

# LWW LEAGUE OF WOMEN VOTERS<sup>®</sup> OF WISCONSIN

612 W. Main Street, #200  
Madison, WI 53703

Phone: (608) 256-0827  
[www.lwwwi.org](http://www.lwwwi.org)



February 7, 2022

To: Senate Committee on Elections, Election Process Reform and Ethics Re: Opposition to  
SB 941, SB 936, SB 937, SB 938, SB 939, SB 942, SB 943 and SJR 101

The League of Women Voters of Wisconsin believes that good government depends on the informed and active participation of its citizens, and that voting is a fundamental citizen right which must be guaranteed. Wisconsin election laws should provide citizens with maximum opportunity for registration, voting at the polls and absentee voting. Further, election administration should be adequately coordinated and funded to achieve statewide standards uniformly applied, verifiable results and local municipal effectiveness.

Since its founding in 1920 the League has studied many of the issues addressed in the bills before you in today's public hearing. Our members have agreed and affirmed the positions and principles stated above. We oppose several of the bills you are considering today for the following reasons:

- Some make it much harder for voters to apply for and cast an absentee ballot;
- Some add new levels of bureaucracy to election administration that will only complicate procedures and slow productivity for election officials;
- Some can only be characterized as a power grab by a legislative branch seeking to control elections.

Given that none of these proposals would improve elections, they would be a net loss for voters.

**Therefore we oppose the following bills and urge you to reject them:**

**SB 941** This bill imposes requirements on the Wisconsin Elections Commission (WEC) that are not required for any other state agency. It would allow inappropriate legislative oversight of an agency tasked with overseeing the electoral activities that impact all Wisconsin voters. Voters have the right to expect electoral agency functions to be monitored and not micromanaged.

**SB 936** This bill requires that, in the event of a recount, the municipal clerk is required to print and make available paper copies of all absentee ballot applications received electronically for the election. This is an impractical demand, especially in a statewide election. Also, legislators should be given copies only of complaints that could involve their own campaign or that of an opponent.

**SB 937** This bill makes it harder for citizens with long-term disabilities to exercise their vote, while doing nothing to improve the security of elections.

**SB 938** While it is appropriate to maintain an accurate list of electors, this bill is deeply flawed. It would disenfranchise many of the same groups of electors who are already burdened by voter photo ID and restrictive proof of residence requirements. It requires that WEC's voter registration database be coordinated with databases in various federal and state agencies. In particular, the Systematic Alien Verification for Entitlements (SAVE) database is limited to a select group of non-citizens and is not a comprehensive list. Updates are not frequent. The result would be false positives that could disenfranchise qualified citizens.

**SB 939** Similar to SB 937, rather than improve the voter experience this bill complicates it for no apparent reason. Absentee voters should not have to provide ID for every election when the Clerk can keep a copy of the ID on file. This bill requires voters to submit an application (with ID) in addition to completing the certificate envelope.

**SB 942** This very punitive bill singles out the Wisconsin Elections Commission for an unreasonable level of legislative control. Threatening to reduce staff in a key state agency does not consider what is best for voters, and it certainly will not improve elections.

**SB 943** Like SB 942 this bill singles out the WEC for an unreasonable level of legislative control over elections. This potentially harmful oversight will only add confusion for local election officials and certainly will not improve elections.

**SJR 101** It is reasonable for private funds to have some regulation, but the practice should not be banned. A constitutional amendment to ban private resources is uncalled for and utterly inappropriate.



Testimony of Matt Rothschild

Executive Director, Wisconsin Democracy Campaign

To the Senate Committee on Elections, Election Process Reform, and Ethics

**In opposition to SB 934, SB 935, SB 936, SB 937, SB 939, SB 940, SB 941, SB 943, and SJR 101**

Feb. 7, 2022

Distinguished Chair and other Distinguished Members of this Committee:

I'm Matt Rothschild, the executive director of the Wisconsin Democracy Campaign. Since 1995, we've been tracking and exposing the money in Wisconsin politics, and we've been advocating for a broad range of pro-democracy reforms.

Before I get going, I would be remiss if I failed to acknowledge the tremendous public service that the chair of this committee has rendered in her career, first as a county clerk, then as a member of the Assembly, and most recently here in the Senate.

We may not agree on a lot of ideological issues, Madame Chair, but we certainly agree on the need to defend our democracy. I really appreciate your outspokenness on this bedrock principle, and your frank acknowledgment of the severity of the threat posed to our democracy by those who refuse to accept the legitimacy of the 2020 elections and instead peddle one lie after another and one smear after another for their own political gain or personal gratification.

You've been a profile of courage, and you'll be missed, and I wish you all the best in your retirement.

I've got some specific problems with many of these bills, as well as with the Joint Resolution.

But rather than go tediously through that itemization, let me instead make a few general remarks and then offer just a couple germane points, if I might.



First, I would like to underline an observation that Republican Senator Rob Cowles has made about our elections. He noted that our elections are “safe and secure.”

Second, there has been a drumbeat of baseless accusations and character assassinations against the dedicated administrator and the tireless staff of the Wisconsin Elections Commission, which has got to stop. It’s grossly unfair to them, and if it keeps up, we won’t be able to attract any talented people to administer our elections in this state.

And third, the endless fishing expedition being conducted by Michael Gableman and the constant smoke machine that some other partisans keep revving up about the November 2020 elections only serve to undermine the faith of the Wisconsin public in our elections and in our democracy.

That’s not healthy. And that’s got to stop, too.

And frankly, I worry that, when taken as a whole, the barge carrying all these new bills today may also be billowing out more smoke.

This is not to say that I disagree with everything in all these bills. Not at all. For instance, the bills by the Chair clarify a lot of processes and terms that needed clarification.

And I certainly agree that we should set clear rules for our elections, but let’s make sure that those rules are fair.

And let’s protect our freedom to vote rather than erect one barrier after another to the exercise of that fundamental freedom.

Unfortunately, some of these bills do erect such barriers.

**First of all, two bills would make voting by absentee ballot more difficult for all voters in Wisconsin.**

**SB 935** would render an absentee ballot null and void for the pettiest of reasons. For instance, if I’m a witness for the absentee voter and I print my name, and I sign my name, and I put Madison, WI, down as my residence but I neglect to put my street down, should the voter I’m witnessing be disqualified because of that omission? The bill says yes, and that seems ridiculous to me. Even requiring a witness seems like a stretch to me, since the voter already is swearing about his or her identity. Now to make the witness have to fill out everything just right or the voter’s ballot is disqualified just adds another way to toss a perfectly good ballot into the waste basket.

**SB 939** would prohibit the Wisconsin Elections Commission or any local clerk from sending out absentee ballot applications, en masse, to registered voters, as was prudently done during the pandemic. Our ability to exercise our freedom to vote by mail should not be needlessly curtailed by this blanket prohibition. Why shouldn't the Elections Commission be allowed to do this? If we want more people to be able to exercise their freedom to vote in our democracy, sending everyone an absentee ballot application makes sense, in general. And in specific, it makes a whole lot of sense during a pandemic. But this bill would nix both those options.

**Second, one bill would make voting by absentee ballot especially more difficult for those in residential care facilities or retirement homes.**

**SB 935** would paternalistically require the notification of relatives of residents in long-term care facilities or retirement homes as to when special voting deputies are going to be there. Residents don't need their relatives looking over their shoulders when they're voting. This is an invasion of their privacy. Unless they have a legal guardian, residents should not have their freedom to vote interfered with in this obnoxious manner. What if they don't get along with "the relatives for whom the home or facility has contact information"? What business is it of the relatives, seriously?

**SB 935** would also needlessly prohibit a personal care voting assistant from helping any resident of a residential care facility or qualified retirement home to register to vote. If the personal care voting assistant is there to help the resident fill out an absentee ballot, why can't the assistant help the resident register to vote? That distinction makes no sense. Plus, nursing homes that receive Medicare or Medicaid funding are required to support the residents' right to vote. That should include supporting residents who want to register to vote.

**Third, one of the bills, SB 934, could erroneously toss voters from the voting rolls.** This bill would have the Wisconsin Elections Commission rely on the Electronic Registration Information Center (otherwise known as ERIC) to determine whether a voter has moved. Following that determination, the Commission must send a letter or a postcard to the voter. If the voter doesn't respond, the voter becomes unregistered. The problem with this is that the Wisconsin Election Commission's own data in 2020 showed that 7.07 percent of the voters who became unregistered because of ERIC's data actually had never moved and were wrongly deactivated. Such a high error is not acceptable when it comes to our freedom to vote.

**Fourth, several of these bills would hog-tie the Wisconsin Elections Commission.**

**SB 940** would allow the Joint Finance Committee to gouge the staff or the funds of the Elections Commission if Joint Finance, on its own, says that the Elections Commission or the Department of Transportation or the Department of Corrections or the Department of Health Services

failed to comply with any election law. That would give Joint Finance a huge whip over the heads of the Elections Commission, with no decent check on that unilateral power.

**SB 941** would give the Joint Finance Committee and the Joint Committee for Review of Administrative Rules the authority to block federal funds and federal guidance, which will make it very difficult for the Commission to do its job. It's also of dubious constitutionality: States aren't allowed to disregard federal guidance on the conduct of federal elections, for instance.

**SB 941** would also inject hyper-partisanship at the staff level by mandating that each major political party gets its own legal counsel on the staff of the Wisconsin Elections Commission. The last thing we need is more partisan haggling at the Wisconsin Elections Commission.

**SB 943** would require the Elections Commission to be nit-picked and hyper-monitored by the Joint Committee for Review of Administrative Rules. Every week, the Elections Commission would have to give to JCRAR "all documents and communications from the commission that the commission issued in the previous week that are applicable to municipal clerks generally and qualify as guidance documents." Are you going to allow the Elections Commission to do its job, or are you going to kill it by a thousand cuts?

So these are some of my biggest concerns.

**Above all, I would appreciate it if we could all agree that:**

- 1) The November 2020 elections were legitimate and move on,**
- 2) The staff of the Wisconsin Elections Commission has been doing an admirable job under incredibly difficult circumstances, and**
- 3) In Wisconsin, and in America, we all should have our freedom to vote protected.**

Thanks for considering my views, and I welcome any questions you might have.



# Senate Joint Resolution 101

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## Wisconsin State Legislature Senate Committee on Elections, Election Process Reform, and Ethics

February 7, 2022

Stewart Whitson  
*Visiting Fellow*  
Opportunity Solutions Project

Chairwoman Bernier and members of the committee,

My name is Stewart Whitson, and I am a visiting fellow at Opportunity Solutions Project (OSP). OSP is a non-profit, nonpartisan advocacy organization dedicated to advancing policies that reduce barriers to work and that promote free and fair elections by making it easy to vote, but hard to cheat.

Thank you for hearing this legislation before your committee. I am submitting this testimony in support of Senate Joint Resolution 101.

For voters to have faith in the voting process, it's critical that elections are transparent. That includes knowing who is paying for election operations, and where and on what funds are being spent. Even seemingly nonpartisan grants can improperly impact elections if those funds are inequitably disbursed and targeted only to counties or districts that support the preferred candidate of the private donor offering those grants.

This issue sparked national attention immediately following the 2020 election and continues to be a significant issue for election integrity proponents across the country. As you are likely aware, the Chan Zuckerberg Initiative donated \$400 million to fund election activities during the 2020 presidential election.<sup>i</sup> Most of the Chan Zuckerberg Initiative funds, known as "Zuckerbucks," were provided to the Center for Tech and Civic Life (CTCL), a left-leaning non-profit organization run by a former Obama Foundation fellow.<sup>ii</sup> The funds were supposedly for personal protective equipment to help election officials guard against COVID-19. Instead, these funds went largely to get-out-the-vote efforts for the Left.

While getting out the vote is fine, having private funds targeted specifically through official channels to areas based on political makeup is not. And that's exactly what happened in 2020.

Analysis done by the Foundation for Government Accountability (FGA) reveals large disparities in the way funding was allocated to counties, with counties won by Joe Biden in 2020 receiving significantly more in Zuckerbucks funding than counties won by Donald Trump.

In Pennsylvania, for instance, counties that backed Biden received an average of \$4.99 in Zuckerbucks grants per registered voter, compared to just \$1.12 per registered voter in counties won by Trump.<sup>iii</sup> In other states we see the same result. In Missouri, the average grant amount per registered voter for a Biden-carried jurisdiction was more than 50 percent larger than the average for Trump-carried counties.<sup>iv</sup> Zuckerbucks followed Democrats.

In Wisconsin, the results were no less troubling. In 2020, Wisconsin received at least \$10.1 million in Zuckerbucks, with \$8.4 million of that going to just 5 cities—Milwaukee, Madison, Green Bay, Kenosha, and Racine.<sup>v</sup> Milwaukee received two grant awards from CTCL, totaling more than \$3.4 million, while Madison received more than \$1.2 million in Zuckerbucks.<sup>vi</sup> Furthermore, more than \$1 million was funneled into Green Bay, amounting to nearly \$20 per registered voter.<sup>vii</sup> For context, Green Bay's total elections budget was \$329,820, and the private funding increased their budget by a staggering 331 percent.<sup>viii</sup> Racine was also awarded almost \$1 million or \$24 per registered voter.<sup>ix</sup>



Allowing private money to fund the process that elects public officials opens the door to impropriety and outside influence. It also erodes voter confidence in the outcome of elections and enables powerful private individuals and non-profits to influence the election administration process.

But there is a simple solution: Prohibit local governments from applying for, accepting, or spending any funding from private individuals or third parties for election administration, and keep individuals, other than election officials designated by law, from stepping in and administering elections. This is precisely what this constitutional amendment would do.

Wisconsin's elections should be safeguarded from outside influence. Third-party involvement in the conduct of elections, including by out-of-state billionaires, undermines the integrity of Wisconsin elections and erodes voter confidence. Laws banning Zuckerbucks have already been passed and signed into law across the country, including in Arizona, Arkansas, Florida, Georgia, Idaho, Kansas, Kentucky, North Dakota, Ohio, Tennessee, and Texas. It is time for Wisconsin to join this list of states and retake control of its elections.

For all these reasons, I strongly urge you to vote in favor of Senate Joint Resolution 101.

Thank you for your time.

Stewart Whitson  
Visiting Fellow  
Opportunity Solutions Project (OSP)

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<sup>i</sup> "Press Release: CTCL Receives Additional \$100M Contribution to Support Critical Work of Election Officials," Center for Tech and Civic Life (2020), <https://www.techandciviclelife.org/100m/>.

<sup>ii</sup> Tiana Epps-Johnson, Center for Tech and Civic Life, <https://www.techandciviclelife.org/team/tiana-epps-johnson/>.

<sup>iii</sup> Trevor Carlsen, "Zuckerbucks" Followed Biden Voters in Pennsylvania, FGA (April 8, 2021), <https://thefga.org/briefs/zuckerbucks-pennsylvania/>.

<sup>iv</sup> Show Me the Zuckerbucks: Outside Money Infiltrated Missouri's 2020 Election, FGA (November 29, 2021), <https://thefga.org/briefs/show-me-the-zuckerbucks-outside-money-infiltrated-missouris-2020-election/>.

<sup>v</sup> Final report on 2020 COVID-19 response grant program and CTCL 990s, Center for Tech and Civic Life (2021), <https://www.techandciviclelife.org/2020covidsupport/>.

<sup>vi</sup> Alli Fick & Tyler Lamensky, How Zuckerbucks Infiltrated the Wisconsin Election, FGA (June 14, 2021), <https://thefga.org/paper/zuckerbucks-wisconsin-election/>.

<sup>vii</sup> Ibid.

<sup>viii</sup> Ibid.

<sup>ix</sup> Ibid.



STATE SENATOR

**Eric Wimberger**

DISTRICT 30

**Testimony on Senate Joint Resolution 101**

*Senate Committee on Elections, Election Process Reform and Ethics  
Monday, February 7, 2022*

Chairman Bernier and Members,

On Monday 6 April 2020 Governor Evers declared an emergency due to Covid-19 and unilaterally attempted to cancel spring elections. He expressed a desire to take no action days earlier, but changed his mind the day before. After a very short legal battle with the Supreme Court, Governor Evers' attempted power grab ended. It capped off two months of questions, and threw the elections into uncertainty. In Green Bay, most polling locations were shut down, and the city had to vote at two locations in high school gymnasiums. The city clerk described that the locations had to be consolidated as most volunteers were elderly and cancelled for health concerns.

Mayor Genrich gave a teary eyed apology after the spring election debacle, facing harsh criticism for neither recruiting volunteers or accepting trained National Guard elections officials to supplement. He and city officials vowed to do better for the fall elections.

In July 2020 an organization called Center for Tech and Civic Life (CTCL), funded by one of the wealthiest people on earth, Mark Zuckerberg, approached primarily five cities in Wisconsin and offered a total of \$6.8 million to facilitate the election. While there were other cities that received money as well, 90% of it went to those five cities, the biggest Democrat Party voting areas in the state. Green Bay was one of those cities.

The cities offered the money and accepted it by city council vote. Wisconsin Elections Commission (WEC) gave guidance that no law prohibited the act. Green Bay voted to take the money and began planning the fall election.

The money wasn't without a hook. The contract required the City of Green Bay to use a Democrat activist from New York, Michael Spitzer-Rubenstein, as an advisor, among others. Over the course of the next months the City Clerk, Kris Teske, found herself overruled and left out of elections meetings by the "grant team." Although she was the de jure elections manager, the Zuckerberg team was the de facto elections manager. Teske went on Family Medical Leave after a meeting on 22 October and resigned to be the Ashwaubenon Village Clerk in December. The Green Bay Deputy Clerk resigned days after the election as well. Spitzer-Rubenstein orchestrated the fall election and acted as a city clerk would act, though paid by CTCL, including managing staff and having access to ballots.

Whether actual ballots were altered or advantages went to one side remains unclear. However, Mayor Genrich is a former Assemblyman and Democrat. Suspicions remain as to why he didn't ask for National Guard assistance in November and instead opted for help from Democrat activists.

In response, the Legislature passed a bill to prevent cities from taking private money for elections administration, and require all monies to be distributed pro rata to all cities via the WEC. Governor Evers vetoed it.

This proposed constitutional amendment is aimed to stop private entities and wealthy individuals from circumventing campaign finance laws, directly buying off cities and using the government entity as a targeted GOTV effort. By targeting party strongholds with "election assistance," statewide or district wide races could hinge on the extra turnout. The 2016 presidential race was decided by 22,000 votes of 2,976,000 cast, the 2018 gubernatorial by 30,000 of 2,673,000, and the 2020 presidential by 30,000 votes of 3,297,000 cast. Promoting turnout in targeted regions can change the results. Government entities cannot be participants if we want to prevent corruption, live in a society of laws, and promote confidence in the elections process.

If you are opposed to this, ask yourself if you would be OK with a law that permitted private money for GOTV only in cities that vote 55% or higher for the party that opposes you. Would you consider it a harmless GOTV effort to just help people get to the polls, having no effect in favor of your opponent? No, you wouldn't.

There is an advantage being had with the private funds. We are entering a paradigm of private entities battling cities vs cities for control of the state. Do you live in a Zuckerberg city or a Koch Brothers town? This double dark money has to stop now.

State Capitol • PO Box 7882  
Madison, WI 53707-7882  
(608) 266-5670 • (800) 385-3385  
Sen.Wimberger@legis.wi.gov



**Wisconsin**

*Holding Power Accountable*

152 W Johnson Street  
Suite 212  
Madison WI 53703  
608.256.2586

**Testimony of Jay Heck,  
Executive Director of Common Cause in Wisconsin**

**Monday, February 7, 2022**

**Wisconsin State Senate Committee on Elections, Election Process  
Reform and Ethics**

Common Cause in Wisconsin (CC/WI) is the state's largest non-partisan political reform advocacy organization with more than 9,000 members and activists residing in every county in Wisconsin. We strongly support free and fair elections in this state and nation and oppose attempts to make voting more difficult and burdensome.

Much to the disservice to Wisconsin voters, the measures being considered by this State Senate Committee on Elections today were formulated without bipartisan cooperation or consultation, without any collaboration or consultation with CC/WI, or with little to no input from other non-partisan voting rights organizations in Wisconsin.

Furthermore, these measures were devised and made public only late last week and are being subjected to a "fast track" process in which the outcome has already been preordained. These measures have hardly been able to be viewed, digested and understood by the public and additionally by important, trusted election administrators like municipal and county clerks whose jobs are directly related to the bulk of the issues addressed in these bills have not been consulted nor had time to review these bills in this timeframe. Yet they are expected to be passed along party lines and sent to the full State Senate for a vote, as soon as this Wednesday, February 9. Such a process is disrespectful of the voters of Wisconsin who have a right to expect a fairer and more transparent legislative process.

Additionally, CC/WI believes that the following measures being considered today would have a detrimental effect on voter participation in Wisconsin and make it more difficult and burdensome to vote in a state that already has among the most extreme and restrictive voting laws of any state in the United States today.

Accordingly, CC/WI strongly opposes the following measures up for consideration in this committee today. We urge a “No” vote against them and further expect and will encourage Gov. Tony Evers to veto them should they be advanced and passed through the Wisconsin Legislature.

**Senate Bill 935:** This “catch all” measure purports to address certain kinds of election “fraud” and prohibits private resources and contracts for election administration without providing public resources, restricts who may perform tasks related to election administration, restricts the ability to correct minor mistakes/defects on absentee ballot certificates, restricts returning absentee ballots solely to the office of the municipal clerk, appointment of election officials, imposes restrictions on allowing an employee of a residential care facility or qualified retirement home to serve as a personal care voting assistant during a public health emergency or an incident of infectious disease, and imposes severe penalties.

**Why CC/WI is opposed:** This measure is a vast overreach. It imposes unnecessary restrictions on providing assistance to voters who are residents of nursing care facilities, reduces resources available to provide safe voting without providing additional public resources, restricts ability for election clerks to make common sense address corrections to absentee ballot envelopes which will result in qualified ballots not being counted, imposes unreasonable restrictions on who can be a poll worker and provides for unreasonably severe penalties. It will result in the disenfranchisement of voters for minor, technical mistakes.

**Senate Bill 937:** This measure severely restricts who can be considered or who qualifies to be an “Indefinitely Confined Voter” for purposes of receiving absentee ballots automatically and provides severe penalties for non-compliance.

**Why CC/WI is opposed:** It should be up to each Wisconsin voter to determine whether or not they want to receive an absentee ballot in the mail to utilize and not up to a partisan politician. This measure does not even consider a global pandemic, whether it be COVID or similar pandemics in the future, to be a sufficient reason to request an absentee ballot as an indefinitely confined voter. It would also require voters to apply for an absentee ballot for every election instead of just once, for subsequent elections as is now the case. The penalties for “violation” of this unnecessary measure are ridiculously and unreasonably punitive.

**Senate Bill 938:** This measure provides for the utilization of information from the Wisconsin Department of Transportation to verify U.S. citizenship and would require the designation: “not to be used for voting purposes” to be stamped on state issued driver’s licenses and other state issued photo ID.

**Why CC/WI is opposed:** This measure is completely unnecessary and xenophobic. Currently, only U.S. citizens may vote in elections and this additional classification is completely unwarranted and divisive. Furthermore, this measure will potentially disenfranchise qualified electors and relies on unreliable sources for citizenship information.

**Senate Bill 939:** This measure severely restricts the absentee ballot application process, restricts and prohibits the unsolicited mailing or transmission of absentee ballot applications and absentee ballots, restricts the secure delivery of absentee ballots, restricts the canvassing for absentee ballots, further restricts voter registration requirements, electronic voter registration, and provides unreasonable penalties for “violation.”

**Why CC/WI is opposed:** This unwarranted measure makes the entire process of voting by absentee ballot much more onerous and difficult. Absentee voters would need to provide proof of identification for every election. Under this bill, a voter must submit a separate application for each primary and the election associated with that primary for which the voter wishes to receive absentee ballots automatically. It would require the WEC to prescribe the form and instructions of the absentee ballot application and also unnecessarily require the absentee ballot application to be separate and distinct from the certificate envelope in which voters must seal and submit absentee ballots, the outer portion of which includes certifications of both the voter and a witness. Additionally, the bill requires that the application requires the voter to certify facts establishing that he or she is eligible to vote in the election and must include excessive and unnecessary information. In short, this measure discourages voting by absentee ballot, even for voters who have relied on this method of safe and lawful voting for years.

**Senate Bill 940:** This measure would require the Wisconsin Elections Commission to identify and seek a correction to any new or changed voter registration that contains any information different than what is contained by information compiled by the Department of Transportation within ten days by mailing a notice to the voter.

**Why CC/WI is opposed:** This measure is unreasonable and could result in the disenfranchisement of many voters because of a simple error or discrepancy in the information compiled by the DOT and on a voter registration form.

**Senate Bill 941:** This measure dilutes and diminishes the role of the non-partisan professional staff of the Wisconsin Elections Commission and provides for micromanagement of election-related decisions by partisan legislators. It would forbid WEC staff from taking any action to implement federal election guidance and procedures without the approval of partisan state legislators who are on the Joint Committee for the Review of Administrative Rules (JCRAR) with some exceptions.

**Why CC/WI is opposed:** This measure is very possibly illegal under federal law and it is nothing less than a power grab by partisan legislators seeking to seize control of the decision-making process from WEC staff and Commissioners. It also injects more partisanship into basic questions of election administration in the state.



**Senate Bill 942:** This measure requires the Wisconsin Elections Commission to submit an annual report to the Legislature's Joint Committee on Finance (JCF) detailing "all failures" of WEC and the Department of Transportation, Department of Corrections and Department of Health Services to comply with "certain election-related activities." It would abolish one or more full time positions in each of those agencies and lapse up to \$50,000 per day for "non-compliance" or for providing "erroneous guidance" as determined by JCF.

**Why CC/WI is opposed:** This measure is completely unreasonable and extremely punitive in both the reporting requirements and the penalties imposed by highly partisan legislators seeking to control the financial and policy-making process involved in Wisconsin elections. It is a power grab of the very worst kind and it is completely unwarranted.

**Senate Bill 943:** This bill requires the Elections Commission to weekly submit to the Joint Committee for Review of Administrative Rules all documents and communications from the commission that the commission issued in the previous week that are applicable to municipal clerks generally and qualify as guidance documents. If JCRAR determines that such a document or communication satisfies the definition of a rule under current law, JCRAR must notify the commission of that determination and the commission must notify the municipal clerks that the document or communication is withdrawn and no longer applicable.

**Why CC/WI is opposed:** This measure is micro-management in the extreme by partisan legislators over the everyday operations of the non-partisan WEC staff and is tantamount to a complete state legislative takeover by partisan legislators of Wisconsin elections.

**Senate Bill 934 and Senate Bill 936:** While CC/WI finds there are portions of these bills that are legitimately good ideas, they nevertheless are attached to other measures that fail to improve Wisconsin election law. For example, in SB 934, there are good provisions on security and list maintenance, but these are rolled into a bill that requires WEC to treat ERIC data that someone moved as 'reliable', when in 2019 the data proved to be unreliable and this treatment of voter registration information will result in a purge of eligible voters. The audit provision in SB 936, while not a Risk Limiting Audit as CC/WI supports, is an improvement on current statutes by requiring the audit to be pre-certification and done by hand. While there are reasonable provisions and fixes in some of these bills, they are attached to measures that harm voters, do nothing to further election integrity, and continue to erode confidence in our elections and democracy. For these reasons, CC/WI is opposed to SB 934 and SB 936.

**Senate Joint Resolution 101:** This constitutional amendment, proposed to the 2021-22 legislature on first consideration, does all of the following:

1. Provides that no state agency or officer or employee in state government and no political subdivision of the state or officer or employee of a political subdivision may apply for or accept any donation or grant of private resources for purposes of election administration.

2. Prohibits the use of a donation or grant of private resources for purposes of election administration.
3. Prohibits any individual other than an election official designated by law from performing any task in election administration.

A constitutional amendment requires adoption by two successive legislatures and ratification by the people before it can become effective.

Why CC/WI is opposed: This measure would prevent any city, town, village or municipality from applying or accepting any private donation for the purpose of mitigating the effect of COVID such as for masks, cleaning products, plastic shields, hiring poll workers or for any other reason even if there are insufficient public resources available for the purpose of making voting safe and free from possible infection and disease. There is no provision in this measure to provide increased public resources to replace private support for safe voting practices and would likely result in decreased voter participation.

Thank you for your respectful consideration of our views.