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LEGISLATIVE SCORECARD BASED ON THE THE U.S. CONSTITUTION

The Legislative Scorecard is a nationwide, nonpartisan educational program of The John Birch Society intended to inform voters about legislators' voting records. It does not promote any candidate or political party. Bills are chosen for their constitutional implications and taxpayer costs.



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\$25,074.54

Estimated Virginia State Debt Per Household



Mark L. Keam

Virginia

Delegate, HD-035 (D)

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VA Legislative Scorecard 2023

Based on the Principles of the U.S. Constitution

★ Constitutional	✗ Unconstitutional	? Did not Vote	Vote
			NONE ?
1. SB1441 Offshore Wind (Passed 87 to 12 on 2/21/2023). Authorizes a review of offshore wind in the state and accelerates the wind project deadline.			
			NONE ?
2. SB1051 Property Rights (Passed 69 to 30 on 2/21/2023). Provides that a vehicle owned and operated by a public utility company or broadband service provider may be temporarily left on private property without the consent of the owner of the property.			
			NONE ?
3. SB1459 TikTok Ban (Passed 65 to 29 on 4/12/2023). Prohibits public employees from using TikTok and other applications on public devices.			
			NONE ?
4. SB1405 Internal Revenue Code (Passed 93 to 0 on 4/12/2023). Would conform Virginia to the Internal Revenue Code ("IRC") on a rolling basis.			
			NONE ?
5. SB1085 Vehicle Noise (Passed 77 to 21 on 2/21/2023). Directs the Superintendent of State police to convene a work group to examine the issue of vehicle noise in Virginia.			
			NONE ?
6. SB861 Traffic Control Devices (Passed 55 to 42 on 2/21/2023). Authorizes the governing body of any locality in Planning District 23 to establish a traffic control device violation monitoring system.			
			NONE ?

Scorecard Votes: %

Why do these votes matter?

1. Offshore Wind

SB1441 requires that the State Corporation Commission, in conducting its review of costs associated with generating facilities utilizing energy derived from offshore wind, to give due consideration to the economic development benefits of the project. It also accelerates the timeline from 2034 to 2032 for public utilities to construct or purchase offshore wind generation facilities.

The Virginia State Assembly passed SB1441 on February 21, 2023 by a vote of 87 to 12. We have assigned pluses to the nays because it is well known that wind, solar, and green energy receive substantial government subsidies, raising serious concerns about their constitutionality. The globalist green agenda, associated with the UN's Agenda 2030, has no place in this country.

2. Property Rights

SB1051 provides that a vehicle owned and operated by a public utility company or broadband service provider for purposes of providing service and maintenance for such company or provider may be temporarily left on private property without the consent of the owner of the property.

The Virginia State Assembly passed SB1051 on February 21, 2023 by a vote of 69 to 30. We have assigned pluses to the nays because this law blatantly violates the U.S. Constitution, specifically the Fifth and Fourteenth Amendments. The Fifth Amendment explicitly states, "nor shall private property be taken for public use, without just compensation."

3. TikTok Ban

SB1459 prohibits any employee or agent of any public body or person or entity contracting with any such public body from downloading or using any application, including TikTok or WeChat, or accessing any website developed by ByteDance Ltd. or Tencent Holdings Ltd. (i) on any government-issued device or government-owned or government-leased equipment.

The Virginia State Assembly passed SB1459 on April 12, 2023 by a vote of 65 to 29. We have assigned pluses to the ayes because companies such as ByteDance, a Chinese company that owns TikTok, are accused of utilizing their platform and algorithms to promote propaganda aligned with the Chinese Communist Party. Moreover, there are concerns that they collect and retain personal user information for the purpose of surveillance on American citizens.

4. Internal Revenue Code

SB1405 would conform Virginia to the Internal Revenue Code ("IRC") on a rolling basis. This would allow Virginia to conform to federal tax changes to the IRC as soon as they are enacted by Congress and it would also allow Virginia to conform to the Inflation Reduction Act ("IRA") and the Consolidated Appropriations Act of 2023 ("CAA").

The Virginia State Assembly passed SB1405 on April 12, 2023 by a vote of 93 to 0. We have assigned pluses to the nays because it is irresponsible to legally bind one's state to changes in federal law, especially regarding tax policy. Such a decision could potentially complicate future attempts to nullify federal tax laws, particularly if they become excessively draconian. The Constitution establishes a system of checks and balances, which safeguards state sovereignty by preventing the federal government from exceeding its authority and encroaching upon powers reserved for the states.

5. Vehicle Noise

SB1085 directs the Superintendent of State police to convene a work group to examine the issue of vehicle noise in Virginia.

The Virginia State Assembly passed SB1085 on February 21, 2023 by a vote of 77 to 21. We have assigned pluses to the nays because there is nothing more absurd than establishing a work committee solely focused on addressing vehicle noise. This effort is part of the broader environmental and green agenda, with the government advocating for quieter electric vehicles. The government's intentions to eventually ban gas-powered vehicles in the state as is already happening in other leftist-run states.

6. Traffic Control Devices

SB861 authorizes the governing body of any locality in Planning District 23 to establish a traffic control device violation monitoring system, which allows imposing monetary liability on the operator of a vehicle for failure to comply with traffic control devices at any intersection deemed by the local governing body to be negatively impacted by traffic due to the Hampton Roads Bridge-Tunnel Express Lanes Hampton Segment Project.

The Virginia State Assembly passed SB861 on February 21, 2023 by a vote of 55 to 42. The have assigned pluses to the nays because traffic control device monitoring systems may violate due process because it takes away human interaction and presumes people are guilty before proven innocent, a fundamental principle enshrined in the U.S. Constitution and primarily protected by the Fifth and Fourteenth Amendments. Also, these systems can be seen as infringing upon the Fourth Amendment, which safeguards individuals from unreasonable searches and seizures.