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LEGISLATIVE SCORECARD BASED ON THE THE U.S. CONSTITUTION

The Legislative Scorecard is a nationwide, nonpartisan educational program of The John Birch Society intended to inform voters about legislators' voting records. It does not promote any candidate or political party. Bills are chosen for their constitutional implications and taxpayer costs.



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Gary Tauchen

Wisconsin

Assemblymember, HD-006 (R)

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67

Lifetime
Freedom
Score

2021-2022 WI Legislative Scorecard

Based on the Principles of the U.S. Constitution

★ Constitutional	✗ Unconstitutional	? Did not Vote	Vote
			YES
1. SJR3 Terminating the COVID-19 Public Health Emergency (passed 52 to 42 on 2/4/2021). 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.			★
			YES
2. AJR9 Article V Convention: Constitutional Amendments (passed 58 to 36 on 5/11/2021). 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.			✗
			YES
3. AB293 Limiting Enforcement of Federal Firearms Laws (passed 61 to 36 on 6/9/2021). Provides restrictions on state and local officials in Wisconsin from enforcing federal laws regulating firearms, accessories, and ammunition.			★
			YES
4. AB834 No-Knock Search Warrants (passed 58 to 34 on 1/25/2022). Permits law enforcement officers to execute "no-knock" search warrants in certain "dangerous" or "ineffective" situations.			✗
			YES
5. AB963 Parental Rights (passed 60 to 34 on 2/22/2022). 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.			★
			YES
6. SJR32 U.S. Citizenship Requirement to Vote (passed 60 to 35 on 2/24/2022). 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.			★

Scorecard Votes: 67%

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. 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.

3. Limiting Enforcement of Federal Firearms Laws

AB293 provides restrictions on state and local officials in Wisconsin from enforcing federal laws regulating firearms, accessories, and ammunition.

The fundamental right of the American people to keep and bear arms should not be infringed, as guaranteed by the 2nd Amendment of the U.S. Constitution. Whenever the federal government assumes unconstitutional firearms restrictions, state nullification of such acts is protected by the 10th Amendment.

4. No-Knock Search Warrants

AB834 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.

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. 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.