



## Mark H. Berry

Arkansas

Representative, HD-082 (R)

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61

Lifetime  
Freedom  
Score

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## AR Legislative Scorecard 2024

Based on the Principles of 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.

★ Constitutional    ✗ Unconstitutional    ? Did not Vote

\$/Year    Vote

1. **HB1008 Taxpayer Money for *Sesame Street*** (passed 78 to 11 on 5/1/2024). Provides \$6.24 million to the Arkansas Public Broadcasting Service (PBS) for "Educational Television."    **-\$5.00**    **YES**



2. **HB1025 Funding Anti-Tobacco "Public Health" Initiatives** (passed 75 to 17 on 4/17/2024). Allocates \$14.6 million to the Department of Health for "Tobacco Prevention and Cessation Programs."    **-\$12.00**    **YES**



3. **HB1076 Government-Subsidized Housing and Loans** (passed 89 to 2 on 4/17/2024). Appropriates \$60.4 million, including at least \$15 million from federal funds, to the Arkansas Development Finance Authority for "low-income housing" and "student loans."    **-\$51.00**    **YES**



4. **HB1307 Divesting ESG Assets** (passed 70 to 18 on 3/27/2023). Authorizes the Treasurer of State to divest public funds with a financial services provider due to the use of "environmental, social justice, and or governance-related (ESG) factors," such as "diversity and inclusion (DEI) policies."    **YES**



5. **HB1410 Freeing Youth from "Child Labor Laws"** (passed 54 to 32 on 2/22/2023). Eliminates the requirement that minors who are under 16 years of age have to obtain a state-issued work permit prior to employment.    **YES**



6. **HB1026 No Local Income Tax** (passed 79 to 10 on 1/31/2023). Amends state law to prohibit local governments from enacting an income tax.    **YES**



**Scorecard Votes: 50%**



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# \$290,860

U.S. National Debt Per Household as of June 3, 2026

# Why do these votes matter?

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## 1. Taxpayer Money for Sesame Street

HB1008 provides \$6.24 million to Arkansas PBS.

“Educational television” is not the role of government—it’s an activity that belongs solely within the private sector. Arkansas PBS, the Corporation of Public Broadcasting, and the Public Broadcasting Act of 1967 are unauthorized according to Article I, Section 8, of the U.S. Constitution. Any form of federally or state-sponsored mass media should be considered a blatant encroachment on freedom of speech and the press. The Bill of Rights and the 14th Amendment were precisely written to protect the liberties of the people, even children, from government propaganda.

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## 2. Funding Anti-Tobacco "Public Health" Initiatives

HB1025 allocates \$14.6 million toward “Tobacco Prevention and Cessation Programs.”

Anti-tobacco “public health” initiatives are outside the limited purpose and scope of government. This tax-and-spend bill is not just economically harmful, but it entrenches Arkansas in the USFDA’s ever-expanding unconstitutional war on tobacco, which denies basic personal freedoms while seeking to eradicate an entire industry. An individual’s non-injurious decisions over what they choose to eat, drink, or consume should not be criminalized. The Constitution’s Bill of Rights and 14th Amendment protect against the reckless use of taxpayer money and threats to free-market enterprise by arbitrary and discriminatory acts.

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## 3. Government-Subsidized Housing and Loans

HB1076 appropriates \$60.4 million, including at least \$15 million from federal funds, for “low-income housing” and “student loans.”

Arkansas has absolutely no business subsidizing “low-income housing” or financing “student loans.” Moreover, neither does the federal government have legitimate authority to engage in “affordable housing” programs. Section 8 in Article I of the U.S. Constitution prohibits Section 8 of the 1937 Housing Act. Our Constitution is intended to “promote the general Welfare” of all Americans, regardless of economic status, by protecting each person’s “unalienable Rights” to “Life, Liberty and the pursuit of Happiness.” This affords everyone the opportunity and dignity to provide for themselves and their family as expected—whether through their own, individual efforts or the voluntary, charitable acts of others.

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## 4. Divesting ESG Assets

HB1307 authorizes the Treasurer of State to divest public funds with a financial services provider due to the use of “environmental, social justice, and or governance-related (ESG) factors,” such as “diversity and inclusion (DEI) policies.”

The state’s investment decisions should be based on the financial interests of Arkansas taxpayers and pensioners—not “woke” ESG/DEI factors. As a political and ideological scam that seeks to proliferate worldwide, implement a “social credit” rating system, and advance the United Nations’ Agenda 2030, the ESG/DEI movement rejects liberty of conscience, freedom of association, and private property. Its radical proponents attempt to restrict free-market access to financial and other services by preventing both individuals and companies from entering into contracts voluntarily based on their own interests, which violates the due process and equal protection clauses of the Fifth and 14th Amendments to the U.S. Constitution.

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## 5. Freeing Youth from “Child Labor Laws”

HB1410 eliminates the requirement that minors who are under 16 years of age have to obtain a state-issued work permit prior to employment.

Young persons (e.g., 14 or 15-year-olds) who have reached an age of discretion should not be subject to “child labor laws” or other unreasonable barriers to willful and gainful employment. Parents—not the government—should have the final decision-making authority over as to whether their minor children can work. Arkansas needs to protect the fundamental rights of parents, which are retained under the Bill of Rights and the 14th Amendment to the U.S. Constitution.

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## 6. No Local Income Tax

HB1026 amends state law to prohibit local governments from enacting an income tax.

The income tax is an immoral, anti-constitutional act of government-imposed theft that takes from people the wages they have rightfully earned. This manifestly socialist wealth redistribution scheme is the primary source of funding “nanny-state” policies that only result in more debt, dependency, and poverty. Arkansans must reject tyrannical, big government by enforcing the Bill of Rights and the 14th Amendment, which require that “No State” shall “deprive any person” of “liberty, or property,” guaranteeing “equal protection of the laws.”