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LEGISLATIVE SCORECARD

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Bert Brackett

Idaho Senator, SD-023 (R)

freedomindex.us/4434/



2019-2020 ID Legislative Scorecard: 83%

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

1. Expanding Public School Bureaucracy: Expanding public school administrative bureaucracy in the form of creating a "School Turnaround Committee" in failing schools. ✓

Constitutional: **No** · Cast: **No** · S1029 · Passed 22–11 · 02/15/2019

2. Banning Partial-Birth Abortion: Rewrites an existing ban on partial-birth abortions to make the ban enforceable. ✓

Constitutional: **Yes** · Cast: **Yes** · S1049 · Passed 29–6 · 03/07/2019

3. Strengthening Concealed Carry: Lowers the age limit for concealed carrying of a handgun inside of city limits. ✓

Constitutional: **Yes** · Cast: **Yes** · H0206 · Passed 28–7 · 04/02/2019

4. Fairness in Women's Sports: Prevents biological males from participating in women's sports. ✓

Constitutional: **Yes** · Cast: **Yes** · H0500 · Passed 24–11 · 03/16/2020

5. Targeting Credit Unions: Changes regulations as related to credit unions, but not financial institutions more generally. ✗

Constitutional: **No** · Cast: **Yes** · H0473 · Passed 22–9 · 03/17/2020

6. Expanding Warrantless Arrests: Allows police to make warrantless misdemeanor arrests on the supposition of criminal behavior, even if no criminal activity is observed. ✓

Constitutional: **No** · Cast: **No** · SJR104 · Passed 17–15 · 03/18/2020

Why do these votes matter?

1. Expanding Public School Bureaucracy

SB1029 would expand public school administrative bureaucracy in the form of creating a "School Turnaround Committee" in failing schools.

The Idaho State Senate passed SB1029 on February 15, 2019 by a vote of 22 to 11. We have assigned pluses to the nays because this bill would mandate that failing Idaho public schools individually hire a "School Turnaround Professional," and form a "School Turnaround Committee." It would also create a statewide "School Leadership Development Program" to hire and train new bureaucrats. Public schools are failing in America, in part, due to bureaucratic excess. This bill attempts to fix a school system by doubling down on an existing problem.

2. Banning Partial-Birth Abortion

SB1049 rewrites an existing ban on partial-birth abortions to make the ban enforceable.

The Idaho State Senate passed SB1049 on February 14, 2019 by a vote of 29 to 6. We have assigned pluses to the yeas because the U.S. Congress determined that partial-birth abortion is "a gruesome and inhumane procedure that is never medically necessary and should be prohibited." Though this bill does not protect the unborn absolutely, it is a step in the direction of respecting life. 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.

3. Strengthening Concealed Carry

HB206 lowers the age limit for concealed carrying of a handgun inside of city limits.

The Idaho State Senate passed HB206 on March 27, 2019 by a vote of 28 to 7. We have assigned pluses to the yeas this bill is a win for gun rights. The right to own, possess, and carry a firearm is enshrined absolutely in the 2nd Amendment of the U.S. Constitution. Additionally, this bill is a common-sense measure that would standardize concealed carry law by making existing rules apply statewide.

4. Fairness in Women's Sports

HB500 prevents biological males from participating in women's sports.

The Idaho State Senate passed HB500 on March 16, 2020 by a vote of 24 to 11. We have assigned pluses to the yeas because this bill defends women's sports, if sponsored by public institutions, from the unfair competition that occurs when biological males compete against women. This bill asserts that there are "inherent differences between men and women...which result in men being able to generate higher speed and power during physical activity."

5. Targeting Credit Unions

HB473 changes regulations as related to credit unions, but not financial institutions more generally.

The Idaho State Senate passed HB473 on March 17, 2020 by a vote of 22 to 9. We have assigned pluses to the nays because this bill creates onerous new legal and administrative burdens on credit unions. This bill would hold credit unions to a different and higher standard than for-profit financial institutions and conventional banks. This bill expands the power of the state to investigate credit unions, their service providers, and even their customers. "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures," is guaranteed in the 4th Amendment of the U.S. Constitution.

6. Expanding Warrantless Arrests

SJR104 allows police to make warrantless misdemeanor arrests on the supposition of criminal behavior, even if no criminal activity is observed.

The Idaho State Senate passed SJR104 on March 18, 2020 by a vote of 17 to 15 (though the resolution later failed). We have assigned pluses to the nays because this resolution represents a worrying enhancement of government's ability to deprive citizens of liberty. Under this statute, a police officer is emboldened to make a misdemeanor arrest if he or she determines there is a "substantial chance" of criminal activity. Removing the check that an officer must have observed criminal activity will lead to police abuses and the detention of the innocent. The 4th amendment of the U.S. Constitution unambiguously protects against "unreasonable searches and seizures."