-	+	-	+	-	+	+	-	-	-	-	+	+	-	-	-	+	-	-	+	-	-	+	+	+	+	+	+	+	+	+	

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## WEST VIRGINIA HOUSE VOTE DESCRIPTIONS

1. **HB 2038 Protecting Job Opportunities by Restricting Anti-Competitive Licensure.** This bill helps to protect job opportunities by preventing the state from enacting unnecessary occupational licensing regulations. Under the bill, a new occupational license cannot be proposed unless a majority of states in the US license that profession or West Virginia has demonstrated that the state is unique and the profession should be regulated. Additionally, the bill requires existing licensing regulations to be reviewed every five years and be recommended to sunset (expire) unless they are in place in at least 25 other states. ACU opposes the proliferation of licenses which are primarily designed to restrict competition and supported this bill. The House passed the bill on January 17, 2019 by a vote of 60-39. (The bill failed to advance in the Senate.)

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2. **HB 2204 Preventing Occupational Licensing Boards from Hiring Lobbyists.** This bill reduces corruption and strengthens accountability by prohibiting state licensing boards (i.e., state regulatory agencies) from hiring lobbyists. ACU opposes the proliferation of licenses that primarily restrict competition, believes taxpayers should not be forced to foot the bill to pay for lobbyists who lobby against the interests of taxpayers and workers and supported this bill. The House passed the bill on February 7, 2019 by a vote of 84-14 and the bill was signed into law.

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3. **SB 451 Expanding School Choice by Establishing ESAs (RN 153).** The Waxman (ACUF Lifetime 86%) et al., amendment (roll call number 153) to the education omnibus bill strengthens school choice by establishing an education savings account (ESA) program. Under the amendment, ESAs—which allow parents to use their public education dollars toward the K-12 school of their choice, including private schools, online learning programs and charter schools—are available to certain parents who opt in. The amendment authorizes 2,500 ESA accounts per year and provides funding at a rate of 75% of the cost the state spends to educate a child, which will amount to roughly \$3,200 per year in funding for each ESA. ACU supports improving educational outcomes and empowering parents through school choice and supported this amendment. The House rejected the amendment on February 13, 2019 by a vote of 37-62. (A “yes” vote supported the ACU position.)

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4. **HB 2720 Strengthening Second Amendment Rights by Permitting Emergency Medical Service Providers to Carry.** This bill strengthens Second Amendment rights by permitting emergency medical service (EMS) providers to carry firearms while performing official duties. Under the bill, EMS providers who wish to carry would be required to undergo a firearm training course that is equivalent to that provided to peace officers. ACU supports the founders' belief in the Second Amendment, supports ensuring first responders are able to adequately protect themselves and supported this bill. The House passed the bill on February 13, 2019 by a vote of 91-8. (The bill failed to advance in the Senate.)

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5. **SB 377 Expanding Job Opportunities for Amusement Park Workers.** This bill expands job opportunities for seasonal workers at amusement parks by exempting them from certain minimum wage mandates. Under the bill, amusement park employers and employees are able to more freely contract without being constrained by government overtime and wage mandates. As a result, employees may work more than 40 hours per week, something many employers prohibited due to the 150% overtime pay mandate. ACU supports the right of employees and employers to freely contract, supports expanding earning and job opportunities for all workers and supported this bill. The House passed the bill on February 19, 2019 by a vote of 63-32 and the bill was signed into law.

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6. **HB 2481 Strengthening Individuals Liberties by Lifting a Ban on Sunday Liquor Sales.** This bill strengthens individual liberties by lifting a ban on Sunday liquor sales. Under the bill, liquor sales are permitted on Sundays after 1 p.m., except for Christmas and Easter Sunday. Due to the bill, the misdemeanor penalties (maximum \$5,000 fine and 30 days' imprisonment) for Sunday sales are eliminated for afternoon and evening sales. ACU supports a free market in the alcoholic beverage industry and the expansion of individual liberties and supported this bill as a step in the right direction. The House passed the bill on February 19, 2019 by a vote of 86-12 and the bill was signed into law.

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7. **HB 2014 Strengthening Intellectual Property Rights Protections.** This bill strengthens intellectual property right protections by establishing criminal penalties and providing injunctive and civil relief for intellectual property theft. Intellectual property is “property.” Stealing a car is really no different than stealing one’s intellectual property. The bill discourages theft by establishing Class B misdemeanor penalties for violating intellectual property rights to benefit domestic competitors (up to \$1,000 and one year incarcerated) and establishes felony penalties for violations benefitting foreign competitors (up to \$1,000 and one year incarceration). Additionally, the bill provides further protections by establishing injunctive and civil relief for victims. ACUF’s Center for 21st Century Property Rights is a leading voice on this issue and works to protect all forms of property. ACU believes protections for intellectual property rights are essential to incentivize innovations and societal advancements and are crucial in attracting businesses and entrepreneurship in the state and supported this bill. The House passed the bill on February 26, 2019 by a vote of 98-1. (The bill failed to advance in the Senate.)

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8. **HB 2519 Violating Second Amendment Rights by Expanding Firearm Bans (RN 381).** The Shott (ACUF Lifetime 79%) amendment (roll call number 381) to the campus self defense bill violates Second Amendment rights by expanding restrictions on firearm possession. Under the amendment, concealed carrying of pistols is prohibited at numerous events on campus, including lectures speeches, live performances and theatrical or cinematic performances. Additionally, the bill prohibits carrying in entire buildings if the building has merely one room where carrying is prohibited. ACU supports the founders’ belief in the Second Amendment and opposed this amendment. The House rejected the amendment on February 27, 2019 by a vote of 43-57.

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9. **HB 2519 Strengthening Second Amendment Rights by Permitting Concealed Carry on College Campuses.** This bill, known as the Campus Self Defense Act, strengthens Second Amendment rights by permitting students with concealed carry licenses to lawfully carry firearms on campus. While the bill includes a multitude of restrictions that limit the freedom to carry concealed firearms, ACU supports the founders’ belief in the Second Amendment and supported this bill as a step in the right direction. The House passed the bill on February 27, 2019 by a vote of 59-41. (The bill failed to advance in the Senate.)

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10. **HB 2941 Expanding Cronyism by Reestablishing a Film Tax Credit Program.** This bill expands cronyism by reestablishing a film tax credit program which was repealed in 2018 after an audit found that the credits provided “minimal economic impact.” Under the bill, the tax credit program is doubled from \$5 million to \$10 million and the cap on credits is removed if films are about West Virginia or include “West Virginia” in the name of the film. Additionally, the state is required to compile a database of locations, music and other resources which film producers may use to create their films. ACU does not believe it is the proper role of government to entertain, opposes tax carve-outs which shift tax burdens to individuals and businesses not favored by government and opposed this bill. The House passed the bill on February 27, 2019 by a vote of 73-26. (The bill failed to advance in the Senate.)

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11. **HB 3127 Providing Homeschoolers the Same Opportunities to Participate in Public School Athletics.** This bill, commonly known as the Tim Tebow Bill, provides homeschooled students the same opportunity as public school students to participate in public school athletics, curricular and extracurricular activities. Under the bill, public schools may not deny homeschool student enrollment in extracurricular programs and homeschoolers who take part in these activities are counted for purposes of school funding allotment. ACU supports school choice and providing homeschoolers the same opportunities as students attending traditional schools and supported this bill. The House defeated the bill on February 27, 2019 by a vote of 46-52.

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12. **SB 3 Advancing the Next Generation of 5G Technology.** This bill paves the way for the expansion of 5G broadband technology across the state. Under the bill, a regulatory framework is established which prevents localities from blocking 5G infrastructure deployment on public right of ways, while ensuring localities are compensated for their expenses and have a say in device placement. ACU supports the ability of private enterprise to provide the next generation of wireless services and a reasonable framework for deployment to ensure taxpayers won’t bear costs and supported this bill as a step in the right direction. The House passed the bill on March 4, 2019 by a vote of 97-2 and the bill was signed into law.

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- 13. SB 393 Protecting the Right to Farm by Strengthening Property Rights.** This bill strengthens property rights by protecting farmers' "right to farm" and protecting them from lawsuit abuse. The bill strikes a solid balance between protecting property rights of farmers and surrounding landowners. Specifically, the bill prohibits nuisance actions against agricultural operations unless the operation's expansion is a public safety hazard, violates federal, state or municipal law, or creates a measurably significant difference in environmental conditions, among other provisions. Complainants must be a majority owner of land within a half-mile radius of the operation. Additionally, the bill limits the period in which nuisance actions may be brought to one year from the start of operation. ACUF's Center for 21st Century Property Rights is a leading voice on this issue and works to protect the property rights of all property owners. ACU supports efforts to protect property rights and reduce frivolous litigation and supported this bill. The House passed the bill on March 4, 2019 by a vote of 97-1 and the bill was signed into law.
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- 14. SB 491 Protecting Election Standards by Delaying a Plan for Automatic Voter Registration.** This bill protects election standards in West Virginia by delaying the implementation of automatic voter registration at the Division of Motor Vehicles (DMV). A law passed in 2016 completely flipped the voter registration process at the DMV by automatically registering individuals to vote unless they opted out—despite the fact the DMV was never required to verify eligibility to vote. This bill delays to 2021 the implementation of automatic voter registration and requires the DMV to create a plan to ensure noncitizens cannot register to vote. ACU opposes automatic registration which disenfranchises eligible voters by making it easier for ineligible individuals to vote, supports the full repeal of the 2016 automatic registration plan and supported this bill as a step in the right direction. The House passed the bill on March 5, 2019 by a vote of 61-38 and the bill was signed into law.
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- 15. HB 3083 Protecting the Integrity of the Unemployment Compensation Fund.** This bill helps ensure the proper disbursement of unemployment funds by clarifying that individuals are not eligible for the funds if they worked in the legislature on a temporary basis during the session. ACU supports protecting businesses and workers from high unemployment tax rates by ensuring the funds are only provided to those who contributed to the fund and were involuntarily let go by their employer and supported this bill. The House passed the bill on March 5, 2019 by a vote of 72-28 and the bill was signed into law.
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- 16. SB 1 Socializing the Cost of "Free" Community College.** This bill implements a socialist scheme in which taxpayer money is funneled to institutions of higher education to provide "free" college education. Under the bill, taxpayers pay the cost of tuition for individuals ages 18 and older to attend community or technical college. Individuals who receive "free" tuition must remain in the state for two years after graduating and remain drug-free during school. ACU believes "free" college plans represent the greatest transfer of wealth from low-income individuals to high-income individuals, opposes this socialism which burdens taxpayers and opposed this bill. The House passed the bill on March 6, 2019 by a vote of 85-13 and the bill was later signed into law.
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- 17. SB 285 Strengthening "Food Freedom" by Permitting the Sale of Cottage Foods.** This bill strengthens "food freedom" by permitting the sale of numerous home-prepared foods, otherwise known as "cottage foods." Under previous law, a very limited selection of cottage foods were permitted to be sold at farmers markets or farm stands. Under the bill, cottage food producers are permitted to sell a wide variety of goods (excluding meat, poultry and low acid foods) from their home or over the internet without being subject to costly registrations and licenses. ACU supports food freedom and expanding consumer food and beverage options and supported this bill. The House passed the bill on March 6, 2019 by a vote of 93-5 and the bill was signed into law.
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- 18. HB 2405 Imposing New Taxes on Health Insurers to Fund a Medicaid Gimmick.** This bill, coupled with SB 546, is part of the state's attempt to game the federal Medicaid program. Under the bill, new taxes are imposed on health maintenance organizations (health insurers commonly known as HMOs). This revenue is then to be used to trigger greater matching funds from federal taxpayers under Medicaid. ACU opposes this gimmick which increases health insurance costs and burdens state and federal taxpayers through increased Medicaid spending and opposed this bill. The House passed the bill on March 6, 2019 by a vote of 90-8 and the bill was signed into law.
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- 19. SB 318 Protecting Taxpayers from Medicaid Fraud by Improving Oversight.** This bill protects taxpayers from Medicaid fraud by improving oversight of the Medicaid Fraud Control Unit (MFCU). Under the bill, MFCU is transferred to the office of the attorney general which is expected to result in increased enforcement. Additionally, the bill requires a performance audit of the unit before January 1, 2023. ACU supports efforts to improve oversight of a program that is the second most costly line item in the state budget and is rife with fraud and waste and supported this bill. The House passed the bill on March 7, 2019 by a vote of 58-42 and the bill was signed into law.
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**20. SB 529 Strengthening Individual Liberties by Lifting Anticompetitive Restrictions on Alcoholic Beverages.** This bill strengthens individual liberties and market competition by making a number of reforms in the regulation of the craft beer industry. Firstly, the bill provides brewers with greater ability to modify their recipes and expand their offerings by increasing the alcohol by volume limit in beer from 12% to 15%. Additionally, the bill reforms costly and anticompetitive regulations concerning growler sizes, beverage sampling, on-premises consumption and bonding requirements. ACU supports a free market in the alcoholic beverage industry and the expansion of individual liberties and supported this bill. The House passed the bill on March 7, 2019 by a vote of 84-16 and the bill was signed into law.

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**21. SB 152 Increasing Job Opportunities by Permitting Rehabilitated Individuals to Petition for Expungement.** This bill increases job opportunities for individuals with previous criminal convictions by permitting them to petition a court for the expungement of certain nonviolent felony offenses. Under the bill, the state's expungement program is expanded to include nonviolent felony offenses regardless of the individual's age at the time of the conviction (previously only misdemeanors committed between ages 18 and 26). To be eligible for expungement, petitioners must have no convictions for at least three years subsequent to completing any sentence, including probation. Additionally, final order of expungement is only available eight years after completing a sentence. ACU Foundation's Nolan Center for Justice is a national leader in criminal justice reform and works to cut crime, reduce taxpayer costs, protect victims, define the proper scope of government, and responsibly reduce incarceration rates. ACU supports efforts to reduce recidivism by providing those with criminal convictions an opportunity to succeed in the workforce and supported this bill. The House passed the bill on March 8, 2019 by a vote of 97-3 and the bill was signed into law.

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**22. SB 543 Reducing Government Interference in the Car Industry by Permitting "As-Is" Sales.** This bill expands consumer-used vehicle options by permitting dealers to sell vehicles in "as-is" condition under certain circumstances. Under the bill, a dealer may sell a vehicle in "as-is" condition if it meets one of the following conditions: has been modified as a total loss, sold under \$2,500, has 100,000 or more miles, or is seven years or older. A dealer must post a disclosure that the vehicle is sold "as-is" and the purchaser is responsible for any repairs after the sale. Additionally, the bill provides the purchaser the right to return the vehicle within 48 hours under certain conditions. ACU supports the right for vehicle dealers and purchasers to freely contract, supports reducing government interference in the vehicle industry and supported this bill as a step in the right direction. The House passed the bill on March 8, 2019 by a vote of 87-13 and the bill was signed into law.

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**23. HB 2010 Improving Foster Care through Privatization.** This bill improves the wellbeing of children through a series of reforms, including privatization. Under the bill, the state is authorized to contract with private, managed care organizations to provide foster services. The bill also increases the efficiency of the foster system and directs the department of human services inspector general to investigate and ensure child wellbeing. The bill aligns with ACU Foundation's Seven Principles of Privatization. ACU supports improving children's wellbeing, especially foster children, through conservative reforms and privatization efforts and supported this bill. The House passed the bill on March 8, 2019 by a vote of 66-31 and the bill was signed into law.

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**24. HB 2396 Increasing Taxpayer Costs through Protectionist Food Procurement Mandates.** This bill enriches local farmers and ranchers and drives up taxpayer costs by requiring all state-funded entities to obtain at least 5% of their fresh produce, meat and poultry from in-state producers. ACU opposes efforts such as this bill which drive up taxpayer costs by distorting and steering the market toward industries and businesses favored by government opposed this bill. The House passed the bill on March 8, 2019 by a vote of 97-0 and the bill was signed into law.

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- 25. SB 622 Strengthening Free Speech by Raising Campaign Finance Limits.** This bill strengthens free speech by increasing the amount of money individuals may contribute to political candidates, parties and action committees. Under the bill, individuals may contribute up to \$2,800 to a candidate (previously \$1,000), up to \$10,000 to a political party (previously \$1,000), and up to \$5,000 to political action committees (previously \$1,000). ACU supports the Supreme Court's Citizens United ruling and supports expanding free speech by raising contribution limits and supported this bill. The House passed the bill on March 9, 2019 by a vote of 57-42 and the bill was signed into law.
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- 26. HB 2001 Providing Tax Relief by Gradually Eliminating the Tax on Social Security Benefits.** This bill gradually eliminates the state income tax on social security benefits. Unfortunately, the bill limits eligibility for the tax exemption to individuals earning up to \$50,000 annually. ACU believes social security represents the largest Ponzi scheme in history, believes individuals should not be taxed on the miniscule returns on investment the program provides, and supported this bill as a step in the right direction. The House passed the bill on March 9, 2019 by a vote of 97-0 and the bill was signed into law.
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- 27. HB 2486 Reducing Occupational Licensing Barriers for Individuals with Criminal Convictions.** This bill makes it easier for individuals with past criminal convictions to obtain employment by reducing occupational licensing barriers. Under the bill, applicants may not be denied a license solely due to a past criminal conviction, unless the conviction directly relates to the occupation for which they are seeking licensure or the conviction meets certain other criteria such as being "sexually violent in nature." The bill is designed to prevent unaccountable regulatory and licensing boards from relying on a vague requirement that the applicant be of "good moral character" to exclude an ex-offender from licensure. ACU Foundation's Nolan Center for Justice is a leading authority on this issue and works to pursue policies that cut crime, reduce the size and scope of government and responsibly reduce incarceration rates. ACU supports expanding employment and reducing recidivism through this and other necessary reforms to our criminal justice system and supported this bill. The House passed the bill on March 9, 2019 by a vote of 96-2 but the bill was vetoed by the governor.
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- 28. HB 206 Preventing School Choice by Placing Barriers to Establish Public Charter Schools (RN 892).** The Dean (ACUF Lifetime 80%) amendment (roll call number 892) to the education omnibus bill makes it harder to establish a public charter school by prohibiting the opening of any charter school unless it has been voted on in a general election within the city. In other words, this amendment is designed to empower the American Federation of Teachers Union and allow merely 51% of citizens to overrule the school choice of students and their families. ACU opposes this unnecessary barrier that is solely intended to restrict school choice and opposed this amendment. The House defeated the amendment on June 19, 2019 by a vote of 42-55.
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- 29. HB 206 Expanding School Choice by Authorizing Additional Public Charter Schools (RN 897).** The Espinosa (ACUF Lifetime 87%) amendment (roll call number 897) to the education omnibus bill expands school choice by removing a fixed cap placed on the number of public charter schools that may operate in the state. Under the bill, a maximum of three charter schools may be established through 2023 but the state may authorize (on average) one additional charter school every following year. ACU supports eliminating the original bill's fixed cap on charter schools, supports improving educational outcomes and empowering parents by expanding school choice and supported this amendment as a step in the right direction. The House passed the amendment on June 19, 2019 by a vote of 51-44.
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- 30. HB 206 Placing Taxpayers on the Hook for \$700 Million by Hiking Pension Payouts (RN 890).** The C. Thompson (ACUF Lifetime 40%) amendment (roll call number 890) to the education omnibus bill places extreme financial burdens on taxpayers by providing all retired public school teachers and school personnel with an additional \$2,000 per year in pension payments. This increase is expected to cost taxpayers over \$700 million more per year. The state already has over \$27 billion in unfunded pension liabilities and ranks as seventh worst in the nation in the Mercatus Center's report on states' financial outlooks. ACU opposes further fueling the state's pension crisis and placing extreme financial burdens on taxpayers and opposed this amendment. The House defeated the amendment on June 19, 2019 by a vote of 43-53.
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