



ARKANSAS LEGISLATIVE SCORECARD 2019



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About Conduit

While big businesses have their interests voiced by lobbyists and controlled organizations, small businesses often do not have adequate advocates, yet have the most to lose with bad government policy. By working to measurably reduce the size and scope of government in Arkansas, Conduit is working to unleash individual economic freedom and prosperity. Arkansas based and focused, Conduit is made up of a collection of entities which hold different roles in the shared mission for prosperity for all Arkansans.



Conduit for Commerce, Inc is a 501(c)(3) non-profit which focuses on the development of sound policy and tracks the Arkansas state legislature's voting records.

www.conduitforcommerce.org



Conduit for Action is a 501(c)(4) nonprofit which engages in lobbying and issue advocacy online and at the Arkansas capitol.

www.conduitforaction.org



Arkansas Economic Defense Fund serves to fight legal challenges which violate the economic rights of Arkansans.

www.arkansaseconomicdefensefund.org



Conduit produces Conduit News with Paul Harrell, a daily talk show heard around the state on radio and across online streaming platforms like Facebook and YouTube.

www.conduitnews.com

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Introduction

The Conduit for Commerce (CFC) Legislative Scorecard is a resource for Arkansans to learn how their legislators voted during the 2019–92nd General Assembly and compare those votes to the mission of Conduit: more economic freedom for all Arkansans. Legislation during the session is reviewed and analyzed by Conduit for Action, a sister organization to CFC. Based on those recommendations' CFC has drafted this legislative scorecard. Bills are included into the scorecard by using the CFC Economic Freedom Filter. The scores are based entirely on a legislator's own voting record on bills scored.



Economic Freedom Filter

The Economic Freedom Filter is the method by which CFC determines if a bill is good or bad for increased economic freedom for Arkansans. The Economic Freedom Filter analyzes bills that do the following:

- 1. Increase or Decrease the Size and Scope of Government**
- 2. Increase or Decrease Dependency on Government**
- 3. Does It Spend Money We Do Not Have**
- 4. Increase or Decreases Transparency in Government**

If legislation falls into these categories, it is considered for scoring. CFC will support bills that decrease the size and scope of government, decrease dependency on government, saves money, or increases transparency in government. CFC will oppose bills that increase the size and scope of government, increase dependency on government, spends money the state does not have, or decreases transparency in government.

Methodology

Each individual score (percentage) is based solely on a legislator's voting record. Bills with a larger impact are given greater weight. For example, a \$300 million tax increase bill will be weighted much greater than a \$1 million tax cut. Legislation that affects multiple areas of the economic freedom filter receive a greater weight than legislation affecting just one area.

Legislators gain points if they voted with the recommended position of Conduit for Action. For example, if a bill received a 6 weight and CFA's position was **FOR**, then a legislator received no points if they voted against the bill. If a bill received a 6 weight and CFA's position was **AGAINST**, then a legislator received 6 points if they voted no, present, or did not vote. Each legislators' total points were then divided by the total possible points for their final percentage score.

"An excused absence" recording was not factored into the overall score, but non-votes were considered for scoring. Legislators are afforded the opportunity to "pair" their votes when they are absent, ensuring a vote opportunity on every bill. If a legislator was not in the chamber when a vote is held, and they did not pair their vote or did not have a person vote their voting machine for them, they are recorded as a non-vote.

Committee votes were also considered and scored where available. Scoring committee votes had no impact on fellow legislator's overall scores who may not serve on a committee with a roll call vote on a specific bill. For example, if a legislator received 73 out of 80 points based on floor votes, their percentage would be 91.3%.

If they are not on any committee with scored votes their score remains the same. However, if they are on a committee with a roll call vote on a bill on the scorecard, the points gained and total points possible are added to their house score. For example, if a person is on a committee that a roll call vote bill occurred and the weight was a 6, they can receive 6 points if they voted with CFC's position and 6 total points would be added to the total points possible. However, the committee votes in no way effect other legislators and thus all percentage scores are completely comparable.

Awards

Conduit for Commerce awards the top scoring legislators on the CFC scorecard for their outstanding voting records. These awards reflect the most fiscally conservative legislators based on their actual votes as they compare to the CFC Economic Freedom Filter. CFC has held a biennial Calvin Coolidge Awards Dinner honoring these top legislators since 2013. This year CFC applied the Ronald Reagan 80% rule. If a legislator got an 80% or higher on the CFC scorecard, they will receive a 2019 Calvin Coolidge Award for their outstanding voting record in the 2019 legislative 92nd General Assembly.



The 2019 Calvin Coolidge Awards

Senate

Sen. Trent Garner (SD 27)

House

Rep. Dan Sullivan (HD 53)

Rep. Austin McCollum (HD 95)

Rep. Clint Penzo (HD 88)

Rep. Grant Hodges (HD 96)

Rep. Marsh Davis (HD 61)

Rep. Robin Lundstrum (HD 87)

Rep. Josh Miller (HD 66)

Rep. Rick Beck (HD 65)

Rep. Mickey Gates (HD 22)

Rep. Justin Gonzales (HD 19)

Rep. Frances Cavanaugh (HD 60)

Rep. Mark Lowery (HD 39)

Rep. Nelda Speaks (HD 100)

Rep. John Payton (HD 64)

Rep. Richard Womack (HD 18)

SENATE SCORECARD RANKINGS

<u>Rank</u>	<u>Score</u>	<u>Senator</u>	<u>District</u>	<u>Party</u>	<u>Rank</u>	<u>Score</u>	<u>Senator</u>	<u>District</u>	<u>Party</u>
1.	87.7%	Trent Garner	27	R	18.	46.1%	James Sturch	19	R
2.	77.6%	Bob Ballinger	7	R	20.	43.4%	Cecile Bledsoe	3	R
3.	77.1%	Bart Hester	1	R	20.	43.4%	Blake Johnson	20	R
4.	76.9%	Scott Flippo	17	R	22.	42.5%	Bruce Maloch	12	D
5.	66.2%	Kim Hammer	33	R	23.	38.6%	Jason Rapert	35	R
6.	65.8%	Gary Stubblefield	6	R	24.	38.1%	Eddie Cheatham	26	D
7.	63.5%	Ricky Hill	29	R	24.	38.1%	Linda Chesterfield	30	D
8.	61.8%	Jonathan Dismang	28	R	26.	36.4%	Lance Eads	7	R
9.	60.6%	Alan Clark	13	R	27.	36.3%	Greg Leding	4	D
10.	60.2%	Jimmy Hickey	11	R	28.	35.5%	John Cooper	21	R
11.	59.6%	Larry Teague	10	D	28.	35.5%	Dave Wallace	22	R
12.	59.2%	Bill Sample	14	R	30.	32.9%	Jim Hendren	2	R
13.	55.72%	Ron Caldwell	23	R	31.	31.1%	Mathew Pitsch	8	R
14.	55.70%	Breanne Davis	16	R	32.	30.3%	Joyce Elliot	31	D
15.	55.1%	Terry Rice	9	R	33.	23.2%	Will Bond	32	D
16.	51.7%	Mark Johnson	15	R	34.	23.1%	Keith Ingram	24	D
17.	49.5%	Jane English	34	R	35.	20.4%	Stephanie Flowers	25	D
18.	46.1%	Missy Irvin	18	R					

HOUSE SCORECARD RANKINGS

<u>Rank</u>	<u>Score</u>	<u>Representatives</u>	<u>District</u>	<u>Party</u>	<u>Rank</u>	<u>Score</u>	<u>Representatives</u>	<u>District</u>	<u>Party</u>
1	93.4%	Dan Sullivan	53	R	26	67.1%	Joe Jett	56	R
2	92.2%	Austin McCollum	95	R	26	67.1%	Marcus Richmond	21	R
3	90.1%	Clint Penzo	88	R	28	64.7%	John Maddox	20	R
4	88.5%	Grant Hodges	96	R	29	64.3%	Stan Berry	68	R
5	86.4%	Marsh Davis	61	R	29	64.3%	Jim Sorvillo	32	R
6	85.0%	Robin Lundstrum	87	R	31	63.5%	Harlan Breaux	97	R
7	84.8%	Josh Miller	66	R	32	61.9%	Stu Smith	63	R
8	83.6%	Rick Beck	65	R	33	58.9%	Les Eaves	46	R
8	83.6%	Mickey Gates	22	R	34	58.6%	DeAnn Vaught	4	R
10	83.1%	Justin Gonzales	19	R	35	57.8%	Les Warren	25	R
11	81.9%	Frances Cavanaugh	60	R	36	57.7%	Brandt Smith	58	R
12	80.3%	Mark Lowery	39	R	37	57.6%	Michelle Gray	62	R
12	80.3%	Nelda Speaks	100	R	38	57.3%	Karilyn Brown	41	R
14	80.2%	John Payton	64	R	39	57.1%	Keith Slape	83	R
14	80.2%	Richard Womack	18	R	40	56.9%	Steve Hollowell	49	R
16	78.6%	Jim Dotson	93	R	41	56.3%	Ken Bragg	15	R
17	77.2%	Aaron Pilkington	69	R	42	56.1%	Johnny Rye	54	R
18	77.0%	Rebecca Petty	94	R	43	55.9%	Jack Ladyman	59	R
19	75.4%	Cameron Cooper	44	R	44	52.8%	Sonia Eubanks Barker	7	R
20	75.0%	Stephen Meeks	67	R	44	52.8%	Sarah Capp	82	R
21	74.5%	Julie Mayberry	27	R	46	52.4%	John Walker	34	D
22	72.1%	Dwight Tosh	52	R	47	52.0%	Jimmy Gazaway	57	R
23	71.6%	Gayla H. McKenzie	92	R	48	51.8%	Lanny Fite	23	R
24	68.6%	Lane Jean	2	R	49	51.2%	Gary Deffenbaugh	79	R
25	68.3%	Mary Bentley	73	R	50	49.6%	Jeff Wardlaw	8	R

HOUSE SCORECARD RANKINGS

<u>Rank</u>	<u>Score</u>	<u>Representatives</u>	<u>District</u>	<u>Party</u>	<u>Rank</u>	<u>Score</u>	<u>Representatives</u>	<u>District</u>	<u>Party</u>
51	49.5%	Fred Allen	30	D	74	40.6%	Spencer Hawks	70	R
51	49.5%	Jana Della Rosa	90	R	77	40.1%	Mike Holcomb	10	R
51	49.5%	Ron McNair	98	R	78	39.7%	Charlene Fite	80	R
54	49.1%	Carlton Wing	38	R	79	39.3%	David Fielding	5	D
55	48.7%	Roger Lynch	14	R	80	38.9%	Douglas House	40	R
56	48.2%	Chris Richey	12	D	80	38.9%	Matthew Shepherd*	6	R
57	47.5%	Jon Eubanks	74	R	82	38.0%	Jim Wooten	45	R
58	47.3%	Jack Fortner	99	R	83	37.3%	Dan Douglas	91	R
59	47.1%	Craig Christiansen	47	R	84	35.5%	Bruce Coleman	81	R
59	47.1%	Jasen Kelly	28	R	85	34.8%	Megan Godfrey	89	D
61	46.3%	David Hillman	13	R	86	33.8%	Kenneth Ferguson	16	D
62	44.6%	Carol Dalby	1	R	87	33.6%	Charles Blake	36	D
63	44.3%	Steve Magie	72	D	88	33.2%	Jay Richardson	78	D
64	43.8%	Andy Davis	31	R	89	32.3%	Lee Johnson	75	R
64	43.8%	Brian Evans	43	R	90	32.0%	Fred Love	29	D
66	43.6%	Joe Cloud	71	R	91	31.9%	Denise Garner	84	D
67	42.6%	Laurie Rushing	26	R	92	31.7%	Monte Hodges	55	D
68	42.3%	Mark Perry	42	D	93	31.6%	Deborah Ferguson	51	D
69	42.2%	Danny Watson	3	R	94	31.5%	Vivian Flowers	17	D
70	41.2%	Justin Boyd	77	R	95	27.8%	Jamie Scott	37	D
71	40.9%	Bruce Cozart	24	R	96	25.0%	Tippi McCullough	33	D
71	40.9%	Cindy Crawford	76	R	97	24.5%	Nicole Clowney	86	D
71	40.9%	Milton Nicks	50	D	98	24.1%	David Whitaker	85	D
74	40.6%	LeAnne Burch	9	D	99	23.7%	Reginald Murdock	48	D
74	40.6%	Don Glover	11	D	100	21.3%	Andrew Collins	35	D

*Rep. Matthew Shepherd was House Speaker and thus did not vote on most bills as is routine for House Speakers.

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OPPOSE

HJR1008 Making It Harder to Pass Citizens Initiatives
By: Rep. DeAnne Vaught (R – Horatio) / Sen. Mat Pitsch (R – Fort Smith)

This is a proposed constitutional amendment that would make it harder for a citizens-led initiative to propose and pass constitutional amendments to the Arkansas constitution. Currently, signatures from at least half of the eligible voters in fifteen of Arkansas' 75 counties must be collected to make it on the ballot. This amendment would increase that rate to 3/5th of all counties, or 45 of all counties. It would also require all measures to be submitted by January 15 of the election year, moving up the due date by almost six months.

Result: Passed. Will be on 2020 General Election Ballot
Weight: 3

OPPOSE

HJR1018 \$293 Million Sales Tax Increase
By: Rep. Jeff Wardlaw (R - Warren)

This proposed constitutional amendment would implement a new half-cent sales tax in place of the half-cent sales tax increase scheduled to expire in 2023. The proposed constitutional amendment would be referred to the voters in the General Election in 2020 to vote up or down for the tax increase being extended permanently. The increase would be nearly \$300 million annually.

Result: Passed. Will be on 2020 General Election Ballot
Weight: 14



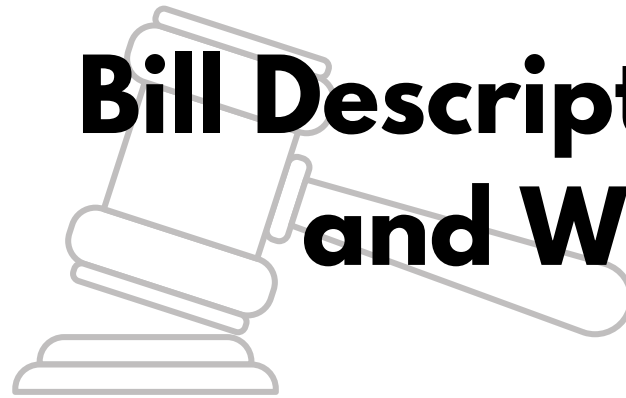
OPPOSE

HB1060 Adding Continuing Education Requirements for HVACR Licensees
By: Rep. Roger Lynch (R - Lonoke)

The bill would require continuing education requirements for heating, ventilation, air conditioning, and refrigeration (HVACR) licensees. The bill allows the HVACR licensing board to set up a program, assess fees, and set hour requirements for continuing education. To have a license renewed they must show completion of the continuing education requirement.

Result: Failed in House Committee on Roll Call Vote
House Committee Vote Weight: 3

Bill Descriptions and Weight



SUPPORT

HB1251 Expanding Scope of Practice for Optometrists
By: Rep. Jon Eubanks (R – Paris)

This bill would expand the scope of practice of optometrists in Arkansas. It would add additional therapies, rehabs, ophthalmic surgery, and laser surgery procedures excluding retinal surgery under the scope of practice. By expanding the scope of practice, the bill would increase the choice that a patient has.

Result: Signed into Law - Act 579
House Floor Vote Weight: 5
House Committee Vote 1 (Failed): 5
House Committee Vote 2 (Passed): 5

SUPPORT

HB1255 Least Restrictive Licensing Requirements
By: Rep. Jim Dotson (R-Bentonville)

This bill would require a licensing entity to adopt the least restrictive requirements for licensing, registration, or certification for those previously licensed in another state. The licensing entity would have to adopt a rule that is least restrictive that allows for state-to-state reciprocity. This bill would allow more competition for those looking to come to Arkansas and work.

Result: Signed Into Law - Act 1011
Weight: 3



SUPPORT

HB1321 Homestead Property Tax Credit Increase

By: Rep. Larry Fite (R-Benton) / Sen. Blake Johnson (R-Corning)

This bill would increase the homestead property tax credit by \$25 to \$375 per year. The bill would also require study of the formula for calculating the homestead property tax credit amount and the sales and use taxes levied to fund the credit. This bill was a \$12.5 million annual tax cut.

Result: Passed in House. Failed in Senate Committee.

Weight: 4

SUPPORT

HB1342 Sales Tax Cut on Used Vehicles

By: Rep. John Payton (R - Wilburn)

This bill would exempt vehicles purchased for less than \$7,500 from sales tax. Currently the limit is \$4,000. When vehicles are bought new the full sales tax is applied and paid. Any additional taxation on used vehicles would be double sales tax paid on the same vehicle. This bill was a \$14 million annual tax cut.

Result: Passed in House. Failed in Senate Committee.

Weight: 7

SUPPORT

HB1343 Transparency in County Government Spending

By: Rep. Spencer Hawks (R - Conway)

Requires a county clerk to publish the county's annual financial report on a website. Currently, a county only has to release the report in a newspaper published in the county. This bill would provide more transparency on the county level of what government is doing with the people's money, allowing for a more honest, open, and transparent government.

Result: Signed into Law - Act 564

Weight: 3

OPPOSE

HB1564 Increased Cell Phone Fees

By: Rep. Michelle Gray (R - Melbourne)

This bill would increase fees per cellular device for a total of \$10.1 million per year fee increase. The money would be used for newer 911 emergency systems.

Result: Signed into Law - Act 660

Weight: 5

OPPOSE

HB1565 Increases Cigarette Paper Taxes, Raises Smoking Age to 21

By: Rep. Andy Davis (R- Little Rock)

This bill would raise the age to buy tobacco products in Arkansas to 21, with an exemption for those in the military. It would also increase the tax on cigarette paper and remove the lower pricing for border cities on tobacco products. The taxes would increase \$6.9 million per year after estimates of decreased smoking lowering the increases.

Result: Signed into Law - Act 580

Weight: 9

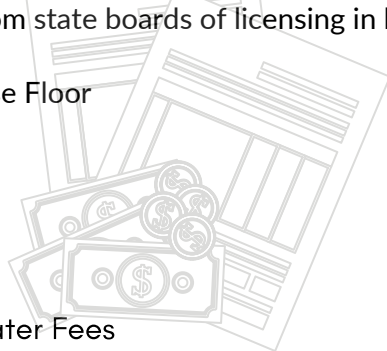
OPPOSE

HB1568 New Healthcare Council to Lobby Legislators

By: Rep. Lee Johnson (R – Fort Smith) / Sen. Missy Irvin (R – Mountain View)

This bill would set up a new council to “evaluate and provide recommendations to the General Assembly regarding scope of practice changes” according to the bill. This council would consist of members mostly from state boards of licensing in healthcare.

Result: Failed on House Floor
Weight: 5



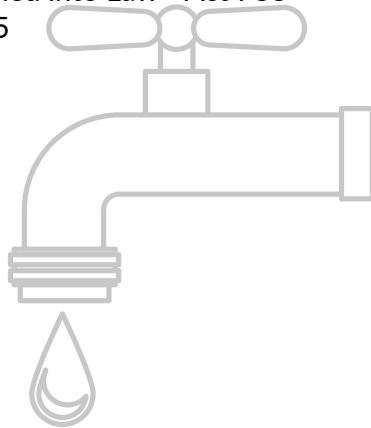
OPPOSE

HB1737 Increased Water Fees

By: Rep. Dan Douglas (R – Bentonville)

This bill would increase the fees for those with public water systems for a total of \$1 million per year.

Result: Signed into Law - Act 788
Weight: 2.5



SUPPORT

HB1752 Improving the Minimum Wage Law – Small Business

By: Rep. Robin Lundstrum (R – Elm Springs)

This bill would amend the Arkansas minimum wage law by exempting employers with less than twenty-five employees, private nonprofit developmental service providers, and private nonprofit organizations with an annual budget less than \$1 million.

Result: Failed on House Floor
Weight: 4

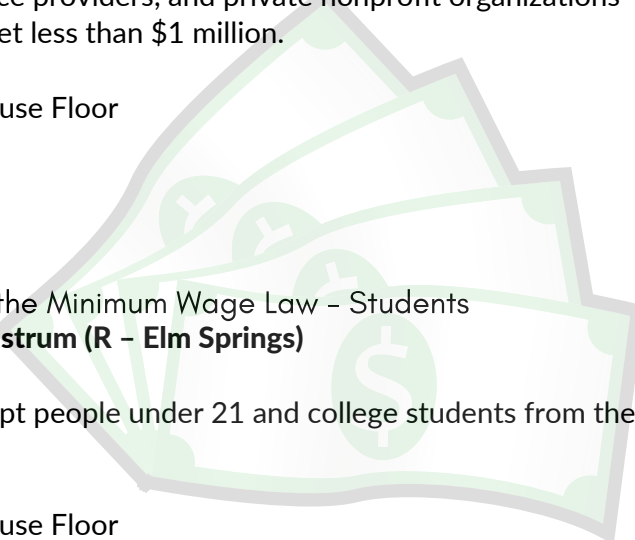
SUPPORT

HB1753 Improving the Minimum Wage Law – Students

By: Rep. Robin Lundstrum (R – Elm Springs)

This bill would exempt people under 21 and college students from the minimum wage law.

Result: Failed on House Floor
Weight: 4



SUPPORT

HB1928 Recording of All Public Meetings

By: Rep. Vivian Flowers (D – Pine Bluff)

This bill would require that all public meetings either be audio or video recorded. The recordings must be kept for at least one year and are subject to the Arkansas Freedom of Information law.

Result: Signed into Law - Act 1028
Weight: 4



SUPPORT

HB1929 Ends Arkansas Works
Changes to Fee for Service Medicaid Expansion

By: Rep. Josh Miller (R – Heber Springs)

This bill would end the current form of Obamacare Medicaid Expansion, called Arkansas Works. The bill would move the program to a “fee for service” model. The change to the more traditional “fee for service” structure would only pay for services that are actually used by the Medicaid Expansion beneficiaries. Thus, taxpayers would only pay for actual healthcare costs possibly saving taxpayers hundred of millions of dollars.

Result: Failed in House Committee on Roll Call Vote
Weight: 7

SUPPORT

SB156 Protecting Free Speech on College Campuses
By: Sen. Bob Ballinger (R- Berryville)

This bill would protect free speech on college campuses in Arkansas. The legislation would address what are commonly called “free speech zones” where colleges try to contain free speech within defined areas of a campus. Free speech zones would be prohibited under the bill.

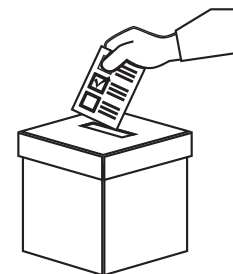
Result: Signed into Law - Act 184
Weight: 4.5

OPPOSE

SB163 Harder Ballot Access for Third Parties
By: Sen. Trent Garner (R- El Dorado)

This bill will make it harder for third parties like the Libertarian Party of Arkansas to gain ballot access for elections. Instead of the 10,000 signatures now required to gain access, it would increase this to 3% of the total number of people who voted in the most recent governor election. That would be about 26,750 signatures required instead of the 10,000.

Result: Signed into Law - Act 164
Weight: 3

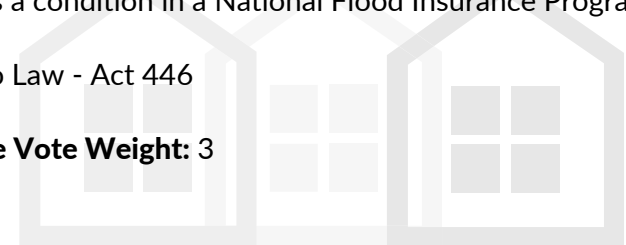


SUPPORT

SB170 Housing Design Freedom
By: Sen. Bart Hester (R – Cave Springs)

This bill would prevent cities and counties from passing and enforcing onerous “design standards” to which a house must adhere. Design standards may be enforced by a city or county if the structure is in a historic district or the regulations are directly related to safety code requirements or as a condition in a National Flood Insurance Program.

Result: Signed into Law - Act 446
Weight: 3
Senate Committee Vote Weight: 3





SUPPORT

SB211 Income Tax Cut

By: Sen. Jonathan Dismang (R – Beebe)

This bill would cut the top income tax rate in Arkansas from 6.9% down to 5.9% through fiscal year 2022. The bill would save taxpayers \$97 million per year once full phased in. The current 6.0% rate for middle income filers would drop to 5.9% as well.

Result: Signed into Law - Act 182

Weight: 12

House Committee Vote Weight: 12

SUPPORT

SB298 Unemployment Tax Cut for Employers

By: Sen. Kim Hammer (R – Benton) / Rep. Robin Lundstrum (R – Elm Springs)

This bill is a reduction in the unemployment tax that employers must pay. Currently, the unemployment tax trust fund is over \$700 million. This fund is there for people to draw unemployment benefits if they lose their job. The fund will continue to grow, but how much employers pay will be reduced. Specifically, the wage base on which the employer tax would be based would drop based on the unemployment rate and the balance of the unemployment fund.

Result: Signed into Law - Act 512

Weight: 4

SUPPORT

SB308 Civil Asset Forfeiture Reform

By: Sen. Bart Hester (R – Cave Springs) / Rep. Austin McCollum (R – Bentonville)

This bill would make it harder for governments to steal people's stuff before ever being convicted of any crime. This legislation would require a person to first be convicted of a felony offense related to the property being seized. Some exceptions like the death of the property owner or deportation of the property owner would apply.

Result: Signed into Law - Act 476

Weight: 2

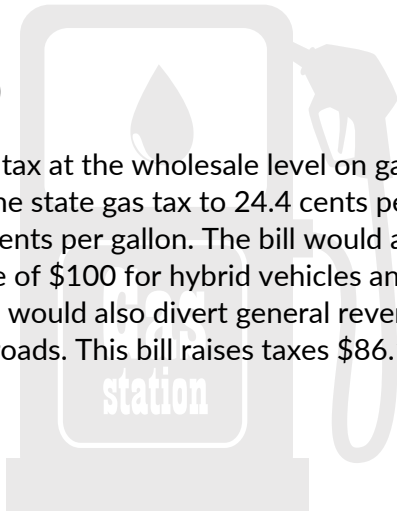


OPPOSE

SB336 Gas Tax Increase
By: Sen. Terry Rice (R – Waldron)

This bill would create a new sales tax at the wholesale level on gas and diesel. The new law would raise the state gas tax to 24.4 cents per gallon and the diesel tax to 28.5 cents per gallon. The bill would also levy a new, annual registration fee of \$100 for hybrid vehicles and \$200 for electric vehicles. The bill would also divert general revenue from casino gambling to support roads. This bill raises taxes \$86.1 million annually.

Result: Signed into Law - Act 416
Weight: 13

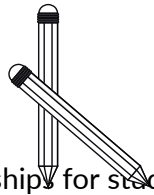


SUPPORT

SB539 School Choice Tax Credit
By: Sen. Blake Johnson (R – Corning)

This bill would provide educational scholarships for students to attend the schools and educational facilities that are best for them. It would be funded by private donations to private organizations who would oversee the scholarship program. The donations would qualify for tax credits to offset income tax liability for the donors. The program is capped at \$3 million per year. This is a good bill that increases a parent's choice for the best education of the child.

Result: Passed Senate. Failed in House Committee on Roll Call Vote
Weight: 4



OPPOSE

SB571 \$100 Million Tax Increase for Redistribution of Wealth Program
By: Sen. Jim Hendren (R – Gravette)

This bill as voted on in the Arkansas Senate would increase cigarette taxes by 20%. It would add a new tax on vaping (e-cigarettes) at 67%. The bill creates a new welfare check program that redistributes the wealth from the tax increases through an earned income tax credit (EITC). The standard deduction is increased, and the lowest income tax bracket is lowered.

Result: Passed Senate. Failed in House Committee.
Weight: 12

OPPOSE

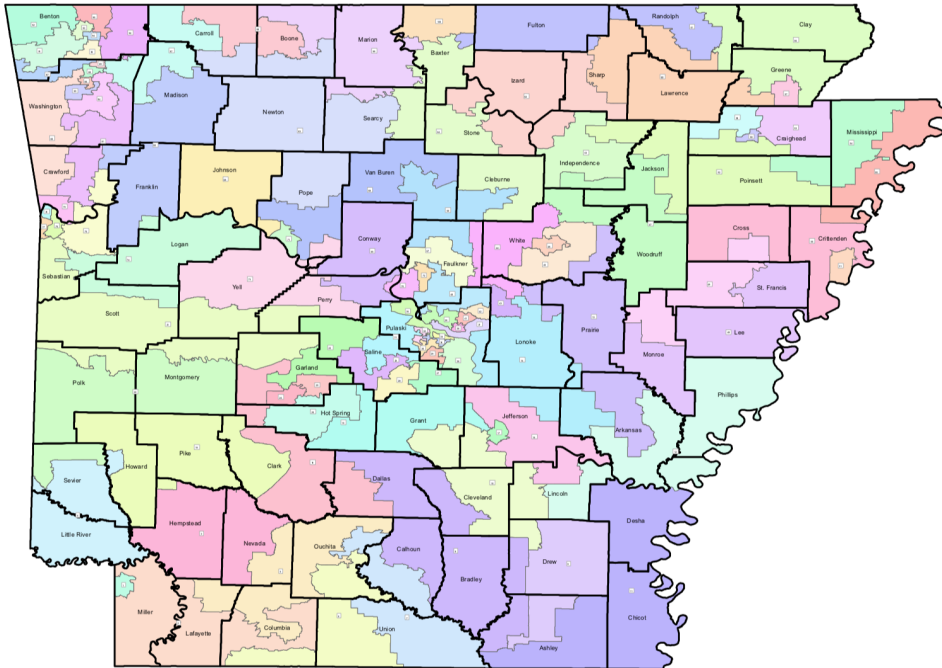
SB576 Internet Tax 2.0
By: Sen. Bart Hester (R – Cave Springs)

This bill includes a new Internet Sales Tax. It would place a new point of sale tax on internet purchases, including third party sellers. Simply put, the Internet Tax 2.0 would grow government at the city, county, and state level. It will mean less money in the pockets of Arkansans and more into the government coffers. The bill includes some corporate tax reform measures to lower the corporate income tax, restructure sales factor apportionment for taxing, and extension of net operating loss carry forwards. Net tax increase bill until 2027.

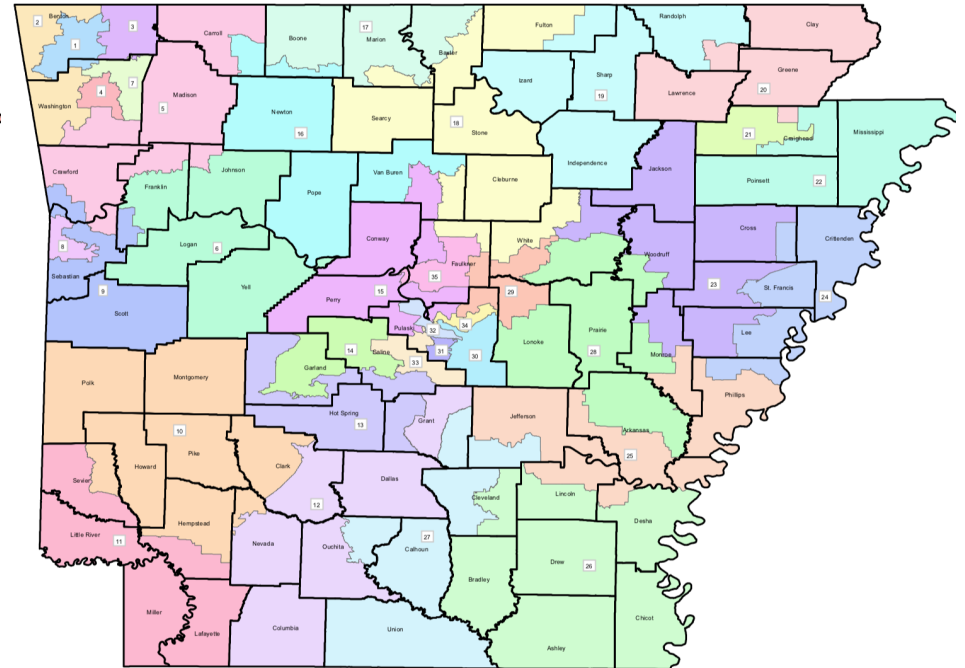
Result: Signed into Law - Act 822
Weight: 8

Arkansas District Maps

Source: <https://www.sos.arkansas.gov/elections/district-maps/>



House



Senate



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