

# FREEDOMINDEX.US

## LEGISLATIVE SCORECARD

BASED ON THE PRINCIPLES OF THE U.S. CONSTITUTION



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## Gary Marshall

Idaho Representative, HD-030A (R)

[freedomindex.us/4346/](https://freedomindex.us/4346/)



## 2021-2022 ID Legislative Scorecard: 83%

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

**1. 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 40–30 · 01/31/2022

**2. Mask Mandate Ban:** Prohibits local governments, health officers or the state from mandating face coverings.



Constitutional: **Yes** · Cast: **Yes** · H0631 · Passed 46–24 · 02/21/2022

**3. Gun Rights:** Allows a group of people to assemble with firearms or parade in public with firearms.



Constitutional: **Yes** · Cast: **Yes** · H0475 · Passed 57–13 · 02/23/2022

**4. Emergency Order Termination:** Terminated the long lasting COVID-19 emergency order implemented by the governor on March 13, 2020, which violated the law by extending the order for longer than 30 days.



Constitutional: **Yes** · Cast: **Yes** · HCR040 · Passed 42–25 · 03/07/2022

**5. Prohibit Reassignment Surgery on Minors:** Prohibits doctors from performing sex reassignment surgery on minors and from distributing puberty blockers to minors.



Constitutional: **Yes** · Cast: **Yes** · H0675 · Passed 55–13 · 03/08/2022

**6. Voter ID:** Strengthens the list of required documents to register to vote, to prove applicants' identity, address, and citizenship.



Constitutional: **Yes** · Cast: **Yes** · H0761 · Passed 47–21 · 03/14/2022

# Why do these votes matter?

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## 1. 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 House of Representatives passed HB454 on January 31, 2022 by a vote of 40 to 30. 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.

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## 2. Mask Mandate Ban

H631 prohibits local governments, health officers or the state from mandating facemasks, face shields, or any other face coverings for the purpose of the prevention the spread of a contagious illness or disease.

The Idaho State House of Representatives passed H631 on February 21, 2022 by a vote of 46 to 24. We have assigned the pluses to the ayes because individuals have the right to decide what is best for their health and their safety. The government has no right to force someone to implement these draconian orders. This is a violation of an individual's fundamental rights, freedoms, privileges, or immunities protected by the Bill of Rights.

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## 3. Gun Rights

H475 allows a group of people to assemble with firearms or parade in public with firearms. Under current state statute, it is illegal for people to "associate together as a military company or organization" or "parade in public with firearms in any city or town of this state" unless they are "called into service of the state." Ultimately, this bill allows for private militias to protect against tyranny.

The Idaho State House of Representatives passed H475 on February 23, 2022 by a vote of 57 to 13. We have assigned the pluses to the ayes because the fundamental right of the American people to keep and bear arms is protected by the 2nd Amendment of the U.S. Constitution. The Constitution does not limit how many people can gather with firearms.

## 4. Emergency Order Termination

HCR40 terminated the long lasting COVID-19 emergency order implemented by the governor on March 13, 2020. The Governor's extreme emergency declaration was used to slow the spread of the coronavirus. The Governor violated the law by extending the order for longer than 30 days.

The Idaho State House of Representatives passed HCR40 on March 7, 2022 by a vote of 42 to 25. We have assigned the pluses to the ayes because the republican form of government in Idaho, which is guaranteed to each state under Article IV, Section 4, of the U.S. Constitution, requires a limitation and separation of powers. Our founding fathers believed that checks and balances in government are essential to keeping our elected officials in check to prevent any unconstitutional overreach.

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## 5. Prohibit Reassignment Surgery on Minors

H675 makes it a felony for parents of trans children to receive puberty blockers and other hormonal treatments from their medical provider. This bill also prohibits doctors from performing sex reassignment surgery on minors.

The Idaho State House of Representatives passed H675 on March 8, 2022 by a vote of 55 to 13. We have assigned pluses to the ayes because the left has been promoting radical Marxist ideas for years; letting people believe that they can choose their pronouns and be transgender. Minors are not old enough to consent and should not be able to choose to be something that they are scientifically not.

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## 6. Voter ID

H761 strengthens the list of required documents to register to vote, to prove applicants' identity, address, and citizenship. It also removes the option of signing an affidavit to prove one's identity when voting in lieu of providing definitive identification.

The Idaho State House of Representatives passed H761 on March 14, 2022 by a vote of 47 to 21. We have assigned the pluses to the ayes because strengthening our voter ID and election registration laws are crucial in the preservation of our election process and election integrity. Article IV, Section 2, of the U.S. Constitution provides that "citizens" of the United States "shall be entitled to all privileges and immunities," such as the "right of citizens of the United States" to vote as prescribed in the 26th Amendment.