

WISCONSIN STATE
LEGISLATURE
COMMITTEE HEARING
RECORDS

2005-06

(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

NOTICES ...

> Committee Hearings ... CH (Public Hearing Announcements)

> **

> Executive Sessions ... ES

> **

> Committee Reports ... CR

> **

> Record of Comm. Proceedings ... RCP

> **

INFORMATION COLLECTED BY COMMITTEE
CLERK FOR AND AGAINST PROPOSAL

> Appointments ... Appt

> **

Name:

> Clearinghouse Rules ... CRule

**

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

> 05hr_ajr0036_AC-CE_pt01

> Miscellaneous ... Misc

> **

AJR 36

Vote Record Committee on Campaigns and Elections

Date: 5/25
Moved by: Gundrum Seconded by: Vos

AB _____ SB _____ Clearinghouse Rule _____
AJR 36 _____ 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 Nonconcurrency

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Representative Stephen Freese, Chair	<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 Jeffrey Wood	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Robin Vos	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative David Travis	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Frederick Kessler	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>4</u>	<u>2</u>	_____	_____

Motion Carried Motion Failed



League of Women Voters of Wisconsin, Inc.

122 State Street, Madison, WI 53703-2500
Phone 608/256-0827 Fax: 608/256-2853

<http://www.lwvwi.org>
Email: lwvwisconsin@lwvwi.org

Statement to the Assembly Committee on Campaigns and Elections In Opposition to Assembly Joint Resolution 36 May 12, 2005

The League of Women Voters of Wisconsin is opposed to AJR 36 which seeks to make negative, unnecessary and unfair changes to Wisconsin's long and proud history of inclusive and fair elections. Earlier this year we opposed AB 63 on the grounds that requiring photo identification and eliminating the ability of an elector to utilize corroboration in order to register to vote is unjustified. The League's position is 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 part of the League's basic purpose.

The proposed amendment is even more deplorable than AB63, and it leaves much unclear. For example, AJR 36 does not address how it will be applied in the case of absentee voting or early voting. There is no mention of exemptions for those in long-term care. It is silent on the issue of how the program will be funded. Who, or what agency, will pick up the costs? Will voters be charged for the photo identification cards? Would state and federal employees who have photo identification cards or badges for their work be able to use those? How about student IDs issued by the University of Wisconsin, a state institution?

Then there is the issue of introducing this as a constitutional amendment. Merriam Webster's Dictionary of Law defines a constitution as "the basic principles and laws of a nation, state, or social group that determine the powers and duties of the government and guarantee certain rights to the people in it." The proposed requirement of a state or federal-issued photo identification card in order to vote does not fall into the category of basic principles and laws that determine the powers and duties of the government, and it certainly does not guarantee any rights that are not already guaranteed to Wisconsin citizens. In addition, while AJR 36 provides for exemption by the legislature of any class of electors from the ID requirement with the concurrence of two-thirds of the members present, a constitutional amendment is a fairly rigid law which cannot and should not be easily changed.

Some human error in election administration is all but inevitable when there is very high voter turnout, and it occasionally results in the kind of discrepancies reported in January by the *Milwaukee Journal-Sentinel* (MJS). Proponents of AB 63 based their position on the possibility that thousands of votes may have been cast fraudulently. Investigation findings released this week indicate that the number of cases of actual fraud was only 100, and that as many as 200 felons voted inappropriately. In many more cases, the discrepancies were the result of innocent mistakes made on a busy day.

The numbers of people who could be disenfranchised by the proposed amendment is much greater. The Dept. of Transportation estimated in 2003 that approximately 130,000 people of voting age across the state did not have a driver's license and that only 20% of these people would ever get the necessary documentation if a very similar bill from last session, 2003 AB 111, became law. The burden will be greatest for those people – including the elderly, low-income, minority, homeless, or handicapped – for whom it is most inconvenient to take off work, get transportation, stand in line, and apply for the documentation. In addition, AJR 36 will complicate corroboration procedures that currently facilitate voting for individuals who are hospitalized or living in long-term care facilities.

To reduce errors, as well as fraud, we should focus on positive reform measures, rather than enact legislation that inhibits voting and places an unfair burden on certain groups of voters. The League supports measures to put more poll workers at the polls on Election Day and provide better training for poll workers and election officials.

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. We urge you to vote against this amendment.

Thank you for this opportunity to respond.

TESTIMONY
ASSEMBLY COMMITTEE ON CAMPAIGNS AND ELECTIONS
FEBRUARY 3, 2005

Thank you Representative Kerkman, Chairman Freese and members of the Committee for this outstanding opportunity to speak to you on a subject so close to me.

My name is Diana Dykstra. I am an Appointed Municipal Clerk for the City of Lake Geneva. However, I reside in a village just 18 miles southwest.

As you know, placing any residency restrictions on an appointed position can be extremely detrimental to a Municipality. First and foremost, it is absolutely more important to have the most qualified individual for the job of Municipal Clerk. It is very similar to the reason Police Officers may not live in the Municipality they work, however they are never stripped of any of their responsibilities on any one particular day of the year for that.

I am a bonded employee. I take an Oath of Office. According to the current legislation, I can register voters every day of the year except on Election Day. I stand before you today to represent Clerks throughout the entire State of Wisconsin. I have 50 + electronic messages in my hand from Clerks who heard this Bill would be before you. In time, I could produce 5-6 times this amount.

The best example of how important this legislation is, can be told in one Clerk's story during the Presidential Election on November 2, 2004. This Clerk watched a line of people waiting to vote that was close to 2 hours long. According to this law, she was just supposed to watch, because she doesn't reside in the municipality. In the end, this Clerk took matters into her own hands when she saw voters get angered and start leaving the line. She began to help process registrations and verify identifications so the wait could be reduced substantially. It was no different than what she was authorized to do the day before the election. Her stepping

in not only restored public trust, but assisted in restoring accuracy in the voting process.

In the City of Lake Geneva, approximately 21% of all the votes cast in the last Presidential Election were new first time registrants. This figure is far greater than even the total number of votes cast in the September Primary.

What you may not realize, is that each Municipal Clerk is ultimately responsible for the entire election process on Election Day. So why would you give them authority every other day of the year and not on the most important day? Why would you give them the authority to collect taxes, set assessments, issue licenses and permits, or even create the poll list, but not to register voters on Election Day.

Many Clerks have no idea this regulation even exists. So, I am hopeful this age old legislation is simply an oversight that can be corrected with your help. Clearly, it is an important step to continue to provide the person in charge on Election Day with the same authority they had the days before and the days after the Election.

I am sincere when I ask not only for myself, but the needs of Municipal Clerks around the State, for your dedicated support for this change.

Thank you.

*Diana Dykstra, CMC
City of Lake Geneva
Population 7,276*