

WISCONSIN STATE
LEGISLATURE
COMMITTEE HEARING
RECORDS

2003-04

(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

**

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

➤ **03hr_ab0111_AC-CE_pt02**

➤ Miscellaneous ... Misc

➤ **

Alexander, Carol

From: Michele Smith [MSmith@ci.whitewater.wi.us]
Sent: Tuesday, March 04, 2003 8:45 AM
To: AlexandC@ci.beloit.wi.us
Subject: Re: Update on Provisional Ballots

Carol,

Thanks for the e-mail - this was the first time I have heard of this.

I oppose the provisional ballot - one of the main reasons is the fact that we have many University students register on the day of election. Many of them do not have the proper identification, and they must have corroborating witnesses signing stating that the registrant does reside where they say he/she does. On larger elections (Gubernatorial and Presidential) this could mean an enormous increase in workload for the Clerk.

In addition, as you well know, the entire next morning is spent sorting and organizing paperwork so that it can be delivered to the County Clerk (I have to go to two separate counties). Moving all election material back to the city hall the morning after election means things are very disorganized until all boxes are unpacked. I feel having ballots "hanging out there" will allow more problems to occur.

Michele Smith
City of Whitewater
Population: 13,693

Page 1 of 3

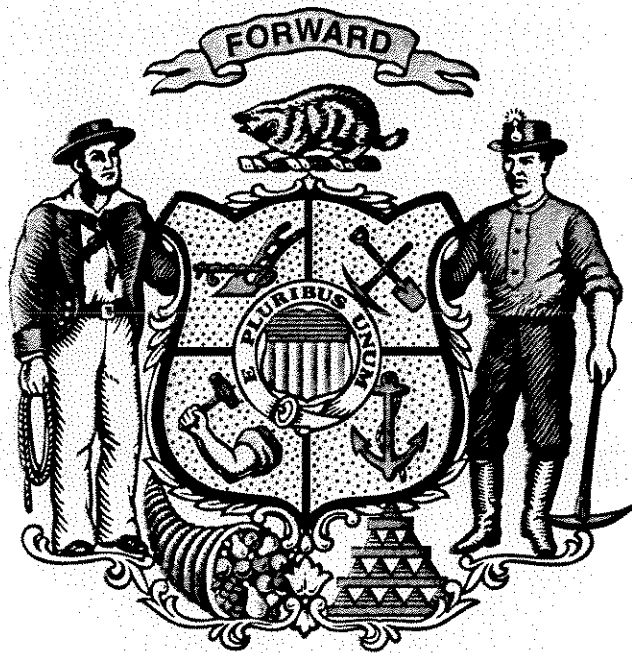
Alexander, Carol

From: Lu Ann Hecht
Sent: Tuesday, March 04, 2003 8:25 AM
To: 'Alexander, Carol'
Subject: RE: Update on Provisional Ballots

Hi Carol,

I think that everyone who votes should have to provide a photo I.D., not just new registrations.

Lu Ann Hecht CMC
Deputy Treasurer/Deputy Clerk
City of River Falls
123 E. Elm Street
River Falls, WI 54022
715-425-0900 x 107
715-425-0915 fax
Pierce/St. Croix Counties
Pop 12,811



Alexander, Carol

From: Lehrke, Teri - *La Crosse*
Sent: Tuesday, March 04, 2003 4:46 PM
To: 'Alexander, Carol'
Cc: rep.shilling@legis.state.wi.us
Subject: RE: Update on Provisional Ballots

Carol: Thank you for providing the update on this proposed law. I was unaware of it until your e-mail, so I really do appreciate it.

I am strongly opposed to provisional ballots for a number of reasons. While Mr. Freese says are 10 states who provide for this, I would counter that 42 states do not have provisional balloting, and probably for many very good reasons. The problems which Milwaukee had at the Presidential election could have been minimized significantly if people were not allowed to register to vote on election day. I understand Wisconsin is one of only three states in the nation to allow for this, and no matter how hard we try and how thoroughly we train our election workers, there will be an opportunity for fraud if same-day registration is allowed because some people try to beat the system. Giving the elector until the close of business the day after the election to present proof of identity is wrong. Besides, how do we know that the person who presents proof at the clerk's office is the same one who voted at the polls or by absentee? We post, publish, issue press releases, are interviewed by the media (radio, TV and paper), and give presentations to many different community groups as to the requirements for voting. The voter must bear some responsibility to bring the appropriate documentation to the voting booth in order to exercise his/her right to vote. If they have not done their homework, then, frankly, they shouldn't be voting. (Again, this could all be avoided if we did not permit same-day registration. I wonder why all states in the nation, except for Maine, Minnesota and Wisconsin, prohibit same-day registration.) When the ballots are counted on election night, that should be it. No more ballots should be added to the tally, and there should not be any changes, except by the Canvassing Board. One proposed change that was noted was the ballot will not go through the optech or be recorded by those using other methods. This is going backwards, and creating another procedure. Even challenged ballots go through the machines now, are physically marked, and are documented as being challenged on the Inspector's Statement. It seems provisional ballots, if any, could be handled in the same fashion.

I am not opposed to requiring a photo ID in order to vote. In fact, many people are surprised when they don't have to show it.

Another change that would lessen the opportunity for voter fraud is to tighten the requirements for absentee voting. When the law was changed to allow people to vote absentee "for any reason," I think that was a mistake. Other recent changes, which weakened the accountability, were to only require one witness to the absentee ballot, and that the voter signs a "certification" instead of an "affidavit". The legislative policy in the statutes, says it very well: "The legislature finds that voting is a constitutional right, the vigorous exercise of which should be strongly encouraged. In contrast, voting by absentee ballot is a privilege exercised wholly outside the traditional safeguards of the polling place. The legislature finds that the privilege of voting by absentee ballot must be carefully regulated to prevent the potential for fraud or abuse; to prevent overzealous solicitation of absent electors who may prefer not to participate in an election; to prevent undue influence on an absent elector to vote for or against a candidate or to cast a particular vote in a referendum; or other similar abuses."

Teri Lehrke, CMC

3/4/2003

Alexander, Carol

From: Adele Van Ness [avanness@wppisys.org]
Sent: Tuesday, March 04, 2003 12:47 PM
To: AlexandC@ci.beloit.wi.us
Subject: Re: Update on Provisional Ballots

Dear Carol,

I can only see additional time and money spent on a problem that has rarely occurred in communities of our size. If Milwaukee is having the problem, then the solution should be applied to Milwaukee not the rest of us. As my mayor said "Sounds like taking a maul to a fly". There must be a better way.

Thanks, Adele

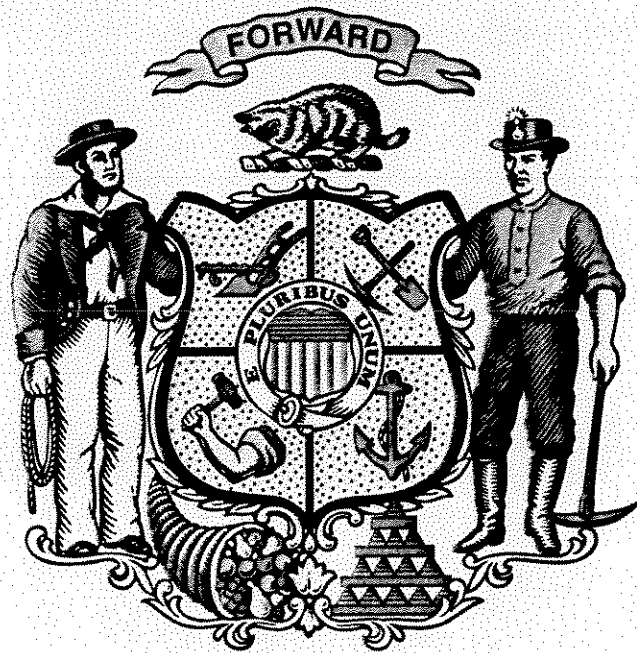
Adele M. Van Ness, City Clerk
City of Lodi, Columbia County
Telephone: 608.592.3247
e-mail: avanness@wppisys.org

Alexander, Carol

From: Mike Hoppenrath [MIKEH@CityofWatertown.org]
Sent: Tuesday, March 04, 2003 9:37 AM
To: Carol Alexander (E-mail)
Subject: Provisional ballots

I have looked at the proposal a couple of times and can not say I like it at all. To have an election that can not be considered done until the day after the election is just not right. I do not see why we and the rest of the voters should have to extend all the deadlines because some voters are not responsible enough to get things done on time. There are penalties in life for being late and the person responsible is the individual. It is no wonder we have troubles when we go out of our way to accommodate those that do not take care of their own affairs. I could live the process if it was all done before the end of election day. If the voter did not comply by then, the ballots do not count and we can get on with finishing the election. But maybe this is just me!!! Hope to see you soon. Mike

Mike Hoppenrath
City of Watertown
Phone 920-262-4009
FAX 920-262-4016
mikeh@cityofwatertown.org
Population 22,327



Richard, Rob

From: Gary, Aaron
Sent: Wednesday, March 05, 2003 12:24 PM
To: Richard, Rob
Cc: Conlin, Robert
Subject: RE: LRB 0773/2

AB 111

Rob,
Re comments 2) and 3) below, changing the formula is only necessary if DOT is NOT going to "eat" the costs, i.e. no change to the formula is necessary if DOT "eats" the costs because the amendment to make DOT "eat" costs will simply delete Bill Sections 41 and 42 (and part of 45).

I will go ahead and draft it this way unless I hear otherwise from you shortly. Thanks. Aaron

Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

-----Original Message-----

From: Richard, Rob
Sent: Wednesday, March 05, 2003 10:29 AM
To: Gary, Aaron
Cc: Conlin, Robert
Subject: FW: LRB 0773/2

Aaron:

I understand that Tim Fast is out of the office today. Because we are taking up the Voter ID Bill (AB 111) tomorrow, can you please work on an amendment relating to the DOT for Rep. Freese that we'll need for the bill? Bob Conlin points out a few things in his e-mail below that need to be addressed.

- 1) Don't tie this bill to 2001 Act 16.
- 2) Change the formula as Bob suggests.
- 3) Make DOT pay for the ID cards, or "eat the costs".

If you have any questions please work with Bob on this or give me a call at 6-7502.

Thanks!
Rob

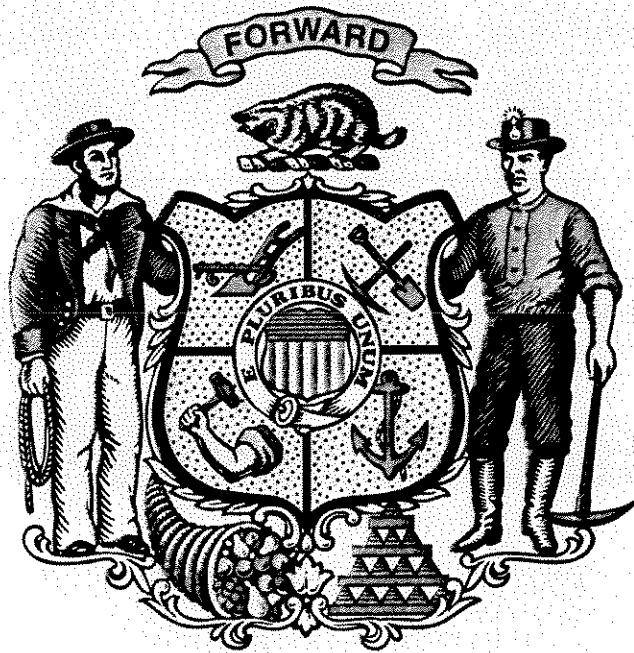
-----Original Message-----

From: Conlin, Robert
Sent: Monday, March 03, 2003 2:52 PM
To: Richard, Rob
Subject: LRB 0773/2

Rob:

I'm going through the drafts and I'm currently looking at the voter photo ID one. I'm curious about SECTION 41 which sets up the sum sufficient. It supposedly uses \$\$ lapsed under Act 16 to the transportation fund. I'm not sure there really is any money from these lapses there any more. Also, the formula is kind of odd in that it is pegged to "the amount of fees not collected." I think the idea is that the amount should be pegged to the amount of fees that would have been collected but for the free issuance under the bill, but maybe that should be clarified to make sure you're getting the right formula. Finally, why are you authorizing this sum sufficient appropriation? Maybe it would just be easier to make DOT eat the cost.

The last concern is obviously a policy one which you may ignore, but the other two, though technical, might require some checking in to on your part to see if it was drafted the way you wanted. I'm happy to check, but I figured since you put in the request, it would be easier for you. Let me know how you would like to proceed.





The League of Women Voters of Wisconsin, Inc.

122 State Street, Madison, Wisconsin 53703-2500

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 111 relating to

requiring identification in order to vote at a polling place or obtain an absentee ballot, the fee for an identification card issued by the Department of Transportation

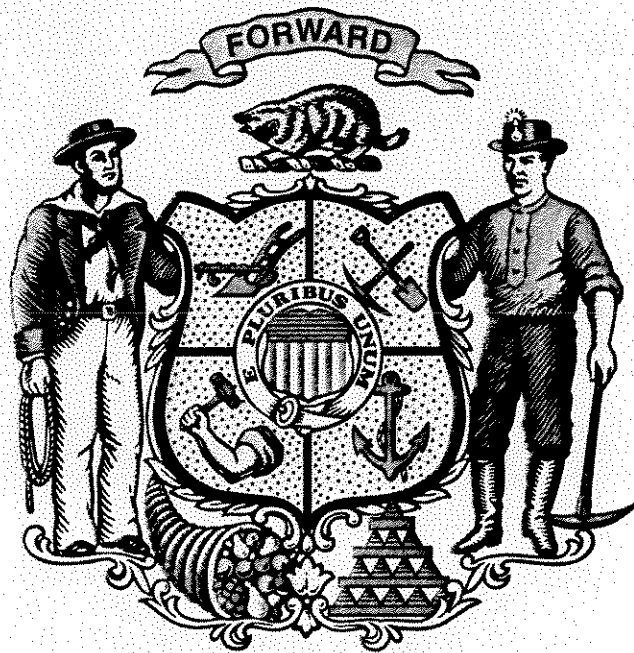
March 6, 2003

We are opposed to Assembly Bill 111 which seeks to make negative, unnecessary and unfair changes to Wisconsin's long and proud history of inclusive and fair elections. Requiring photo identification and eliminating the ability of an elector to utilize corroboration in order to register to vote 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 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 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 will disenfranchise citizens who are less fortunate but none the less informed as to who they would choose to represent them in public office.

Let us not attempt to change an electoral process which is not broken; instead let us focus on reforms to improve an election system tainted by special interest influences and out-of-control campaign spending.

Thank you for this opportunity to respond.



WISCONSIN CITIZEN ACTION



132 West Wisconsin Avenue, Suite 308 • Milwaukee, WI 53203 • 414/272-2562 • 414/274-3494 (fax) • info@wi-citizenaction.org • www.wi-citizenaction.org

Assembly Campaigns & Elections Committee
AB 111
March 6, 2003

Carolyn Castore
Wisconsin Citizen Action
Speaking in Opposition

Thank you for the opportunity to testify today to represent the views of Wisconsin Citizen Action. WCA is the state's largest public interest organization. We have over 74,000 members statewide and 210-dues-paying affiliate organizations from labor, community, senior citizen, disability, faith, environmental, family farm and other organizations.

Our organization has a long involvement in electoral issues, particularly get-out-the-vote efforts. In 2000, for example, we conducted a GOTV campaign 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 citizenship seriously.

We very much appreciate the interest of the Assembly Committee on Campaigns and Elections in voter reform. We support the bills designed to help implement the Help America Vote Act. We believe, however, that this bill will be a barrier to voting.

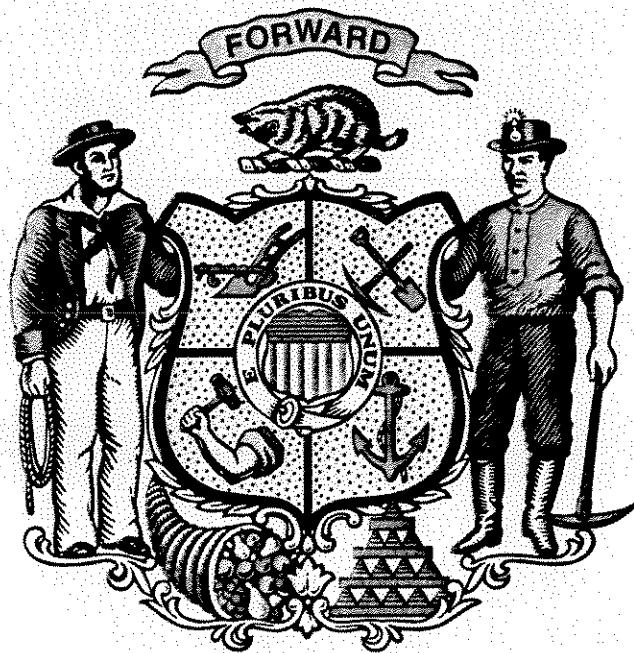
Wisconsin Citizen Action understands that there are flaws in our current election system. We also understand that there are those who will seek to stretch any regulation for political gain. However, despite the numerous campaigning and voting issues raised in recent elections, none of them would have been prevented or solved with presenting a state issued photo id when voting. I would also note that this bill is not a requirement of the Help America Vote Act. HAVA calls for showing a photo id (not necessarily a state-issued id) only if the person mailed in the registration and had not voted in the state before. This would affect only a very small number of people.

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 7th 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, 2245,670 people voted, 53% of those eligible to vote and 67% of those pre-registered to vote by October 25th. We believe we need to build on this tradition of increasing voter participation while also reducing the opportunity for fraud.

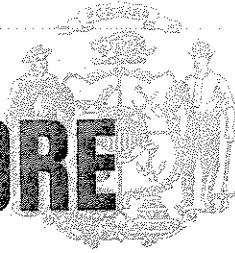
We oppose having to show a state issued photo id to vote. This requirement would be a barrier for those who are poor or who are old and no longer drive or rent videos. For elderly in rural areas or for someone who just had a wallet stolen, this requirement is a barrier.

A photo id proves little. It does not indicate if a person is a citizen, lives at the address on the id, or is a felon.

The cost of implementing this bill, of providing free identification to those who request it, at a time when the state is facing a \$3.2 billion deficit appears to make little sense without a strong indication of on-going fraud.



State Senator GWENDOLYNNE MOORE



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

Testimony of State Senator Gwendolynne Moore on Numerous Assembly Bills Assembly Committee on Campaigns and Elections March 6, 2003

Thank you for allowing me the opportunity to submit this written testimony in my absence. I would like to thank Chairman Freese and the members of the Assembly Committee on Campaigns and Elections for holding this public hearing to discuss numerous Assembly Bills that seek to modify Wisconsin's election process.

As you know, it is a fundamental function of government to ensure that each citizen truly has equal and unimpeded access to the ballot box and that every American voice is properly recorded. It is also important for the judicial branches of government to pursue the vigorous enforcement of laws when deliberate election fraud does indeed occur. However, as legislators, we must balance our duty to safeguard our system from election fraud with our duty to protect the voter's rights. We must not be swayed to alter the basic tenets of our election laws based solely upon the *perceived* fear of voter fraud. We must proceed with extreme caution when we entertain any legislation under the guise of "reform" that could compromise the franchise of our citizens. Ultimately, the voter's right to participate in the election process must be paramount.

Legislation that is being considered today, in particular Assembly Bill 111 (AB 111), is just such a proposal that severely threatens our citizens' franchise instead of providing any real electoral reform. **A voter should not be required to show a valid Wisconsin driver's license or photo id in order to receive their ballot.**

Disguising their proposals as necessary "election reforms" which would ensure the integrity of the system, Republican partisans are continually proposing new initiatives that would disproportionately disenfranchise Wisconsin's low-income, minority, elderly, handicapped, homeless, and student populations. Now Republicans seek to capitalize on a never previously utilized absentee ballot provision to justify implementation of an onerous voter ID bill. I am deeply troubled by Representative Freese's attempt to capitalize on the recent allegations of voter fraud that have been identified in recent **Milwaukee Journal Sentinel** articles. Rep. Freese exploited this recent development by publishing a press release that misleads readers to believe AB 111 would have prevented this alleged voter fraud. Obviously, AB 111 does not address the concerns raised by the ACE incident, as Rep. Krug and Rep. Ladwig have recently introduced absentee ballot legislation to deal with this specific issue.

What AB 111 does do is place undue and unnecessary burden on some of our most vulnerable voters, including our low-income, minority, elderly, disabled, homeless and student citizens, by

requiring all voters – regardless of whether they are registered or not – to present a DOT-issued Wisconsin driver's license or photo ID in order to obtain a ballot. In essence, this measure is an unconstitutional **poll tax** on those whose grasp on the franchise is currently most vulnerable; the elderly, the low-income and the homeless, or handicapped. Individuals will still have to pay to obtain a birth certificate or other identifying information. Further, they could lose work time, wage compensation, or other financial support all in order to obtain an unnecessary ID.

Additionally, AB 111 is fiscally irresponsible, as it severely increases state spending by mandating the DOT to provide necessary identification free of charge for all citizens. During this time of state fiscal uncertainty, it is negligent for Republican legislators to create such an enormous fiscal impact on state government. It was estimated that AB 259, last session's voter ID legislation, which also would have provided an ID card free to anyone who requested it, would have cost the state \$850,000 annually. The author of AB 111 chose an inopportune time to introduce this legislation, as it is a time when our state is bracing itself for a \$4.2 billion deficit, the like of which our state has not faced since the Great Depression!

Just a few weeks ago Republicans restored \$22 million in cuts to the Transportation Fund proposed within the Governor's budget adjustment bill. It is extremely ironic with our state's enormous deficit that now this Republican proposal is proposing expensive new ideas to the already overly stressed DOT budget. In fact, DOT previously estimated that it would require 3 additional full-time employees to fulfill the photo ID mandate. This is distressing, and seemingly irresponsible, at a time when the state is considering eliminating 2,900 state jobs.

The Department of Transportation (DOT) estimates that roughly 130,000 people across the state do not have the kind of documentation referred to in this legislation. Furthermore, the DOT estimates that only 20% of these people would ever get necessary documentation if AB 111 became law. That means that roughly 100,000 Wisconsin residents currently without DOT-issued photo identification, many of who are elderly, low-income, minority, homeless, or handicapped, would be disenfranchised by this bill.

Many of these people do not have the time or the resources to go to the DMV to obtain identification simply to vote. For example, if AB 111 were passed, a low-income person would be forced to jeopardize their employment or utilize precious vacation time to visit the DMV. Further, an elderly person who may have health problems would have to stand in the DMV line for hours to maintain their franchise. Adding to that hardship, many DMV offices have been eliminated or have had their hours of operation reduced due to budget cuts.

Furthermore, students from out of state who study at Wisconsin's colleges and universities and are eligible to vote in this state would not be allowed to present photo identification from their home state or a Wisconsin university identification card in order to prove their identity. They, too, would have to go to the DMV to obtain a Wisconsin photo identification card.

Many of Wisconsin's most diligent voters have been registered at the same address and have voted at the same polling station for most of their adult lives. This is particularly true in Milwaukee's inner city, where many low-income minority voters have never had the kind of photo identification required in AB 111.

Most states do not require an identification card, photo or otherwise, for their state's registered voters. In fact, only state, South Carolina, a state that still refuses to remove the Confederate flag from its state capitol, requires all voters to present a photo ID or be denied the right to vote. Moreover, **29 states are precluded by state statute from asking for any kind of voter identification at the polls.** Instead, AB 111 seeks to depart from this group of states and "reform" our electoral system by disenfranchising voters.

AB 111 could potentially undermine the provisional ballot process. Under AB 111, if you fail to provide a valid DOT-issued Wisconsin photo id, your secretly cast vote will be put aside as a provisional ballot, and you will have until 4 pm the day after the election to obtain the necessary ID and prove your identity. One day is not sufficient time to procure an ID if you were born in another state and need to obtain a birth certificate, or have other work demands. If you fail to prove your identity your vote will not be counted!

Voter registration by corroboration must not be repealed. 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. This means that homelessness in Wisconsin does not mean disenfranchisement. AB 111 would require the voter to show photo id even in the presence of corroboration. We should not strip a voter of his or her rights simply because that person lacks an address or a 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.

The mere *perception* of voter fraud provides no factual basis, no compelling interest, to change the tenets of Wisconsin's open election system, which consistently produces one of the highest voter turnouts in the nation and encourages voters from all walks of life to participate in our democracy. Wisconsin has a long, proud history of progressive election laws and of inclusiveness in the electoral process.

In fact, Wisconsin was one of the first states to give immigrants the right to vote. In 1848, our state's Constitution allowed immigrants to vote as they declared their intention for naturalization. For over 150 years, our state has sought to make the polls as accessible as possible to new voters.

Many have attempted to exploit charges of voter fraud in Milwaukee during the 2000 election. In that election, Milwaukee District Attorney McCann found that out of the 361 individuals with criminal backgrounds who were accused of voter fraud, only 3 had not had their civil rights restored. **McCann did not press charges against these three individuals because they were unaware that they were disqualified from voting.**

Now, under the guise of election "reform", the bill being debated here today will have the effect of disenfranchising many of Wisconsin's poor, minority, elderly, handicapped, homeless, and student voters, many of whom tend to vote Democratic. **While I certainly hope that the intent of this proposal is not to silence the voices of Wisconsin's most vulnerable who happen to vote Democratic, the effect of this proposal will do just that.**

I am equally concerned by the ramifications of **Assembly Bill 122 (AB 122)**, which like AB 111 disenfranchises voters rather than enacting real election reform. **This controversial, divisive and unnecessary bill seeks to single out one particular constituency, prohibiting them from contributing to political campaigns and therein severely limiting their access to the political process.** Anyone who receives income from a gaming establishment would lose his or her right to play a role in the political process. Gaming operators, including casinos, lotteries and racetracks that violate this law would face a Class I felony, a fine of \$10,000 and possible imprisonment of not more than three years and six months!

The bill's drafting notes reveal that there are potential constitutional questions regarding the infringement of equal protection rights of persons who earn their income from gaming operations. Should the concept of singling out constituency groups be considered constitutionally acceptable, this bill should be expanded to include all corporations and entities that routinely "influence" campaigns and elections. Unless AB 122 prohibits all groups that influence campaigns from contributing, the bill is unjust and possibly unconstitutional.

And lastly, I would like to voice additional comments about several of the other eleven bills that the committee is considering here today:

I believe that **Assembly Bill 113** would do little to impact the election process in Wisconsin. Proponents argue that people who view results through media outlets prior to poll closings may be persuaded by the preliminary results and may opt not to vote. This legislation does not address these concerns, as most preliminary results publicized prior to 10 pm are national, particularly from east coast states whose polls close earlier than Wisconsin's due to time zone. I feel that federal legislation would be the proper outlet for addressing this concern, as it should impact the entire nation, not just the state of Wisconsin.

I support **Assembly Bill 114** as a fair proposal that intends to provide uniform polling hours and will provide greater opportunity for citizens to exercise their constitutional right to vote.

Under current election law, every vote cast, including all write-ins, are counted. **Assembly Bill 115** intends to disenfranchise voters who cast write-in votes for candidates that have failed to declare candidacy in the time specified in the bill. Every vote should

count, whether it is cast for a candidate on the ballot or is written-in by the voter. AB 115 disenfranchises voters and the election process.

County boards of supervisors, common councils, village board of trustees, town boards of supervisors, county chairpersons or mayors currently have the authority to fill temporary vacancies in their respective levels of government. **Assembly Bill 118** takes away local control and instead creates an un-funded mandate for local government and taxpayers. By mandating automatic special elections to fill all vacancies for local elected positions, Wisconsin taxpayers will bear significant additional election costs. With the looming multi-billion dollar state deficit as well as deficits at the local level, it is not a stretch to say that citizens are more concerned about increased government spending than filling short-term vacancies in current elected positions.

The change in campaign finance reporting proposed by **Assembly Bill 119**, which requires that non-resident registrants be held to the same filing requirements as Wisconsin residents, seems to be fair and common sense reform to campaign finance law.

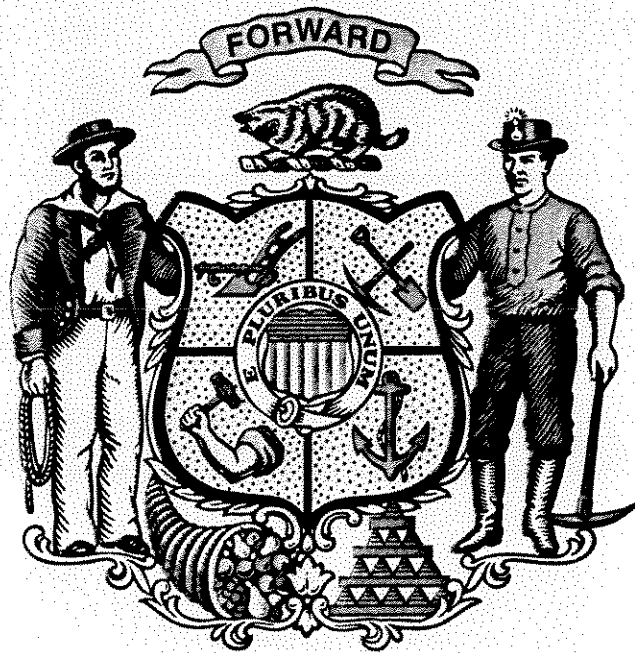
Greater education regarding voting rights should always be encouraged to ensure voter awareness and diminish accusations of fraud. I support the concept of **Assembly Bill 120** as it carries on Wisconsin's tradition of educating citizens about the electoral process. I especially support the provision that gives the court system and the Department of Corrections (DOC) discretion as to how they will notify affected persons. During these times of state fiscal uncertainty, we should be attempting to pass legislative proposals that mandate minimal new fiscal increases on state government. While I have no information on whether this new requirement will create great additional costs to the court system and DOC, I am cautiously optimistic that the intent of the author is to limit such fiscal increases on state government.

Assembly Bill 121 gives municipal bodies the authority to test all polling officials to prove their ability to speak and read English. While it is important that polling officials be able to converse and communicate effectively with those electors at that polling place: I hope this is not a "back door" approach to encourage the introduction of divisive "English Only" proposals.

Finally, I support the section **Assembly Bill 123** that creates a segregated fund and spending authority for the State Elections Board to carry out the federal requirements imposed in the Help America Vote Act of 2002. I reserve judgment at this time of the remaining items within this bill because I am unclear of their effect on the citizens of Wisconsin.

I hope, as you consider your vote on these numerous election bills, the members of this Committee will remember that the integrity of our election system can only be protected by ensuring that every voice continues to be heard.

Thank you for allowing me the opportunity to share my views on bills being discussed at today's hearing.



Griffiths, Terri

From: Richard, Rob
Sent: Thursday, March 06, 2003 8:30 AM
To: Griffiths, Terri
Subject: FW: Assembly Committee on Campaigns & Elections

-----Original Message-----

From: dklitzkie@netscape.net [mailto:dklitzkie@netscape.net]
Sent: Wednesday, March 05, 2003 11:16 PM
To: rep.freese@legis.state.wi.us
Subject: Assembly Committee on Campaigns & Elections

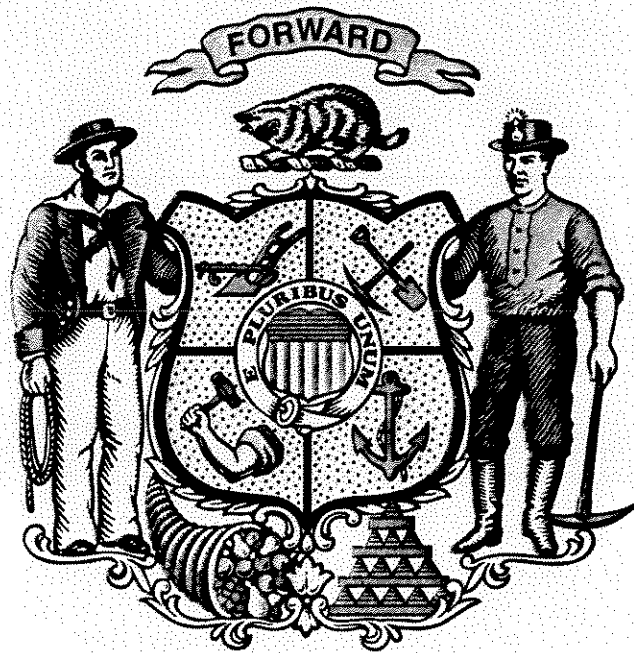
Dear Chairman Freese:

I am presently serving as the chief inspector/chairman of the Ward 8 and Ward 9 polling locations in the City of Madison. I am in support of voters having to produce a driver's license or I.D. card when voting to identify themselves as qualified voters and to prevent the possibility of voter fraud.

Doug Klitzkie

The NEW Netscape 7.0 browser is now available. Upgrade now!
<http://channels.netscape.com/ns/browsers/download.jsp>

Get your own FREE, personal Netscape Mail account today at <http://webmail.netscape.com/>



Griffiths, Terri

From: Richard, Rob
Sent: Thursday, March 06, 2003 8:32 AM
To: Griffiths, Terri
Subject: FW: RESIDENCY REQUIREMENTS - ELECTION - CLERK AND DEPUTY CLERK

-----Original Message-----

From: Schmidt@ci.brookfield.wi.us [mailto:Schmidt@ci.brookfield.wi.us]
Sent: Wednesday, March 05, 2003 5:00 PM
To: Rep.Freese@legis.state.wi.us; Sen.Kanavas@legis.state.wi.us;
Sen.Reynolds@legis.state.wi.us; Rep.Vukmir@legis.state.wi.us;
Rep.Jensen@legis.state.wi.us
Cc: presvmf@execpc.com; league@lwm-info.org
Subject: RESIDENCY REQUIREMENTS - ELECTION - CLERK AND DEPUTY CLERK

Rep. Freese, this information came over my desk a couple of days ago. I think you might want to sign on to this legislation. The problem with the current law is that clerks and deputy clerks can not register voters in the municipalities they work in on election day if they do not reside in the municipality they work in. We register voters in our municipalities up until election day, it should make any difference on election day. I think you might find there is a significant number of clerk's who do not reside in their municipalities. Who better than a city clerk or deputy knows the requirements for registration. I will also point out, that I am rarely called upon to register anyone on election day as I do not have any polling places in my City Hall.

I just thought I would transmit this information to you as something that should be addressed.

Kris Schmidt
City of Brookfield
2000 N. Calhoun Road
Brookfield, WI 53005
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email: schmidt@ci.brookfield.wi.us
Fax: 262-796-6671
----- Forwarded by Kristine Schmidt/Brookfield on 03/05/2003 04:52 PM -----

L@uwgb.edu> "VILLAGE OF TWIN LAKES"
<viloftwinlakes@b
usynet.net>
To: "Wisclerks-L" <Wisclerks-
cc: "SAMANTHA KERKMAN"
<rep.kerkman@legis.state.wi.us>
Subject: RESIDENCY REQUIREMENTS - ELECTION
- CLERK AND DEPUTY CLERK
03/04/2003 04:09
PM

THIS IS RELATED TO DEPUTY CLERKS AND/OR CLERKS WHO DO NOT RESIDE WITHIN THE MUNICIPALITY THAT THEY WORK IN - THIS MEANS THAT THOSE DEPUTY CLERKS AND/OR CLERKS WHO CAN REGISTER VOTERS ALL YEAR LONG - CANNOT REGISTER VOTERS ON ELECTION DAY. TIME TO GET THIS CHANGED. I NEED YOUR HELP.

I have heard from several Clerks and Deputy Clerks regarding the current

residency requirements for Clerks and/or Deputy Clerks - especially on election day for registrations. This seems to be a problem in more places other than Twin Lakes. This bill has just been drafted and will hopefully come up at the end of March. To those clerks who have sent me your previous comments in favor of this change, please e-mail me and/or Rep. Kerkman your comments. Of course, we could use support from all you Clerks and deputy clerks out there. The more the merrier - this needs some co-sponsors now - hopefully it will come up end of March.

Basically, the change is as follows: "except that if a municipal clerk or deputy clerk serves as a registration deputy or is appointed to fill a vacancy under par. (b), the clerk or deputy clerk need not be a resident of the municipality, but shall be a resident of the state".

Section I. 7.30 (2) (a) and (b) of the statutes are amended to read:

7:30 (2) (a) Only election officials appointed under this section may conduct an election. Except as otherwise provided in this paragraph and in s.7.15 (1)(k), each election official shall be a qualified elector of the ward or wards or the election district, for which the polling place is established. A special registration deputy who is appointed under s 6.55 (6) or an election official who is appointed to fill a vacancy under par. (b) need not be a resident of the ward or wards, or the election district, but shall be a resident of the municipality, except that if a municipal clerk or deputy clerk serves as a registration deputy or is appointed to fill a vacancy under par. (b), the clerk or deputy clerk need not be a resident of the municipality, but shall be a resident of the state.

Special registration deputies may be appointed to serve more than one polling place, all officials shall be able to read and write the English language, be capable, and be of good understanding, and may not be a candidate for any office to be voted for at an election at which they serve. In 1st class cities, they may hold no public office other than notary public. Except as authorized under sub. (4) (c), all inspectors shall be affiliated with one of the 2 recognized political parties which received the largest number of votes for president, or governor in non-presidential general election years, in the ward or combination of wards served by the polling place at the last election. The party which received the largest number of votes is entitled to one more inspector than the party receiving the next largest number of votes at each polling place. The same election officials may serve the electors of more than one ward where wards are combined under s 5.15 (6) (b).

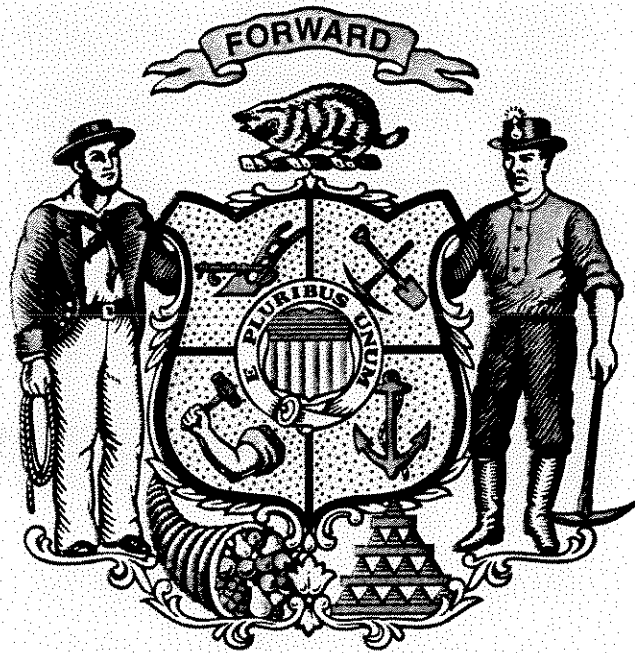
If a municipality is not divided into wards, the ward requirements in this paragraph apply to the municipality at large.

(b) When a vacancy occurs, the vacancy shall be filled by appointment of the municipal clerk. The vacancy shall be filled from the remaining names on the lists submitted under sub.(4) or from additional names submitted by the chairperson of the county party committee of the appropriate party under sub. (4) whenever names are submitted under sub. (4) (d). If the vacancy is due to candidacy, sickness or any other temporary cause, the appointment shall be a temporary appointment and effective only for the election at which the temporary vacancy occurs. The same qualifications that applied to original appointees shall be required of persons who fill vacancies., except that a vacancy may be filled in cases of emergency or because of time limitations by a person who resides in another aldermanic district or ward within the municipality, and if a municipal clerk or deputy clerk fills the vacancy, the clerk or deputy may serve without regard to the clerk's or deputy's municipality of residence, if the clerk or deputy meets the other

qualifications.

Thank you for your support. (Sorry - did not have a working scanner)

Dorothy E. Sandona, MMC
Clerk/Treasurer
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Richard, Rob

From: Kuesel, Jeffery
Sent: Friday, March 07, 2003 1:14 PM
To: Richard, Rob
Subject: RE: Ballot destruction

Rob,
The federal law affects elections for federal office only. Section 7.23 (1) (f), stats. However, unless paper ballots are used, state and county offices would appear on the same ballot. Ballots used in state and local elections only are governed by s. 7.23 (1) (h), stats., which permits destruction after 30 days. Both provisions are modified by s. 7.23 (2), stats., under which ballots may be impounded until a contest is decided. Current law does not differentiate between valid and invalid ballots, in part because in an election contest what is valid may become invalid and vice versa. Your bill can change anything in state law, but we can't reach the 22-month requirement in federal law.
Jeff

-----Original Message-----

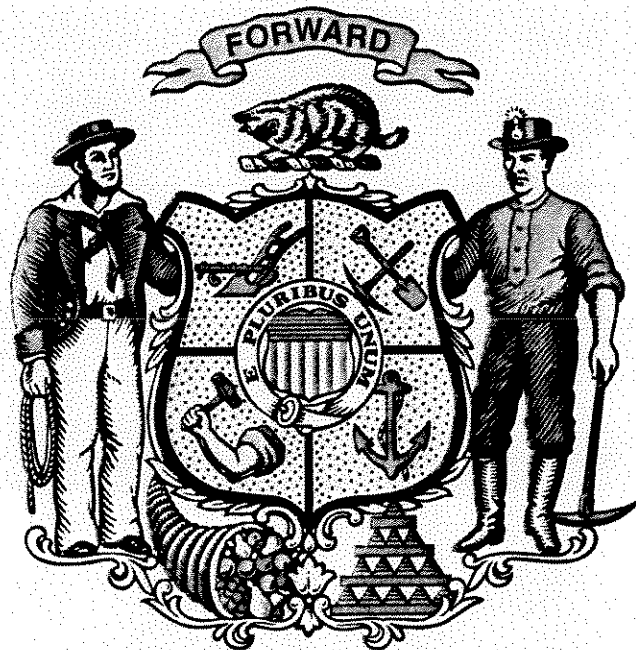
From: Richard, Rob
Sent: Friday, March 07, 2003 9:49 AM
To: Kuesel, Jeffery; Conlin, Robert
Subject:

Gentlemen:

I had a conversation with Jeff about destroying invalid provisional ballots in AB 111 after the next day deadline. Jeff indicated it was against federal law to destroy ballots until 22 months had lapsed since election day. Does this apply to state and local elections? If not, is there anything in state law that prevents us from destroying ballots that are deemed invalid?

I'm just looking for clarification as a number of members are curious about this question.

Rob



State of Wisconsin \ Elections Board

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E-mail: seb@seb.state.wi.us
<http://elections.state.wi.us>



KEVIN J. KENNEDY
Executive Director

How to Register and Vote on Election Day

If you wish to register to vote at your polling place, you must complete a voter registration application and have proof that you have lived at your present location for 10 days preceding the election.

If your name does not appear on the voter list at your polling place, you must complete a voter registration application before you will be allowed to vote.

If you are unable to provide the date of birth, driver's license number or the last 4 digits of your social security number, you are still eligible to receive a ballot if you have the required proof of residence or a corroborator with the required proof of residence.

For purposes of voter registration, a form of identification constitutes acceptable proof of residence if it includes:

1. A current and complete name, including both the given and family name; and
2. A current and complete residential address, including a numbered street address, if any, and the name of a municipality.

Forms of identification which constitute acceptable Proof-of-Residence, when they contain the information specified above, include the following:

1. A Wisconsin motor vehicle operator's license.
2. A Wisconsin identification card.
3. Any other official identification card or license issued by a Wisconsin governmental body or unit or by an employer in the normal course of business, but not including a business card.
4. A credit card or plate.
5. A library card.
6. A check-cashing or courtesy card issued by a merchant in the normal course of business.
7. A real estate tax bill or receipt for the current year or the year preceding the date of the election.
8. A residential lease which is effective for a period that includes election day.
9. A university, college or technical institute fee card.
10. A university, college or technical institute identification card.
11. An airplane pilot's license.
12. A gas, electric or telephone service statement for the period commencing not earlier than 90 days before election day.

Proof of residence does not include a piece of mail addressed to the voter.

At this time, Proof-of-Residence is all that is required of a voter in order to register at the polling place on Election Day. Although the Registration Form may ask for either the Driver's License number or the last 4 digits of the Social Security Number a voter should not be turned away if they lack that information. If you cannot supply acceptable Proof-of-Residence, your registration form can be substantiated and signed by one other elector who resides in your municipality, corroborating your residency information. The corroborator must then provide acceptable Proof-of-Residence.