



STATE REPRESENTATIVE

JESSE JAMES

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Testimony before Assembly Committee on Campaigns and Elections
Assembly Bill 94
Wednesday, April 14, 2021

Thank you Chairwoman Brandtjen and committee members for holding a public hearing on Assembly Bill 94, and giving me the opportunity to testify today. This legislation makes an easy fix to allow home-schooled students the same rights as public, private, and tribal students when it comes to serving as an election inspector. Election inspectors are so important to the election process in Wisconsin.

Currently, Wisconsin high school students who attend public, private, or tribal schools can work as an election inspector. They must be 16 or 17 years old, maintain a 3.0 grade point average, or meet other requirements put together by their school. If the student can meet all of these requirements and get permission from their parents and school administrator they can be appointed to serve as an election inspector.

AB 94 would add homeschooled students to the list of students who are able to participate as an election inspector.

This bill is a simple fix to allow homeschooled students the same privileges as public, private and tribal students. It just makes sense to get more young people involved in the democratic process at a time when there is a need for more election inspectors

STATE SENATOR KATHY BERNIER
TWENTY-THIRD SENATE DISTRICT



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Sen.Bernier@legis.wi.gov • www.SenatorBernier.com

From: Senator Kathy Bernier
To: The Assembly Committee on Campaigns and Elections
Re: Testimony on Assembly Bill 94

Relating to: allowing a pupil enrolled in a home-based private educational program to serve as an election inspector.

Date: April 14, 2021

Thank you Chair Brandtjen and committee members for allowing me to provide testimony on Assembly Bill 94. I am grateful for the opportunity to work with Rep. Jesse James on this simple but important legislation.

This bill stems from a constituent contacting our offices to point out a situation where state elections statutes have not kept up with present educational practices. Currently, private, public, and tribal school students who are 16 or 17 years of age with a 3.0 grade point average or higher may serve as an election inspector. Unfortunately homeschooled students may not. This legislation would allow homeschooled students to engage in the democratic process and legally volunteer as election inspectors.

This bill is identical to legislation introduced last session which had bi-partisan co-authors, passed this committee unanimously, passed the Assembly on a voice vote, and only failed to pass in the Senate due to the pandemic. Which is why I ask you to please support the passage of Assembly Bill 94. Thank you again for allowing me to provide testimony today.

Dear Chairperson Brandtjen and Members of the Committee,

Thank You for the hearing on the proposed bill before you - one that allows Home school students to work the polls.

I could not be there in person today, but I do want to share with you my testimony regarding why I asked for this bill to be created, and voted into law.

I have been involved in elections for over two decades. During that time, I have worked the polls in numerous wards throughout Eau Claire; and witnessed firsthand, the shortages of poll workers esp. those that are young in age. Due to this I got involved and signed up, literally hundreds of people to be poll workers in the area.

I continued that effort, in a state-wide sign up of poll workers, through an organization I lead for a decade. We increased the number of poll workers to well over 1,000+ new people. One of my goals has been getting young adults, and high school students who meet the requirements, to work the polls. I have read our election laws dozens of times each year, to ensure we were in compliance with our state statutes.

To my utter shock, one key group of high school students, were completely excluded from being allowed to work the polls during our elections, per our state statutes. That group is - Home Schooled Students.

I recently discussed with a Clerk, about having homeschooled students work the polls. Her answer to me was - no they cannot. Their election office called the Wisconsin Election Commission to confirm that, and they said no, Home Schoolers are NOT allowed to work the polls!

The Stats for the total number of homeschooled students in the State of Wisconsin are not perfect. But from what I could find, the numbers are around thirty thousand, and going up, esp. due to Covid- 19. The students eligible to work the polls from that pool, are in the hundreds.

*All high school students 16 and up are allowed in the WI. State Statute, to work the polls as long as they have a 3.0 grade point, have permission from their parents, and work out a plan with their Principal, if they do not have a 3.0 GPA.

Private schools, tribal schools, and public schooled-students, can all work the polls legally, for a full day. All except - Home Schooled students. This is discrimination, against one specific group - Home Schooled students!

The State of Wisconsin Department of Public Instruction, dictates several things that must be done for homeschoolers. How many hours of instruction they must have, testing, what they must complete to receive a diploma etc. Thus, they are a part of our education system. Homeschooled students do have to comply with several things, in order for those students to receive an accepted education by the State of Wisconsin.

The conclusion then is - Why are they excluded/barred, from being a paid poll worker like all other 16-18-year-old high school students?

I personally have known and worked with Home-Schooled students for over 2 decades. I have found them to be - intellectual, great students, respectful, and highly motivated to serve in many capacities.

I would like to see this exclusion of Homeschoolers, not being allowed to work the polls, rectified in the state statute with this bill AB-#94.

This is why I believe this bill is good for the State of Wisconsin:

Most areas of our state do not have enough poll workers.

Clerks are desperate in many areas to fill those slots.

In Presidential election years - the turnout is massive, we need a large pool of poll workers to choose from, and to work those long elections.

Our Poll worker pool is aging rapidly in Wisconsin. We must take that seriously and find replacements!

Younger poll workers are desperately needed. They have more stamina for the long day, can work the electronic voting machines - and figure them out easily! They learn quickly too! More poll workers are needed that are younger, for the in-person-absentee ballot voting. There are not enough, if any, at those sites.

Students who start working the polls in their teens, will hopefully develop a decades-long commitment to work the polls. This helps our municipalities to grow a pool of consistent workers who are trained, and then work for years, possibly becoming Chief Inspectors in the future.

Many students that are home schooled have a more flexible schedule, and are able to be at the polls without interfering with sports, and other extra-curricular activities. They can work the polls longer, and most likely the entire election day. (Child labor laws are waived in our state, for working the polls.)

Homeschooled students, may have the advantage of bringing a parent, who also signs up to work the polls with them, which greatly increases the poll worker pool.

Homeschooled students receive many hours of civics, government, social studies courses due to their time schedules, thus are well prepared for participating in their community as an election official.

Homeschooled students are very serious about civics, government, and elections, this is a natural place for them to continue that education, by participating in conducting elections at the polls.

Teenagers should be poll workers, so they observe first hand, how the election process operates. Also, the seriousness, preparation, hard work, and many details that go into our elections. This makes them better citizens, and most likely, committed voters in the future.

We want young people to care about voting, elections, and to know the process.

Homeschool students are just as worthy as all other teens, to participate in working the polls.

They will be a great addition to our State, municipalities, and will greatly increase our workforce for election days! This is a win for them, their clerks, and their polling locations in their communities!

Thank You for your consideration of this much needed bill!

Sincerely,
Laurie Forcier - Eau Claire Wisconsin

Good morning Chairwoman Brandtjen and Committee Members.

I am writing to support passage of Assembly Bill 94. My name is Jessica Gunby and I am a homeschooling mother of four children in Dane County, the oldest of whom is 17 years old. I learned last year that 16-17 year olds are allowed to volunteer as poll inspectors at their local election places but only if they are public, private, or tribal school students. My question for the committee is why does the type of school matter? There is no reason to exclude homeschoolers from the opportunity to volunteer at their local polling places and engage in both community service and participation in civic duties. I strongly urge you to pass this bill thereby giving all 16-17 year olds an opportunity to volunteer.

Sincerely,

Jessica Gunby
Mount Horeb, WI

ROCK COUNTY, WISCONSIN

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Lisa Tollefson, Rock County Clerk

April 14, 2021

Testimony for the Assembly Campaigns and Elections Public Hearing

Assembly Bill 51 – Regarding to: public Notice of noncandidacy for incumbent local elected officials **SUPPORT**

- To keep elections open and transparent, we should keep our electors informed when an incumbent chooses not run again and when an incumbent does not file candidacy paperwork. As a clerk, I already follow the practices put in place with this bill.

Assembly Bill 172 – Relating to: publication of Elections Commission meeting minutes. **Informational**

- Support the posting of Wisconsin Elections Commission Minutes with an amendment on the timeframe. Being in the position of having had 4-hour meetings the day prior to an election, minutes were not my top priority. Running the election was. The Wisconsin Elections Commission staff provides support to 1,850 municipal clerks and 72 county clerks. The 24-hour time frame is not realistic close to an election.

Assembly Bill 173 – Relating to private resources used for Elections - **OPPOSE**

- The last year has been challenging. The funds from the different CARES grants did not cover the extra costs it took to run elections. Some of the municipalities in our county took donations of PPE and funds to purchase extra tabulating equipment. Companies donated meals for poll workers or paid their employees' usual salaries to help ensure we had enough poll workers at the polls. The November election turned into a huge community project to make sure our election ran smoothly. The number of people stepping forward to support our elections was astounding. By eliminating municipalities' ability to take donations, will you be stifling that positive community spirit that pulls us together?

Assembly Bill 198 - Relating to: defects on absentee ballot certificates, certain kinds of election fraud, and providing a penalty. **OPPOSE**

- This bill states that if the clerk receives an absentee ballot with an improperly completed certificate or with no certificate, the clerk shall return the ballot to the elector. There is no end date in the bill as to when the clerk can stop returning ballots with the defective certificates.

If my understanding is correct, the poll workers will not have any ballots with defective certificates to reject on election day, because the clerk must return those ballots to the voters. Unfortunately the clerk would also need to continue to return ballots with defective certificates that arrive after election day.

- The bill states the clerk must post the certificate defects on MyVOTE. Unfortunately, there is a disadvantage to the voters who do not have an email address on file or lack dependable broadband service.
- This will cause increased costs to municipalities. Each time an absentee ballot needs to be mailed back to a voter, it costs \$1.25 for postage plus the envelope and time. All of this because a voter's spouse forgot to add the city on the witness address line on the certificate envelope.

Assembly Bill 94 – Regarding to: allowing a pupil enrolled in a home-based private educational program to serve as an election inspector **SUPPORT**

- Current law allows qualified 16 and 17 year old high school students to work as poll workers. This bill adds students enrolled in home-based private educational programs to serve.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read "L. Tollefson", with a long horizontal flourish extending to the right.

Lisa Tollefson
Rock County Clerk

Dear Chairperson Brandtjen, Representative James, and Members of the Committee,

Thank You for the hearing on the proposed bill before you - one that allows Home school students to work the polls.

I could not be there in person today, but I do want to share with you my testimony regarding why I asked for this bill to be created, and voted into law.

I have been involved in elections for over two decades. During that time, I have worked the polls in numerous wards throughout Eau Claire; and witnessed firsthand, the shortages of poll workers esp. those that are young in age.

Due to this I got involved and signed up, *literally* hundreds of people to be poll workers in the area.

I continued that effort, in a state-wide sign up of poll workers, through an organization I lead for a decade. We increased the number of poll workers to well over 1,000+ new people.

One of my goals has been getting young adults, and high school students who meet the requirements, to work the polls.

I have read our election laws dozens of times each year, to ensure we were in compliance with our state statutes.

To my utter shock, one *key group* of high school students, were completely excluded from being allowed to work the polls during our elections, per our state statutes.

That group is - Home Schooled Students.

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The conclusion then is - ***Why are they excluded/barred,*** from being a paid poll worker like all other 16–18-year-old high school students?

I personally have known and worked with Home-Schooled students for over 2 decades. I have found them to be - intellectual, great students, respectful, and highly motivated to serve in many capacities.

I would like to see this *exclusion* of Homeschoolers, not being allowed to work the polls, rectified in the state statute with this bill AB-#94.

This is why I believe this bill is good for the State of Wisconsin:

- Most areas of our state do not have enough poll workers.
- Clerks are desperate in many areas to fill those slots.
- In Presidential election years - the turnout is massive, we need a large pool of poll workers to choose from, and to work those long elections.
- Our Poll worker pool is *aging rapidly in Wisconsin*. We must take that seriously and find replacements!
- **Younger** poll workers are desperately needed. They have more stamina for the long day, can work the *electronic voting machines* - and figure them out easily! They learn quickly too!
- More poll workers are needed that are **younger**, for the *in-person-absentee ballot voting*. There are not enough, if any, at those sites.
- Students who start working the polls in their teens, will hopefully develop a decades-long commitment to work the polls. This helps our municipalities to grow a pool of *consistent* workers who are trained, and then work for years, possibly becoming **Chief Inspectors** in the future.
- Many students that are home schooled have a more flexible schedule, and are able to be at the polls without interfering with sports, and other extra-curricular activities. They can work the polls longer, and most likely the entire election day. (Child labor laws are waived in our state, for working the polls.)
- Homeschooled students, may have the advantage of bringing a parent, who also signs up to work the polls with them, which greatly increases the poll worker pool.
- Homeschooled students receive many hours of civics, government, social studies courses due to their time schedules, thus are *well prepared for participating* in their community as an election official.
- Homeschooled students are very serious about civics, government, and elections, this is a natural place for them to continue that education, by participating in conducting elections at the polls.
- Teenagers should be poll workers, so they observe first hand, how the election process operates. Also, the seriousness, preparation, hard work, and many details that go into our elections. This makes them better citizens, and most likely, committed voters in the future.

We want young people to care about voting, elections, and to know the process.

Homeschool students are just as worthy as all other teens, to participate in working the polls.

They will be a great addition to our State, municipalities, and will greatly increase our workforce for election days! This is a win for them, their clerks, and their polling locations in their communities!

Thank You for your consideration of this much needed bill!

Sincerely,

Laurie Forcier - Eau Claire Wisconsin



GEORGE L. CHRISTENSON
MILWAUKEE COUNTY CLERK

Assembly Committee on Campaigns and Elections

Public Hearing

Wednesday, April 13, 2021

Written Testimony provided by Milwaukee County Clerk George L. Christenson

Chairwoman Brandtjen and Members of the Committee, thank you for the opportunity to submit this written testimony before your honorable body. My name is George Christenson. I am the Milwaukee County Clerk. In this capacity, I also serve as Executive Director of the Milwaukee County Election Commission, which is comprised of three Election Commissioners, and led by Elections Director Julietta Henry.

Like each of you, I swore an oath to support the Constitution of the United States, the Constitution of the State of Wisconsin, and to faithfully discharge the duties of my office, to the best of my ability. In accordance with that oath, I support all efforts to improve our democratic process, including efforts to improve the accuracy, security, transparency and accessibility of our voting processes. While I see some provisions of these bills as advancing our common goals, I'm concerned that other provisions may lead to unintended outcomes, and some could ultimately undermine the integrity of our elections.

While the Office of the County Clerk is a partisan office in the State of Wisconsin, I do not wear a partisan hat when it comes to elections administration. It is our sacred duty to remain non-partisan and carry out our charge as election officials before, during and after election day. Our job is to count the votes and whoever gets the most vote wins. If our personal choices for candidates win, we're happy – if they lose we complain. That's Democracy and that's America!

I welcome the opportunity to work bi-partisan fashion with this committee and legislative leaders to identify bonafide ways to improve upon our election processes. Thank you.

Assembly Bill 51 – Support

I believe this bill is intended to increase the transparency of our democratic process. I feel it also encourages more people to seek public office. Good government hinges on a commitment to openness and transparency. AB 51 would ensure greater transparency and openness by requiring a public notice when an incumbent candidate, whose office is up for election, either files a notification of non-candidacy or fails to file a declaration of candidacy within a specified time frame. The intent of legislation requiring a notification of non-candidacy ensures transparency regarding which elected offices will be vacant, allowing potential candidates sufficient time to gather nomination signatures. Therefore, I support a modification to this statute that would require a public notice in the circumstances described in the bill.

Assembly Bill 172 – For Information Only

I believe requiring the Wisconsin Elections Commission to publish minutes of its meetings make sense. However, the 24-hour turn-around requirement is not realistic considering the meetings themselves have lasted as long as 12 hours. I respectfully suggest the committee amend the resolution to provide a more reasonable timeframe. Keep in mind, the Wisconsin Elections Commission does produce a memo shortly after its meetings that highlights critical and time-sensitive decisions. This memo is shared with all county and municipal clerks statewide and posted to the Wisconsin Elections Commission website.

Assembly Bill 173 – Oppose

I want to clarify for this honorable body and the public how common it is for government units to receive funding from outside organizations, including private businesses and individuals. For example, during the pandemic, municipalities all across Wisconsin relied heavily on the donation of Personal Protective Equipment (facemasks, hand sanitizer,

plexiglass screens, etc.) from organizations, businesses and individual to administer our 2020 elections. I don't believe that was the intent of the author of this legislation.

Any grants received by Milwaukee County were utilized on education, equipment upgrades and website improvements. For example, we were able to purchase 75 Express Vote machines for the November 2020 election. These machines replaced the obsolete Automarks. They are designed to support voters with special needs, and enabled for a more streamlined and secure voting process. I provided these machines at no cost to the suburban communities of Milwaukee County rather than the City of Milwaukee because I felt the City had its own resources to draw from whereas the smaller communities did not. This includes communities such as Franklin, Hales Corners, and Oak Creek where Donald Trump won both in 2016 and in 2020 - this isn't about partisanship, it's about helping communities administer elections and Americans voting.

I am also deeply concerned about the provision limiting who can be a poll worker. This provision could force people to make the uncomfortable choice between their livelihood and exercising their civic duty. Every municipal clerk in Wisconsin will tell you that recruiting sufficient poll workers to meet is becoming more challenging every year. This provision does not take into account some very real unintended consequences. For example, if someone works for the Disability Rights of WI, the NRA or Pro-Life Wisconsin they will be excluded from performing this civic duty. From my perspective this seems unfair. This provision excludes only certain people from the process and assumes the worst in people who are quite frankly some of our best.

Assembly Bill 198 – Oppose

This legislation aims to correct a problem that does not exist, with the consequence of disenfranchising the voters of Wisconsin. The current law states that if a municipal clerk receives an absentee ballot with an improperly completed certificate or with no certificate, the clerk may, but is not required to, return the ballot to the voter whenever time permits so that the voter may correct the defect. This bill disregards this safeguard which ensures the voter has time to correct their certificate and vote in the election.

The bi-partisan Wisconsin Elections Commission appropriately issued guidance stating that municipal clerks may correct these certificates if the missing information is obvious (such as a known street name that is spelled incorrectly) or they know that the voter in question is a registered voter living at the address stated, and otherwise fulfills all the requirements to vote in the election. If clerks across the state didn't perform this duty, valid, legitimate ballots could be thrown out due to so-called incomplete certificates, and eligible Wisconsin voters would be harmed when their vote is not counted for what many would consider a minor technicality. We have a responsibility to do our best to ensure all lawfully cast ballots are counted. We should all thank the diligent clerks who once again stood at the front lines of democracy in the fall of 2020 and carried out this solemn responsibility.

Assembly Bill 94 – Support

As the Milwaukee County Clerk, I often hear from municipal clerks that they have a shortage of poll workers. This bill allows home-schooled students to serve as election inspectors. Election inspectors take an oath to uphold the election law and I think it's great that we are trying to encourage our students to participate in the democratic process.