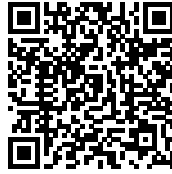




Philip Berger

Senate District SD-026
Republican

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View Online

This legislator voted constitutionally on **67%** of the votes shown below.

★ Pro-liberty ✗ Anti-liberty ? Did not Vote **Vote**

1. S49 Parents' Bill of Rights (passed 27 to 18 on 8/16/2023). **Yes**
Establishes a Parents' Bill of Rights enumerating certain rights of parents related to the education, health, privacy, and safety of their child.

2. H219 Charter School Omnibus (passed 27 to 18 on 8/16/2023). **Yes**
Removes restrictions on enrollment growth for low-performance schools, permits admission of out-of-state students and foreign exchange students, and allows counties to appropriate property taxes to fund capital needs.

3. H750 Prohibiting ESG-Based State Contracts (passed 29 to 16 on 6/27/2023). **Yes**
Prohibits state entities from using environmental, social, and governance (ESG) criteria or economically targeted investments (ETI) requirements when awarding state contracts or making employment decisions.

4. S20 Abortion Restrictions (passed 30 to 20 on 5/16/2023). **Yes**
Restricts abortion after 12 weeks of a woman's pregnancy, rather than 20 weeks, except in cases of rape or incest, a life-limiting anomaly, or a medical emergency.

5. S41 Second Amendment Freedom and Protections (passed 30 to 19 on 3/28/2023). **Yes**
Repeals the pistol purchase permit requirement and allows concealed carry in places of religious worship located on privately-owned school property.

6. H76 Expanding Government Healthcare (passed 44 to 2 on 3/15/2023). **Yes**
Provides Medicaid coverage though NC Health Works to adults aged 18-64 with incomes up to 133% of the federal poverty level, while authorizing increased Medicaid reimbursements to hospitals.



NORTH CAROLINA LEGISLATIVE

SCORECARD

BASED ON THE U.S. CONSTITUTION

Sen. Philip Berger

Lifetime Score: 58%

NC Scorecard 2023

2023 Regular Session Score 67%

The Legislative Scorecard is a nationwide educational program of The John Birch Society. Its purpose is to create an informed electorate on how state legislators are voting. The Scorecard is nonpartisan; it does not promote any candidate or political party. Bills are selected for their constitutional implications and cost to the taxpayers.

Please share this Scorecard in your district to inform people about your legislator's record on key votes.

U.S. Constitution, Amendment I --- 11 C.F.R. §114(4)(c)(4) --- 616 F.2d 45 (2d Cir. 1980)

The following scorecard lists several key votes in the North Carolina General Assembly in 2023 and ranks state representatives and senators based on their fidelity to (U.S.) constitutional and limited-government principles.

This is our second state-level Scorecard; the selected votes may not be reflective of legislators' overall records. Their cumulative scores will change as we add more votes. Please check regularly for updates.



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The Constitution

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Bill Descriptions for the Votes that Affect You

1. Parents' Bill of Rights

S49 establishes a Parents' Bill of Rights enumerating certain rights of parents related to the education, health, privacy, and safety of their child.

The upbringing, care, and control of children belongs to—and is a fundamental right of—parents, not the government. Parental rights, as with all other fundamental rights, are protected by the Bill of Rights and the 14th Amendment to the U.S. Constitution.

2. Charter School Omnibus

H219 makes various changes to laws affecting charter schools by removing restrictions on enrollment growth for low performance, permitting admission of out-of-state students and foreign exchange students, and allowing counties to appropriate property taxes to fund capital needs.

Charter schools are government-funded schools by another name, and education is not the role of government. A child's education is the responsibility of—and a fundamental right of choice retained by—his or her parents. Educational freedom cannot be achieved by forcing other citizens to furnish their tax dollars for a compulsory, failing, and government-controlled K-12 school system.

3. Prohibiting ESG-Based State Contracts

H750 prohibits state entities from using environmental, social, and governance (ESG) criteria or economically targeted investments (ETI) requirements when awarding state contracts or making employment decisions.

It is unconstitutional for state entities to condition public contracts or employment based on all-encompassing 'woke' ESG/ETI factors that compel Americans to relinquish their fundamental rights. As a political and ideological scam that seeks to proliferate worldwide, implement a 'social credit' rating system, and advance the United Nations' Agenda 2030, the ESG/ETI movement rejects private property and freedom of association. It attempts to restrict access to certain services by preventing both individuals and companies from entering into contracts voluntarily based on their own interests, which violates the due process and equal protection clauses of the Fifth and 14th Amendments to the U.S. Constitution.

4. Abortion Restrictions

S20 restricts abortion after 12 weeks of a woman's pregnancy, rather than 20 weeks, except in cases of rape or incest, a life-limiting anomaly, or a medical emergency.

North Carolina should act to ban the practice of abortion entirely and secure the right to life for all persons. The right to life is the most fundamental, God-given, and unalienable right asserted in the Declaration of Independence and protected by the Fifth and 14th Amendments to the U.S. Constitution.

5. Second Amendment Freedom and Protections

S41 repeals the requirement to obtain a pistol purchase permit, allows concealed carry in places of religious worship located on privately-owned school property, and authorizes concealed carry for certain law enforcement facility employees.

Government has a duty to secure an individual's natural and unalienable right to self-defense, regardless of their location in a place of worship or school. The Second Amendment to the U.S. Constitution guarantees that the right of the American people "to keep and bear Arms, shall not be infringed."

6. Expanding Government Healthcare

H76 provides Medicaid coverage through NC Health Works to adults aged 18-64 with incomes up to 133% of the federal poverty level, while authorizing increased Medicaid reimbursements to hospitals.

Neither healthcare nor social welfare is the legitimate object of government. Medicaid, like other so-called 'entitlement programs,' not only causes more debt, poverty, and government dependency in the United States, but continues the anti-constitutional and discriminatory act of income-based taxpayer theft, which deprives hardworking American citizens of their right to the wages they have earned. The Bill of Rights and 14th Amendment were intended to safeguard against undue disparagements of a person's "property" and provide "equal protection of the laws" for all Americans.