

WISCONSIN STATE  
LEGISLATURE  
COMMITTEE HEARING  
RECORDS

2001-02

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on  
Campaigns &  
Elections  
(AC-CE)

File Naming Example:

Record of Comm. Proceedings ... RCP

- > 05hr\_AC-Ed\_RCP\_pt01a
- > 05hr\_AC-Ed\_RCP\_pt01b
- > 05hr\_AC-Ed\_RCP\_pt02

*Published Documents*

> Committee Hearings ... CH (Public Hearing Announcements)

> \*\*

> Committee Reports ... CR

> \*\*

> Executive Sessions ... ES

> \*\*

> Record of Comm. Proceedings ... RCP

> \*\*

*Information Collected For Or  
Against Proposal*

> Appointments ... Appt

> \*\*

> Clearinghouse Rules ... CRule

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> Hearing Records ... HR (bills and resolutions)

> **01hr\_ab0012\_AC-CE\_pt01**

> Miscellaneous ... Misc

> \*\*

# Vote Record

## Assembly - Committee on Campaigns and Elections

Date: 1/23/01  
 Moved by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

AB: \_\_\_\_\_ SB: \_\_\_\_\_ Clearinghouse Rule: \_\_\_\_\_  
 AJR: \_\_\_\_\_ SJR: \_\_\_\_\_ Appointment: \_\_\_\_\_  
 AR: \_\_\_\_\_ SR: \_\_\_\_\_ Other: \_\_\_\_\_

A/S Amdt: \_\_\_\_\_  
 A/S Amdt: \_\_\_\_\_ to A/S Amdt: \_\_\_\_\_  
 A/S Sub Amdt: \_\_\_\_\_  
 A/S Amdt: \_\_\_\_\_ to A/S Sub Amdt: \_\_\_\_\_  
 A/S Amdt: \_\_\_\_\_ to A/S Amdt: \_\_\_\_\_ to A/S Sub Amdt: \_\_\_\_\_

- Be recommended for:
- Passage
  - Introduction *of rolled bill*
  - Adoption
  - Rejection
  - Indefinite Postponement
  - Tabling
  - Concurrence
  - Nonconcurrence
  - Confirmation

Committee Member

- Rep. Stephen Freese, Chair
- Rep. Bonnie Ladwig
- Rep. Jeff Stone
- Rep. Jeff Fitzgerald
- Rep. David Travis
- Rep. Mark Pocan

	Aye	No	Absent	Not Voting
Rep. Stephen Freese, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Bonnie Ladwig	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Jeff Stone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Jeff Fitzgerald	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. David Travis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Mark Pocan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: \_\_\_\_\_

*Roll* ✓  
*AB 12-*  
 | 39 -  
 | 40  
 | 41 -

*Nearring/foxie*  
*Sam*  
*Thursday*  
*1/25/01*

# Vote Record

## Assembly - Committee on Campaigns and Elections

Date: 1/23/01  
Moved by: Freese Seconded by: Ladwig  
Clearinghouse Rule: \_\_\_\_\_  
Appointment: \_\_\_\_\_  
Other: \_\_\_\_\_

AB: 12 SB: \_\_\_\_\_  
AJR: \_\_\_\_\_ SJR: \_\_\_\_\_  
AR: \_\_\_\_\_ SR: \_\_\_\_\_

A/S Amdt: \_\_\_\_\_  
A/S Amdt: \_\_\_\_\_ to A/S Amdt: \_\_\_\_\_  
A/S Sub Amdt: \_\_\_\_\_  
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A/S Amdt: \_\_\_\_\_ to A/S Amdt: \_\_\_\_\_ to A/S Sub Amdt: \_\_\_\_\_

- Be recommended for:
- Passage *as amended.*
  - Introduction
  - Adoption
  - Rejection
  - Indefinite Postponement
  - Tabling
  - Concurrence
  - Nonconcurrence
  - Confirmation

Committee Member	Aye	No	Absent	Not Voting
Rep. Stephen Freese, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Bonnie Ladwig	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Jeff Stone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Jeff Fitzgerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. David Travis	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Mark Pocan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>4</u>	<u>2</u>	_____	_____

# Vote Record

## Assembly - Committee on Campaigns and Elections

Date: 1/23/01  
 Moved by: Radwig      Seconded by: Stone  
 AB: 12      SB: \_\_\_\_\_  
 Clearinghouse Rule: \_\_\_\_\_  
 Appointment: \_\_\_\_\_  
 Other: \_\_\_\_\_  
 AR: \_\_\_\_\_      SR: \_\_\_\_\_

A/S Amdt: \_\_\_\_\_  
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 A/S Sub Amdt: 1  
 A/S Amdt: \_\_\_\_\_ to A/S Sub Amdt: \_\_\_\_\_  
 A/S Amdt: \_\_\_\_\_ to A/S Amdt: \_\_\_\_\_ to A/S Sub Amdt: \_\_\_\_\_

- Be recommended for:
- |  |  |
|--|--|
| <input type="checkbox"/> Passage                           | <input type="checkbox"/> Indefinite Postponement |
| <input type="checkbox"/> Introduction                      | <input type="checkbox"/> Tabling                 |
| <input checked="" type="checkbox"/> Adoption <u>of sub</u> | <input type="checkbox"/> Concurrence             |
| <input type="checkbox"/> Rejection                         | <input type="checkbox"/> Nonconcurrence          |
|  | <input type="checkbox"/> Confirmation            |

Committee Member	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Rep. Stephen Freese, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Bonnie Ladwig	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Jeff Stone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Jeff Fitzgerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. David Travis	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Mark Pocan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>4</u>	<u>2</u>	_____	_____

# Vote Record

## Assembly - Committee on Campaigns and Elections

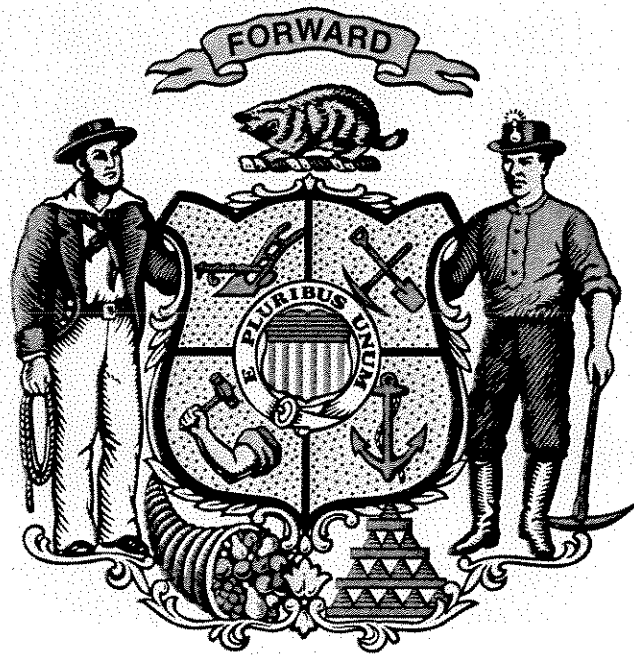
Date: 1/23/01  
Moved by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Clearinghouse Rule: \_\_\_\_\_  
AB: \_\_\_\_\_ SB: \_\_\_\_\_ Appointment: \_\_\_\_\_  
AJR: \_\_\_\_\_ SJR: \_\_\_\_\_ Other: \_\_\_\_\_  
AR: \_\_\_\_\_ SR: \_\_\_\_\_

A/S Amdt: \_\_\_\_\_  
A/S Amdt: \_\_\_\_\_ to A/S Amdt: \_\_\_\_\_  
A/S Sub Amdt: 1  
A/S Amdt: \_\_\_\_\_ to A/S Sub Amdt: \_\_\_\_\_  
A/S Amdt: \_\_\_\_\_ to A/S Amdt: \_\_\_\_\_ to A/S Sub Amdt: \_\_\_\_\_

- Be recommended for:
- |   |  |
|---|--|
| <input type="checkbox"/> Passage  | <input type="checkbox"/> Indefinite Postponement |
| <input checked="" type="checkbox"/> Introduction <i>unanimous consent</i> | <input type="checkbox"/> Tabling                 |
| <input type="checkbox"/> Adoption   | <input type="checkbox"/> Concurrence             |
| <input type="checkbox"/> Rejection  | <input type="checkbox"/> Nonconcurrence          |
|   | <input type="checkbox"/> Confirmation            |

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Rep. Stephen Freese, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Bonnie Ladwig	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Jeff Stone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Jeff Fitzgerald	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. David Travis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Mark Pocan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: \_\_\_\_\_



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1034/1dn  
RJM:kmg:jf

AB 12  
↑

2001

December 7, 2000

Representative Ladwig:

This bill generally requires a person to present a Wisconsin driver's license, Wisconsin identification card, or birth certificate in order to vote. However, a person who has obtained a confidential listing on a registration list may, instead, present a voting identification card issued by the municipality in which the person resides. Please let me know if this exception is inconsistent with your intent.

Because a person must pay a fee in order to obtain a driver's license or identification card, requiring the person to present one of these forms of identification in order to vote may be construed to be an unconstitutional poll tax. In order to avoid this type of challenge, the bill also permits a person to present a copy of his or her birth certificate, which costs the person nothing. Please let me know if this option is not consistent with your intent.

Currently, there are several methods by which a person may obtain an absentee ballot. Currently, the bill does not require these persons to present identification. You may want to require any person who obtains an absentee ballot in person to present identification. The bill does not currently do this. Also, although I have not researched the issue thoroughly, it is possible that the bill's more strict treatment of electors who vote in person could be challenged as a violation of Equal Protection.

Please let me know if you desire any changes.

Robert J. Marchant  
Legislative Attorney  
Phone: (608) 261-4454  
E-mail: robert.marchant@legis.state.wi.us

*Instead of birth cert.  
use free photo id card  
from Elections Board.  
Fiscal Effect. Florida does  
this have only 1,000 requests  
per year.*



**2001 BILL**

1     **AN ACT to amend 6.79 (1), 6.79 (2), 6.82 (1) (a) and 10.02 (3) (a) of the statutes;**  
2             **relating to:** requiring individuals to present identification in order to vote at  
3             a polling place.

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***Analysis by the Legislative Reference Bureau***

Currently, before being permitted to vote at any polling place, an elector must provide or confirm his or her name and address. This bill requires an elector, in addition, to present a valid Wisconsin driver's license issued to the elector that contains a photograph of the license holder, a valid Wisconsin identification card issued to the elector, or a copy of the elector's birth certificate. This bill does not affect the absentee voting procedure.

*any photo not*

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

4             **SECTION 1.** 6.79 (1) of the statutes is amended to read:  
5             6.79 (1) MUNICIPALITIES WITHOUT REGISTRATION. Except as provided in sub. (6)  
6             (a), where there is no registration, before being permitted to vote, each person shall  
7             state his or her full name and address and present to the officials a valid operator's



**BILL**

1 license issued to the person under ch. 343 that contains a photograph of the license  
2 holder, a valid identification card issued to the person under s. 343.50, or a copy of  
3 the person's birth certificate. The officials shall enter each name and address on a  
4 poll list in the same order as the votes are cast. If the residence of the elector does  
5 not have a number, the election officials shall, in the appropriate space, enter "none".  
6 Alternatively, the municipal clerk may maintain a poll list consisting of the full name  
7 and address of electors compiled from previous elections. Whenever an elector  
8 appears to vote, the officials shall verify the correctness of the elector's name and  
9 address, and shall enter a serial number next to the name of the elector in the order  
10 that the votes are cast, beginning with the number one. If the name and address of  
11 an elector do not appear on the prepared poll list, the officials shall enter the name,  
12 address and serial number of the elector at the bottom of the list. Before being  
13 permitted to vote, each elector shall present to the officials a valid operator's license  
14 issued to the elector under ch. 343 that contains a photograph of the license holder,  
15 a valid identification card issued to the elector under s. 343.50, or a copy of the  
16 elector's birth certificate. The officials may require any elector to provide  
17 ~~identification, including acceptable proof of residence, or to have another elector~~  
18 ~~corroborate his or her information in accordance with the procedure specified in s.~~  
19 ~~6.55 (2) (b) before permitting the elector to vote. An elector who presents an~~  
20 ~~identification card under sub. (6) (a) is not required to provide separate~~  
21 ~~identification.~~ The officials shall maintain a separate list of those persons voting  
22 under ss. 6.15 and 6.24.

23 **SECTION 2.** 6.79 (2) of the statutes is amended to read:

24 **6.79 (2) MUNICIPALITIES WITH REGISTRATION.** Except as provided in sub. (6) (b),  
25 where there is registration, each person, before receiving a voting number, shall state

**BILL**

1 his or her full name and address and present to the officials a valid operator's license  
2 issued to the person under ch. 343 that contains a photograph of the license holder,  
3 a valid identification card issued to the person under s. 343.50, or a copy of the  
4 person's birth certificate. Upon the prepared registration list, after the name of each  
5 elector, the officials shall enter the serial number of the vote as it is polled, beginning  
6 with number one. Each elector shall receive a slip bearing the same serial number.  
7 A separate list shall be maintained for electors who are voting under s. 6.15, 6.29 or  
8 6.55 (2) or (3) and electors who are reassigned from another polling place under s.  
9 5.25 (5) (b). Each such elector shall have his or her full name, address and serial  
10 number likewise entered and shall be given a slip bearing such number.

11 **SECTION 3.** 6.82 (1) (a) of the statutes is amended to read:

12 6.82 (1) (a) When any inspectors are informed that an elector is at the entrance  
13 to the polling place who as a result of disability is unable to enter the polling place,  
14 they shall permit the elector to be assisted in marking or punching a ballot by any  
15 individual selected by the elector, except the elector's employer or an agent of that  
16 employer or an officer or agent of a labor organization which represents the elector.  
17 The individual selected by the elector shall provide all information necessary for the  
18 elector to obtain a ballot under s. 6.79 (1) or (2). The inspectors shall then issue a  
19 ballot to the individual selected by the elector and shall accompany the individual  
20 to the polling place entrance where the assistance is to be given. If the ballot is a  
21 paper ballot, the assisting individual shall fold the ballot after the ballot is marked  
22 or punched by the assisting individual. The assisting individual shall then  
23 immediately take the ballot into the polling place and give the ballot to an inspector.  
24 The inspector shall distinctly announce that he or she has "a ballot offered by ....  
25 (stating person's name), an elector who, as a result of disability, is unable to enter the

**BILL**

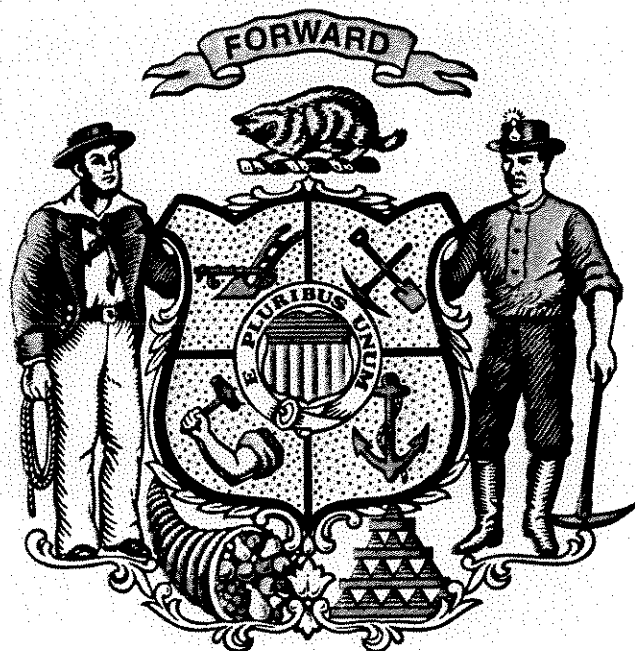
1 polling place without assistance". The inspector shall then ask, "Does anyone object  
2 to the reception of this ballot?" If no objection is made, the inspectors shall record  
3 the elector's name under s. 6.79 and deposit the ballot in the ballot box, and shall  
4 make a notation on the registration or poll list: "Ballot received at poll entrance".

5 **SECTION 4.** 10.02 (3) (a) of the statutes is amended to read:

6 10.02 (3) (a) Upon entering the polling place, an elector shall give his or her  
7 name and address and present a valid Wisconsin driver's license, a valid Wisconsin  
8 identification card, or a copy of the elector's birth certificate before being permitted  
9 to vote. Where ballots are distributed to electors, the initials of 2 inspectors must  
10 appear on the ballot. Upon being permitted to vote, the elector shall retire alone to  
11 a voting booth or machine and cast his or her ballot, except that an elector who is a  
12 parent or guardian may be accompanied by the elector's minor child or minor ward.  
13 An election official may inform the elector of the proper manner for casting a vote,  
14 but the official may not in any manner advise or indicate a particular voting choice.

15

(END)





# Wisconsin State Assembly

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TO: All Legislative Colleagues

FROM: Representative Bonnie Ladwig  
Representative Steve Freese

DATE: January 3, 2001

RE: Co-sponsorship of election reform bills

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In light of the recent election issues that have surfaced in the past few months, we will be introducing the following legislation:

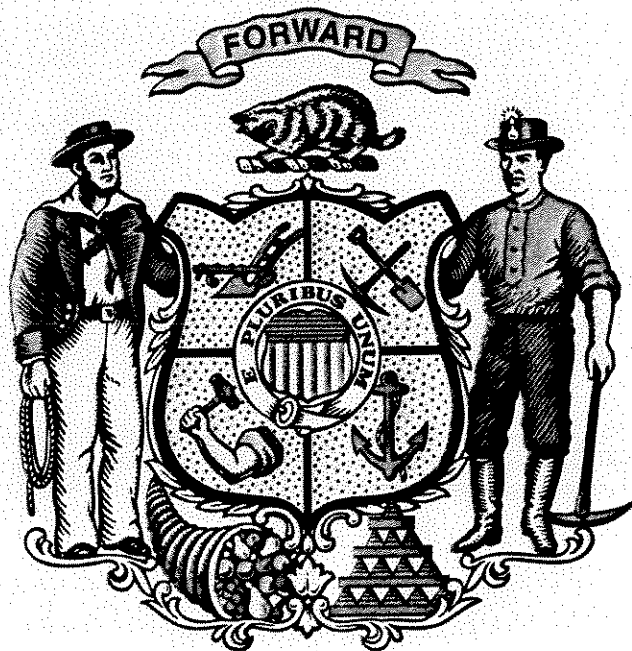
**LRB 1032/1** ~ eliminating registration by corroboration and require identification to register to vote. In past elections there has been a trend to gather up people to vote on an election day who are not registered to vote and who do not have the adequate information to register. Current law allows potential voters to get around registration requirements by having a qualified voter, who resides in the same municipality, to corroborate information on their behalf. Questions have been raised as to the truthfulness of these actions. We intend to re-introduce legislation that would repeal the authority of any individual to use corroboration on an Election Day in order to prove that the individual is an eligible voter. Last session this legislation was introduced as AB 649. This would not repeal the use of corroboration in order to register to vote up to 5 p.m. on the day before the election.

**LRB 1033/1** ~ relating to absentee voting. During the 1999-2000 session, a state law passed allowing voters to vote absentee without a reasonable excuse. Previously, voters could only vote absentee if they had a legitimate reason. This new law brought about large increases in absentee voting. Some local communities had over 2,000 absentee ballots cast before Election Day. This produced a significant cost to municipalities to send out these ballots. It also created an Election Day that spanned a period of four weeks. As we have seen in Florida with the Presidential race, absentee ballots can be misplaced and not counted. We would like to revert back to the old requirements of absentee voting to help reduce costs and other problems that have developed with this new law.

**LRB 1034/1** ~ relating to requiring individuals to present identification in order to vote at a polling place. This legislation would require voters to provide photo identification with a current address at the polls to help reduce the chance of someone voting multiple times under different names. Currently, no identification is required to verify a registered voter's identity. This legislation does not apply to absentee voting.

If you are interested in co-sponsoring any of these bills, please contact Rep. Ladwig's office at 266-9171 or Rep. Freese's office at 266-7502 by Wednesday, January 10, 2001.

The analysis by the Legislative Reference Bureau for each draft is included as attachments to this e-mail.





January 31, 2001

REPRESENTATIVE STEPHEN FREESE  
ROOM 115 WEST  
STATE CAPITOL  
P O BOX 8952  
MADISON WI 53708-8952

RE: AB 10 and AB 12 relative to Voter Identification

Dear Rep. Freese:

I am very disturbed with the use of a copy of a birth certificate which is to be used for identification for voter registration which is proposed in the two bills introduced.

Don't you know that a birth certificate can only verify that a person has been born? It does not tell us where that person is currently living or what that person's current name is, which is why we need to have current identification, showing the person's current address and current name. A valid operator's license or identification card that was issued by the department of transportation and contains a photograph of the holder is fine--if it again includes their current name and address. Most times, when a person is registering to vote at the voting polls, they try to produce some sort of ID which does not give us the proper information to prove 10 days' residency as required by State Law. Some people move around so much, you can't believe they would get a new ID card every time they move.

What would work very well would be if people could not register at the polls on election day, and they would have to register more than ten days before an election in the Clerk's Office. Also, if we could issue a Voter's Identification Card (as many other states do), it would save much confusion for the voter as well as the election officials. So many voters think they must register each time they vote.

CITY CLERK'S OFFICE

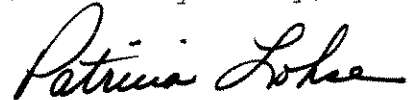
CITY HALL  
828 CENTER AVE.  
SHEBOYGAN, WI  
53081-4496

920/459-3361  
FAX 920/459-3967

REP. STEPHEN FREESE  
Page 2  
January 31, 2001

Please, if you're going to make a change in the elector  
identification laws, DO NOT allow birth certificates as a  
form of identification.

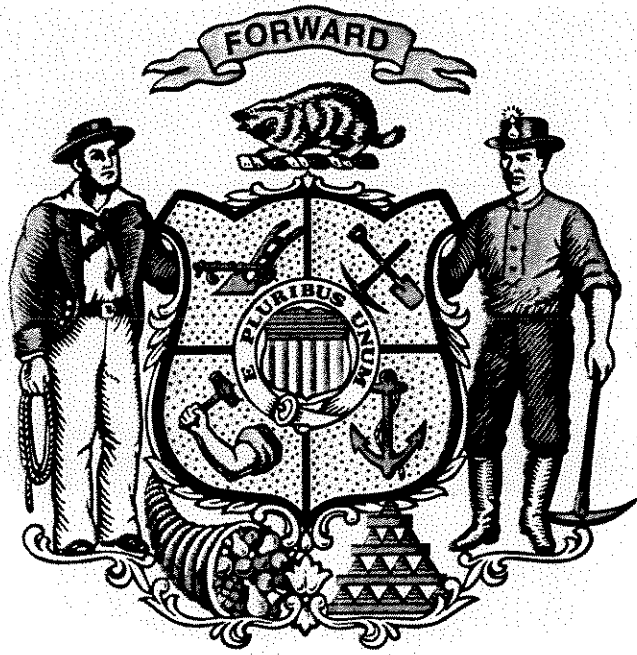
Yours very truly,

A handwritten signature in cursive script that reads "Patricia Lohse".

PATRICIA LOHSE, CMC  
City Clerk

pal





**Kit Halloran**

---

**From:** League of Women Voters of Wisconsin <genfund@lwvwi.org>  
**To: \* \*** <kitha@execpc.com>; <kjohnson@madison.k12.wi.us>; <Janequity@aol.com>

**Statement to the Assembly Committee on Campaigns and Elections Regarding  
Electoral Reform  
Thursday, January 18, 2001  
Milwaukee**

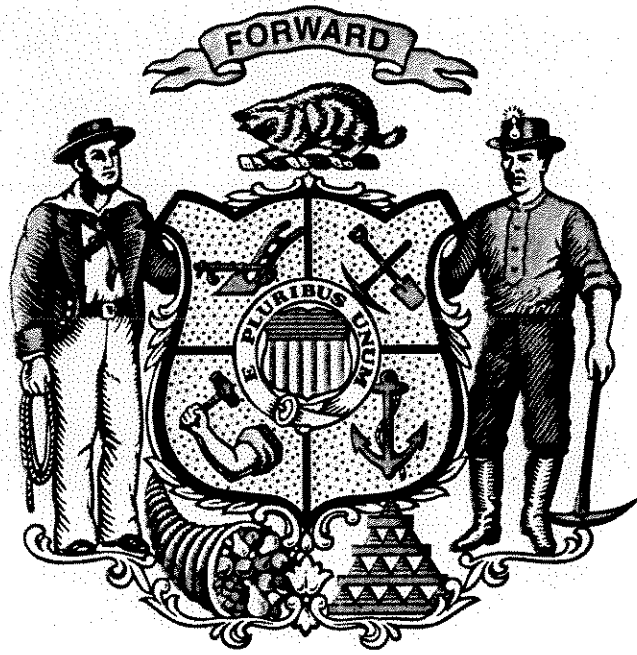
The League of Women Voters of Wisconsin believes strongly that Wisconsin's election laws should provide citizens with maximum opportunity for registration, voting at the polls, and absentee voting, including convenient hours and places for registration; provision for adequately instructed deputy registrars; convenient hours and places for voting; and ease of obtaining and executing absentee ballots. We oppose Assembly Bill 10, 11 and 12 which seeks to diminish rather than maximize Wisconsin's citizens current opportunity to vote. AB 11 will diminish voter turnout by making it more difficult to vote absentee. AB 12 requires additional burden on the voter to provide official identification at the polls. This too, will reduce voter turnout or participation rather than support or enhance voter opportunity.

We continue to support increasing the number and training of poll workers and will support a statewide database of registrants. We propose reforms that go beyond goals of reducing fraud and our goal of increasing turnout. We oppose any proposal that reduces turnout in the name of reducing fraud.

\*\*\*\*\*

Beverly Speer  
LWVWI, Inc.  
122 State Street, Rm 405  
Madison WI 53703-2500  
P: (608) 256-0827; F: (608) 256-2853  
genfund@lwvwi.org  
www.lwvwi.org; www.dnet.org  
\*\*\*\*\*

*Submitted by:*  
*Kit Halloran*  
*1633 N. Prospect #5E*  
*Milwaukee, WI 53202*





## Testimony Before the Assembly Campaigns & Elections Committee

Hearing

January 18, 2001

Thank you for the opportunity to testify today at this important hearing. My name is Larry Marx and I'm Co-Executive Director of Wisconsin Citizen Action, the state's largest public interest organization. We have 53,000 members statewide and 250-dues-paying affiliate organizations from labor, community, senior citizen, faith, environmental, family farm and other organizations. Our interest in voter participation comes out of our recent experience with a non-partisan get-out-the-vote effort we conducted in the Latino community in Milwaukee, traditionally the lowest turnout area in the entire city. We succeeded in raising turnout some 30% in 21 targeted wards, bringing 2,453 brand new voters to the polls. For some it was the first time in their lives that they exercised their franchise and it was an incredibly moving and exciting experience to see them take their .

We very much appreciate the interest of the Assembly Committee on Campaigns and Elections in voter reform. We want to emphasize from the start that we applaud your efforts to reduce the opportunity for fraud in Wisconsin elections, but we think it is a false dichotomy to assume that the goals of reducing voter fraud and increasing voter participation are at odds.

Wisconsin has a proud tradition of being a high voter participation state. As you know, Wisconsin ranked third in the nation in voter turnout on November 7<sup>th</sup> with 66% of eligible voters going to the polls, as compared to 53% nationally. Wisconsin's turnout also marked an 8.6% increase over 1996, the sharpest rise of any state in the nation. In Milwaukee, 245,670 people voted, 53% of those eligible to vote and 67% of those pre-registered to vote by October 25<sup>th</sup>. We believe we need to build on this tradition of increasing voter participation while also reducing the opportunity for fraud.

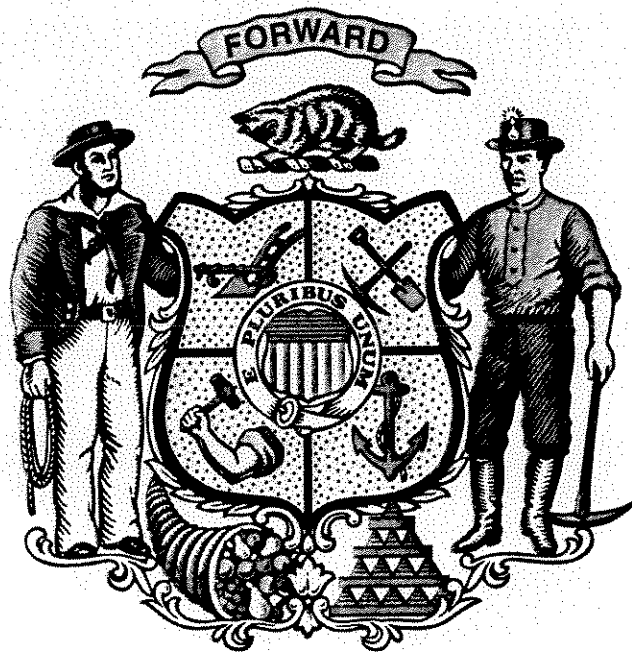
The problem is *not* too many voters having too easy a time of voting -- it's too ***few poll workers having too hard a time of overseeing and processing our elections.*** The same factors that open the door to fraud also work to slam the door on increased voter participation. I personally witnessed last November incredibly long lines and more than hour-long waits for people to vote in Milwaukee. We suggest that the committee adopt a standard for its list of reforms that asks "Will it make it both harder to cheat and easier to vote?" Under that standard, we applaud and support LRB 1848, 1849 and 1850. Adding better training for poll workers, a state-maintained computerized database of registered voters, and standardizing and expanding polling hours will go a long way to both reduce

fraud and increase the participation of voters. But LRB 1032, 1033 and 1034 increase the barriers to voting in the name of fraud reduction. We are opposed to these changes in voting procedures because they would roll back the clock and have the effect of reducing turn-out, particularly amongst lower income voters and voters of color who already vote at rates far below the white middle class.

We believe that the committee should consider the following agenda of 6 progressive electoral reforms could both enhance voter participation and reduce the instances of fraud:

1. More poll watchers and more and better training to prevent fraud (increase funding for both). LRB 1849 goes part of the way there.
2. Provision of bilingual poll watchers and/or translators in areas with a heavy concentration of bilingual populations.
3. Bilingual ballots where appropriate or available on request everywhere. Currently, Hispanic, Hmong and other populations with primary languages other than English are hindered from voting on referenda and from correct filling out of ballots due to the provision English-only language on ballots. I have personally witnessed some new American citizens almost giving up out of frustration in not having anyone able to answer their questions about voting and how to use the ballot.
4. Expansion and standardization of voting hours to alleviate lines of voters and the accompanying stress on poll workers (such as LRB 1850). This will simultaneously make it easier for working people to vote and reduce the opportunity for mistakes and fraud that comes from a few number of poll workers processing a heavy concentration of voters filing through in a sharply limited amount of time.
5. Statewide, centrally maintained computerized database of registered voters to prevent fraud (LRB 1848).
6. Use a portion of the millions spent to advertise the state lottery for advertising campaigns on registering to vote and following correct voting procedures. It's incredible that our state government teaches people how to gamble better than it teaches them how to vote.
7. ***Maintain Wisconsin's pride of place as one of the nation's traditionally, highest turnout states, behind only Maine and Minnesota in the last presidential election. Retain same day voter registration, and maximal means (personal corroboration, utility bills, no photo ID requirement, etc.) to prove residence status for registration, and maintain ease of voting absentee.***

With more poll workers, better training, a statewide, computerized list of registered voters and better education around voting procedures, we can make it both harder to cheat and easier to vote. On behalf of our 53,000 members and our coalition of 250 affiliates, we urge this committee to use a standard for reforms of doing both and not forcing us to choose between two important American principles.



AB 12

# State Senator GWENDOLYNNE MOORE



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**Testimony by State Senator Gwendolynne Moore  
Assembly Committee on Elections and Campaigns  
Thursday, January 18, 2001, at 10:00 a.m.  
UW-Milwaukee Center on Continuing Education, Room 7970  
The Plankinton Building (above the Grand Avenue Mall)  
161 West Wisconsin Avenue**

Good Morning. I would like to thank the members of the Committee for holding today's public hearing on this issue of vital importance. The 2000 elections have certainly posed the nation and its individual states with questions about the soundness of the electoral process. Given the experiences in Florida, it is without question a matter of national interest to ensure that each citizen truly has equal access to the ballot and that each American voice is unquestionably recorded. It is also in our national interest for states to vigorously enforce their laws to combat voter fraud. However, we must proceed with extreme caution in this post-election aftermath and not be swayed to change the basic tenets of our election laws based solely upon the *perceived* fear of voter fraud.

Based largely on unsubstantiated claims of multiple voting which were proven by the Milwaukee County District Attorney's office to be untrue, the perception of widespread voter fraud in Wisconsin has fueled the calls for election reform across the state. Certain answers to this call, such as increased training and pay for poll workers, would be effective and proactive changes to our system. However, other proposed reforms, including the photo-identification requirement, restrictions on the absentee ballot, elimination of voter registration by corroboration, and an untested and unstudied statewide voter registration list would not serve to positively reform our system, but negatively deform it for many of the state's most vulnerable voters. *Measures like a photo id requirement, a restrictive absentee ballot, and a statewide voter registration list are not going to protect the integrity of the vote. Florida, which has all three in place, is a perfect example of this.*

- **No widespread voter fraud occurred in Wisconsin during this election cycle as it did in other states.**

The Milwaukee County District Attorney's office determined that claims of multiple voting by Marquette University students were nothing but "unfounded, spoof responses" and that no voter fraud had occurred. Despite this finding, many Republicans continue to call for quick legislative responses to these alleged incidences but fail to acknowledge that the claims of widespread voter fraud were nothing more than fiction. While the Marquette student who gained national notoriety for voting multiple times eventually

retracted his statement when faced with the possibility of criminal charges for voter fraud, he was later charged with five counts of selling false identification cards to other students for profit. I find it quite ironic that certain state and local officials are now calling for a photo id's as a way to prevent voter fraud which never actually occurred based upon a deliberate prank of a person whose side business was making fraudulent photo id's.

- **In fact, November 7, 2000, was a very successful election day for Wisconsin:**
  - 66.5% of eligible voters turned out statewide—the third highest turnout in the nation, behind only Minnesota and Maine (two other same-day registration states).
  - Total turnout was by far the largest in the state's history.
- **November 7, 2000, was a successful election day for Milwaukee, as well:**
  - 81,500 Milwaukee residents alone registered to vote at the polls on election day,
  - Turnout in many of Milwaukee's African-American and Hispanic wards soared to unprecedented heights. In the 9<sup>th</sup> Assembly District in the southwestern side of Milwaukee, for example, turnout this year was 43% higher than in 1996.

While Republicans turned out voters in record numbers this year, Democrats got out more votes than anyone could have predicted, particularly Democratic voters in Milwaukee's African American neighborhoods. Now, under the guise of election reform, a litany of Republican proposals which will have the effect of disenfranchising many of Wisconsin's poor, minority, elderly, handicapped, and homeless voters, most of whom tend to vote Democratic, are being offered by the Assembly Committee on Campaigns and Elections here today. While I certainly hope that the intent of these proposals is not to silence the voices of Wisconsin's most vulnerable who happen to vote Democratic, the effect of these proposals will do just that.

#### 1. **Photo Identification Requirement : AB 10 / AB12**

- **Contrary to what some Republican leaders have reported to the media, not everyone has a photo id card. Significant portions of the low income, elderly, homeless, and handicapped populations of our state do not have driver's licenses or state-issued photo identification cards.**

While the notion of photo identification seems a normal part of every-day life to many residents of Wisconsin, many others do not and have never required photo identification to go about their daily business. For example, evidence shows that many low-income persons cannot afford a car, and, therefore, do not own a driver's license. As such, a photo identification requirement could have a dramatic chilling effect on this portion of the electorate. According to a 1998 report issued by John Pawasarat and Frank Stetzer of the University of Wisconsin- Milwaukee Employment and Training Institute entitled



*Removing Transportation Barriers to Employment: Assessing Driver's License and Vehicle Ownership Patterns of Low Income Populations:*

- While 95% of Waukesha County residents, 93% of Washington/Ozaukee County residents, 91% of northern Milwaukee County suburban residents, and 92% of southern Milwaukee County suburban residents used a car to drive to work, only 62% of central city residents did the same.
- 23% of the central city residents used public transportation to get to their place of employment.
- Furthermore, only 77.7% of Milwaukee County females and 57.4% of Milwaukee county males hold valid licenses.
- **Requiring persons who do not have a photo id card to purchase such documentation in order to vote would be akin to a poll tax.**

While persons who do not hold valid driver's licenses could potentially obtain a state-issued photo identification card, the constitutionality of requiring members of the electorate to do so in order to vote is highly questionable. This measure would place a monetary burden on voters, for those persons who would be required to obtain a photo identification card in order to prove their identity prior to voting would be charged a \$9 initial fee and \$6 renewal fee charged by the Department of Motor Vehicles. While some might see this cost as miniscule, this cost would certainly place an undue hardship on low-income and elderly persons on a tight budget. According to the January edition of the Journal of Public Health, many poor, elderly women across the country cannot even afford to buy food. To impose this additional restriction on this large group of non-drivers would not only be unconscionable, but would be certain to disenfranchise them.

Furthermore, the institutionalization of a monetary cost as a prerequisite to voting equals one thing and one thing only – a poll tax. Poll taxes are prohibited in federal elections by the 24<sup>th</sup> Amendment and similarly prohibited in state elections by the Equal Protection Clause of the 14<sup>th</sup> Amendment.

- **In fact, most states do not require registered voters to show photo id at the polls.**

According to a November 27, 2000, paper issued by the National Council of State Legislators (NCSL):

- 29 states are precluded by state statute from asking for voter id at the polls (voter id means any state-issued form of identification, which can include, but is not limited to driver's licenses and identification cards),
- Only 13 states actually require voter identification at the polls, and
- 8 states may, in certain circumstances, require voter identification at the polls. (Wisconsin and Minnesota, two states who do not require photo id are 2 of the 8, since both states have same-day voter registration and voter id must be provided at the polls in order to register.)

This is a far cry from the 46 states that Assembly Speaker Scott Jensen (R-Brookfield) claimed in a December 4, 2000, article in the *Milwaukee Journal Sentinel* that "have some form of photo id required".

- **A birth certificate requirement would create the same roadblocks for voters as the photo identification requirement.**

A person's birth certificate is included with the state-issued driver's license or photo identification card as an acceptable form of identification to prove one's identity under AB 10 and AB 12. Under current policies established by the Department of Transportation (DOT) for obtaining a driver's license or a photo id card, a hospital birth certificate or a baptismal birth certificate does not satisfactorily meet the requirement for a birth certificate. Since November 1, 1986, hospitals have been prohibited from issuing birth certificates. However, anyone born before that date (i.e. all current voters!) may only have hospital birth certificates or baptismal certificates. *As such, persons without properly certified birth certificates would have to pay \$12 to obtain one, if they were born in Wisconsin, in order to vote! The cost could be greater if they were born outside of the state.*

## **2. Statewide Voter Registration List: LRB 1848/1**

Statewide voter registration lists are certainly not immune from abuse or fraud. A December 7, 2000, *New York Times* article detailed the systematic disenfranchisement of Florida voters via Florida's statewide voter registration list. According to the article, Florida hired a private Texas firm with close ties to the Republican Party to "cleanse" its voter registration rolls. Due to huge errors by the firm, however, large numbers of primarily African-American voters were mistakenly removed from the registration rolls and prevented from exercising their fundamental right to vote (i.e. mistakenly named as felons, mistakenly presumed dead, shared the same name as someone else, etc.)

This proposal needs to be studied before it is implemented.

- What are the estimated costs and how would we pay for it?
- How would we ensure that no voter disenfranchisement similar to what occurred in Florida would occur here in Wisconsin?
- How would the Elections Board handle this dramatic responsibility when it is entering its fourth year of working on its database software conversion and campaign finance electronic filing project with no end in sight? Appropriated well over \$1 million since the project's inception in 1997, the Elections Board originally promised that both projects would be completed by May 1, 1998. At the December 19, 2000 quarterly meeting of the Joint Committee on Finance, the Elections Board, far from finished and out of compliance with the statutory requirements for electronic filing, submitted a request for additional funds for the project.
- Do we want to follow Florida's example and place the responsibility for a maintaining a voter registration list in the hands of a partisan body?

*Why should we bring this system, ripe for true voter fraud, to Wisconsin?*

### **3. Elimination of Voter Registration by Corroboration: AB 10**

- **Ending voter registration by corroboration would silence the homeless vote in Wisconsin.**

Homelessness in Wisconsin does not mean disenfranchisement. Currently, a person who does not have a residential address can vote if that person brings with them to the polls another registered voter from the same municipality. The Republican proposal would not only take away a person's right to vote by corroboration but would further require that person to show photo id.

According to the January 8, 2001, edition of the Journal of the American Medical Association, 1% of the US population is homeless throughout the course of a year. Given the unprecedented closeness of this year's election, it should be even clearer to us that each and every vote in our country has enormous importance. We should not strip a voter of his or her rights simply because that person lacks an address.

### **4. Re-instating restrictions on absentee ballots: AB 11**

- **There is nothing fraudulent or wrong with increasing voter turnout by encouraging people to vote, even if they do so before the election.**

Last year, the Legislature voted in a bipartisan fashion to change Wisconsin's election laws to allow a person to vote absentee if that person is unable to go to the polls for any reason. *All six of the members sitting on this Committee who served in the Legislature last session voted in favor of this change.* This year, the Reverend Jesse Jackson utilized the progressive changes made by that law and took busloads of young people who might not have otherwise voted in Racine and Milwaukee to vote by absentee ballot in this year's Presidential race.

Now, Republicans who voted in favor of this change last session are proposing to do away with the current system and reserve absentee ballots for only those who can prove beyond a shadow of a doubt that they are unable to be at the polls on voting day. While the recent elimination of the restrictions on absentee ballot voting did not result in voter fraud, it was used in "Get Out the Vote" efforts led by Democrats and it did result in greater numbers of people voting absentee this year than in election years past. With the success of the new law in increasing turnout and the lack of any confirmed voter fraud via absentee ballot, there is no reason to impose additional restrictions on Wisconsin's voters.

## 5. Positive Changes

- **Increased pay and training for poll workers, as well as additional dollars for increased recruitment efforts would help reduce potential ballot errors and incidences of fraud more than any voter restrictions ever could.**

Given the high number of voters in this election, it is no doubt that the system was stressed to the very limit and that some ballot errors did occur, as they do in every election. However, if any changes are to be made to current law, the allocation of additional funding to municipalities to assist in election administration would be preferable. Such funding could be used to provide training to those volunteers staffing the polling places, to recruit additional poll volunteers, and to send out materials which advertise the election, direct citizens to their proper polling place, and encourage voters to pre-register. These measures would help our elections to run smoothly and efficiently, instead of simply creating additional restrictions for voters.

While it can always be improved upon, Wisconsin's system is based on the promotion of voter turnout and in the good faith of our citizens. The high level of voter turnout across the state, which was fueled by Wisconsin's successful open election laws, is something that all elected officials alike should be celebrating. Instead, we are sitting here discussing ways to prevent the voter fraud that has never occurred under our system and was proven by the Milwaukee County District Attorney not to have occurred this year. Members of this Committee are about to vote on proposals which will *discourage* voter turnout and will hinder the democratic process in Wisconsin.

It is also important to remember that, despite our intent, it is the effect that these changes will have on voters that will be scrutinized – not only by the public, but also by the law. The effect of additional restrictions on voters will be voter disenfranchisement. The effect of this disenfranchisement will be felt the most by poor, minority, elderly, handicapped and homeless voters. The effect of implementing changes to our successful election laws which encourage voter turnout when there has been no evidence of voter fraud will be the unconstitutional violation of the Voting Rights Act.

I encourage the Committee to think long and hard about passing these bills quickly. This is not a process that should be "fast tracked". We must ensure that we have thoughtfully considered the upsides and downsides to all of these proposals, as well as other proposals presented here today. Three days after the celebration of Dr. Martin Luther King Jr. Day, I urge the Committee not to develop ways to suppress and restrict voices in our community and across our state. Wisconsin has a history of being a progressive, and not a regressive, state. I encourage the Committee to keep it that way.

I thank the members of the Committee and all those in attendance for your time and attention today.