



Howard Marklein

Senate District SD-017
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. AB29 Restoring Sound Money (passed 23 to 9 on 3/12/2024).
Creates a sales and use tax exemption for gold, silver, and other
precious metals. **Yes**

2. AB910 Internet Sales Taxes and "Remote" Retail Permits **Yes**
(passed 30 to 2 on 3/12/2024). Prohibits online retailers from selling
cigars or pipe tobacco without a "remote" permit, including for the
collection of state taxes, and mandates the use of an age verification
system.

3. Motion to Refer: AB51 Illegal Aliens as Law Enforcement Officers **Yes**
(passed 22 to 10 on 2/20/2024). Stopped the advancement of
a bill that would allow recipients of the Deferred Action for Childhood
Arrivals (DACA) program to become law enforcement officers.

4. SB466 Second Amendment Financial Privacy (passed 22 to 10 **Yes**
on 1/16/2024). Forbids a financial institution from requiring the use of a
merchant category code that identifies the merchant as a firearms
retailer and provides that no governmental entity may maintain a list of
firearms owners.

5. AB494 Voter ID for Absentee Ballots (passed 22 to 11 on **Yes**
11/14/2023). Would require persons seeking "indefinitely confined
status" due to "frailty, physical illness, or a disability" to submit proof
of voter indentation before receiving automatic absentee ballots.

6. SB166 "Gender-Neutral" Language in the Military (passed 33 **Yes**
to 0 on 9/14/2023). Removes "gender-specific" language from Article
133 of the Wisconsin Code of Military Justice, which prohibits "conduct
unbecoming of an officer *and a gentleman*."



WISCONSIN LEGISLATIVE **SCORECARD** BASED ON THE U.S. CONSTITUTION

Sen. Howard Marklein

WI Scorecard 2024

Lifetime Score: 61%

2023-2024 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 Wisconsin State Legislature in 2024 and ranks state assemblymen and senators based on their fidelity to (U.S.) constitutional and limited-government principles.



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The Constitution

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Bill Descriptions for the Votes that Affect You

1. Restoring Sound Money

AB29 creates a sales and use tax exemption for gold, silver, and other precious metals.

This bill is a necessary step toward restoring sound money and adhering to the U.S. Constitution's monetary provisions. According to Article 1, Section 10, of the Constitution, "No State shall ... make any Thing but gold and silver Coin a Tender in Payment of Debts." States can and must act now to protect Americans' financial freedom and privacy by both ending the Federal Reserve's unconstitutional monopoly on money and thwarting government plans to impose a Central Bank Digital Currency.

2. Internet Sales Taxes and "Remote" Retail Permits

AB910 prohibits online retailers from selling cigars or pipe tobacco without a "remote" permit, including for the collection of state taxes, and mandates the use of an age verification system.

This bill would force certain online retailers in the United States, even in states without a sales tax, to act as out-of-state tax collectors for the Wisconsin Department of Revenue. Subjecting American citizens and businesses in one state to taxes and regulations of another state is "taxation without representation." It not only places an additional state tax on consumers, but also kowtows to the federal Food and Drug Administration's erroneous minimum-age requirement that denies to adult citizens younger than 21 years of age—who are eligible to vote and enlist in the military—their right to purchase tobacco. The U.S. Constitution's commerce and due process provisions were intended to protect individual rights and free-market enterprise against such discriminatory and burdensome forms of taxation.

3. Rejecting Illegal Aliens as Law Enforcement Officers

AB51 would allow recipients of the Deferred Action for Childhood Arrivals (DACA) program to become law enforcement officers.

Persons who enter the United States illegally—which, by definition, is a crime—should not be permitted sanctuary or residency in Wisconsin, let alone be considered eligible for appointment as local police officers and deputy sheriffs. Rather than pursue an unconstitutional and anti-American policy that erodes both the 'rule of law' and the value of citizenship, Wisconsin should use its powers reserved under the U.S. Constitution's 10th Amendment to end the crisis of illegal migration and provide for the public safety.

4. Second Amendment Financial Privacy

SB466 forbids financial institutions from using an identifying code for purchases from firearm retailers and provides that no governmental entity may maintain a list of firearms owners.

This bill prevents the unlawful use of credit card payment information to track firearms purchases. A new merchant category code for "gun and ammunition shops" introduced by the International Organization for Standardization (ISO)—a globalist collaborative linked to the United Nations—aids unconstitutional efforts by the federal government to conduct mass surveillance, create a national gun-owner database, and confiscate firearms from law-abiding citizens. States should nullify any such actions taken by private or public entities, that frustrate, if not blatantly violate, Americans' Second and Fourth Amendment rights.

5. Voter ID for Absentee Ballots

AB494 would require persons seeking "indefinitely confined status" to submit proof of voter indentation before receiving automatic absentee ballots.

Mass vote-by-mail and permanent absentee ballot schemes enable electoral fraud, disenfranchising qualified U.S. citizen voters. The American people alone retain the "right of Representation in the Legislature," and lawmakers in Wisconsin should perform their duty and exercise the full extent of their authority under Article 1, Section 4, of the U.S. Constitution, as well as the 14th and 26th Amendments, to implement free, fair, and secure elections, thereby ensuring equal protection of "the right of citizens of the United States to vote."

6. "Gender-Neutral" Language in the Military

SB166 removes "gender-specific" language from Article 133 of the Wisconsin Code of Military Justice, which prohibits "conduct unbecoming of an officer *and a gentleman*."

This bill replicates a "gender-neutral" modification to the UCMJ made by Congress in 2021, following President Joe Biden's executive order on "Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce." The Legislature has no business advancing DEI, especially in the Wisconsin National Guard. The National Guard's mission is to provide well-trained and equipped soldiers and airmen ready to fight and protect the lives, liberty, and property of their fellow citizens. Disgraceful "woke" efforts to socially engineer an effeminate, egalitarian, or insubordinate culture within its ranks are subversive of all order, discipline, and the very existence of the military itself. Lawmakers should, in a manner more worthy of self-government, be expected to "bear true faith and allegiance" to the same constitutional principles that National Guard members also must take an oath to "support and defend."