

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_ab0141_AC-CE_pt01**

➤ Miscellaneous ... Misc

➤ **

AB141

Vote Record

Committee on Campaigns and Elections

Date: 4/17/03
Moved by: Pocan Seconded by: Gund.

AB 141 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 _____

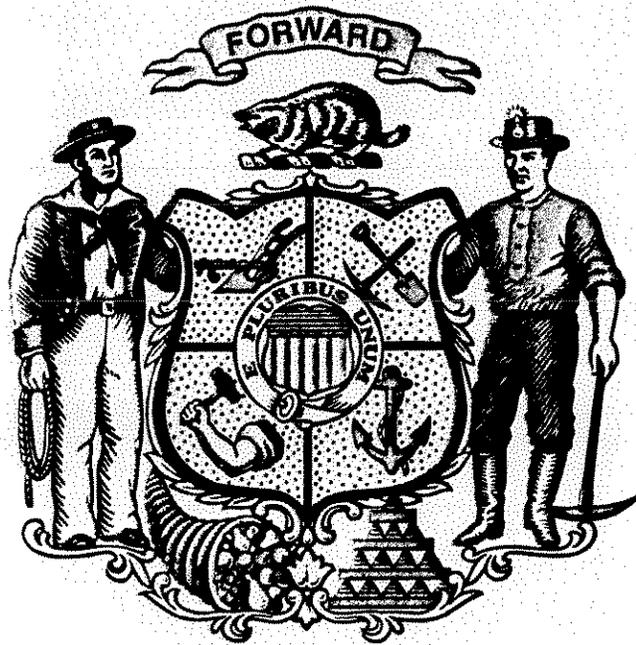
- Be recommended for:
 Passage Adoption Confirmation Concurrence Indefinite Postponement
 Introduction Rejection Tabling Nonconcurrence

Committee Member	Aye	No	Absent	Not Voting
Representative Stephen Freese	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Mark Gundrum	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Glenn Grothman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Jeffrey Wood	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative David Travis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Mark Pocan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: 6 0

Motion Carried

Motion Failed



Date: April 1, 2003

To: Rep. Stephen Freese, Chair, Assembly Campaigns and Elections Committee

From: Dennis Boyer, Lobbyist, AFSCME Council 11

Re: AB 141 (Eligibility of Public Employees as Candidates for Public Office) and
AB 172 (Mailing and Transmitting Absentee Ballots)

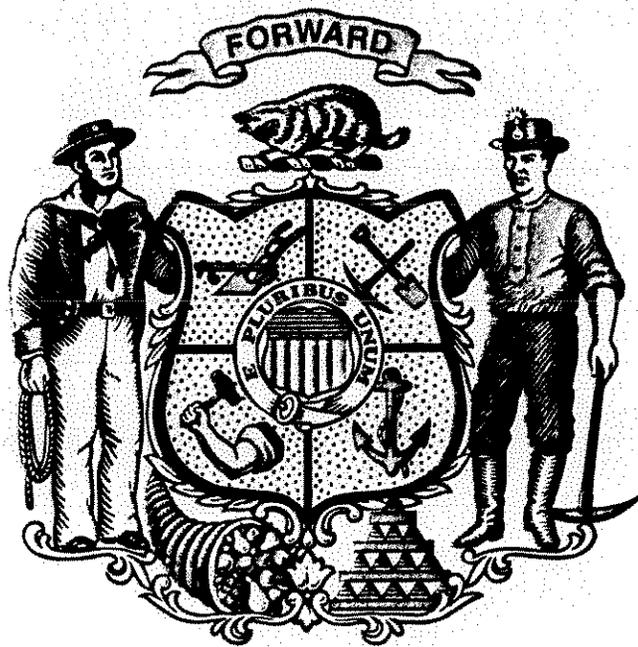
We wish to express our positions on the following bills:

1. **AB 141** – We feel strongly that public employees should be able to engage fully in political life, including the right to run for office. Many public employees have skills and experiences to contribute to policy deliberations. Indeed, the election of some such individuals could bring a practical hands-on knowledge that might prove helpful in an era of reevaluation of the methods by which services are delivered. To those who worry about campaigning during work hours, it must be pointed out that there are work rules and disciplinary procedures that would curb such abuse. Except for the most minor of offices, serious candidates for office would likely avail themselves of leave time in order to effectively compete. If it is possible for deputies to run for sheriff and not disrupt public safety, then it is hard to imagine that any other public body can find compelling reasons to bar public employee candidacies. AB 141 recognizes fundamental fairness.
2. **AB 172** – We understand that there is concern about the methods of absentee ballot distribution and collection. We hope that these legitimate concerns will be addressed in the least restrictive fashion. AB 172 represents an important bipartisan solution to these concerns.

We respectfully request that your committee approve both of the above bills. Thank you for your consideration.

DB:lm

xc:	Rich Abelson	Brian Weeks	Sen. Moore	Sen. Schultz
	Bob Chybowski	Phil Neuenfeldt	Sen. Reynolds	
	Sandra Bloomfield	Rep. Krug	Sen. Robson	



Testimony of State Representative Shirley Krug
Assembly Committee on Campaigns and Elections
Assembly Bill 141
April 3, 2003

Chairman Freese, members of the committee, thank you for the opportunity to testify on AB 141, the Fair Candidacy for Public Employees Act.

As you may know, the legislature took action to enable law enforcement officers outside of Milwaukee City and County to run for elective office without being forced to take an unpaid leave of absence. However, current law still creates a disincentive for certain individuals to seek public office and unfairly makes it more difficult for them to win should they choose to run.

Let me share a hypothetical example with you that illustrates the basic unfairness of this law. Imagine that the City of Milwaukee has an open aldermanic seat that attracts two equally qualified candidates: Josephine works as a security guard for Shopko and Joe works for the City of Milwaukee Police Department. They are both married, have children and are paying a mortgage.

The employee of the private business, Shopko, starts to campaign after work and on the weekends four months before the filing deadline for nomination papers are due and meets every core voter in the district. She is able to go to every community meeting that more than three people attended. She continues to draw her full time salary, makes the house payments, and keeps her spouse reasonably happy except for the fact that they haven't seen each other in awhile.

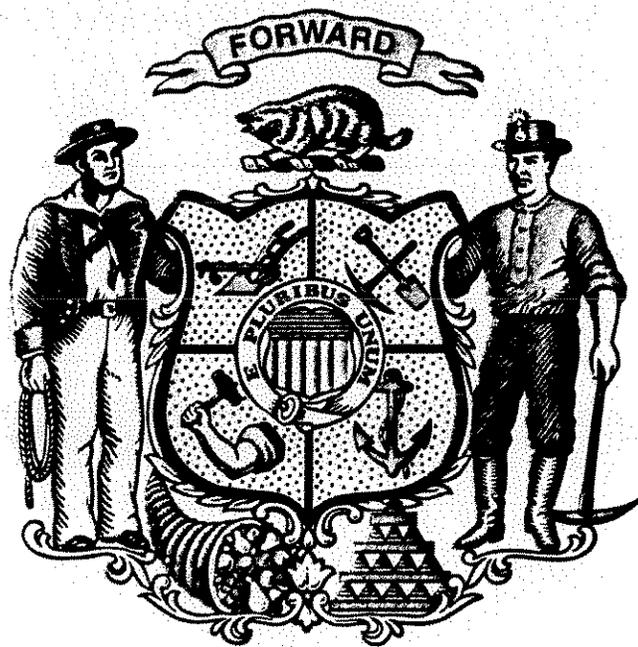
Meanwhile, the police officer has to choose: take an immediate unpaid leave of absence to enable themselves to appear at community events and start doing doors as a candidate or wait until their family budget can allow for this sacrifice. Joe's spouse is unhappy either way because the pocketbook takes an undue hit or the candidate is crabby because they can't get going.

Obviously, this law makes it more financially difficult for public employees to consider public office. This is undemocratic and unfair.

Running for public office is a tremendous learning experience even for those who never achieve their goal. It teaches individuals in a very fundamental way about the heart of our democracy. We should be doing everything in our power to encourage talented people to run for office, not set an unnecessary roadblock in their way.

I hope that you agree that a level playing field and basic fairness should allow a public employee to become a candidate for office without inflicting undue and unnecessary hardship on their finances. I ask you to support AB 141.

Thank you. I will be happy to respond to your questions.



2003 ASSEMBLY BILL 141

March 6, 2003 - Introduced by Representatives KRUG, JESKEWITZ, PLOUFF, A. WILLIAMS, POCAN, COGGS, BERCEAU, TURNER and SINICKI, cosponsored by Senators WIRCH and CARPENTER. Referred to Committee on Campaigns and Elections.

1 **AN ACT** *to create* 66.0501 (5) of the statutes; **relating to:** the eligibility of
2 employees of cities, villages, towns, and counties to be candidates for elective
3 public office.

Analysis by the Legislative Reference Bureau

Under current law, no political subdivision (city, village, town, or county), other than a 1st class city (currently only Milwaukee) or a county with a population of 500,000 or more (currently only Milwaukee County), may prohibit a law enforcement officer who is employed by a political subdivision from being a candidate for elective public office, if he or she is otherwise qualified to be a candidate. Also under current law, no law enforcement officer may be required, as a condition of being a candidate for any elective public office, to take a leave of absence during his or her candidacy.

Under this bill, no political subdivision, including a 1st class city and a county with a population of 500,000 or more, may prohibit any other employee of a political subdivision from being a candidate for elective public office, if he or she is otherwise qualified to be a candidate. Also under the bill, no employee of a political subdivision may be required, as a condition of being a candidate for any elective public office, to take a leave of absence during his or her candidacy. The bill does not apply to individuals to whom the federal Hatch Act applies. Generally, the Hatch Act prohibits a state or local officer whose position is funded by federal funds from being a candidate for elective office unless he or she takes a leave of absence.

