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LEGISLATIVE SCORECARD BASED ON THE THE U.S. CONSTITUTION

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David S. Frockt

Washington
Senator, SD-046 (D)

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2021-2022 WA Legislative Scorecard

Based on the Principles of the U.S. Constitution

★ Constitutional	✗ Unconstitutional	? Did not Vote	Vote
1. SCR8402 Extending COVID-19 State of Emergency Orders (passed 28 to 19 on 1/13/2021). Extends several of the COVID-19 State of Emergency orders issued by the Governor since February 29, 2020.			YES ✗
2. HB1368 Federal COVID-19 Funds for Social Services (passed 47 to 2 on 2/10/2021). Appropriates approximately \$2.2 billion in federal COVID-19 funding for Medicaid in K-12 public schools, COVID-19 vaccines, housing assistance, business grants, immigration, welfare, and food programs. Estimated cost per household: -\$757.00/year.			YES ✗
3. SB5399 Universal Health Care Commission (passed 28 to 21 on 4/19/2021). Establishes the Universal Health Care Commission to prepare Washington for the creation of a state and federally-funded universal health care system.			YES ✗
4. SB5227 Critical Race Theory in Higher Education (passed 32 to 17 on 4/19/2021). Mandates "diversity, equity, inclusion (DEI), and antiracism" training and assessments for faculty, staff, and students at public institutions of higher education, with the purpose of "eliminating structural racism."			YES ✗
5. SB5140 Right to 'Miscarriage Management' (passed 28 to 21 on 4/20/2021). Prohibits health care entities from restricting a health care provider's provision of services related to complications of pregnancy, including, but not limited to, "miscarriage management" and treatment of ectopic pregnancies.			YES ✗
6. SB5038 Prohibiting Constitutional Carry (passed 28 to 21 on 4/20/2021). Prohibits the open carry of firearms or any weapons at public demonstrations and the state capitol, whether the person carries the weapon on their person or in a vehicle.			YES ✗

Scorecard Votes: 0%

Why do these votes matter?

1. Extending COVID-19 State of Emergency Orders

SCR8402 extends several of the COVID-19 State of Emergency orders issued by the Governor since February 29, 2020. It ensures that these emergency orders--which prohibit a number of activities and waive or suspend certain laws and regulations--remain in place until the COVID-19 State of Emergency is lifted or until rescinded by gubernatorial or legislative action.

The exercise of executive emergency powers ought to be strictly time-limited, not indefinite, and the abuse thereof checked against by periodic legislative oversight. Article IV, Section 4, of the U.S. Constitution guarantees each state a republican form of government, which requires a limitation and separation of powers.

2. Federal COVID-19 Funds for Social Services

HB1368 appropriates approximately \$2.2 billion in federal COVID-19 funding for Medicaid in K-12 public schools, COVID-19 vaccines, housing assistance, business grants, immigration, welfare, and food programs.

This spending bill relies on a combination of unconstitutional federal funds, including from the federal Consolidated Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act and the Coronavirus Relief Fund under the federal CARES Act. States should oppose the use of federal taxpayer money for purposes not authorized under Article 1, Section 8, of the U.S. Constitution.

3. Universal Health Care Commission

SB5399 establishes the Universal Health Care Commission to prepare Washington for the creation of a state and federally-funded universal health care system.

Health care is not the legitimate object of government, nor should be under federal, state, or local jurisdiction in the United States. To compel American citizens to provide taxpayer money for a universal health care system would be to violate their fundamental rights protected by the Bill of Rights and the 14th Amendment.

4. Critical Race Theory in Higher Education

SB5227 mandates “diversity, equity, inclusion (DEI), and antiracism” training and assessments for faculty, staff, and students at public institutions of higher education, with the purpose of “eliminating structural racism.”

Training, as well as curriculum, in higher education is the responsibility of--and a fundamental right of choice retained by--the faculty, staff, and students themselves, not the government. Educational freedom, as with all other constitutional rights, is protected by the Bill of Rights and the 14th Amendment.

5. Right to 'Miscarriage Management'

SB5140, also known as the “Protecting Pregnant Patients Act,” prohibits health care entities from restricting a health care provider’s provision of services related to complications of pregnancy, including, but not limited to, “miscarriage management” and treatment of ectopic pregnancies. It also allows for a private cause of action against health care entities in violation of such requirements.

This bill is a 'Trojan horse' for forcing health care providers to perform elective abortions. States should act to ban abortion and guarantee the right to life for all persons. The right to life is the most fundamental, God-given, and unalienable right asserted in the Declaration of Independence and protected by the 5th and 14th Amendments to the U.S. Constitution.

6. Prohibiting Constitutional Carry

SB5038 prohibits the open carry of firearms or any weapons at public demonstrations and the state capitol, whether the person carries the weapon on their person or in a vehicle. This prohibition also applies within 250 feet of the perimeter of a permitted demonstration at a public place.

The fundamental right of the American people to keep and bear arms should not be infringed, as guaranteed by the 2nd Amendment of the U.S. Constitution.