



Background on Recent Election Oversight Efforts

Recently, I read an article by Mark Belling, titled, “Wisconsin is not stopping noncitizens from voting, they are all on the honor system.” Belling correctly points out that checking a box to declare whether you are a legal citizen is our state’s safeguard mechanism – not exactly a ringing endorsement for election security.

With that in mind, on May 16, 2024, the two legislative committees responsible for election oversight met in the State Capitol for a joint committee. I chair the Senate Committee on Shared Revenue, Elections and Consumer Protection. The purpose for the hearing focused on the process for obtaining an identification card (ID) from the Department of Motor Vehicles (DMV) housed under the authority of the Wisconsin Department of Transportation (WisDOT). In addition, my colleague, Representative Scott Krug (R-Rome), invited the Department of Health Services and the Wisconsin Elections Commission (WEC), curial administrator, Meagan Wolfe; sadly, WisDOT was the only agency to send a representative.

The committee was gracious enough to receive testimony from then-Deputy Secretary Kristina Boardman - she is now the acting-Secretary of the agency. Ms. Boardman revealed to the committee that 72,315 of all state driver’s licenses are labeled as permanent residents/non-citizens and 17,178 of identification cards permanent residents/non-citizens. Thus, none of these individuals are allowed to vote because they are non-citizens. Seems simple enough, right? Well, it’s not so simple.

In April 2023, a constituent of mine in the 8th Senate District voted in a spring election. The only problem is that she is not a citizen of the United States and voted illegally. My local clerk asked for a legislative solution. I drafted Assembly Bill 93/Senate Bill 98 to add to the front of the ID, “Not valid for voting purposes,” for those individuals who are not citizens. This legislative change would have made it easier for our local clerks to distinguish who can cast a legal ballot. Unfortunately, Governor Evers vetoed the bill.

In his [veto message](#), Governor Evers stated, “I do not object to the data-sharing of citizenship information between the Department of Transportation and the Elections Commission.” This brings us back to the hearing in May. My colleagues and I pressed WisDOT to follow through with the governor’s message to ensure we only have lawful Wisconsin citizens voting in our elections. There will be a constitutional referendum in November seeking to achieve the same means.

This issue is not an isolated event. In Virginia, Governor Glenn Youngkin successfully followed their state laws to remove ineligible voters (i.e. non-citizens) from their voter roll only to have the federal Department of Justice file a lawsuit to halt the practice.

Governor Youngkin responded by saying, “It is beyond my possible understanding as to why the Department of Justice wants to block our ability to get non-citizens off the voter rolls. It’s constitutionally the right thing to do. It’s commonsensical, and as a result, we’re going to make sure that we have clean voting rolls in the Commonwealth of Virginia.”

Representative Krug and I have sent letters to WisDOT, WEC, Attorney General Kaul, and Governor Evers demanding they follow the law by responding to our requests for legislative oversight. The governor needs to back his rhetoric with action. Unfortunately, a current lawsuit in a Waukesha court may be our only means to decide this matter and that is unfortunate for all law-abiding citizens.