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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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Chris Kapenga

Wisconsin
Senator, SD-033 (R)

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71
Lifetime
Freedom
Score

2025 WI Legislative Scorecard

Based on the Principles of the U.S. Constitution

★ Constitutional	✗ Unconstitutional	? Did not Vote	Vote
★			NO
1. SB23 Expanding Medicaid for Postpartum Women (passed 32 to 1 on 4/22/2025). Would expand Medicaid to offer up to 12 months of postpartum coverage. <i>Estimated cost per household: -\$7.46/year.</i>			★
			NO
2. AB140 Increasing Property Taxes for AI "Data Centers" (passed 29 to 3 on 6/18/2025). Creates a "data center" exception to the 12% maximum property-value rule for certain Tax Incremental Districts (TIDs).			★
			YES
3. AB308 Prohibiting Healthcare Funds to Illegal Aliens (passed 21 to 12 on 11/18/2025). Would have prohibited public funding of healthcare services for any person who is not lawfully present in the United States.			★
			YES
4. AB165 Ban on "Guaranteed Income" Programs (passed 18 to 15 on 11/18/2025). Would have banned political subdivisions from making "regular periodic cash payments that are unearned" to individuals under a "guaranteed income program."			★
			YES
5. SB553 Limiting the Definition of Abortion (passed 18 to 15 on 11/18/2025). Would exempt from the definition of abortion a "medical procedure or treatment designed or intended to prevent the death of a pregnant woman and not designed or intended to kill the unborn child."			★
			YES
6. SB389 Repealing the Governor's 400-Year Veto (passed 18 to 15 on 11/18/2025). Would repeal Governor Tony Evers' 2023 "partial veto" that provides an annual \$325 per-pupil adjustment in the school-district revenue formula until 2425. <i>Estimated benefit per household: +\$98.96/year.</i>			★

Scorecard Votes: 100%

Why do these votes matter?

1. Expanding Medicaid for Postpartum Women

SB23 would expand Medicaid to offer up to 12 months of postpartum coverage.

Neither healthcare nor "social welfare" is the legitimate object of government. Medicaid is a joint federal and state program that is not authorized according to Article I, Section 8 of the U.S. Constitution. Like other "entitlement" programs, it's financed by discriminatory and unjust forms of taxation (e.g., personal or corporate income taxes) that provide "Medical Assistance benefits" to "eligible persons," who have little or no tax liability, at the expense of others—resulting in more debt, dependency, and poverty. The Bill of Rights and the 14th Amendment were written to prevent such "nanny state" policies and the reckless use of taxpayer money.

2. Increasing Property Taxes for AI "Data Centers"

AB140 creates a "data center" exception to the 12% maximum property-value rule for certain Tax Incremental Districts (TIDs).

Big Tech and Big Government are colluding to erect a centralized, artificial intelligence (AI) surveillance infrastructure over the American population. The rapid construction of massive "data centers" in Wisconsin and throughout the United States is a growing danger to Americans' personal privacy and property. It grants federal, state, and local authorities an unprecedented and unconstitutional amount of power to collect our phone calls, text messages, and internet communications. This dark, techno-oligarchic attempt to hear everything, see everything, and be everywhere at all times serves no lawful purpose but to conduct warrantless "unreasonable searches." Further, the abuse of eminent domain, as well as taxation, for these "data centers" encroaches upon constitutionally protected property rights. Wisconsin lawmakers are duty-bound by oath to uphold the Fourth, Fifth, and 14th Amendments to the U.S. Constitution.

3. Prohibiting Healthcare Funds to Illegal Aliens

AB308 would have prohibited public funding of healthcare services for any person who is not lawfully present in the United States.

Illegal aliens must be deported from the United States. They should not be granted sanctuary or residency in Wisconsin or elsewhere in the country, let alone receive taxpayer-funded healthcare. Unlawful presence in the United States is, at the very least, a civil violation, whereas illegal entry is a crime. Moreover, mass migration, which is no less an "Invasion," as per the U.S. Constitution, has become the most immediate and serious threat to our country. It's an anti-American policy designed to destroy national unity, allegiance, and sovereignty, through a blatant undermining of the rule of law and an erosion of the value of citizenship. To save our Republic, "We the People" need to demand secure borders, the deportation of every illegal, and a moratorium on all immigration until the crisis ends.

4. Ban on Local "Guaranteed Income" Programs

AB165 would have banned political subdivisions from making "regular periodic cash payments that are unearned" to individuals under a "guaranteed income program."

"Guaranteed income" (i.e., "universal basic income") programs are manifestly socialist wealth-redistribution schemes. They rely on immoral, anti-constitutional acts of government-imposed theft, disguised as taxation, which take from hardworking citizens the wages they have actually earned. In other words, there exists no right to an income apart from a person earning it themselves, through their own labor or investment. The reality is that government has no money of its own to handout. Taxation in the name of "social welfare" is neither just nor charitable, for it turns citizens into slaves. A person's property, including their income, belongs solely to them—not the state. The Bill of Rights and the 14th Amendment guarantee that "No State" shall "deprive any person" of "property." Wisconsin needs to reject tyrannical government by protecting the "pursuit of Happiness," particularly the right to enjoy the fruit of one's own labor.

5. Limiting the Definition of Abortion

SB553 would exempt from the definition of abortion a "medical procedure or treatment designed or intended to prevent the death of a pregnant woman and not designed or intended to kill the unborn child."

This bill would bring clarity to Wisconsin law by restricting the definition of abortion to "the intentional destruction of the life of an unborn child," ensuring that a physician may legally perform life-saving emergency medical procedures on a pregnant woman (e.g., early induction or cesarean section) when reasonable efforts are made to "preserve both the life of the woman and the life of her unborn child." Since the care of human life—not its destruction—is the greatest responsibility of government, Wisconsin ought to protect the right to life for preborn children and their mothers. The right to life is the most fundamental, God-given, and "unalienable" right mentioned in the Declaration of Independence and secured by the Fifth and 14th Amendments to the U.S. Constitution.

6. Repealing the Governor's 400-Year Veto

SB389 would repeal Governor Tony Evers' 2023 "partial veto" that provides an annual \$325 per-pupil adjustment in the school-district revenue formula until 2425.

This bill would eliminate the Governor's 400-year increase in school funding. Not only does the "partial veto" provision in Article V, Section 10 of the Wisconsin Constitution, which allows the Governor to unilaterally amend or rewrite legislation, in violation of the separation of powers, need to be repealed, but education is not the role of government—it is the responsibility of a child's parents or family. Schools can and should be privatized, without stealing from taxpayers (e.g., property taxes). If not dismantled, the government's monopoly on K-12 education will continue to displace traditional private schools and homeschooling in favor of universal state-sponsored schooling. Educational and economic freedom cannot be achieved by forcing other citizens to furnish their tax dollars for all that now entails a compulsory, failing, and government-run school system.