

☞ **05hr_SC-LEPR_ab0061_pt01**



(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2005-06

(session year)

Senate

(Assembly, Senate or Joint)

Committee on Labor and Election Process Reform...

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Stefanie Rose (LRB) (June 2012)

Present: (4) Senators Reynolds, Kanavas, Hansen and
Carpenter.

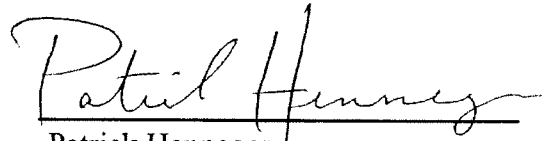
Absent: (1) Senator Lazich.

Moved by Senator Hansen, seconded by Senator Carpenter that
Assembly Bill 61 be recommended for concurrence.

Ayes: (5) Senators Reynolds, Lazich, Kanavas, Hansen
and Carpenter.

Noes: (0) None.

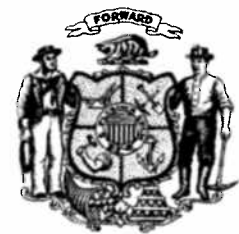
CONCURRENCE RECOMMENDED, Ayes 5, Noes 0

A handwritten signature in cursive script that reads "Patrick Henneger". The signature is written in black ink and is positioned above a horizontal line.

Patrick Henneger
Committee Clerk



WISCONSIN STATE LEGISLATURE





State Representative

Samantha J. Kerkman

March 4, 2005

Senator Tom Reynolds, Chair
Senate Committee on Labor and Election Process Reform
306 South State Capitol
Hand-Delivered

Dear Senator Reynolds:

On February 24th your committee received Assembly Bill 61 relating to residency of election officials.

I introduced Assembly Bill 61 to allow municipal clerks and deputy clerks the ability to register voters on Election Day, regardless of whether they reside in the municipality. This change will relieve so many communities from the stresses associated with Election Day. It is so important that our polling places are staffed with the most competent staff – our clerks and their deputies.

I would greatly appreciate your prompt consideration of this bill. I look forward to the opportunity to testify before your committee.

If you have any questions, please do not hesitate to contact me.

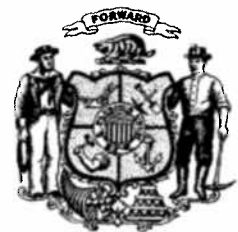
Sincerely,

A handwritten signature in cursive script that reads "Samantha".

Samantha J. Kerkman
State Representative
66th Assembly District



WISCONSIN STATE LEGISLATURE





State Representative

Samantha J. Kerkman

March 29, 2005

Senator Tom Reynolds, Chair
Labor and Election Process Reform Committee
306 South State Capitol
Hand-Delivered

Dear Senator Reynolds:

In recent correspondence to you I highlighted the need for a change in our election law. Due to this, I introduced Assembly Bill 61, which now sits in your committee. I would like to reiterate my interest in a public hearing and executive session on the bill, and hope that it can occur in the near future.

To provide you with greater understanding of the need for this legislation I have enclosed some articles that were written on the subject. If you have any questions, please do not hesitate to call.

Sincerely,

A handwritten signature in cursive script that reads "Samantha J. Kerkman".

Samantha J. Kerkman
State Representative
66th Assembly District

Enclosure

PHOTO SUBMITTED *The Times*

Lake Geneva City Clerk Diana Dykstra (left) testifies before the Assembly Committee on Campaigns and Elections Feb. 3 as Rep. Samantha Kerkman, R-Powers Lake, listens. Kerkman asked for Dykstra's help in promoting AB 61, which was unanimously approved.

Kerkman bill sails through committee

Dykstra: Experience was 'fantastic'

By Carrie Dampier
TIMES EDITOR

A state bill with local ties received unanimous support Feb. 3 when the Assembly Committee on Campaigns and Elections approved 6-0 AB 61.

Lake Geneva City Clerk Diana Dykstra testified before the committee for Rep. Samantha Kerkman, R-Powers Lake, who introduced the bill.

AB 61 aims at rewriting a portion of the state's election law that prohibits municipal clerks who do not live in the municipality in which they work from registering new voters on election day — although they may do so every other day of the year.

Dykstra is one such clerk; she lives in the Village of Sharon and was hired by the City of Lake Ge-

neva in 2002. Statewide, Dykstra is joined by 39 other clerks who do not live in the same municipality they work.

"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 after," Dykstra told the committee.

Kerkman agrees. "Really, this is a loophole in our statutes," she said. "We allow these clerks to register voters every day of the year, but not on election day? It really becomes a predicament for smaller communities who may be having difficulty finding experienced, knowledgeable poll workers."

Dykstra added that by adhering to the current law, some municipalities may have their figurative hands tied when it comes to hiring

clerks.

"Placing residency restrictions can be extremely detrimental to a municipality," she maintains. "It is absolutely more important to have the most qualified individual for the job of municipal clerk."

Kerkman said she was "thrilled" by the committee's quick action on AB 61 and looks forward to working the bill through the legislative process and all the way to Gov. Jim Doyle's desk. With passage in the assembly committee, the bill now awaits scheduling for debate on the Assembly floor.

"I really believe this change is needed," said Kerkman. "We entrust our clerks 363 days a year, let's finish the job and let them do their jobs 365."

A predecessor of AB 61 made it to the Senate floor last year, but time ran out in the legislative session, according to Kerkman.

Dykstra, who holds a degree in political science and has worked for Republicans Paul Ryan and Mark Nuemann, said the experience to lend her voice to the legislative process was both "comfortable" and "fantastic."

"I felt like I was at a city council committee meeting, where I could speak openly about the subject," Dykstra said. "I was the only municipal clerk there and I felt like it was a really good fit to be there."

Everything

Enough of v
— that's the messa
Lake Art Associati
with its spring exhi
Show: Art for a Br

Original art, pri
cards by local arti
tured at the exhibi
with a floral theme
tion on Friday, Feb.
p.m. at the GLAA
Main St., Lake Ger

The reception
open to the public.

The exhibit wi
April 24.

GLAA also off

On the rec

Stepson charge burglarizing Lal home

An initial appea
uled for Feb. 17 i
neva man charged
ing his stepfather'
home 1-1/2 years a

Troy M. Carst
charged Jan. 7 wit
room and misdeme

According to
complaint:

A woman who
a Forest Street du
she saw Carstense
the home of Davi
Larry Harris and
door July 11, 200
said she watched C
is Harris' stepson
knew Devries an
not home and De
tioned Carstensen
him in the past. S
sight of Carstense
around to the bac
When Devries re
change was missin
his room.

Trio charg


By Vicky Wedig Fa
CORRESPONDENT

A preliminary h
uled for Feb. 23
charged with sellin
marijuana to a confi
in the Town of Bloo

Randall R. Ku
Chad D. Webster, b
and Richard S. L
Genoa City, were cl
Walworth County C
manufacturing or de
200 and 1,000 gra
as a party to a crim
a maximum senten

Casa del Soul is NOT your common gym, we are a personal training studio with a stunning spa-like atmosphere.

- ◆ Private and part-nered sessions.
- ◆ Group classes.
- ◆ Multi sport/cross training.



Casa del Soul
Epicenter for Wellness

- ◆ Experienced trainers/coaches.
- ◆ State of the art fitness equipment.
- ◆ Yoga spa services coming soon.

Our 12 Week Body Transformation Classes Start in February, Call Today To Register.

We invite you to experience the difference!

Phone: 262-728-8014 • Email: info@casadeloullc.com
Check out our website to learn more about us & our services: www.casadeloullc.com

171570

Lake Geneva Times

Lake Geneva, Wisconsin 53147

THURSDAY, FEB. 3, 2005

Vol. 4 No. 34



PHOTO SUBMITTED The Times

Lake Geneva's own Jake Humphrey, in car 63, keeps a challenger at bay during a race in the 2004 season. Lake Geneva Raceway owner Kevin Dawson announced that the track will likely see its last race by 2009.

Owner: Lake Geneva Raceway will (eventually) close

By Carrie Dampier
TIMES EDITOR

"The writing's been on the wall for some time now," according to Kevin Dawson, owner of Lake Geneva Raceway.

Inevitable development on the city's southeast side coupled with a slowly diminishing attendance prompted Dawson to recently accept an offer to purchase the 84 acres of land the raceway sits on. Dawson would not reveal the identity of the property's future owner.

What Dawson would say – and in fact stressed – however, is that it's business as usual at the racetrack until at least the 2008 racing season.

"We don't really know when (racing will end)," he said. "It's possible it might be the 2009 season. Most probably, it's going to be the 2008 season. For now, it's business as usual. We will continue to run as a classic piece of Americana until such a time when it's no longer appropriate."

The 2005 racing season begins April 2 and weekly feature races will run through the first weekend in October. The audience who attends Lake Geneva Raceway will find it hard to ignore the condominiums being built on the track's northern border. And so did Dawson.

"We knew we were going to be under environmental and noise pressure from the development on Townline Road," explained Dawson. "We felt we needed to come up with a reasonably intelligent exit strategy."

Indeed, the project Dawson speaks of, Southwind Prairie, will see a 16-building, 192-unit apartment community and a 16-building, 96-unit townhome community at the site when all is said and done. Dawson said once the residences are finished, patrons at his track could practically look right into the homes. Considering the noise generated by the races, Dawson said, "I don't wish to be here and be the absolute pain in the side for the city."

Dawson bought LGR in 1984. He said he knew then that short tracks were a volatile sport. Indeed, the

2004 racing season proved to be one of the worst on the books so far, with a "die-hard" base of less than 30 percent of the total nightly crowd in attendance. LGR, however, wasn't alone, as tracks across the nation, which have slowly been dying out, felt the pinch. Forty years ago, there were over 5,000 race car tracks in the United States. Today, said Dawson, there are only about 960.

The predator in this case? Professional sporting events, casinos, dog and horse racing tracks – and a shift in the ideals of family fun.

"It used to be that if you drove on a 50-mile trip, that was a major undertaking. If you lived in this area 50 years ago, you didn't drive to Chicago to see a Cubs game. Gambling trips were an annual pilgrimage to Las Vegas," opined Dawson. "Society has changed. All these things compete for the money of John Q. Public."

Still, Dawson feels LGR is an economical choice. Admission is \$10, he said, and is sure his regular fans will continue to support the track and its drivers.

LGR has a lot of history behind it. It first opened as a drag strip and parachute jumping facility in 1962. Like many tracks that enjoyed their heyday 40 or so years ago, by 1966 a flat, quarter-mile track was built around the strip, which is still visible today. At that time, modified cars were racing three nights a week and late models raced on Saturday nights. The track closed for a short time in the mid-1970s, said Dawson. In 1990, Dawson, who'd purchased the track from Ray Toft, built a brand-new, semi-banked one-third mile asphalt track that drivers and fans know well.

According to Dawson, some of "the absolute" racing greats cut their motor teeth at LGR: Dick Trickle, Mark Martin and Allen Kulwicki, who won his first feature win here.

While Dawson didn't want to reflect too much on what might eventually be built on the land known now as Lake Geneva Raceway, he said the trend of development in the area might be a good indicator: mixed-use development, including some residential and some commercial properties.

“I don't wish to be here and be the absolute pain in the side for the city.”

*~ Kevin Dawson
Lake Geneva Raceway*

Dykstra to lend voice to proposed legislation

By Carrie Dampier

TIMES EDITOR

Lake Geneva City Clerk Diana Dykstra is set to testify before the Assembly Committee on Campaigns and Elections today. She's hoping her testimony will help change a law that, in her own words, is pure "hypocrisy."

AB 61, which is being co-sponsored by Rep. Samantha Kerkman, R-Randall, aims to afford municipal clerks and deputy clerks who do not reside in the municipality in which they work the authority to register new voters on election day.

The current law on the books does not allow clerks to register new voters on election day unless they are an elector in that municipality. Non-residential clerks and deputy clerks do have the authority to register new voters any other day of the year, however.

Kerkman maintains AB 61 is just common sense.

"Why should we take the most competent staff out of the mix on the busiest day of the year?" she questions.

Kerkman says the bill was first introduced by former Rep. Cloyd Porter in 1997 when she worked in his Madison office and was aimed at rewriting elections laws from the 1970s. At that time, most clerks were elected officials, but now that many clerks are appointed, the laws are outdated and compromise the efficiency of the election process on election day.

Dykstra, who is a resident of the Village of Sharon and has been city clerk in Lake Geneva since 2002, says the bill is important in two ways – it affords clerks the ability to properly perform the tasks asked of them on election day, it also protects municipalities that choose to hire outside of their municipality.

"Placing residency restrictions can be extremely detrimental to a municipality," Dykstra says. "It is absolutely more important to have the most qualified individual for the job of municipal clerk."

To further illustrate her position, Dykstra pointed out that many police departments hire officers who do not live within the municipal boundaries. But they are never stripped of any of their responsibilities on one particular day of the year for that," she says.

As bonded employees who take an oath of office and who are ultimately responsible for any and all problems that arise on election day, for clerks not to have the authority to register new voters is "clearly hypocrisy," according to Dykstra.

"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 after," she says.

Given the voter turnout seen across the state in November – 21 percent of all votes cast in

See DYKSTRA, Page 2

Cruz

year's pre-

erry Lewis,"
It gets me. I
Lewis would
health prob-

just more than
ger takes ste-
egularly. He
s "happy" as

or 2005? Here
redictions:
o Bloom be-
1 of the Year."

aze: Like low
s diet, the pub-
end of "cancer
nds in particu-

or darts will be
ill start to fade
jazz swing will

help with a new

nd shift divides
e parts.
ent of American
; home this year
lution.
awarded for new

llone will protest,
ugh litigations for
eloping blue-collar

ected Walt Disney
ing Bee champion
Illinois or Iowa. (I
an "I")

h he seems to be
get into people's
jokes that he still
out how to win the
ne has figured out is
audiences by going
e's done the unthink-
essence of partygoers
hiwigs big-time.



PHOTO SUBMITTED *The Times*

Nino Cruz contemplates the future. Seventy-five percent of the time, Cruz claims, he's right. The Lake Geneva man says his gift came at a price, however; he didn't begin making predictions until a successful battle with a brain tumor.

• Dykstra

(Continued from front page)

Lake Geneva alone were done by new voters — Dykstra says AB 61 would have been helpful. Dykstra, who's corresponded with over 50 clerks across the state on the subject of the residency requirement, recalls the story of one clerk who felt she had no choice but to help when voters in her town began leaving the polling location after two-hour-plus waits.

"Her stepping in not only restored public trust, but assisted in restoring accuracy in the voting process," says

Dykstra.

Dykstra says she's hoping the Legislature will support AB 61, and restore the authority of non-residen-

tial clerks statewide to do their job on Election Day. Dykstra, who holds a degree in political science from the University of Wisconsin-Whitewater, says she is "excited" to be part of the legislative process and feels her testimony will be on the behalf of clerks all across the state.

According to Kerkman, at least five clerks in her district (66th) and surrounding area do not live in the municipality in which they work. Statewide, that number increases to 40. In fact, Kerkman has nicknamed the bill Dorothy's Bill, after Twin Lakes Clerk Dorothy Sandona, who approached Porter with the idea to

change election laws when she first began contemplating her retirement. Sandona's likely successor, Deputy Clerk Cathy Richardson, does not live in Twin Lakes.

"Even back in 1997, Dorothy was forward thinking enough and wanted to help her municipality," says Kerkman.

A predecessor of AB 61 made it to the Senate floor last year, but time ran out in the legislative session, according to Kerkman, who adds that the bill has several more supporters this time around, including Rep. Tom Lohman, R-Williams Bay, and Sens. Neal Kedzie, R-Elkhorn, and Bob Wirth, D-Pleasant Prairie.

Dykstra helps Kerkman with Assembly Bill 61

By Lisa Selser
Lake Geneva Regional News

Madison — State Rep. Samantha Kerkman summoned a little help from a friend recently.

Lake Geneva City Clerk Diana Dykstra came to the aid of her former college pal to discuss an election bill that likely will help municipal clerks throughout the state.

Dykstra spoke Feb. 3 on behalf of Assembly Bill 61 in front of the Assembly Committee on Campaigns and Elections.

Following Dykstra's testimony, the committee voted 6-0 in favor of the legislation to send it to the Assembly Rules Committee, which will schedule a vote by the entire Assembly.

The bill, if passed, would allow clerks and deputies who don't reside in the municipality the ability to work at the polls on election day.

Under current law, election officials must be an elector of the municipality they serve on election day. Clerks and deputies who do not reside in the municipality they work in are unable to work at the polls on Election Day.

"Really, this is a loophole in our statutes," Kerkman said. "We allow these clerks to register voters every day of the year, but not on election day? It really becomes a predicament for smaller communities who may be having difficulty finding experienced, knowledgeable poll workers."

Following an introduction, Dykstra, who resides in the village of Sharon, spoke in favor of the bill.

"I stand before you today to represent clerks throughout the entire state of Wisconsin," Dykstra said. "I have 50-plus electronic messages in my hand

we could produce five to six times this amount."

Dykstra cited the issues that came up during the November presidential election.

"This clerk watched a line of people waiting to vote that was close to two hours long," Dykstra said. "According to this law, I was just supposed to watch because I don't reside in the municipality. In the end, this clerk took matters into her own hands when she saw voters getting angered and leaving the line."

Dykstra said she began to help process registrations and verify identifications so the wait could be reduced substantially.

"It was no different than what I am authorized to do the day before the election," Dykstra said. "Stepping in not only restored public trust, but assisted in restoring accuracy in the voting process."

She said the clerk is responsible for the entire process on Election Day.

"So why would you give them the authority to collect taxes, set assessments, issue licenses and permits, or even create a poll list, but not to register voters on election day," Dykstra said. "It's clearly hypocrisy."

Dykstra said she believes many clerks have no knowledge of the current law.

"I am hopeful this age-old legislation is simply an oversight that can be corrected with your help," she said. "It is an important step to continue to provide the person in charge on election day with the same authority they had on the days before and the days after election day."

Dykstra, who helped Kerkman during her run for election several years ago, said she was asked by the representative to support the bill.

said. "We entrust our clerks 363 days a year. Let's finish the job and let them do their jobs 365 (days a year)."

The legislation originally was drafted by former Rep. Cloyd Porter following numerous concerns raised by municipal clerks over the years.

Since 1997, the legislation has seen significant changes in language, tightening it so that abuses on Election Day cannot occur, Kerkman said.

The final product, Assembly Bill 61, represents numerous hours of work with municipal clerks and the Legislative Reference Bureau, Legislative Council and colleagues, Kerkman said.

"I believe we have a product that has been finely tuned and written so that the legislative intent is clear," she said.

Kerkman was pleased with the quick action by the committee to pass it through to the next level.

"This is a wonderful start to the new legislative session," Kerkman said. "I look forward to working this bill through the process and to Gov. Doyle's desk."

While Kerkman was excited with the results, Dykstra was pleased to be part of the process.

It was the first time Dykstra appeared in front of a state committee to testify on behalf of a bill. Dykstra worked at the Capitol for state Rep. Steve Nass, but never testified before.

Dykstra also stayed to observe discussions about creating statewide uniform polling hours and the requirement for photo IDs in order to vote.

"It was just such a great day," Dykstra said. "I was there to testify and then I listened to the discussion about the other election topics that are very key to upcoming elections."



LAKE GENEVA CITY CLERK Diana Dykstra at the State Capitol to support Assembly Bill 61, which would allow clerks and deputies who don't reside in the municipality they serve on election day. Under current law, they are unable to work at the polls on election day.

SEE WHAT CHIRO CARE CAN DO FOR

Seek Relief
Headaches • Low
Arm & Leg Pain •
New patients seen



Dr. C

Clerk earns certified municipal clerk status

By Lisa Seiser
Lake Geneva Regional News

Lake Geneva City Clerk Diana Dykstra has achieved certified municipal clerk status.

After more than two years of work, Dykstra received the designation last month from the International Institute of

Wisconsin-Whitewater and attending an IIMC approved municipal clerks institute program conducted by the Governmental Affairs Outreach, Office of Outreach and Extension at the University of Wisconsin-Green Bay.

The program provides stu-

cerns and technical training needed to deal with changes taking place in government today.

She has attended courses and seminars sponsored by the Wisconsin Municipal Clerk Association and has completed other courses, seminars and conferences relating to local


Dr. Christopher Kaiser
Chiropractor

Open Through T

Aurora Health Car

*Now Accepting
New Patients*

LAKE GENEVA NEWS

erkman Bill 61

said. "We entrust our clerks 363 days a year. "Let's finish the job and let them do their jobs 365 (days a year)."

The legislation originally was drafted by former Rep. Cloyd Porter following numerous concerns raised by municipal clerks over the years.

Since 1997, the legislation has seen significant changes in language, tightening it so that abuses on Election Day cannot occur, Kerkman said.

The final product, Assembly Bill 61, represents numerous hours of work with municipal clerks and the Legislative Reference Bureau, Legislative Council and colleagues, Kerkman said.

"I believe we have a product that has been finely tuned and written so that the legislative intent is clear," she said.

Kerkman was pleased with the quick action by the committee to pass it through to the next level.

"This is a wonderful start to the new legislative session," Kerkman said. "I look forward to working this bill through the process and to Gov. Doyle's



LAKE GENEVA CITY CLERK Diana Dykstra (left) joined Rep. Samantha Kerkman at the State Capitol to support Assembly Bill 61. The bill, if passed, would allow clerks and deputies who don't reside in the municipality the ability to work at the polls on election day. Under current law, election officials must be an elector of the municipality they serve on election day. Clerks and deputies who do not reside in the municipality they work in are unable to work at the polls on Election Day.



TESTIMONY
SENATE COMMITTEE ON LABOR AND ELECTION PROCESS REFORM
APRIL 20, 2005

Thank you Representative Kerkman, Chairman and members of the Committee for this opportunity to speak to you on a subject so that affects me so closely.

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 in the village of Sharon.

I would like you to imagine, it is November 2, 2004, there is a line of voters stretching the city sidewalk that surrounds the city hall building. In anticipation of casting their vote for President, the line is filled with Mothers with Children in strollers, anxious college students Elderly with canes and Wheelchairs and struggling to hold out, and business leaders on their lunch; and yet we couldn't register the voters fast enough. We lost several voters to fatigue, and frustration. As City Clerk, I felt it was my responsibility to prevent this type of situation from happening, to protect the residents and provide them with a fast and efficient voting experience, and yet I knew this law existed.

As I stated before, it is absolutely more important to have the most qualified individual as your Municipal Clerk. In a position of such responsibility and authority, it is only logical. I used the analogy in previous testimony, that Police Officers often do 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. So, I stand before you today to represent Clerks throughout the entire State of Wisconsin in hopes of your support for this change.

It simply doesn't make sense for a Municipal Clerk during the highest turnout election, to watch a line of voters waiting to register, while he or she sits on the sidelines because they live just a few miles out of the city limits. I doubt voters will really understand why they can't assist.

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, February or even our local Spring election a few weeks ago.

This clearly, is an important step to continue to provide the person in charge on Election Day with the same authority they had every other day of the year. This legislation needs your support to help restore public trust, and accuracy in the voting process.

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, Certified Municipal Clerk
City of Lake Geneva
Population 7,276





State Representative

Samantha J. Kerkman

Assembly Bill 61

State Representative Samantha Kerkman

Senate Committee on Labor and Election Process Reform

April 20, 2005

Chairman Reynolds and members of the Senate Committee on Labor and Election Process Reform, thank you for taking the time to hear testimony on Assembly Bill 61. With me today is Diana Dykstra, Clerk of the City of Lake Geneva and Dorothy Sandona, former clerk of the Village of Twin Lakes. I would like to give you some background information on the legislation and then I will turn it over to Diana and Dorothy to explain what they have encountered at the local level.

Assembly Bill 61 provides critical support to municipalities on Election Day. Under current law, election officials must be an elector of the municipality in which they serve on Election Day if they want to work at the polls. Should a polling location need additional assistance with registrations, a clerk or deputy clerk would be unable to assist unless they reside within the municipality. It may appear to be a limited issue, but in fact, numerous clerks and their deputies fail to reside within their municipality in Wisconsin. This means we are taking the most experienced workers away from the polls on Election Day. These folks are the ones who can answer questions and catch voter fraud. These same clerks and deputies have the ability to register voters any other day of the year, just not Election Day! Why should we take the most competent staff out of the mix on the busiest days of the year?

Assembly Bill 61 states that municipal clerks and deputy clerks will have the ability to register voters on Election Day, regardless of whether they reside in the municipality. This simple change will relieve so many communities from the stresses associated with Election Day. Please review the document attached to my testimony for further explanation to the extent of the problem.

This legislation, originally drafted by my predecessor, former Representative Cloyd Porter, was brought forward based upon concerns raised by municipal clerks. Since 1997 this legislation has seen significant changes in the language, tightening it so that abuses on Election Day cannot occur. This final product, Assembly Bill 61, represents numerous hours of work with municipal clerks, Legislative Reference Bureau, Legislative Council and colleagues. I believe we have a product that has been finely tuned, written so that the legislative intent is clear.

Again, thank you for your time. At this time I would like to turn the floor over to Diana Dykstra and Dorothy Sandona.

Widespread Need for Change

The following list contains municipalities whose clerks or deputy clerks currently fail to reside within their municipality. This list is not comprehensive, instead simply a listing of those who have contacted Rep. Kerkman's office with the need for this legislative change for their specific municipality.

Village of Campbellsport
Village of Coleman
Village of Sauk City
Town of Polk
Village of Whitelaw
Village of Belleville
Village of Endeavor
Village of Bangor
Village of Monticello
City of Jefferson
Village of Shorewood
Village of River Hills
City of Brookfield
Village of Linden
Village of Johnson Creek
Village of Roberts
City of Pittsville
Village of Egg Harbor
City of Lake Geneva
Village of Woodville
Village of Blue River
City of Stoughton
Village of Biron
Village of Livingston
Village of Arena
Village of Twin Lakes
City of Cedarburg
Village of Poynette
Village of Birchwood
Village of North Fond du Lac
Village of Muscoda
Village Avoca
Village of Mukwonago
Town of Delafield
Town of Westport
City of Dodgeville

City of Oconto
Village of Hobart

Village of Paddock Lake
Village of Silver Lake
City of Burlington
Town of Burlington
Village of Friesland

Extensive Support Across the State

The following list contains municipalities whose clerks or deputy clerks contacted Rep. Kerkman's office with their continued support of the legislation this session.

Village of Oregon
Town of Waukesha
Town of Merton
Village of Hartland
City of Fitchburg
Town of LaGrange
City of Sheboygan
Village of Elmwood Park
Village of McFarland
City of Milton
Town of Mountain
Village of Monticello
Village of Lannon
Village of Reedsville
Town of Menasha
Town of Dunn

Extensive Support Across the State in Previous Years

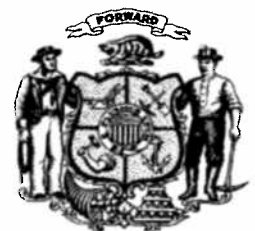
The following list contains municipalities whose clerks or deputy clerks contacted Rep. Kerkman's office with their support during previous sessions.

Town of Hartford
City of River Falls
City of Bayfield
City of Wausau
City of Wisconsin Rapids
Town of Three Lakes
Town of Springfield
Village of Germantown

City of Colby
City of New Berlin
City of Muskego
Village of Barneveld
Village of Wausaukee
City of Bayfield



WISCONSIN STATE LEGISLATURE



Testimony
Dorothy Sandona
AB 61
4/20/05

I've been troubled with the current law for several years now, and have worked tirelessly with my deputy clerk, with Representative Kerkman and her predecessors as well as clerks and deputy clerks around the state to affect a change in this no common sense law.

To paraphrase the current law, a "clerk or deputy clerk" not living within the municipality they work in, cannot register voters on election day, although they can register voters every other day of the year. They must be a voting member of the municipality to register voters on election day. That is the important issue here, they can register voters every day of the year, except on election day. The clerk or deputy clerk is no less capable on election day than during the year. It doesn't make much sense. These are dedicated professionals that take an oath of office to uphold the laws of the State. The clerk's office has been entrusted with the responsibility of carrying out the related functions leading up to and on election day itself. So why not allow them to register voters on election day even though they are not a voting member of the municipality. This law is archaic, inefficient and ridiculous and I can find no reason or purpose for the law to exist today. This law has proven to be a burden with negative financial impact on the taxpayers and the change is long over due.

There has been a big push to get residents to the polls and to make registration easier for them and I am all for that. With voter registration being mandated by January, 2006, there will be an additional burden to the clerks and deputy clerks who live outside of their municipalities. With the

new election laws, lets consider the trickle down effect.

In ending, Bill AB61 has already passed the assembly Committee and the full Assembly unanimously. Last year this change got through the Assembly Committee and by unanimous vote of the full Assembly. It got through the Senate Committee on Elections also. But, for whatever reason, political or not, it never made it to the whole Senate for a vote. This is a common sense change and I am encouraging you all to favorably consider this change to allow municipalities to work through this most important function of government. This change is supported by the League of Municipalities as well as many Clerks and Deputy Clerks around the State. I have numerous support letters from these clerks and can read them if it would help.

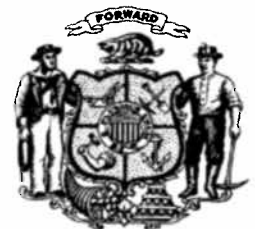
I will take your questions, but I am most interested in asking each one of you, what sense does the current law make?

C:\My Documents\election speech.wpd

Room 109W (west wing)
Ground Floor



WISCONSIN STATE LEGISLATURE



Script for Hearing 4-20-05

Tom: This meeting of the Senate Labor and Election Process Reform Committee is called to order.

Our plan today is to hear Assembly Bill 61 relating to residency of elected officials, Assembly Bill 64 relating to uniform polling hours and Senate Bill 171 relating to the scheduling of referenda to approve school district borrowing or exceed a school district's revenue limit.

Are there any questions?

If not, we'll move on to the public hearing. The clerk will call the roll:

Pat: *Calls attendance. Announces outcome of roll call and that "a quorum is present."*

✓ **Tom:** First, we'll start with Assembly Bill 61. The committee calls its first witness, *name of witness.* (Subsequent witnesses should be identified by their name, the organization they represent, and whether they are in support of or opposition to the legislation.)

✓ **Are there any questions from members of the committee? If not, we'll move on to the hearing on Assembly Bill 64? The committee calls its first witness, name of witness.**

Are there any questions from members of the committee? If not, we'll move on to the hearing on Senate Bill 171. The committee calls its first witness, name of witness.

Are there any questions from members of the committee? If not, we'll close the public hearing and move into executive session. The clerk will call the roll:

Pat calls roll. Announces a quorum is present.

Hansen
Tom: I move concurrence on Assembly Bill 61. Are there any seconds? Any discussion? If not, the clerk will call the roll:

Carpenter

Reynolds A
Lazich A
Kanavas A
Hansen A
Carpenter A

Pat calls roll and announces results. "The motion passes."

Tom: I move concurrence on Assembly Bill 64. Are there any seconds? Any discussion? If not, the clerk will call the roll:

Hansen

Reynolds A
Lazich A
Kanavas A
Hansen A
Carpenter A

Pat calls roll and announces results. "The motion passes."

Move to introduce and adopt ~~Senate amendment~~
LRB 0488 amending SB 171 Seconds?

[Redacted]

- Reynolds _____
- Lazich _____
- Kanavas _____
- Hansen _____
- Carpenter _____

Tom: I move to recommend passage on Senate Bill 171. Are there any seconds?
Any discussion? If not, the clerk will call the roll:

as amended

Pat calls roll and announces results. "The motion passes."

Tom: There being no further business before the committee, this hearing of the Labor and Election Process Reform Committee is adjourned.

[Redacted]

- Reynolds _____
- Lazich _____
- Kanavas _____
- Hansen _____
- Carpenter _____

Will do by paper ballot

Public Hearing 4-20-05

AB 61

	For	Against	For Ent Only
Rep. Samantha Kermama	X		
Dorothy Sandona	X		
Diana Dykstra	X		

AB 64

Terri Griffiths	X		
Kent Woods		X	

SB 171

Sen. Alan Lasee	X		
Dr. Lloyd McCabe		X	
Kirby Brant	X		

- Amending SB 171
- Paper ballot
 - ↳ send ballot asking members to vote on
 - 1) Introducing + adopting