

Key Liberty Votes

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The purpose of the accompanying spreadsheet is to capture a snapshot of the 2010 budget session by means of some key votes. Because it is a budget session, the house of origin must vote by two thirds to introduce a bill. A vote on third reading is usually the last vote on a bill in a given house; a favorable vote sends it to the other house or the governor.

In addition, we have noted one vote on a key amendment.

The right hand column is the legislator's total pro-liberty votes. 6 is the highest possible count, with the average score below. Note that two Representatives were excused for all of the votes we note here, and so inadvertently achieved totals of 0.

We remind legislators and their constituents that a call for a roll call vote is a call for transparency and accountability.

This vote summary is not intended as a replacement for the Wyoming Liberty Index (<http://www.wyominglibertyindex.info/>). This summary covers only six votes, whereas the Index covers all final votes in each house. The methodologies are different; the Index allows for finer granulation of the impact of a bill on liberty. Further, this summary notes a vote on an amendment to a bill, whereas the Index is silent on amendments.

Two excellent sources of information on legislative votes are Wyoming Votes (<http://wyomingvotes.org>) and the Legislative Services Office's official web site, <http://legisweb.state.wy.us>.

The bills are:

House

Health Freedom (HJ 12, SJ 1)

This is a resolution to send to the voters a Constitutional amendment forbidding the federal government from interfering in individuals' medical decisions; the "Health Care Freedom Amendment".

This vote is excellent for our purpose. When the resolution failed introduction in the Senate, the House quickly move to introduce it there. Thus, it captures floor roll call votes on a very topical issue. A vote for introduction is a vote for liberty.

Concealed Weapon Authority (HB 113)

This bill would permit people to carry a "deadly weapon" (firearm) concealed without a permit and to set qualifications (minimum age, no physical infirmity, etc.).

It is now quite clear that the right to keep and bear arms is a constitutionally protected individual right. In both houses, the vote is the third reading. The vote is on the third reading. A vote for the legislation is a vote for liberty.

Campaign Finance Reform (HB 68)

A bill to expressly allow corporations, unions and other groups to make independent expenditures on political campaigns, and to reword how contributions to a political campaign may be used.

This is a bill to align Wyoming political campaign law with the U.S. Supreme Court decision in *Citizens United v. Federal Election Commission*, 558 U.S. ___ (2010), <http://www.scotusblog.com/2010/01/citizens-united-v-fec-opinion/>. That decision held that people in groups (unions, clubs, the NRA, Sierra Club, etc.) have a right to free speech, and so organizations may spend money on behalf of candidates for office. Failure to pass this law means that some Wyoming entities may be in doubt as to their legal status if they spend money on behalf of a candidate, exactly the chilling effect *Citizens United* was intended to remove.

A vote for introduction is a vote for liberty.

Firearms Freedom Act (HB 95)

A bill to specify that certain firearms made in Wyoming and retained in Wyoming are not subject to federal regulation of interstate commerce. To provide criminal penalties for attempting to enforce such federal regulation.

While firearms are the vehicle, the main point of the bill is that the State of Wyoming can place limits on federal authority within Wyoming, specifically federal claims to power under the Interstate Commerce Clause. This theory of state nullification of federal power was familiar to XVIIIth Century constitutional theorists and politicians like Thomas Jefferson. Later it was used to block federal laws such as the fugitive slave acts. It is based on the proposition that the states are to be bulwarks against an overweening federal government. The theory of nullification is enjoying a revival in the XXIst Century.

The bill includes criminal penalties for state and federal officials who try to enforce federal regulations on persons regarding firearms made in and kept in Wyoming. An amendment failed in the House to remove those penalties. HB0095H3001/F. That is the vote noted in the House. A Nay vote on the amendment is a vote for liberty.

Zero Based Budgeting (HB 126)

This bill was to require zero based budgeting, whereby an appropriation must be justified in its entirety, rather than the current practice of only justifying increments. A ten year rotation would be set up, so that all appropriations are zero-based once a decade, with different ones each biennium.

This bill died in committee because a hostile committee chair sat on it, i.e. refused to allow the committee to hear it.

The vote noted here is the vote for introduction. A vote for the bill is a vote for liberty.

Licensure of Midwives (SF 48)

A bill to regulate and license midwifery, similar to other medical professional regulation and licensure. This bill legalizes an ancient and honorable profession, to the benefit of midwives. It also benefits their customers by expanding their customers' choices. The bill also imposes regulation on the profession, so it is not a perfect bill. A vote for the bill is a vote for liberty.

Senate

Health Freedom (HJ 12, SJ 1)

This is a resolution to send to the voters a Constitutional amendment forbidding the federal government from interfering in individuals' medical decisions; the "Health Care Freedom Amendment".

This vote is excellent for our purpose. When the resolution failed introduction in the Senate, the House quickly move to introduce it there. Thus, it captures floor roll call votes on a very topical issue. A vote for introduction is a vote for liberty.

Denturists (SF 38)

A bill to create the Wyoming Denture Practice Act; to license and regulate denturists. To establish a state Board of Denturists, similar to other medical regulation boards.

This bill legalizes a modern profession, allowing consumers of dentures to deal directly with a professional denturist without having to go through a dentist. It also imposes regulation on the profession, so it is not a perfect bill. A vote for the bill is a vote for liberty.

National health care bill review (SF 49)

A bill to require the Attorney General to investigate the constitutional implications of any federal health care bill, with reference to specific sections of the US constitution. The AG is to investigate and may engage in litigation on the bill.

A vote for the bill is a vote for liberty.

Firearms Freedom Act (HB 95)

A bill to specify that certain firearms made in Wyoming and retained in Wyoming are not subject to federal regulation of interstate commerce. To provide criminal penalties for attempting to enforce such federal regulation.

While firearms are the vehicle, the main point of the bill is that the State of Wyoming can place limits on federal authority within Wyoming, specifically federal claims to power under the Interstate Commerce Clause. This theory of state nullification of federal power was familiar to XVIIIth Century constitutional theorists and politicians like Thomas Jefferson. Later it was used to block federal laws such as the fugitive slave acts. It is based on the proposition that the states are to be bulwarks against an overweening federal government. The theory of nullification is enjoying a revival in the XXIst Century.

In the Senate, the third reading vote is noted. A vote for the bill is a vote for liberty.

Career and technical training grants (SF 77)

A bill to establish a Career and Technical Training Scholarship Program in the Department of Workforce Services. To appropriate \$50,000 to administer the Program. The grants are to be funded by donations.

Why should the taxpayer subsidize a private charity effort? While the scholarship effort may be laudable, it should be the Wyoming citizen's decision to donate to the program, including its administration, not the legislature's. Many hold charity to be a virtue, but where there is no choice, there can be no virtue. Also, just governments are neutral toward all economic activity, not least charity. A Nay vote is a vote for liberty.

Licensure of Midwives (SF 48)

A bill to regulate and license midwifery, similar to other medical professional regulation and licensure.

This bill legalizes an ancient and honorable profession, giving the consumer more choice. A vote for the bill is a vote for liberty.

Sources

Vote data are taken from the Wyoming Legislature's web site (<http://legisweb.state.wy.us/2010/billindex/BillCrossRef.aspx?type=ALL>), specifically the digest associated with each bill.

The descriptions of the bills were taken from WyomingVotes.org (<http://wyomingvotes.org>) a non-partisan neutral source of legislative data. These descriptions were used rather than the official descriptions in the bills because the official descriptions are often overly technical.

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Representative	Health Freedom (HJ 12, SJ 1)	Concealed Weapon Authority Third Reading (HB 113)	Campaign Finance Reform (HB 68)	Amendment to Firearms Freedom Act (HB 95)	Zero Based Budgeting (HB 126)	Licensure of Midwives (SF 48)	
	Aye for liberty	Aye for liberty	Aye for liberty	Nay for liberty	Aye for liberty	Aye for liberty	
Rodney "Pete" Anderson	A	A	A	N	A	A	6
George Bagby	N	A	N	N	N	A	3
Joseph Barbuto	A	N	N	A	N	A	2
Rosie Berger	A	N	N	A	A	A	3
Stan Blake	N	N	N	N	N	A	2
Gregg Blikre	A	A	A	N	A	A	6
Dave Bonner	A	A	A	N	A	A	6
Bob Brechtel	A	A	A	N	A	A	6
Kermit Brown	A	A	A	N	A	A	6
Edward Buchanan	A	A	A	N	A	N	5
James Byrd	N	N	N	A	N	A	1
Richard Cannady	A	A	A	N	A	A	6
Seth Carson	N	N	N	A	N	A	1
Pat Childers	A	A	A	N	A	A	6
Roy Cohee	A	A	A	N	A	A	6
Cathy Connolly	N	N	N	A	A	A	2
Bernadine Craft	N	A	N	A	A	A	3
Kathy Davison	A	A	A	N	A	A	6
Ross Diercks	N	A	N	N	N	A	3
Amy Edmonds	A	A	A	N	A	A	6
Ken Esquibel	N	A	N	N	N	A	3
Mike Gilmore	N	A	N	N	A	A	4
Keith Gingery	A	A	A	N	A	A	6
W. Patrick Goggles	N	A	N	A	N	A	2
Mary Hales	N	N	N	A	N	A	1
Timothy Hallinan	E	E	E	E	E	E	0
Debbie Hammons	N	N	N	N	N	A	2
Steve Harshman	A	A	A	N	A	A	6
Elaine Harvey	A	A	A	N	A	A	6
Peter S. "Pete" Illoway	A	A	A	N	A	A	6
Allen Jaggi	A	A	A	N	A	A	6
Peter Jorgensen	N	N	N	A	N	A	1
Terry Kimble	N	A	N	N	N	N	2
Jack Landon	A	N	A	A	A	A	4
Thomas Lockhart	A	A	A	N	A	A	6
Thomas Lubnau	A	A	A	N	A	A	6
Michael Madden	A	A	A	N	A	A	6
Robert McKim	A	A	A	N	A	A	6
Del McOmie	A	A	N	N	N	A	4
David Miller	A	A	A	N	A	A	6

Representative	Health Freedom (HJ 12, SJ 1)	Concealed Weapon Authority Third Reading (HB 113)	Campaign Finance Reform (HB 68)	Amendment to Firearms Freedom Act (HB 95)	Zero Based Budgeting (HB 126)	Licensure of Midwives (SF 48)	
	Aye for liberty	Aye for liberty	Aye for liberty	Nay for liberty	Aye for liberty	Aye for liberty	
Lori Millin	N	A	N	A	A	A	3
Glenn Moniz	A	A	A	N	A	A	6
John Patton	A	N	A	A	N	A	3
Frank Peasley	A	A	A	N	A	A	6
Bryan Pedersen	A	A	A	N	A	E	5
Owen Petersen	N	N	A	N	N	A	3
Frank Philp	E	E	E	E	E	E	0
Lorraine Quarberg	A	A	A	N	A	A	6
Jim Roscoe	N	N	N	N	N	A	2
Mark Semlek	A	A	A	N	A	A	6
Lisa Shepperson	A	A	A	N	A	A	6
Colin Simpson	A	A	A	N	A	A	6
William "Jeb" Steward	A	A	A	N	A	N	5
Tim Stubson	A	A	A	N	A	A	6
Matt Teeters	A	A	A	N	A	A	6
Bill Thompson	N	N	N	N	N	A	2
Mary Throne	E	E	N	N	E	A	2
Sue Wallis	A	A	A	N	A	A	6
Dan Zwonitzer	A	A	N	A	A	A	4
David Zwonitzer	A	N	A	A	A	A	4
Ayes	39	42	36	14	40	54	
Nays	18	15	22	44	17	3	
Total	57	57	58	58	57	57	
Average							4.25

Red is a vote for liberty
Blue is a vote against Liberty

Legend:

A: Aye; N: Nay; E: Excused

Senator	Health Freedom (HJ 12, SJ 1)	Denturists (SF 38)	National health care bill review (SF 49)	Firearms Freedom Act (HB 95)	Career and technical training grants (SF 77)	Licensure of Midwives (SF 48)	
	Aye for liberty	Aye for liberty	Aye for liberty	Aye for liberty	Nay for liberty	Aye for liberty	
Jim Anderson	A	N	A	A	A	A	4
Eli Bebout	A	N	A	A	N	N	4
Bruce Burns	N	N	N	A	A	N	1
Cale Case	A	A	A	A	N	A	6
Henry H.R. "Hank" Coe	A	N	A	A	N	A	5
Stan Cooper	A	N	A	A	N	A	5
Dan Dockstader	A	N	A	A	N	N	4
James Elliott, Jr.	N	N	N	A	A	A	2
Floyd Esquibel	N	N	N	A	A	A	2
Gerald Geis	A	A	A	A	N	A	6
John Hastert	N	A	N	A	A	A	3
John Hines	A	N	A	A	A	A	4
Rick Hunnicutt	A	N	A	A	A	A	4
Kit Jennings	A	A	A	A	N	A	6
Wayne Johnson	A	N	N	A	A	A	3
Bill Landen	N	N	A	A	A	A	3
Grant Larson	N	N	A	A	A	A	3
Marty Martin	N	N	N	A	A	A	2
Mike Massie	N	N	N	A	A	A	2
Curt Meier	A	A	A	A	N	A	6
Sandra Meyer	N	N	N	A	A	A	2
Phil Nicholas	A	N	N	A	N	A	4
Drew Perkins	A	N	A	A	N	A	5
R. Ray Peterson	A	A	A	A	N	A	6
Tony Ross	A	N	N	A	N	A	4
John Schiffer	N	N	N	A	N	A	3
Charles Scott	N	A	A	A	A	A	4
Kathryn Sessions	N	N	N	A	A	A	2
Charles Townsend	A	N	A	A	N	A	5
Michael Von Flatern	A	N	A	A	A	A	4

Ayes	18	7	18	30	16	27	
Nays	<u>12</u>	<u>23</u>	<u>12</u>	<u>0</u>	<u>14</u>	<u>3</u>	
Total	30	30	30	30	30	30	
Average							3.8

Legend: Red is a vote for liberty Blue is a vote against Liberty A: Aye; N: Nay; E: Excused