



DUEY STROEBEL

STATE REPRESENTATIVE • 60TH DISTRICT

AB 54 Testimony

Chairman Bernier, colleagues of the Committee on Campaigns and Elections, thank you for the opportunity today to testify on AB 54. After a healthy discussion of this bill when it was introduced earlier this year, I introduced a substitute amendment to incorporate suggestions and concerns from different stakeholders. It is this amendment, Assembly Substitute Amendment 1 to AB 54, for which I will be testifying in favor today.

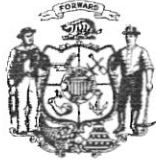
The hallmark of all elections is consistency and fairness. There are many election laws that ensure standards statewide. Unless we are to allow for voting twenty-four hours a day, seven days a week, some standards must be outlined to ensure that the voters in some communities do not possess a systemic advantage over voters in other communities in the form of longer voting hours. This principle is evident in our State's standardized voting hours on Election Day. Unfortunately, there is a lack of standards to ensure statewide equality in the process of in-person absentee voting.

Current law provides for in-person absentee voting to begin on the third Monday preceding an election and end on the Friday preceding the election without any other guidelines. I introduced AB 54 to provide for a statewide standard for in-person absentee voting of 7:30 am- 6 pm, Monday through Friday. AB 54 provides for up to 105 hours over 12 days preceding any election. Furthermore, in-person absentee voting can occur at any hour outside of this window by making an appointment with the city, town, or village clerk

There are over 1800 municipalities in the State of Wisconsin that conduct elections. Of these, a person can count on one hand the municipalities that have not complied with the provisions of the proposed bill. . Please note, nothing in the proposed bill changes anything relating to the practice of absentee voting by mail, a process already equally governed by statewide standards.

I suspect this committee will hear the claim that failing to offer voting hours at 7pm each weeknight, or weekend hours, is discriminatory or suppressing the votes of people who simply cannot find time to voter during a 10.5 hour timeframe every day for two weeks. This claim is belied by the actions of these municipalities in recent elections.

In a state where many voting municipalities do not have full time clerks or a clerk's office, let alone any hours of operation or evening and weekend hours, the City of Milwaukee, in the Fall 2012 General Election, was open for in-person absentee voting from 8:30 a.m. to 7:00 p.m. Monday thru Friday and 9 to 5 Saturday and Sunday. These hours were not matched in



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almost any communities around the state. Why should a voter from anywhere else in Wisconsin have less ability to vote than voters in Milwaukee? Should we say that the voters in the rest of the state were “suppressed” due to the practices in places like Milwaukee? However, the very same municipality only needed to be open 8:30 to 4:30 Monday thru Friday for the Spring 2013 election with no evening or weekend hours. Was the vote “suppressed” in this election? The City of Madison had very similar hours for Fall 2012 and a similar discrepancy for Spring 2013 as Milwaukee.

We are all aware lines can and do form at the polls during election. With the up to 105 hours of in-person absentee voting hours provided for under this bill, it is and always has been up to the local municipalities to see that sufficient facilities and resources are available to meet the needs of its voting public. Going down the “long lines” path against AB 54 using this logic is insincere.

It was not too many years ago that the process of in-person absentee voting did not exist as we know it today. Standardizing this process will give every Wisconsinite, regardless of where one lives, the equal opportunity to vote. Equality in voting is a fundamental principle AB 54 is seeking to defend. Thank you and I urge the committee to recommend AB 54 as amended for passage.

October 9, 2013

To: Members of the Assembly Committee on Campaigns and Elections
From: Senator Glenn Grothman
Re: Assembly Bill 54

Thank you for scheduling Assembly Bill 54 for a public hearing. Under current law, early in-person absentee voting has vastly different hours of operation based the municipality in which you are voting. Many citizens become confused when they can and can't early in-person vote.

Therefore, Representative Stroebel and I have introduced this legislation that will standardize in-person early voting. This will create consistency throughout the state, which will allow individuals and municipalities the ability to better plan their voting schedules.

Assembly Bill 54 merely establishes the earliest and latest the clerk's office can be open. We know that many rural clerks do not have set hours, but rather take appointments to vote. The clerks are still able to continue with practice and these appointments are able to be outside of the 7:30am to 6pm window.

This legislation addresses the concerns that have been raised by many clerks, while still creating a standardized process throughout the state of Wisconsin. This bill will decrease confusion in the early in-person absentee process and give clerks the flexibility to still set their own hours within the 7:30am to 6pm window Monday through Friday prescribed in the bill. Please join me in supporting this commonsense approach to reform the early in-person voting process.

Testimony of Kevin J. Kennedy
Director and General Counsel
Wisconsin Government Accountability Board

Assembly Committee on Campaigns and Elections

October 9, 2013

Room 328 Northwest, State Capitol

Public Hearing

2013 Assembly Bills 54, 91, 393 and 394

Chairperson Bernier and Committee Members:

Thank you for the opportunity to appear before the Committee today. Before I begin, I would like to draw your attention to an email sent to Committee Members today at my request about recent trends in voting equipment. As our current optical scan voting equipment rapidly approaches obsolescence, we believe it is imperative for Committee Members to understand the changing dynamics of vote tabulation. The email also contains correspondence originally sent to Committee members on May 31, 2013 describing election law changes that our local election officials have requested. I have attached a copy to my testimony.

Thank you for the opportunity to comment on the three bills before you today. I am appearing here for information purposes and to answer any questions you or Committee members may have. The Government Accountability Board is not taking a position for or against any of these bills.

Assembly Bill 54

This legislation has been promoted as a means to ensure all voters in the state, no matter where they reside, have the same opportunity to cast an absentee ballot in-person. It does not address the disparate treatment and limited in-person absentee voting options provided in smaller municipalities. The bill merely creates a window in which Wisconsin's 1,852 municipalities may pick and choose what hours to be open.

While large municipalities with diverse populations such as Milwaukee and Madison will be constrained from serving voters who find it difficult to get to City Hall Monday through Friday between 7:30 am and 6:00 pm, small municipalities can continue to limit their hours to as little as an hour a day or close their offices for several days during the 10 days available for in-person absentee voting. While Milwaukee had expanded in-person absentee voting hours to serve the 36,349 voters who came to cast a vote in-person at City Hall, the City of Platteville clerk's office is closed on Fridays. It was open the Friday before the November 6, 2012 election. In many municipalities the only way to cast an absentee vote in-person is to track down the municipal clerk and make an appointment because there are no regular office hours.

The proposed legislation is trying to balance competing interests. While trying to bring a level of uniformity to the absentee voting process, it also seeks to preserve local control for municipalities to best serve its citizens. The purpose of in-person absentee voting is to provide a means for citizens who have difficulty getting to the polls on Election Day to cast their ballot in a secure and public manner.

I recommend that the Committee consider expanding the window to permit in-person absentee voting between 7:00 am and 8:00 pm, the same hours the polls are open on Election Day. This provides up to 13 hours of in-person absentee voting on 10 business days. In addition, municipalities should be able to provide in-person absentee voting on the weekend between the two weeks preceding the election. This provides all municipalities with the flexibility to serve the diverse range of voters with the opportunity to cast an in-person absentee ballot while providing a standard window for casting absentee ballots.

The proposed legislation also presents some local control issues by limiting appointments for absentee voting outside the proposed 10 and a half hour, 10 business day window created by the

bill. The bill provides that an appointment may only be made with the clerk, not a member of the clerk's staff. This limitation puts an undue burden on a single person and does not account for the scenarios where a clerk may be unavailable due to outside commitments, family matters or illness or a vacancy in the clerk's office. If the Committee adopts the proposed change I have suggested with up to 13 hours of voting over 12 days, the need for appointments outside this window is diminished.

The bill also removes the appointment process in Milwaukee from the Election Commission and places it with the city clerk who does not have any current statutory election-related responsibilities.

Assembly Bill 91

This proposed legislation adds another exception to the limit on using state resources to communicate to constituents during the campaign season. This exception permits using state resources to reach out to constituents during the campaign black-out period for the 45 days following a declaration of emergency by the Governor.

Assembly Bill 393

This bill would allow municipal clerks to appoint election inspectors who live within their county, instead of limiting them to municipal residents. This would be a departure from having purely local election workers at the municipal level, but it would also provide flexibility to clerks who may have difficulty finding sufficient numbers of local poll workers. However, some municipal clerks have expressed concern about losing the ability to appoint highly-qualified local residents as poll workers if one or both political parties submitted first-choice nominees from elsewhere in the county.

Assembly Bill 394

This bill would require uniform labeling of duplicate ballots in the upper right-hand corner of the ballot. We are concerned that writing in this area could interfere with the scanning of the codes for timing and security printed in that area on optical-scan ballots, which comprise 90 percent of the ballots cast in Wisconsin. We suggest duplicate ballots be labeled as such in the

endorsement area of the ballot, which will not interfere with ballot markings for security and timing. 2013 Senate Bill 262, which passed the Senate yesterday, contained this change.

Conclusion

Thank you for the opportunity to share my thoughts with you. I hope this testimony will help inform the Legislature's consideration of these bills. As always, we are available to answer questions and work with you in developing proposed legislation.

Respectfully submitted,

A handwritten signature in black ink that reads "Kevin J. Kennedy". The signature is written in a cursive style with a large, prominent "K" at the beginning.

Kevin J. Kennedy
Director and General Counsel
Wisconsin Government Accountability Board

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JUDGE TIMOTHY L. VOCKE
Chair

KEVIN J. KENNEDY
Director and General Counsel

May 31, 2013

The Honorable Kathleen Bernier, Chair
Assembly Committee on Campaigns and Elections
Room 107 West, State Capitol
Madison, WI 53708

Subject: LRB-1763

Dear Representative Bernier and Committee Members:

The staff of the Government Accountability Board is currently reviewing the draft legislation circulated by Representative Stone as LRB-1763. Given that the proposed legislation would affect many statutes governing election administration, I would like to forward several legislative recommendations recently adopted by our Board and that we would request be considered for inclusion in any comprehensive revision of the election-related bill.

Beginning in the fall of 2012, the Board convened a Clerks Concerns Taskforce, at the request of county and municipal clerks. The purpose of the Taskforce was to review concerns raised by local election officials that the tasks required for administering elections has become too cumbersome and complicated, straining the resources of counties and municipalities as well as causing many local clerks and election inspectors to terminate their service. The Taskforce submitted various recommendations for administrative and legislative changes to our Board, which have been considered in two public meetings of the Board, and a number of those recommendations have been adopted by the Board.

The Board has directed its staff to communicate the recommendations it adopted and which require statutory revisions to the Legislature. The Government Accountability Board respectfully requests that the Legislature consider including the following legislative amendments as part of LRB-1763 or any other set of election-related bills in this session:

Absentee Voting Procedures

1. Permit electronic transmission of ballots to all absentee voters who are overseas, including voters who are overseas temporarily, if electronic transmission is requested by the voter.
2. Standardize the deadline for by-mail absentee ballot requests by moving the deadline for both military and indefinitely confined voters to request an absentee ballot by mail from the Friday before the election to the Thursday before the election, and by moving the Election Day deadline for active military voters to request an absentee ballot for a federal election to the Thursday before the election.

3. Require all absentee ballots to be physically returned by 8:00 p.m. on Election Day, instead of by 4:00 p.m. on the Friday after the election.
4. Eliminate the requirement that the witness signature on absentee ballot certificate envelopes be executed by a U.S. citizen.
5. The Clerks Concerns Taskforce also recommended that, for as long as the voter photo ID requirement is not in effect, the deadline for voters to validate their provisional ballot should be moved from 4:00 p.m. on the Friday after the election to 4:00 p.m. on the Wednesday after the election. If the voter ID requirement is in effect, the Taskforce recommended that deadline for validating provisional ballots should remain as 4:00 p.m. on Friday after the election. The Board directed staff to refer this Taskforce recommendation to the Legislature for its consideration without taking a position on the merits of the proposal.

Four-Year Voter Record Maintenance

The Board directed staff to communicate to the Legislature that the Board does not object to completing the Four-Year Voter Record Maintenance on behalf of municipal clerks, but that the Board wishes to have clear express authority stated in the statutes, along with necessary funding.

Annexations

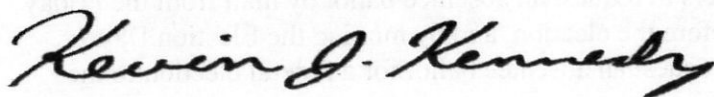
In order to facilitate accurate mapping of voting district boundaries and properly assign electors to voting wards, add the Government Accountability Board to the list of agencies that the Secretary of State is required to notify under Wis. Stat. § 66.0217(9)(b).

Public Records

The Clerks Concerns Taskforce also recommended that voted ballots should not be subject to public inspection under the Public Records Law, but that providing copies of ballots would remain permitted. The Board directed staff to refer this recommendation to the Legislature for its consideration without taking a position on the merits of the proposal.

The Board believes the recommendations described above are primarily administrative in nature, and they would result in simpler and more consistent procedures to be implemented by local election officials. Training of clerks and election inspectors would be simplified, and the proposed changes would address some of the workload concerns that have been expressed by local election officials. I would be glad to work with you and other legislators to develop these statutory changes, or to answer any questions regarding the background and reasoning related to these recommendations. Thank you for your consideration of this request.

Government Accountability Board



Kevin J. Kennedy
Director and General Counsel



LEAGUE OF WOMEN VOTERS® OF WISCONSIN
EDUCATION NETWORK

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October 9, 2013

To: Assembly Committee on Campaigns and Elections

Re: Opposition to Assembly Bill 54

The League of Women Voters opposes AB 54, which limits the ability of municipal clerks to serve their constituents and the opportunity for citizens to cast a ballot. This bill limits the hours that clerks may hold for in-person absentee voting before an election. It bans evening and weekend hours for early voting and limits total hours to no more than 40 hours per week in a two-week period prior to the election.

In Wisconsin our local election officials are known for their commitment to helping every qualified voter to cast a ballot. This bill does not uphold this tradition of public service. It does not set a minimum level of service, but rather a maximum level at which clerks can serve their constituents. This proposal would reduce the opportunities for voters across the state who have daytime jobs, child or elder care commitments, or who travel frequently.

Proponents claim AB 54 would create uniformity around the state, but it would not. By treating all municipalities equally, it does not treat voters equally. The bill favors favor voters who live in small municipalities where a clerk serves a couple of hundred residents rather than a couple hundred thousand.

Limiting early voting to business hours also would complicate the jobs of the many part-time municipal clerks in our state who have "day jobs" and must perform their clerk duties off-hours. How will they serve their constituents, who also might work during business hours?

AB 54 would impose a statewide, cookie-cutter solution to a nonexistent problem.

What have Wisconsin voters have done to deserve yet another restrictive voting law? What problem would SB 54 solve? Wisconsin consistently ranks near the top nationally for clean, efficiently administered elections with high voter participation. Despite federal and state scrutiny of our elections in the past few years, we are not aware of problems related to early voting hours in our state.

We urge you to reject SB 54, which needlessly limits the ability of local clerks to serve their constituents and restricts voting.

Thank you.

TO: Members, Assembly Committee on Campaigns and Elections
FROM: Scot Ross, Executive Director One Wisconsin Now, One Wisconsin Institute
RE: Assembly Bill 54, Limitations on the hours of early voting in Wisconsin
DATE: October 9, 2013

Chair Bernier and members of the Assembly Committee on Campaigns and Elections, thank you for the opportunity to provide testimony on Assembly Bill 54, legislation to limit early voting in Wisconsin.

Wisconsin has enjoyed some of the highest rates of voter participation in the nation. That is a statistic of which we are rightfully proud.

Unfortunately Assembly Bill 54 would not build on this proud legacy, but instead take our state in the opposite direction.

In no uncertain terms this bill will make it less convenient for potentially hundreds of thousands of Wisconsin citizens to do their civic duty and have a say in the future of their communities by casting a vote in elections.

And that is the exact opposite of what our government should be doing.

In November 2012 nearly 400,000 Wisconsin residents took advantage of early voting and roughly one in four ballots cast in 2008 were cast early.

Several local clerks, including those in the City of Milwaukee and Madison, responsible for administering elections offered extended hours for voting to allow working people to participate in democracy and cast their vote after work or on weekends. Among faith communities, churches organize non-partisan weekend voter participation drives to increase community involvement in voting.

This bill will make these initiatives to help make it more convenient for citizens to participate elections all but impossible.

Wisconsin's electoral system has been found to be among the best in the nation according to non-partisan analysts.

The evidence, or more appropriately, lack thereof, does not support the myth of widespread impropriety by voters used to justify new, onerous restrictions that make voting more complicated and less convenient.

Certainly it is not fair to bar local election officials in urban areas, where long lines commonly challenge hard-working Wisconsinites electoral participation, from voluntarily taking steps to help their fellow citizen vote.

So the question is: why is this bill here?

The only explanation appears to be that the sponsors of this bill do not view high rates of electoral participation as a worthy goal and think that it is acceptable for the state of Wisconsin to actively discourage electoral participation.

But the good people of Wisconsin on whose behalf you are supposed to be working do not agree with you. They want a government that is working to create jobs, not barriers to their participation in elections. They want free and fair elections in which their participation is valued and their votes are counted.

The sad fact is that the real fraud in elections in Wisconsin is politicians manipulating the rules on voting to gain a partisan advantage. And there is no better example of that shameful act than Assembly Bill 54.

Wisconsin's electoral system has been found to be among the most corrupt in the nation. The evidence of more egregiously gerrymandered districts and support for the most widespread inequality in voting is readily available. Making voting more complicated and less convenient certainly is not a fair local election process in urban areas where blue lines are the norm. The bill will make these initiatives to help make it more convenient for citizens to participate in elections all but impossible.

Several local clerks, including those in the City of Milwaukee and Madison, responsible for administering elections offered extended hours for voting to allow working people to participate in elections and cast their vote after work on weekdays. Among faith communities, churches, synagogues, and mosques, weekend voter registration drives to increase community involvement in voting were held. In November 2012, nearly 400,000 Wisconsin residents took advantage of early voting and fought one in four ballots cast in 2012 were cast early.

And that is the exact opposite of what our government should be doing. The bill will make it more difficult for citizens to participate in elections. It will take our state in the opposite direction. Thousands of Wisconsin citizens do not have easy access to the polls of their communities by casting a vote in elections. The bill will make it more difficult for citizens to participate in elections all but impossible.

Wisconsin's electoral system has been found to be among the most corrupt in the nation. The evidence of more egregiously gerrymandered districts and support for the most widespread inequality in voting is readily available. Making voting more complicated and less convenient certainly is not a fair local election process in urban areas where blue lines are the norm. The bill will make these initiatives to help make it more convenient for citizens to participate in elections all but impossible.



ELECTION COMMUNICATION COMMITTEE

Public hearing – October 9, 2013

Good morning,

My name is Nancy Zastrow and I have been a Municipal Clerk for 13 years. Currently, I am the Clerk/Treasurer for the Village of Pewaukee. During my career I have worked with elections for over 17 years and have been fortunate to work on the County, Town, City and Village level of elections. I am a Past President of the Wisconsin Municipal Clerks Association (aka WMCA) and currently a member of the Wisconsin Municipal Clerk’s Association (WMCA) Election Communication Committee. The WMCA is made up of over 1,400 members with similar experience as mine.

I am here today to express some of the concerns of the members of the WMCA and of my municipality with ~~AB202~~ **AB54**

I would first like to define what a Municipal Clerk is. In Wisconsin, actual administration of elections is conducted at the municipal level by the clerk; who are far more numerous in Wisconsin than in other states. We administer elections in conjunction with our other job responsibilities which are very broad and diverse.

The Municipal Clerk is nonpartisan, and does not act in concert with or under control of any political party, and we administer elections in a non-bias, fair, accurate and accountable manner. We do not employ a lobbyist, we speak on behalf of our profession, our experience and the concerns and impact proposed Bills will have on our municipalities. We take our position as a municipal clerk very seriously and we are very conscientious of what practices and services are in the best interest of our voters and municipalities. Our municipalities continue to make tough budgetary decisions; we are accountable to our residents.

I come before you regarding bill AB54 expressing the concerns of my fellow Clerks regarding limiting the times for voting by absentee ballots in person.

This bill has a tremendous impact on Clerk offices across the state. There are 1852 municipal clerks in Wisconsin and each has its own unique set of circumstances. This bill will be difficult for small and large communities to abide by.

First, to list that a Clerks office may not be open more than 40 hours per week oversteps the local municipalities. Currently, my office is staffed from 8:00 a.m. to 4:30 p.m. We do not close for lunch which means my office is currently open to serve the public for 42.5 hours every week. Now the legislators are going to regulate the needs of my community requiring us to close during lunch?

WMCA Election Communication Committee

Diane Hermann-Brown WCPC/CMC/CPM Co-Chair	City of Sun Prairie
Chris Astrella WCMC Co-Chair	Town of Blooming Grove
Sandra Boetcher	City of Altoona
Barbara Goeckner WCPC/MMC	Village of Germantown
Melissa Hongisto	Village of Suamico
Carla Ledesma, CMC	City of Wauwatosa
Sara Ludtke WCMC	Town of Middleton
Sue Peck	Village of Marshall
Charlene Peterson WCMC/CMC Brenda Walker	City of Appleton Village of Coloma
Karen Weinschrott WCMC	Town of Grand Chute
Maribeth Witzel-Behl WCMC	City of Madison
Nancy Zastrow WCMC/CMC	Village of Pewaukee
Vikki Zuelke, WCMC/CMC	City of Racine

State Election Communication Committee Goals for 2012-13

The State Election Communication Committee shall be focused on communicating and serving as a liaison between WMCA members, Government Accountability Board and State Legislators on election related issues. The Committee will have a presence at GAB Board meetings, focus groups, Legislative Hearings and provide input that represents the WMCA membership needs and concerns in general.

During the November elections absentee voting is extremely popular with our voters in Wisconsin. To accommodate absentee voting many of us hire our poll workers to perform absentee voting, this is to allow our staff to continue performing the necessary duties of our offices. Many larger communities, Madison, LaCrosse and Milwaukee even allow weekend voting. If these voters were only allowed to vote during the week, this would limit access for voters to the voting process and require some communities to hire even more people to assist with the voting process.

Several years ago, Senator Herb Kohl introduced a bill in Washington to have voting held several days running into the weekend. We as Clerks did not support this bill, but there are circumstances where the municipal clerk finds that it works better to allow weekend hours for absentee voting.

The provision which was added allowing voters to make appointments with the clerks for weekend voting helps, but I believe most smaller communities who do not have regular office hours already have their voters call and make appointments. This amendment does help for the smaller communities, but really puts a huge restriction on the larger communities.

Even with bill AB393 regarding residency of election officials, the municipalities are stretched thin getting qualified poll workers at our locations. We are more limited by the location of elections. Many schools do not want to allow the election process to take place in their facility because of the risk of exposure allowing all these strangers into the building.

This bill would further cause problems for all municipal clerks both in large communities and small communities. Our association feels it is in the best interest to allow the municipal clerk to work with their municipal board to do what is best for their community.

On behalf of the WMCA Election Communication Committee, thank you for this opportunity to express the concerns of the municipal clerks across the state. Please let us know if you have any questions or even contact the municipal clerks in your district and ask them how this Bill will impact them.

Diane Hermann-Brown WCPC/CMC/CPM	Co-Chair	City of Sun Prairie
Chris Astrella WCMC	Co-Chair	Town of Blooming Grove
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Barbara Goeckner		Village of Germantown
Melissa Hongisto		Village of Suamico
Carla Ledesma		City of Wauwatosa
Sara Ludtke		Town of Middleton
Sue Peck		Village of Marshall
Charlene Peterson		City of Appleton
Brenda Walker		Village of Coloma
Maribeth Witzel-Behl		City of Madison
Nancy Zastrow		Village of Pewaukee
Vikki Zuelke		City of Racine

To: Representative Bernier, Chair, Representative Pridemore (Vice-Chair), and members of the Assembly Committee on Campaigns and Elections
Date: October 9, 2013
From: Alicia Boehme, Disability Rights Wisconsin and John Shaw, Board for People with Developmental Disabilities
RE: Assembly Bill 54

Disability Rights Wisconsin (DRW) is the designated protection and advocacy agency for people with disabilities in Wisconsin, and the Board for People with Developmental Disabilities (BPDD) is the designated state developmental disability council. Together we have worked over the past 10 years to ensure that eligible voters with disabilities understand their voting rights and are able to cast a ballot free from barriers and discrimination. As a means to accomplish this, we have had the pleasure of talking with voters with disabilities all over the state to better understand what makes a difference to them when voting. In addition, we have conducted surveys to better understand what barriers exist and what policies are helpful to voters from the disability community.

AB 54 seeks to restrict absentee ballots by limiting voting hours to accept in-person absentee ballot applications. We respectfully oppose this bill for the following reasons.

First and foremost, changes to absentee voting, will disproportionately impact the disability community.

This bill unnecessarily restricts the hours of in-person absentee applications, a restriction which will especially affect voters with disabilities who are much more likely to need and use the flexibility of voting in-person at the polls because of the other barriers they face like transportation.

Here are the facts. Nationally, voters with disabilities vote by absentee ballot at much higher rates than other voters and overall have much lower voting rates than the general voting population (between 6-10% lower).

In looking specifically at Wisconsin voters with disabilities, the Wisconsin Disability Vote Coalition, a nonpartisan project supported by our agencies, conducted a survey of around 600 members of the disability community in 2008. We found two important facts relevant to the negative impact this bill will have. People with disabilities are three

times more likely than people without disabilities to identify transportation as a major barrier to voting. And almost 75% of those surveyed said that the fact Wisconsin has expansive absentee balloting available made them more likely to vote.

For eligible voters with disabilities it can be difficult to secure accessible, reliable and affordable transportation on Election Day a barrier made even greater given the limited hours for in person absentee prior to election day that this bill proposes.

We also oppose this bill because restricting absentee balloting will have a disproportionate and negative impact on voters with disabilities who live in larger municipalities. These municipalities have been more likely to provide weekend or extended evening hours for voting during presidential elections. Larger communities have also generally been where long lines have been a problem. Research shows that long lines to vote in-person absentee or at the polls are a significant deterrent for voters with disabilities and curtail their ability to participate in our democracy.

Although this bill allows that a clerk (and not other municipal employees) to schedule appointments with voters at his or her discretion, in order to facilitate a voter's absentee application during off hours, those discretionary appointments are not likely to be a solution for the numbers of people, particularly in big cities, who will need to make these appointments. Clerks need the flexibility to meet the needs of their voters. This bill restricts that flexibility and limits local control which does not serve the needs of the clerk's office and the community.

In short, Wisconsin's voting process should provide eligible voters adequate opportunity to cast their ballot regardless of disability. Restricting the hours that a voter can vote in-person absentee as defined under this bill is an unnecessary departure from current law and will disproportionality and negatively impact voters with disabilities. We therefore oppose AB 54 and respectfully urge you to do the same.

If you have any questions for us, we can be reached at aliciab@drwi.org (608/267-0214) or john1.shaw@wisconsin.gov (608/266-7707).

To: Assembly Committee on Campaigns and Elections
From: Paul Malischke, malischke@yahoo.com
4825 Bayfield Terrace, Madison, WI 53705
Date: October 9, 2013

Subject: AB-54 – Relating to: **limiting** the times for voting by absentee ballots in person.

See page 2 for details of an alternate proposal for standardization.

AB-54 does **not** standardize the hours for early voting. The bill does not establish any minimum hours for in-person absentee voting. It limits the right that municipalities currently have to set a schedule appropriate to their needs. By limiting access to in-person-absentee, the bill would move voters to absentee ballot by mail. Voting by mail is less secure than in-person-absentee voting.

For in-person-absentee, voting can be set up with similar protections to those on Election Day. There can be privacy for filling out the ballot, protecting against the possibility of coercion or even bribery. We can also restrict electioneering close to the location for in-person-absentee voting. For mail-in voting, we do not have these protections, and there is the possibility of the ballot being intercepted, or lost or delayed in the mail.

(Wisconsin's "early voting" is actually in-person-absentee (IPA) early voting. Hereafter this will be referred to as "IPA early voting".)

It is not realistic to expect 1,850 municipalities of hugely varying sizes to maintain identical hours for IPA early voting, but below is a practical and cost-effective proposal that takes a major step to standardize hours. We can utilize our county clerks as many other states do. Our county clerks currently perform important election functions, working closely with our municipal clerks. Many of them or their deputies have experience as a municipal clerk.

Under this proposal, for November elections, county clerks would be required to hold IPA early voting for the entire county for two Saturdays and one Sunday before the election. This would be for three days every two years. Municipalities would continue to offer services appropriate to their municipality, with new limits on hours, similar to AB-54.

In addition, the proposal below deals with the incredible inequity in the numbers of voters currently assigned to each IPA early voting location. There is currently one IPA early voting location with 288,000 voters assigned to it, and probably hundreds of locations with less than 1,000 voters assigned. Any effort to standardize IPA early voting must consider this situation.

Proposal for legislation for standardizing and improving access to early voting

1) County-wide weekend IPA early voting

County clerks would be required to run IPA early voting on three weekend days before November elections. The days would be the 17th, 10th, and 9th day before the election. Hours would be 8 to 4 on both Saturdays, and 10 to 4 on the one Sunday. Anyone in line at 4 p.m. would be allowed to vote. These would be the only mandated hours for either county or municipality. The county seat would be the default location, but with the permission of the county board, the clerk may use a different location. Only one site per day is allowed for countywide IPA early voting. If a municipality within the county were also conducting Saturday IPA early voting, the county would not be required to include that municipality in the county operation. County clerks may arrange with municipal clerks to assist with the countywide IPA early voting.

2) New limits on municipal IPA early voting

Municipalities may continue to run their IPA early voting sites. There would be no minimum for municipalities. Maximum hours would be 7:30 to 6:00 on weekdays. (This matches the weekday hours in AB-54.) Maximum weekend hours would be 8 to 4 on Saturdays, and 10 to 4 on Sundays. For large cities, weekend municipal hours might be needed so that city voters do not overwhelm the county operation.

3) Accessible voting equipment

All countywide IPA early voting sites would be required to have accessible voting equipment for those with special needs during all hours they are open. All municipalities over 10,000 (approximately 50 municipalities, according to the Blue Book) would also have this requirement for all elections. This equipment is now required at every polling place in America on Election Day, but not for IPA early voting sites in Wisconsin. Many voters with disabilities prefer to vote early.

4) Satellite locations

Municipalities would be allowed to establish additional satellite locations for IPA early voting for all elections. Municipalities over 150,000 would be able to establish up to five total sites. Municipalities between 39,000 and 150,000 would be able to have up to three total sites. Municipalities below 39,000 would be able to have up to two total sites. (These are the same dividing lines used in 5.18(2) for establishing ward sizes, and are generally the dividing lines between classes of cities.) There is no mandate for a satellite site in this proposal. Municipalities may use them as best fits their needs.

October 9, 2013

To the Members of the Assembly Campaigns and Elections Committee
Representative Kathy Bernier, Chairman

I support AB 54 as amended.

Wisconsin Statute 6.869 states: "The Board shall prescribe uniform instructions for municipalities to provide to absentee electors".

When rules are uniform, participants of a process feel the process is fair.

AB 54 provides those uniform instructions directing all Wisconsin municipalities—large and small—to provide uniform days and hours for in-person absentee voting. The bill provides for 2 weeks of in-person absentee voting and defines the days—Monday through Friday—and times—7:30 a.m.-6:30 p.m.--when the voting may take place.

This is very similar to the uniform hours of voting allowed on Election Day—7:00 a.m.to 8:00 p.m. on a specific day. All polls uniformly open and close at the same time throughout the state.

Another option open to all voters, if for some reason they cannot vote during in-person absentee or on Election Day, is to request a by-mail absentee ballot. The choice of day and time of voting is then at the voters convenience. There are rules governing when those absentee ballots must be returned.

AB 91: Support.

AB 393: I support this bill because it enlarges the pool of willing, available citizen poll workers and will allow more citizens who want to be poll workers to do so.

- Some municipalities within a county have difficulty finding enough resident poll works to staff their polls but other municipalities in the county may have more volunteers than they can use. This bill provides more opportunities to serve where needed.
- Wisconsin statutes (s. 7.30 (4) (b) specify a partisan responsibility for the two majority political parties to provide member nominees to be poll workers. Political makeup of municipalities is not always equally balanced. Allowing partisan poll workers to be assigned within their county of residence would assist in providing that check and balance designed in the law of equal numbers of members of the two parties working together to conduct our elections.
- Some municipalities within a county need poll workers with language abilities but are unable to recruit enough resident poll works to meet this need. Again, the bill allows for consideration of a larger pool of poll worker volunteers.
- All poll workers are trained by and accountable to the clerk under whom they will work. As Wisconsin election law requires uniform administration of all our elections, all poll workers are trained under that uniform process to conduct elections . The municipal clerk and the chief inspector of the polling place retain all authority and responsibility for the conduct of the poll workers regardless of the specific residence of a poll worker.

AB 394: I support. The bill details a uniform process that will provide easy identification of ballots that poll workers are required to remake in order to enable machine tabulation. Requiring a serial number and a specific location on the ballot for that number and the reason for the re-make of that ballot will assist the post-election audit process as well as potentially the post-election canvass process.

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