



WISCONSIN LEGISLATURE

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TO: Committee on Elections and Local Government
FROM: Senator Luther Olsen and Representative Joan Ballweg
DATE: Thursday, January 14, 2016
SUBJECT: Testimony for Senate Bill 465

Thank you Senator LeMahieu and members of the Senate Committee on Elections and Local Government for holding a hearing and allowing us to testify in support of Senate Bill 465. This is an important piece of legislation, which was brought forth by our county clerks to address current discrepancies in how marriage licenses and domestic partnership licenses are administered.

Currently, there are different procedures for issuing marriage licenses and issuing a declaration of domestic partnership. Senate Bill 465 will make changes to both marriage licenses and domestic partnership licenses, so that they can be issued within the same processing guidelines and reduce this administrative burden. This bill will bring domestic partnership and marriage license fees in line for applicants who wish to waive the 5 day waiting period, will streamline requirements for unclaimed domestic partnership applications, and will administer relevant information to applicants regarding fetal alcohol syndrome and using drugs during pregnancy.

Under current law, a county clerk, may not issue a declaration of domestic partnership or marriage license until 5 days after the clerk has received the application for the declaration of domestic partnership or marriage license. At the clerk's discretion, a declaration of domestic partnership or marriage license can be issued before this timeframe, if the applicant pays an additional fee. The fee covers expedited processing by the county.

Senate Bill 465 would streamline the domestic partnership registry with the current practices for processing marriage licenses and allow a county clerk to uniformly charge the same additional fee of less than \$25 for the early issuance of a domestic partnership and a marriage license.

In addition, this legislation would also allow a domestic partnership application to expire after 30 days, if the record is unclaimed. Currently, if a domestic partnership application is unclaimed, it does not expire. Allowing the domestic partnership application to expire after 30 days would keep the processing requirements the same as the processing requirements for a marriage license, which will expire after 30 days, according to state law.

Under current law, applicants of a domestic partnership or marriage license are given a pamphlet regarding fetal alcohol syndrome as well as the dangers of using other drugs during pregnancy. The concern is that pamphlets can become outdated. Updated information regarding fetal alcohol syndrome and using drugs during pregnancy is already on the Department of Health Services website. Senate Bill 465 would allow a county clerk to direct applicants to the Department of Health Services website rather than distribute a pamphlet that can contain outdated information.

Senate Bill 465 would allow processing practices for the declaration of domestic partnerships and the marriage licenses to streamline, and would reduce administrative burdens for our county clerks. Also, the information that would be provided to the applicants of a marriage license or declaration of domestic partnership, located on the Department of Health Services website, would allow for applicants to access current information on important issues of concern.

Thank you members, we ask for your support on Senate Bill 465 and I would be more than happy to answer any questions.