



**AMERICANS FOR  
PROSPERITY®**  
**WEST VIRGINIA**

# 2018

## LEGISLATIVE KEY VOTE SCORECARD

# Fellow Mountaineers.

Welcome to the 2018 Americans for Prosperity-West Virginia Legislative Key Vote Scorecard. The goal of this scorecard is simple: **make government more accountable to the people.**

**History has proven that free people are capable of extraordinary things**—but many current laws and regulations hold West Virginians back from truly thriving. That's why our growing network of activists across the state are fighting every day to champion economic freedom, regulatory and fiscal restraint, and the removal of barriers that have systematically stifled growth and opportunity for West Virginians.

Policymakers have finally begun to take bold, conservative steps for our state—**but more must be done.** To advance these reforms, we are using cutting edge tools and technology to educate, recruit, and mobilize citizens in support of the policies and goals of a free society. Together, we're persuading principled lawmakers to embrace an agenda of economic freedom by educating the public on the issues shaping our economy and our lives.

With our 2018 Legislative Key Vote Scorecard, we aim to enhance government transparency and help you hold politicians accountable on these critical policies based on how they've acted.



For Freedom,

A handwritten signature in black ink, appearing to read 'Jason Huffman'.

**Jason Huffman**

*West Virginia State Director*

*Americans for Prosperity*

## EXPLANATION OF BILLS

2018 REGULAR LEGISLATIVE SESSION

Jan 10, 2018—Mar 10, 2018

# Legislative Votes

### SB 152 | BALANCED BUDGET

**LEAD SPONSOR:** *Sen. Mitch Carmichael* — **AFP'S POSITION:** SUPPORT — **OUTCOME:** COMPLETED ACTION —

**SENATE RCS#:** 466 | **HOUSE RCS#:** 494

Despite government unions' unrealistic demands for higher taxes and unrealistic spending, lawmakers chose to stand strong in the face of protests in order to safeguard all taxpayers. This budget did not rely on any tax increases or budget gimmicks. It provided a pay raise for state workers while also representing a huge win for taxpayers by using cuts and responsible spending to pay for priorities.

### HB 4015 | STATE VEHICLE FLEET TRANSPARENCY & ACCOUNTABILITY

**LEAD SPONSOR:** *Del. Gary Howell* — **AFP'S POSITION:** SUPPORT — **OUTCOME:** HOUSE CONCURRED IN SENATE AMENDMENT AND PASSED BILL VOTE — **SENATE RCS#:** 356 | **HOUSE RCS#:** 356

For too long the state of West Virginia's government-owned vehicle fleet has been out of control. The old system significantly lacked transparency for taxpayers—the state had no idea how many cars were even owned. Thankfully, HB 4015 will provide much-needed accountability when it comes to state-owned vehicles, saving taxpayers money.

### HB 4011 | LIMITING STATE GOVERNMENT OVER-REGULATION

**LEAD SPONSOR:** *Del. Danny Hamrick* — **AFP'S POSITION:** SUPPORT — **OUTCOME:** PASSED HOUSE — **HOUSE RCS#:** 179

This important legislation would require agencies of the state, when submitting rules, to also propose two rules that could be eliminated. In a study conducted in 2017, the Mercatus Center indicated it would take 469 hours, or roughly 12 weeks, simply to read West Virginia's entire Code of State Rules. The study went on to conclude our overly burdensome regulatory structure is a significant factor working against potential economic growth and overall prosperity for our citizens. Mitigating overregulation from state government would help create a culture that encourages bureaucrats to thoughtfully manage rules instead of simply making more of them year after year.

### HB 4014 | REORGANIZING DEPARTMENT OF HEALTH & HUMAN RESOURCES

**LEAD SPONSOR:** *Del. Amy Summers* — **AFP'S POSITION:** SUPPORT — **OUTCOME:** PASSED HOUSE — **HOUSE RCS#:** 227

Taxpayers should be able to see where their money is going. DHHR's current structure lacks transparency, yet it represents billions of dollars in spending. This reorganization would have split government units up in a way that makes sense, and put similar programs together under the oversight of specific agencies. This would have made it easier to see where tax dollars are going, made sure they're being spent on relevant government services. This would have made it easier to see where tax dollars are going, made sure they are being spent on relevant government services, eliminated costly duplication of efforts, allowed for better sharing of resources, and streamlined operations.

### SB 335 | PAYCHECK PROTECTION

**LEAD SPONSOR:** *Sen. Robert Karnes* — **AFP'S POSITION:** SUPPORT — **OUTCOME:** PASSED SENATE — **SENATE RCS#:** 85

This bill would have prevented employers from taking money from workers' paychecks, without getting their express permission annually, for use in political activities with which the worker may disagree.



## **SB 400 | PROHIBITING OCCUPATIONAL LICENSING BOARDS FROM HIRING LOBBYISTS WITH TAXPAYER MONEY**

**LEAD SPONSOR:** *Sen. Mark Maynard* — **AFP'S POSITION:** *SUPPORT* — **OUTCOME:** *PASSED SENATE* — **SENATE RCS#:** *65*

In many instances, occupational licensing laws have the potential to keep individuals out of the workforce by forcing them to pay the government for a permission slip to work. Under current law, the revenue from those fees can be used to pay outside lobbyists who often work to maintain unnecessary licensing requirements that prevent everyday West Virginians from working in these professions. It should be the responsibility of a boards' members or staff to advocate for the regulatory body, not professional lobbyists who are compensated with taxpayer money. SB 400 would have prohibited this practice.

## **SB 263 | ELIMINATING FILM TAX CREDITS**

**LEAD SPONSOR:** *Sen. Mitch Carmichael* — **AFP'S POSITION:** *SUPPORT* — **OUTCOME:** *COMPLETED ACTION* — **SENATE RCS#:** *13* | **HOUSE RCS#:** *17*

When government bureaucrats are allowed to pick winners and losers, average Mountaineers pay the price. Market competition, a fairer tax code, and reducing unnecessary government spending benefits us all, and this legislation is a solid step towards that larger goal. A study from the Legislative Auditor recommended the film tax credit be eliminated due to its “minimal economic benefit” and “questionable expenditures.” This special carve out has cost taxpayers millions while nearly 70% of the tax credit went to only three production companies.

## **SB 595 | PROTECTING NONPROFIT CHARITIES' FREE SPEECH**

**LEAD SPONSOR:** *Sen. Mike Azinger* — **AFP'S POSITION:** *SUPPORT* — **OUTCOME:** *PASSED SENATE* — **SENATE RCS#:** *260*

Free speech is a fundamental right. But, across the country powerful special interest groups are finding ways to partner with government in order to undermine or eliminate their ideological competition by restricting free speech. This bill would have stopped politically motivated bureaucracies from broadcasting nonprofit donor information, which often results in the intimidation or harassment of individuals due to their support for nonprofit organizations.

## **SB 458 | Uniform Regulatory Reform**

**LEAD SPONSOR:** *Sen. Chandler Swope* — **AFP'S POSITION:** *SUPPORT* — **OUTCOME:** *PASSED SENATE* — **SENATE RCS#:** *127*

A lack of uniformity in labor laws and consumer regulation makes it that much more difficult to do business in an already difficult business climate and pushes potential employers across our state borders. This legislation would have helped establish a uniform, statewide standard for labor and consumer marketing laws, sending a clear message that our state is truly open for business.

# House Votes

HOUSE	DISTRICT	SB 152	HB 4015	HB 4011	HB 4014	SB 335	SB 400	SB 263	SB 595	SB 458
RESULT		COMPLETED ACTION	COMPLETED ACTION	PASSED HOUSE	PASSED HOUSE	PASSED SENATE	PASSED SENATE	COMPLETED ACTION	PASSED SENATE	PASSED SENATE
Pat Mcgeehan	1	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Mark Zatezalo	1	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Phil Diserio	2	✓	✓	✗	✗	N/A	N/A	✗	N/A	N/A
Shawn Fluharty	3	✓	✓	✓	✓	N/A	N/A	✗	N/A	N/A
Erikka Storch	3	✓	✓	✓	✓	N/A	N/A	✗	N/A	N/A
Joe Canestraro	4	✓	✓	✗	✗	N/A	N/A	✗	N/A	N/A
Michael Ferro	4	✓	✓	✗	✗	N/A	N/A	✗	N/A	N/A
David Pethtel	5	✓	✓	✓	✗	N/A	N/A	✗	N/A	N/A
Roger Romine	6	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Jason Harshbarger	7	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Bill Anderson	8	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Ray Hollen	9	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Vernon Criss	10	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Frank Deem	10	N/A	N/A	N/A	N/A	N/A	N/A	✓	N/A	N/A
John Kelly	10	✓	✓	✓	✓	N/A	N/A	N/A	N/A	N/A
Rick Atkinson	11	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Steve Westfall	12	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Scott Brewer	13	✓	✓	✗	✗	N/A	N/A	✗	N/A	N/A
Josuha Higginbotham	13	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Jim Butler	14	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Geoff Foster	15	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Carol Miller	16	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Sean Hornbuckle	16	✓	✓	✓	✗	N/A	N/A	✗	N/A	N/A
Chuck Romine	16	✓	N/A	✓	✓	N/A	N/A	✓	N/A	N/A
Chad Lovejoy	17	✓	✓	✓	✗	N/A	N/A	✗	N/A	N/A

# House Votes cont.

HOUSE	DISTRICT	SB 152	HB 4015	HB 4011	HB 4014	SB 335	SB 400	SB 263	SB 595	SB 458
RESULT		COMPLETED ACTION	COMPLETED ACTION	PASSED HOUSE	PASSED HOUSE	PASSED SENATE	PASSED SENATE	COMPLETED ACTION	PASSED SENATE	PASSED SENATE
Matt Rohrbach	17	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Kelli Sobonya	18	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Kenneth Hicks	19	✓	✓	✓	✗	N/A	N/A	✗	N/A	N/A
Robert Thompson	19	✓	✓	✓	✗	N/A	N/A	✓	N/A	N/A
Justin Marcum	20	✓	✓	✓	✗	N/A	N/A	✓	N/A	N/A
Mark Dean	21	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Zack Maynard	22	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Jeff Eldridge	22	✓	✓	✓	✓	N/A	N/A	✗	N/A	N/A
Rodney Miller	23	✓	✓	✓	✗	N/A	N/A	✗	N/A	N/A
Rupert Phillips	24	✓	✓	✓	✗	N/A	N/A	✓	N/A	N/A
Ralph Rodighiero	24	✓	✓	✓	✗	N/A	N/A	✗	N/A	N/A
Tony Paynter	25	✓	✓	✓	✗	N/A	N/A	✓	N/A	N/A
Ed Evans	26	✓	✓	✓	✗	N/A	N/A	✗	N/A	N/A
Joe Ellington	27	✓	✓	✓	✓	N/A	N/A	N/A	N/A	N/A
Marty Gearheart	27	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
John Shott	27	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Roy Cooper	28	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Jeffrey Pack	28	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Ricky Moye	29	✓	✓	✓	✗	N/A	N/A	✗	N/A	N/A
Mick Bates	30	✓	✓	✓	✗	N/A	N/A	✗	N/A	N/A
Chanda Adkins	31	✓	✓	✓	✓	N/A	N/A	N/A	N/A	N/A
Tom Fast	32	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Kayla Kessinger	32	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Shirley Love	32	✓	✓	✓	✗	N/A	N/A	✗	N/A	N/A
Roger Hanshaw	33	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A

# House Votes cont.

HOUSE	DISTRICT	SB 152	HB 4015	HB 4011	HB 4014	SB 335	SB 400	SB 263	SB 595	SB 458
RESULT		COMPLETED ACTION	COMPLETED ACTION	PASSED HOUSE	PASSED HOUSE	PASSED SENATE	PASSED SENATE	COMPLETED ACTION	PASSED SENATE	PASSED SENATE
Brent Boggs	34	✓	✓	✓	✓	N/A	N/A	✗	N/A	N/A
Andrew Byrd	35	✓	✓	✓	✗	N/A	N/A	✗	N/A	N/A
Moore Capito	35	✓	✓	✓	✓	N/A	N/A	✗	N/A	N/A
Charlotte Lane	35	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Eric Nelson	35	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Brad White	36	✓	✓	✓	✓	N/A	N/A	N/A	N/A	N/A
Andrew Robinson	36	✓	✓	✗	✗	N/A	N/A	✗	N/A	N/A
Larry Rowe	36	✓	✓	✗	✗	N/A	N/A	✗	N/A	N/A
Mike Pushkin	37	✓	✓	✗	✗	N/A	N/A	✗	N/A	N/A
Dianna Graves	38	✓	✓	✓	✓	N/A	N/A	✗	N/A	N/A
Ron Walters	39	N/A	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Tim Armstead	40	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Jordan Hill	41	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
George Ambler	42	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Jeff Campbell	42	✓	✓	✓	✗	N/A	N/A	✗	N/A	N/A
Phil Isner	43	✓	✓	✗	✗	N/A	N/A	✗	N/A	N/A
Bill Hartman	43	✓	✓	✓	✓	N/A	N/A	✗	N/A	N/A
Dana Lynch	44	✓	✓	✓	✗	N/A	N/A	✗	N/A	N/A
Bill Hamilton	45	✓	✓	✓	✗	N/A	N/A	✓	N/A	N/A
Patrick Martin	46	✓	✓	✓	✗	N/A	N/A	✓	N/A	N/A
Danny Wagner	47	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Danny Hamrick	48	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Richard Iaquina	48	✓	✓	✗	N/A	N/A	N/A	✗	N/A	N/A
Tim Miley	48	✓	✓	✓	✓	N/A	N/A	✗	N/A	N/A
Ben Queen	48	✓	✓	✓	✓	N/A	N/A	✗	N/A	N/A

# House Votes cont.

HOUSE	DISTRICT	SB 152	HB 4015	HB 4011	HB 4014	SB 335	SB 400	SB 263	SB 595	SB 458
RESULT		COMPLETED ACTION	COMPLETED ACTION	PASSED HOUSE	PASSED HOUSE	PASSED SENATE	PASSED SENATE	COMPLETED ACTION	PASSED SENATE	PASSED SENATE
Amy Summers	49	✓	✓	N/A	✓	N/A	N/A	✓	N/A	N/A
Mike Caputo	50	✓	✓	✗	✗	N/A	N/A	✗	N/A	N/A
Linda Longstreth	50	✓	✓	✗	✗	N/A	N/A	✗	N/A	N/A
Guy Ward	50	✓	✓	✓	✗	N/A	N/A	✗	N/A	N/A
Cindy Frich	51	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Rodney Pyles	51	✓	✓	✗	✗	N/A	N/A	✗	N/A	N/A
Joe Statler	51	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
John Williams	51	✓	✓	✗	✗	N/A	N/A	✗	N/A	N/A
Barbara Fleischauer	51	✓	✓	✗	✗	N/A	N/A	✗	N/A	N/A
Terri Sypolt	52	✓	✓	✓	✗	N/A	N/A	✓	N/A	N/A
Rolland Jennings	53	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Allen Evans	54	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Issac Sponaugle	55	✓	✓	✓	✗	N/A	N/A	✗	N/A	N/A
Gary Howell	56	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Ruth Rowan	57	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Daryl Cowles	58	✓	✓	✓	✗	N/A	N/A	✓	N/A	N/A
Saira Blair	59	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Marshall Wilson	60	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Jason Barrett	61	✓	✓	✓	✓	N/A	N/A	✗	N/A	N/A
John Overington	62	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Mike Folk	63	✓	✓	✓	✓	N/A	N/A	✗	N/A	N/A
Eric Householder	64	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Jill Upson	65	✓	✓	✓	✓	N/A	N/A	✗	N/A	N/A
Paul Espinosa	66	✓	✓	✓	✓	N/A	N/A	✓	N/A	N/A
Riley Moore	67	✓	✓	✓	✓	N/A	N/A	✗	N/A	N/A



# Senate Votes

SENATE	DISTRICT	SB 152	HB 4015	HB 4011	HB 4014	SB 335	SB 400	SB 263	SB 595	SB 458
RESULT		COMPLETED ACTION	COMPLETED ACTION	PASSED HOUSE	PASSED HOUSE	PASSED SENATE	PASSED SENATE	COMPLETED ACTION	PASSED SENATE	PASSED SENATE
Ryan Ferns	1	✓	✓	N/A	N/A	✓	✓	✓	✓	✓
Ryan Weld	1	✓	✓	N/A	N/A	✓	✓	✗	✓	✓
Charles Clements	2	✓	✓	N/A	N/A	✗	N/A	✓	✓	✓
Mike Maroney	2	✓	✓	N/A	N/A	✓	✓	✓	✓	✓
Mike Azinger	3	✓	✓	N/A	N/A	✓	✓	✓	✓	✓
Donna Boley	3	✓	✓	N/A	N/A	✓	✓	✓	✓	✓
Mitch Carmichael	4	✓	✓	N/A	N/A	✓	✓	✓	✓	✓
Mark Drennan	4	✓	✓	N/A	N/A	✓	✓	✓	✓	✗
Robert Plymale	5	✓	✓	N/A	N/A	N/A	✓	✓	✓	✓
Mike Woelfel	5	✓	✓	N/A	N/A	✗	✓	✓	✓	✗
Chandler Swope	6	✓	✓	N/A	N/A	✓	✓	✓	✓	✓
Mark Maynard	6	✓	✓	N/A	N/A	✓	✓	✓	✓	✓
Richard Ojeda	7	✓	✓	N/A	N/A	✗	✓	✓	✓	✗
Ron Stollings	7	✓	✓	N/A	N/A	✗	✓	✓	✓	✗
Glen Jeffries	8	✓	✓	N/A	N/A	✗	✓	✓	✓	✗
Ed Gaunch	8	✓	✓	N/A	N/A	✓	✓	✓	✓	✓
Sue Cline	9	✓	✓	N/A	N/A	✓	✓	✓	✓	✓
Lynne Arvon	9	✓	✓	N/A	N/A	✓	✓	✓	✓	✓
Kenny Mann	10	✓	✓	N/A	N/A	✗	✓	✓	✓	✓
Stephen Baldwin	10	✓	✓	N/A	N/A	✗	✓	✓	✓	✗
Greg Boso	11	✓	✓	N/A	N/A	✓	✓	✓	✓	✓
Robert Karnes	11	✓	✓	N/A	N/A	✓	✓	✓	✓	✓
Doug Facemire	12	✓	✓	N/A	N/A	✗	✓	✓	✓	✗
Mike Romano	12	✓	✓	N/A	N/A	✗	✓	N/A	✓	✗
Roman Prezioso	13	✓	✓	N/A	N/A	✗	✓	✓	✓	✗

# Senate Votes cont.

SENATE	DISTRICT	SB 152	HB 4015	HB 4011	HB 4014	SB 335	SB 400	SB 263	SB 595	SB 458
RESULT		COMPLETED ACTION	COMPLETED ACTION	PASSED HOUSE	PASSED HOUSE	PASSED SENATE	PASSED SENATE	COMPLETED ACTION	PASSED SENATE	PASSED SENATE
Bob Beach	13	✓	✓	N/A	N/A	✗	✓	N/A	✓	✗
Randy Smith	14	✓	✓	N/A	N/A	✓	✓	✓	✓	✓
Dave Sypolt	14	✓	✓	N/A	N/A	✓	✓	✓	✓	✓
Craig Blair	15	✓	✓	N/A	N/A	✓	✓	✓	✓	✓
Charles Trump	15	✓	✓	N/A	N/A	✓	✓	✓	✓	✓
Patricia Rucker	16	✓	✓	N/A	N/A	✓	✓	✗	✓	✓
John Unger	16	✓	✓	N/A	N/A	✗	✓	✓	✓	✗
Corey Palumbo	17	✓	✓	N/A	N/A	✗	✓	✓	✓	✗
Tom Takubo	17	✓	✓	N/A	N/A	✓	✓	N/A	✓	✓



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