

State Senate signs off on amendments barring non-residents from voting, giving lawmakers say in spending federal funds

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The state Senate today gave initial approval to constitutional amendments that would bar non-residents from voting in state or local elections and give lawmakers a say if there's another federal aid effort approved similar to the COVID-19 packages in recent years.

Both amendments would have to clear the Assembly yet this year before the Legislature could vote on them again in the 2023-24 session. If approved in back-to-back sessions, the amendments would then go to voters via referendum.

The Wisconsin Constitution states only U.S. citizens age 18 and up who is a resident of a district in the state is a qualified elector of that district. Qualified voters are eligible to vote in Wisconsin subject to requirements set by law.

[SJR 32](#) would add that only a qualified elector can vote in national, state or local elections. The amendment was proposed after communities such as New York began allowing illegal immigrants to vote in some local elections.

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Meanwhile, [SJR 84](#) would prohibit the Legislature from delegating its power to determine how federal money is spent. It also would bar executive branch officials from making an initial allocation of federal money without the approval of the Joint Finance Committee.

Both passed 21-12 along party lines with all Republicans in favor.

Currently, the gov has the authority in some instances to accept federal money and allocate it without approval from the Legislature. That includes the \$4.5 billion in aid flowing to the state from two COVID-19 packages approved under the Trump and Biden administrations.

Gov. Tony Evers has had sole discretion over how that money has been spent and vetoed a series of GOP bills trying to dictate how the money is used.

Sen. Melissa Agard, D-Madison, accused her GOP colleagues of trying to undercut Evers after his efforts to help the state get back on its feet amid the COVID-19 pandemic.

“How can the public trust us over and over when the Legislature — the majority party of the Legislature in fact — has stood over and over with inaction,” Agard said.

But Sen. Dale Kooyenga, R-Brookfield, said the effort wasn’t a slap at Evers, but an effort to get back to the foundation of the state and U.S. constitutions that lay out three co-equal branches of government.

“The foundation of those three branches of government is that the Legislature holds the purse strings,” Kooyenga said.

The Senate also approved resolutions calling for a convention to amend the U.S. Constitution.

[SJR 58](#) calls for an amendment to set the number of Supreme Court Justices at nine. The Supreme Court has consisted of nine justices since 1869, but the number isn’t set in the U.S. Constitution.

That has to pass the Assembly before the state would be on record backing such a call. It requires two-thirds of the states — 34 — to trigger a convention called by the states.

The Senate also signed off on [AJR 9](#), which calls for a convention to propose amendments imposing fiscal constraints on the federal government, limiting the powers of the federal government, and imposing term limits for members of Congress and other federal officials.

Sen. Roger Roth, R-Appleton, voted against the resolutions, warning they could

open the door to unintended consequences. He said if a convention is triggered, those participating could suggest amendments beyond what Republican co-sponsors want addressed. That includes possibly stripping Americans of their current First and Second Amendment rights.

Roth also dismissed the argument that three-fifths of the states would never ratify something like that, pointing out prohibition led to an amendment prohibiting the consumption of beer.

“The concern that I have as a conservative is we are setting in motion a process we cannot control and we do not know the end of,” Roth said.

The resolution on Supreme Court justices passed 18-15 with Roth and fellow Republicans Rob Cowles, of Green Bay, and Jerry Petrowski, of Marathon, opposed.

The other resolution was approved 17-16 with those three Republicans and Dan Feyen, R-Fond du Lac, joining Dems in opposition.