

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

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> Committee Reports ... CR

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> Executive Sessions ... ES

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> Record of Comm. Proceedings ... RCP

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*Information Collected For Or
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> **01hr_ab0710_AC-CE_pt01**

> Miscellaneous ... Misc

> **

State of Wisconsin \ Elections Board

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JERALYN B. WENDELBERGER
Chairperson

KEVIN J. KENNEDY
Executive Director

DATE: January 15, 2001

TO: Members, Assembly Committee on Campaigns and Elections

FROM: Kevin J. Kennedy, Executive Director
State Elections Board

SUBJECT: Fiscal Estimate on 2001 Assembly Bill 710

The narrative for the fiscal estimate for 2001 AB 710 is set out below. I am unable to attend the hearing because the Elections Board staff is conducting a public demonstration of touch screen voting equipment in Wausau. This is part of the approval process for new voting equipment. If committee members have any questions please contact me next week at 608-266-8087

It is difficult to measure the costs saved by eliminating late registration at the municipal clerk's office and Election Day registration at the polling place. It is also difficult to project the increased costs that will be assumed by state and local government to comply with the National Voter Registration Act (NVRA). This description provides some background for understanding the source of costs and savings associated with the legislation.

Wisconsin's estimated voting age population for the November 2000 general election was 3,930,000. 2,619,184 voters cast a ballot in that election. 411,656 voters registered to vote or amended their registration at the polling place on Election Day. 32,014 voters registered in the municipal clerk's office between the close of registration on the 2nd Wednesday (October 25, 2000) before the election and the day before the election.

Voter registration is not required in municipalities with a population of less than 5,000. Approximately 325 of Wisconsin's 1,850 municipalities have voter registration. Approximately 76% of the voting age population reside in those 325 municipalities.

Municipal clerks and poll workers report that it is very time consuming to register voters at the polls. A voter must provide a current form of identification and complete a short form that requests detailed information about the voter's name and residence, along with general information about age and citizenship. Voters who do not have to register at the polls simply state their name and address to the poll workers and receive a ballot. There is no requirement to show identification except for those voters registering on Election Day.

Poll workers maintain a separate list of voters who register on Election Day. Following the election, the information is entered into the municipal voter registration system and a confirmation notice is sent out to the address listed on the voter registration card. If a confirmation notice is returned it is turned over to the district attorney for investigation.

This legislation would eliminate the costs associated with gathering voter registration information at the polls except in the case of voters that move within the ward served by the polling place or voters that claim to be registered and vote by certification. This would mean a reduction in poll workers and less work after the election updating the voter registration system with new names. The system would still have to be updated for voter history information and the comparatively lesser number of Election Day changes.

The state and municipalities will be required to assume additional costs to comply with the NVRA. State agencies providing motor vehicle services, public assistance, services to persons with disabilities and other agencies designated by the state's chief election officer will have to offer the opportunity to persons receiving those services to register to vote. The agency personnel will have to be trained in the registration process. Agency personnel must maintain records of the number of clients that registered to vote and declined the opportunity to register. The registration forms must be sent to the appropriate municipality where the voter resides.

Determining the municipality where a person lives is not an easy task. The street or postal address may not reflect the municipality where the voter resides. This will lead to delays in getting voter registration information to the appropriate municipality.

The municipal clerk must add this information to the voter registration system and send out confirmation notices to the newly registered voters. The clerk must also maintain records and report information to the State Elections Board so that it can prepare the required biennial reports to the Federal Election Commission (FEC).

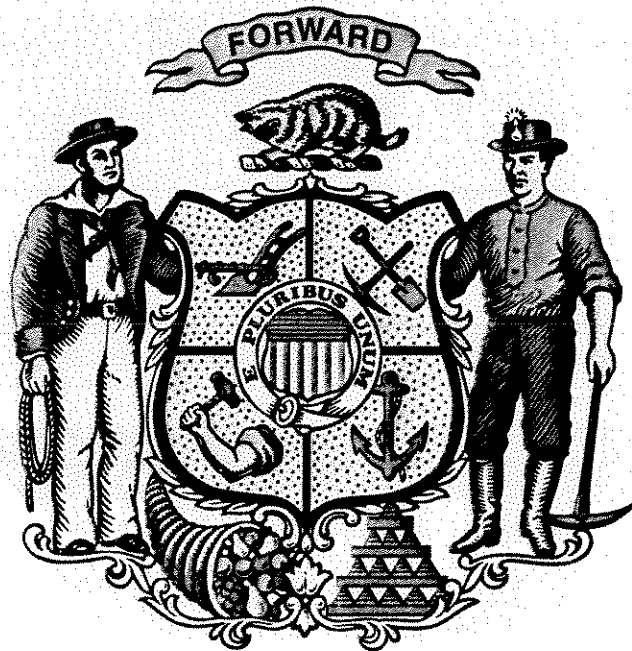
Under the provisions of the NVRA, the municipality is limited in its ability to remove voters from the voter registration system. This results in a very large voter file that must be segregated between active and inactive voters. The municipality must maintain a system for permitting voters that are improperly removed or never added to the list to vote on Election Day.

The additional costs include the expense associated with adding requirements for state agency personnel to process voter registration information, maintain records and distribute the forms to the appropriate municipal clerk. A list of states with a voting age population close to that of Wisconsin is set out below along with the number of transactions at the DMV, public assistance, disability services and other agencies.

State	VAP	DMV	Public Assistance	Disability Services	Other	Total
Wisconsin	3,930,000					
Arizona	3,625,000	158,993	32,137	10,613	202,507	404,250
Maryland	3,925,000	192,934	32,250	381	70,025	295,590
Missouri	4,105,000	414,686	51,951	721	522,455	989,813
Tennessee	4,221,000	134,202	49,636	No data	195,832	379,670
Washington	4,368,000	266,794	22,167	1,909	154,438	445,308

This provides some indication of the number of transactions that other state employees will assume under the NVRA. This will increase the amount of time state employees must devote to face to face customer transactions.

Many states developed a statewide voter registration system to reduce the costs of managing this information. This is a requirement that may be imposed by federal law based on congressional election reform efforts. H.R. 3295, S. 565. Our preliminary estimate for developing an interactive statewide voter registration system is \$4,000,000. This is based on very informal discussion with other states and vendors.



State Senator GWENDOLYNNE MOORE



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Member: Joint Finance Committee
Board Member: Wisconsin Housing and
Economic Development Authority

To: Members, Assembly Committee on Campaigns and Elections
From: State Senator Gwendolynne Moore
Date: Wednesday, January 16, 2001
Re: Testimony on AB 710

Due to a scheduling conflict, I am unable to attend today's hearing on Assembly Bill 710. I would like to thank Representative Freese and the Committee for holding today's public hearing on AB 710 and allowing members of the public to speak out against it.

It seems like only yesterday that I last appeared before this Committee to testify in opposition to some onerous "election deform" bill or another. I can't say I didn't know this day was coming--the day when I would have to formally oppose the bill that would destroy Wisconsin's progressive election-day voter registration. As you know, AB 710, the "**Grothman/Darling Election Deform Bill**", proposes elimination of same-day voter registration and a requirement that anyone wishes to vote must register 28 days before the election, with NO EXCEPTIONS. Further, the bill would require a citizen to live Wisconsin for 28 days before being able to vote, up from the current 10 day limit.

The Benefits of Same-Day Voter Registration

Same-day voter registration was pioneered here in Wisconsin during the mid-1970's and is a hallmark of our state's progressive tradition. Wisconsin is one of only seven states that employ same-day voter registration. Idaho, Maine, Minnesota, New Hampshire, North Dakota (which has no voter registration), and Wyoming allow their citizens to vote the day of election without early registration.

- Our state—along with the other six states that employ same-day voter registration--consistently boast the highest voter turnouts in the country due to the ease of election registration laws. Maine, Minnesota, and Wisconsin ranked 1st, 2nd, and 3rd, respectively, in voter turnout during the November 2000 elections.
- Despite arguments that same-day voter registration could increase fraud, the seven states that utilize it have not seen widespread abuse of the system. And, just to remind you, **WISCONSIN DID NOT EXPERIENCE ANY WIDESPREAD VOTER FRAUD IN THE 2000 ELECTIONS!!**
- The final weeks before an election, when the pressure is high, the campaign is in full swing, and the newspaper editorials and endorsements are flowing, often motivate new, apathetic, or undecided voters to cast their ballot...if they have the opportunity to register at the polls. In Minnesota, for example, it is widely accepted that Jesse Ventura would not have won the 1998 gubernatorial election if the state did not offer its citizens same-day voter registration. Say what you will about Governor Ventura, but the state's voters came out in full force to exercise their rights as citizens and changed the state's political landscape as a result.

- Most importantly, same-day voter registration demonstrates a commitment to the citizens of this state, maximizing their opportunity to participate in the political process. In the November 2000 election, 81,500 people in Milwaukee alone utilized same-day voter registration.

The Effect of Eliminating Same-Day Voter Registration

AB 710 would have devastating effects on Wisconsin's electorate, specifically the poor, the young, renters, and the less educated.

According to the final report of the National Commission on Federal Election Reform:

- **Voter Registration laws depress turnout by raising the cost of the exercise of the franchise.** The most significant restriction is the lengthy closing period, although it has been capped at 30 days.
- The primary sufferers of voter registration are migrants and the less educated. Sixteen percent of the population changes residence each year, and the registrants among them must reregister at new addresses. (In the city of Milwaukee, roughly 50% of residents move each year.) **The young, the poor, and renters are more likely to move and less likely to register.**
- The less educated are less likely to be motivated to register and less likely to have the skills to manage it, giving rise to **sizeable differences in voter registration by education.**

According to Steven J. Rosenstone and Raymond E. Wolfinger, the authors of a groundbreaking 1978 study on the effects of voter registration:

- "Registration is often more difficult than voting. It may require a longer journey, at a less convenient hour, to complete a more complicated procedure—and, at a time when interest in the campaign is far from its peak."
- Consistent with findings from other studies, the single most important impact on voter turnout is the length of the closing period. **By their estimates, residents of states with 30-day closing periods were between 3 and 9% less likely to vote than people who could register on Election Day.**

"Motor Voter" Compliance

Furthermore, adoption of AB 710 would require the State to begin complying with the National Voter Registration Act of 1993, the so-called "Motor Voter" act, which has caused major problems in election administration. Wisconsin is currently exempt from the Motor Voter Act because we have same day registration. Motor Voter requires DMV's, libraries, and social service agencies to offer voter registration and has greatly expanded the availability of voter registration sites.

However, "Motor Voter" has caused a slew of problems in other states.

- According to a June 2001 report released by the Federal Elections Commission
 - 23 of the 44 states subject to the NVRA reported "significant problems" with the program;

- The number of complaints in November 2000 were triple those of the election in 1998;
 - In 18 states, motor vehicle departments had trouble getting registration information to election officials expeditiously. **In some cases, that information was not submitted in time for voters to be included on registration rolls;**
 - The FEC received hundreds of calls from voters who registered at a DMV but were told they could not vote because the DMV had not submitted their registration information;
- While it is relatively easy to register persons submitting an application for a driver's license or photo id card, it has proven more difficult to implement the same voter registration practices in public assistance agencies as is required under the federal law. **"Many states are failing to effectively implement the NVRA in mandated public assistance agencies which serve low-income, female, disabled, and minority populations."** Therefore, millions of poor and minority voters who do not go to the DMV have been effectively "locked out" of the voter registration process enacted through Motor Voter. (Source: Cheating Democracy: Discrimination in the Implementation of Motor Voter Laws, by ACORN and Project Vote, December 4, 1995)

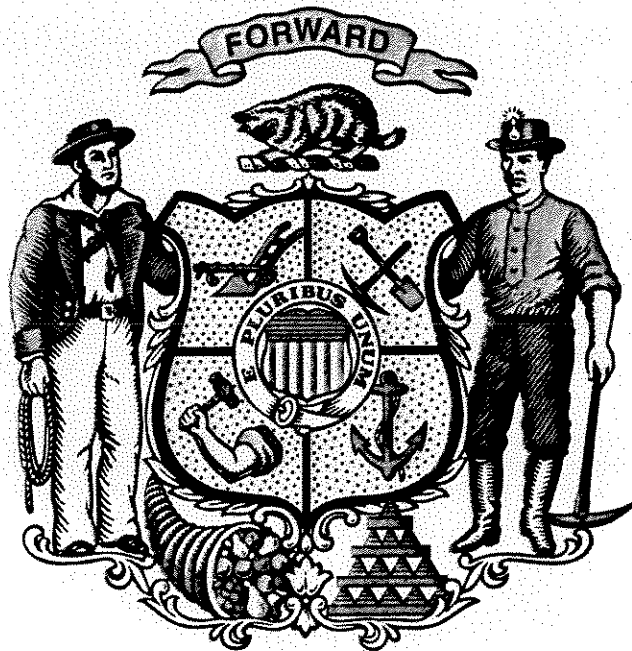
Why discourage voter turnout?

When then-Senator, now-Lieutenant Governor Margaret Farrow proposed eliminating same-day voter registration after the November 2000 elections, both then-Governor Tommy Thompson and Assembly Speaker Scott Jensen denounced the idea. According to a December 3, 2000, *Milwaukee Journal Sentinel* article:

- "I think it [same day registration] helps people to vote, and that's what we want to do," said Thompson.
- "I believe we should try to make it easy to vote, but we should make sure the system is secure," Jensen said. "I think you can do that without eliminating same-day registration."

Now, despite earlier assurances from Republican leaders, the Grothman/Darling Election Reform Bill furthers the Republican Party's efforts to DISCOURAGE voter turnout among targeted groups of voters. Similar to the much-heralded photo id requirement, this bill would decrease turnout among minorities, the poor, the young, the disabled, renters, and the less educated.

Citizen participation in the democratic process is something we should be fostering, not fighting. We should be proud of our tradition of maximizing voter access here in Wisconsin, as well as our consistently high voter turnout. If anything, we should be working to find ways that will improve and encourage voter turnout. As such, I urge you to vote "NO" on AB 710.



**MEMORANDUM**

Date: January 15, 2002

To: Assembly Committee on Campaigns and Elections

From: Barbara A. Barringer, City Clerk *BB*
(262) 335-5103

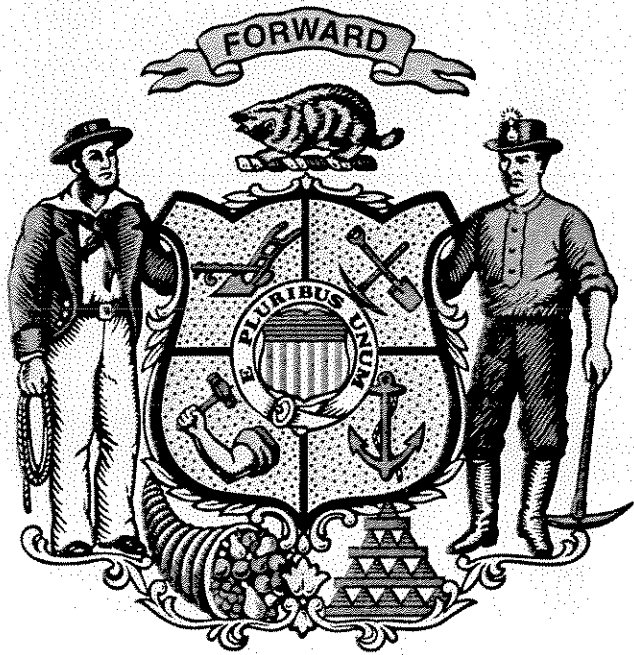
Re: AB710

I am aware of the proposal to eliminate voter registration on election day in Wisconsin. This issue has been discussed for many years as a major problem at the polls. There are many more Municipal Clerks that would also support this bill.

By eliminating voter registration on election you would also be eliminating long lines and congestion at the polling places. As many of you remember, there were long lines at the Presidential Election causing congestion and confusion for the electors. In West Bend there were approximately 3,000 new registrations taken that day. Election Officials are part-time workers and elections days are very long and tiring for these people. If registration would cease 28 days prior to the election, we could make sure that our voter lists are current and everyone wishing to vote would be on the computerized list. There would be much less confusion as to which line to get in and much less congestion at all of the polling places. The polling places would run much smoother.

A bill such as this would not be infringing on anyone's right to vote. People would just have to plan ahead and be aware of the new legislation. Many other states have this policy and it is working well for them.

Thank you for your time and consideration.



Testimony on Assembly Bill 710
January 16, 2002

My name is Carol Weidel. Today I speak against this Bill. I work as an election official at a ward in Madison. I am the chair at the ward where I work and, as chair, I have to interpret election law and resolve problems that may occur on Election Day. I have had many opportunities to discuss the election process with staff in the city clerk's office and volunteer election officials like myself. These discussions and my own experience inform this testimony.

We have too few people voting. I am embarrassed that only a fourth of citizens eligible to vote exercise that right. Election reform must expand opportunities to vote.

I work on election days at a central Madison location just west of the Capitol where our voters are primarily students, the elderly and the disabled. On November 7, 2000 many students and other first-time voters were standing in line when the polls closed. That day, many of these voters registered at the polls, or changed their registration from their home districts. Most stayed in line and waited patiently to vote - - some as late as 10:00 p.m.

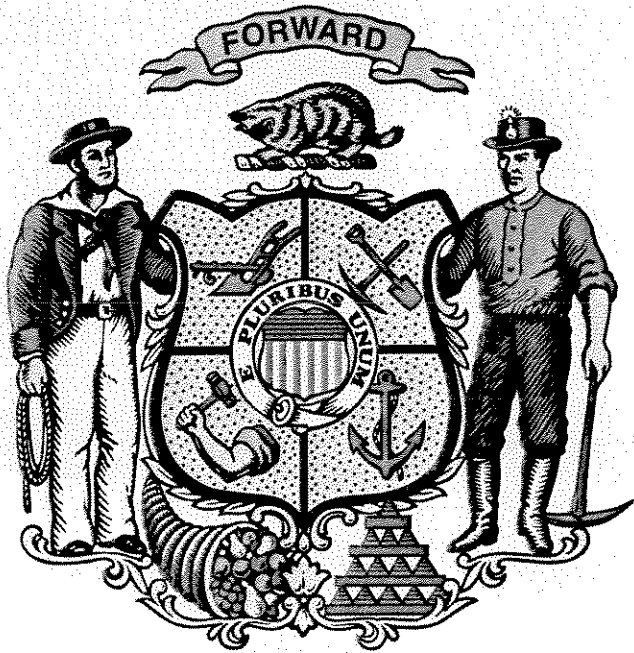
Assembly Bill 710 will ban this practice.

I urge you to defeat this Bill. Please support alternatives that make it easier for citizens to vote. The problem with our democracy is not too many people voting.

I would be happy to answer any questions.

Carol Weidel
1237 E. Dayton St.
Madison, WI 53703

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carolaweidel@aol.com



TO: ASSEMBLY COMMITTEE ON CAMPAIGNS AND ELECTIONS
MEMBERS

FROM: REPRESENTATIVE GLENN GROTHMAN

SUBJECT: ASSEMBLY BILL 710

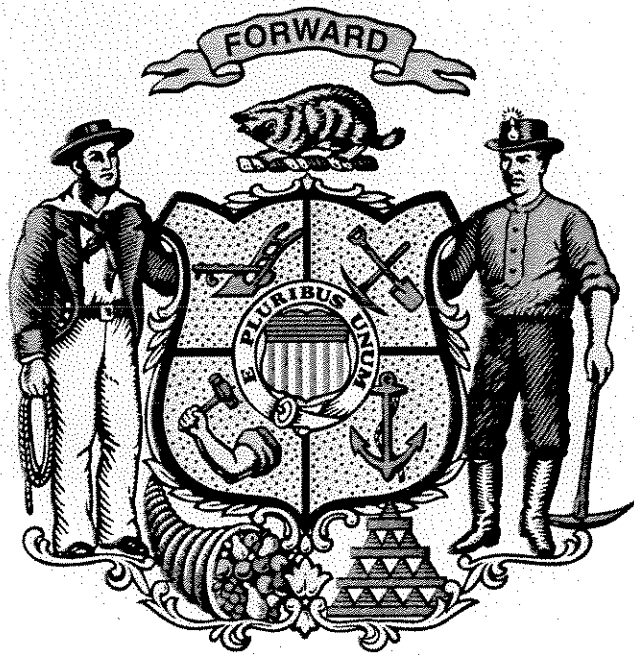
DATE: 01/16/2002

I would like to thank Representative Freese for holding a hearing on Assembly Bill 710 related to ending same day voter registration. As I am sure your committee has heard in the past, there were several incidents in past elections, which cause people to doubt the integrity of our electoral process. We have heard stories of absentee ballots being distributed at homeless shelters. We have heard stories of overburdened poll workers being unable to confirm identities. We have heard accusations of college students and others of voting in more than one place. It is my belief that all of these problems could have been solved with the elimination of same day voter registration. Therefore, I have drafted Assembly Bill 710.

Under federal law, if a state does not have same day voter registration we are required to allow all individuals who are interested in registering to vote to be able to do so at most agencies that provide a public service including the DMV, army recruiter, etc.

It is also true that at least some clerks in my district are in favor of this bill because they feel same day voter registration overburdens their staff and contributes to waiting lines from over an hour which we saw in the last election.

It is my belief that at least some of the accusations of voter irregularity are accurate. It is also my belief that without some change to the current electoral process public confidence will wane.



WISCONSIN CITIZEN ACTION



Assembly Committee on Campaigns and Elections
January 16, 2002

Testimony by
Carolyn Castore, Legislative Director
Wisconsin Citizen Action

Assembly Bill 710

I am here on behalf of Wisconsin Citizen Action's 60,000 individual members and 250 organizational affiliates to urge rejection of Assembly Bill 710. Historically, Wisconsin has always been among the most lenient states in terms of voting laws in the country. In 1848, our constitution adopted *the* most liberal law in the country, stating that "aliens" in Wisconsin could vote if they'd resided in the state for one year *and declared their intent* to become citizens. Today, the results of our remaining lenient laws -- including Election Day registration -- show up in our turnout rates. Wisconsin had the 3rd highest turnout in the nation in 2000 (behind only Maine and Minnesota), and had the sharpest increase of voter participation (8.6%) over 1996 of any state in the nation. ***Fully 16% of all recorded voters in Wisconsin last year availed themselves of our EDR system by registering and voting on Election Day, some 400,000 voters.***

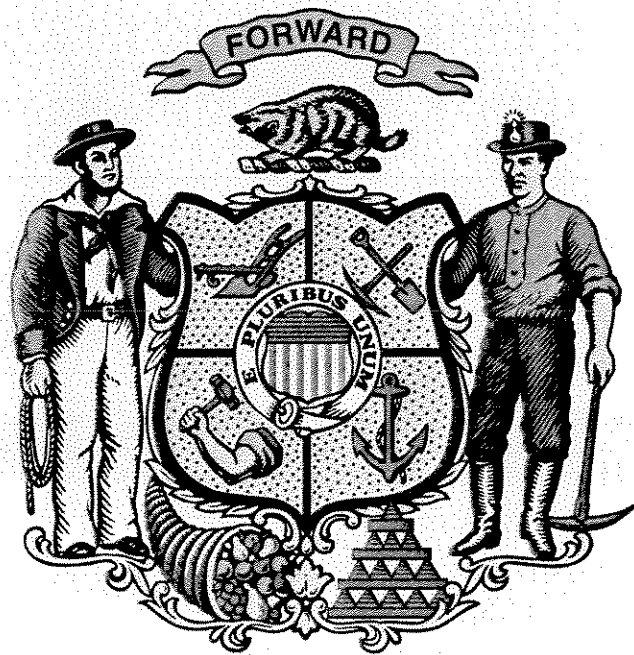
Wisconsin Citizen Action supports honest and open elections. While some have contended that there was widespread abuse in the 2000 election, there has been no evidence beyond some localized, small problems. Certainly, there is no indication of a problem so severe and so corrupting as to deny over 400,000 Wisconsin citizens their right to vote. And it would be well over 400,000 since a large number of individuals registered in the last weeks prior to the November elections and were on the rolls on election day.

The three groups that would likely be most affected by AB 710 are:

- College students – many of whom move each year. In Madison, for example, the timing of moves would ensure that very few students could vote in primary elections.
- Inner city poor who are fairly mobile as well as the homeless
- Many ordinary citizens who get involved in politics during the last few weeks of a campaign.

Democracy was not designed for the elite and the well educated. At the heart of democracy is the reliance on consent of the governed. By reducing the number of citizens who can vote, simply because of their economic, educational, or other life circumstances, this bill would challenge the basis of our democracy.

Wisconsin legislators should be proud of our electoral system. While there are problems, they are mild in comparison to others. We have managed to develop an inclusive system that is remarkably free of fraud and corruption. We do have administrative problems. Those need to be addressed – in an administrative fashion.





The League of Women Voters of Wisconsin, Inc.

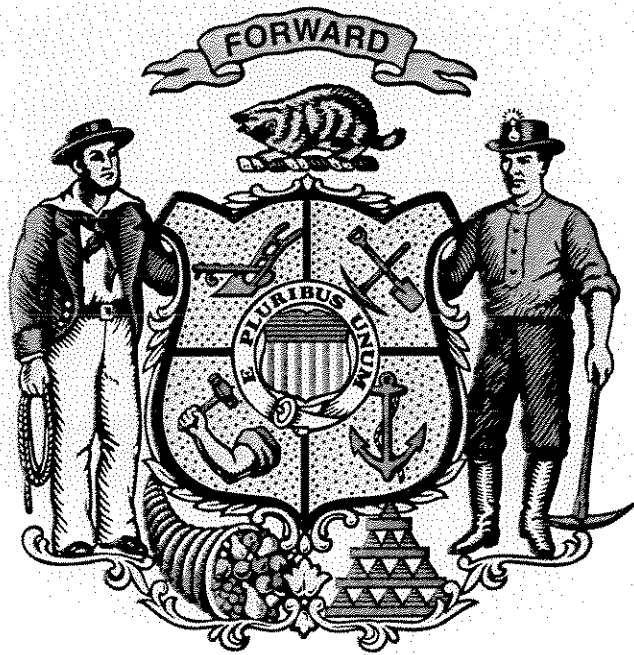
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608/256-0827 FX: 608/256-2853 EM: genfund@lwvwi.org URL: <http://www.lwvwi.org>

Statement to the Assembly Committee on Campaigns and Elections in Opposition to AB 710

Wednesday, January 16, 2002

We are opposed to Assembly Bill 710 which seeks to make negative, unnecessary and unfair changes to Wisconsin's long and proud history of inclusive and fair elections. This bill eliminates same-day voter registration and requires all voters to register 28 days before the election, with no exceptions, or be denied the right to vote. This is unjustified. League's actions are based on our long-standing principle that every citizen should be protected in the right to vote and on our specific positions related to election laws, reflecting member convictions that protecting the right to vote is indivisibly part of the League's basic purpose. League's voting rights actions have been taken not only to ensure access to the electoral process but also to extend and enhance that process and the government's role therein.

We supported 1977-78 legislature's enactment of major election law reform, including the establishment of registration at the polls and the definition of identification needs for registration. We are proud of our state's successful election procedures and its pioneering role in progressive reforms, and we will continue to fight to protect citizens' rights to participate in government and to oppose major threats to our basic constitutional rights, including the right to vote. We should focus on positive reform measures and refrain from focusing on negative reforms that disenfranchise our citizens.





"For these are all our children . . .
we will all profit by, or pay for,
whatever they become." James Baldwin

RESEARCH • EDUCATION • ADVOCACY

ASSEMBLY BILL 710

Chairman Freese and members of the committee my name is Lisa Hilbert Maroney and I represent the Wisconsin Council on Children and Families. We are here today to respectfully oppose Assembly Bill 710. The Council is a statewide, child advocacy organization. As an independent, non-profit and bipartisan organization it has been in continuous operation since 1881. We advocate improving the well being of children and families, particularly vulnerable children.

AB 710 eliminates same day voter registration and changes the deadline for registration to 5 p.m. on the 28th day preceding the election.

According to the Legislative Reference Bureau, same day voter registration has been in existence since 1975. For nearly 30 years Wisconsin has encountered very few problems with the law and we would argue that the benefit of allowing as many individuals as possible to participate in the electoral process far outweighs any potential problems.

Low-income families often times have to move because of job situations or episodes of homelessness. Only allowing them to vote if they have registered 28 days prior would have a serious and detrimental impact on their participation in the electoral process. And their participation is vital to their overall well-being. It's arguably the most powerful tool they have for making their concerns known and trying to affect change. In this day and age with trends of lower voter turnouts it seems the wrong direction to take for those who want to exercise their constitutional right.

Let me add though, that all is not lost. We strongly support the "motor voter law" provision in the bill. Allowing for additional opportunities when individuals can be registered to vote only enhances the process and ultimately makes our state stronger.

Thank you for the opportunity and I would be happy to answer any questions.



A MEMBER OF THE NATIONAL ASSOCIATION OF CHILD ADVOCATES

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