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LEGISLATIVE SCORECARD

BASED ON THE PRINCIPLES OF THE U.S. CONSTITUTION



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Marcus Nye

Idaho Senator, SD-029 (D)

freedomindex.us/4326/



2021-2022 ID Legislative Scorecard: 0%

✓ Constitutional ✗ Unconstitutional — Did not Vote **Vote**

1. Martial Law: Prohibits the Governor from suspending Idaho code except in extreme situations and caps emergency declarations to 60 days.



Constitutional: **Yes** · Cast: **No** · S1136 · Passed 28–7 · 04/09/2021

2. Gun Rights - Nullification: Prohibits Idaho government entities from assisting in the enforcement of new federal actions regarding firearms and their components.



Constitutional: **Yes** · Cast: **No** · S1205 · Passed 28–7 · 04/20/2021

3. Governor's Emergency Powers: Places a 90 day limit on a governor's emergency powers granted during an extreme state of emergency and can be revoked by legislature.



Constitutional: **Yes** · Cast: **No** · S1217 · Passed 28–7 · 05/05/2021

4. State Sovereignty: Forces the state to give up some of its sovereignty and comply with a federal program and all of its subsequent amendments.



Constitutional: **No** · Cast: **Yes** · H0454 · Passed 28–4 · 02/08/2022

5. Loan Repayment Program: Allocated money to fund education debts for nurses committing to practice in designated rural health shortage areas that have limited access to hospitals.



Estimated Cost per household: **-\$0.39/year.**

Constitutional: **No** · Cast: **Yes** · S1287 · Rejected 14–17 · 02/23/2022

6. Government Housing: Allocates American Rescue Plan Act (ARPA) money to create grants for nonprofit developers to create affordable housing for low income earners.



Estimated Cost per household: **-\$77.00/year.**

Constitutional: **No** · Cast: **Yes** · H0701 · Passed 26–9 · 03/31/2022

Why do these votes matter?

1. Martial Law

S1136 prohibits the Governor from suspending Idaho code except in extreme situations. Furthermore, this legislation caps emergency declarations to 60 days. It protects individuals right to assemble, exercise their religious rights, and protect the right to bear arms during an emergency.

The Idaho State Senate passed S1136 on April 9, 2021 by a vote of 28 to 7. We have assigned pluses to the ayes because whether there is a state of emergency or not, our constitutional rights as U.S. citizens should not be infringed upon. These protections listed in this legislation are all protected under the Bill of Rights in the Constitution.

2. Gun Rights - Nullification

S1205 expands the prohibition on firearms and their components from confiscation enforcement from new federal executive orders and prohibiting Idaho government entities from assisting in the enforcement of new federal actions regarding firearms.

The Idaho State Senate passed on S1205 on April 20, 2021 by a vote of 28 to 7. We have assigned pluses to the ayes because the fundamental right of the American people to keep and bear arms is protected by the U.S. Constitution, particularly in the 2nd, 9th, and 10th Amendments, and should not be infringed. Furthermore, under Article VI of the U.S. Constitution, states have a duty to nullify infringements by the federal government.

3. Governor's Emergency Powers

S1217 places a 90 day limit on a governor's emergency powers granted during an extreme state of emergency. The legislature in session can revoke those powers. This legislation also prohibits forcing healthy individuals to quarantine.

The Idaho State Senate passed S1217 on May 5, 2021 by a vote of 28 to 7. We have assigned pluses to the ayes because our founding fathers believed that checks and balances in government are essential to keeping our elected officials in check with the Constitution and to prevent any unconstitutional government overreach. Article IV, Section 4, of the U.S. Constitution, requires a limitation and separation of powers.

4. State Sovereignty

HB454 makes the Federal Commission for the Blind and the Visually Impaired the sole agency responsible for the vocation and other rehabilitation of the blind, which is provided in the federal Rehabilitation Act of 1973 and requires the state to comply with all subsequent amendments.

The Idaho State Senate passed HB545 on February 8, 2022 by a vote of 28 to 4. We have assigned pluses to the nays because the legislature is giving up state sovereignty and giving the federal government more control. The U.S. Constitution does not authorize the Federal Commission for the Blind and the Visually Impaired, and the Legislature is disregarding the Tenth Amendment of the Constitution.

5. Loan Repayment Program

S1287 would have allocated money to fund education debts for nurses committing to practice in designated rural health shortage areas that have limited access to hospitals in Idaho. This bill provides \$25,000 per year for 10 applicants in the state.

The Idaho State Senate shot down S1287 on February 23, 2022 by a vote of 14 to 17. We have assigned the pluses to the nays because subsidized loans are a way government interferes in the free market economy. Subsidies make individuals more reliable on government assistance and when the government has their hand in things they shouldn't, the people lose more control and freedom.

6. Government Housing

H701 allocates American Rescue Plan Act (ARPA) money to create grants for nonprofit developers to create affordable housing. This is a government-controlled housing program that benefits very low income individuals and is a large expansion of government.

The Idaho State Senate passed H701 on March 22, 2022 by a vote of 26 to 9. We have assigned pluses to the nays because this law greatly expands the size of government, creating a program that only benefits one faction of the population. The federal government unconstitutionally passed the American Rescue Plan Act. On top of that, the drivers of this believe that housing is a human right as stated in Article 25 of the United Nations Universal Declaration of Rights.