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LEGISLATIVE SCORECARD

BASED ON THE PRINCIPLES OF THE U.S. CONSTITUTION



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Kathleen M. Bernier

Wisconsin

State Senator, SD-023 (R)

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50

Lifetime
Freedom
Score

2021-2022 WI Legislative Scorecard

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

1. Terminated the COVID-19 public health emergency declared by Governor Tony Evers in Executive Order #104 on January 19, 2021, and all actions of the Governor and all emergency orders issued pursuant to the declaration of the public health emergency. ✓

Constitutional: **Yes** · Cast: **Yes** · SJR3 · 01/26/2021

2. Proposes to amend the Wisconsin Constitution to provide that only a U.S. citizen age 18 or older who is a resident of an election district in Wisconsin is eligible to vote in the state. ✓

Constitutional: **Yes** · Cast: **Yes** · SJR32 · 01/25/2022

3. Applies to Congress, under the provisions of Article V of the U.S. Constitution, to call for a "Convention of the States" for the purpose of proposing constitutional amendments. ✗

Constitutional: **No** · Cast: **Yes** · AJR9 · 01/25/2022

4. Applies to Congress, under the provisions of Article V of the U.S. Constitution, to call for a convention to propose an amendment to the U.S. Constitution establishing term limits for members of Congress. ✗

Constitutional: **No** · Cast: **Yes** · SJR102 · 02/22/2022

5. Would prohibit the state from infringing on the fundamental right of parents or guardians to direct the upbringing, education, health care, and mental health of their children. ✓

Constitutional: **Yes** · Cast: **Yes** · AB963 · 03/08/2022

6. Permits law enforcement officers to execute "no-knock" search warrants in certain "dangerous" or "ineffective" situations. ✗

Constitutional: **No** · Cast: **Yes** · AB834 · 03/08/2022

Scorecard Votes: 50%

Why do these votes matter?

1. Terminating the COVID-19 Public Health Emergency

SJR3 terminated the COVID-19 public health emergency declared by Governor Tony Evers in Executive Order #104 on January 19, 2021, and all actions of the Governor and all emergency orders issued pursuant to the declaration of the public health emergency.

Article IV, Section 1, of the Wisconsin Constitution vests lawmaking power in the Senate and the Assembly, not the Governor. Each state, under Article IV, Section 4, of the U.S. Constitution, is guaranteed a republican form of government, which requires a limitation and separation of powers.

2. U.S. Citizenship Requirement to Vote

SJR32 proposes to amend the Wisconsin Constitution to provide that only a U.S. citizen age 18 or older who is a resident of an election district in Wisconsin is eligible to vote in the state.

The right of the American people to vote and choose their representatives is retained solely by citizens of the United States, who, owing true faith and allegiance to the U.S. Constitution, are not subject to any foreign power. According to Article 1, Section 4, of the Constitution, the “times, places, and manner of holding elections” for Congress shall be prescribed in each state by its legislature.

3. Article V Convention: Constitutional Amendments

AJR9 applies to Congress, under the provisions of Article V of the U.S. Constitution, to call for a “Convention of the States limited to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress.”

States should act immediately to nullify all unconstitutional federal laws, rather than risk an Article V convention. Article V of the U.S. Constitution was designed to correct potential errors or defects in the Constitution, not the failure of elected officials to uphold their oath of office.

4. Article V Convention: Term Limits

SJR102 applies to Congress, under the provisions of Article V of the U.S. Constitution, to call for a convention to propose an amendment to the U.S. Constitution establishing term limits for members of Congress.

Term limits conflict with the right of the American people to choose their representatives. Moreover, states should act immediately to nullify all unconstitutional federal laws, rather than risk an Article V convention. Article V of the U.S. Constitution was designed to correct potential errors or defects in the Constitution, not the failure of elected officials to uphold their oath of office.

5. Parental Rights

AB963 would prohibit the state from infringing on the fundamental right of parents or guardians to direct the upbringing, education, health care, and mental health of their children.

The upbringing, education, health care, and mental health of children belongs to--and is a fundamental right of--parents, not any governmental body. Parental rights, as with all other rights, freedoms, privileges, or immunities of American citizens, are protected by the Bill of Rights and the 14th Amendment to the U.S. Constitution. Nothing in AB963 authorizes a parent or guardian to abuse or neglect a child in violation of state law.

6. No-Knock Search Warrants

AB834 creates a statutory provision that permits law enforcement officers to execute “no-knock” search warrants in certain “dangerous” or “ineffective” situations.

This bill undermines the rights of Americans protected specifically by the 4th, 5th, and 6th Amendments to the U.S. Constitution. ‘No-knock’ warrants, by definition, violate the basic principle that law enforcement should not forcibly enter a premises without first providing notice of their authority and purpose of executing a warrant.