



THOMAS WEATHERSTON

STATE REPRESENTATIVE • 62ND ASSEMBLY DISTRICT

Madam Chair and committee members, thank you holding this hearing on AB 602, a marriage license law updated.

Within my district I have heard from several constituents over the years that they were denied a marriage license.

Recently, I asked my county clerk about the marriage license application, as I haven't needed one in a long time. To my surprise my fiancé was denied the right to file an application. My fiancé is a Naturalized U.S. citizen with a U.S. passport, Naturalization papers, and a State of Wisconsin driver's license among other identification. She is also a Federal Employee.

She was born in Mexico and does not have a birth certificate. Many people from all over the world, especially those born on rural farms do not have a birth record. U.S. Naturalized Citizens, without a birth certificate, at some time gave proof to our federal government on when and where they were born.

In Wisconsin a marriage license application requires a birth certificate. The law does allow the county clerk to accept other ID but they are not required to. This bill simply changes way to accept other identification, slightly shortens the waiting period and makes a license valid for 60 days in lieu of the current 30 days.

These are simple common sense changes needed desperately to reform a very old law to be more reflective of the makeup of our communities.



JoCasta Zamarripa

STATE REPRESENTATIVE

January 9, 2017

Testimony on Assembly Bill 602

Thank you Madam Chair and members of the Assembly Committee on Family Law for allowing me to testify in favor of this important piece of bipartisan legislation.

Marriage has been recognized time and time again as a right for all loving couples living in the United States. Since I became a legislator eight years ago, we have made historic strides toward marriage equality.

Unfortunately, there are still ways for a couple to be discriminated against when they decide to get married. In Wisconsin, people can be legally denied a marriage license if they do not have a United States birth certificate. People who wish to make a lifetime commitment to one another may have to go to Illinois or Minnesota because they are foreign born, or simply do not have access to their birth certificate.

We need to fix this outdated statutory language that is keeping loving couples from celebrating their love with friends and family. Wisconsin is a state with a long-standing tradition of welcoming foreign citizens and supporting the institution of marriage. We need to remove these unnecessary barriers and obstacles to obtaining a license.

Thank you again for holding this hearing on AB 602.

Carmen Chavez

10224 Dunkelow Rd.

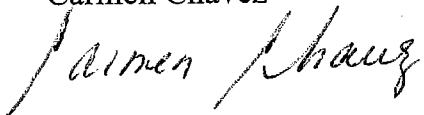
Franksville, WI 53126

To whom this letter may concern

I was denied a marriage license at the Racine County Courthouse because I do not have a birth certificate. I was born in Mexico but I became a United States citizen in 1996. I do have a current driver's license and passport. If there is anything more I can do on my part, please contact me.

Sincerely,

Carmen Chavez

A handwritten signature in cursive script that reads "Carmen Chavez". The signature is written in dark ink and is positioned below the printed name.

Please Wisconsin, may I get married?

The process of getting the permission slip in this state needs some work. Is Wisconsin about promoting MARRIAGE, or about promoting marriage BUREAUCRACY?

Let me walk you through what happens after the initial "Oh my gosh, I'm getting married!" moment all couples experience after the elation of the proposal.

You begin the endless process of PLANNING the actual wedding. Most of you are married, so I don't have to walk you through it, but suffice to say, it's not like you can simply conjure a wedding out of thin air. Venue. Officiant. Reception. Invitations. Just finding a venue can be a challenge.

It threatens to suck the fun out of the whole thing on its own.

But then...then you get to THE STATE. You would think the easiest thing about getting married is getting the license. Nope.

In Wisconsin, you must appear IN PERSON to your county clerk's office. Both the bride and groom (or bride and groom, or groom and groom) must be present in person. The clerk has limited hours. Expect to wait in line. Don't count on being able to do it over lunch. Better hope your clerk's office is close enough to your workplace that you don't have to take time off. Mine wasn't. Mine was a county away. Forget about getting done over lunch. Take the day off.

But yay! You have your license, right? Nope. You have to wait 6 days. What is that? A cooling off period? For marriage? Apparently the state of Wisconsin wants to make sure you really, really, REALLY want to get married! Not like you couldn't just rip up the application if you decided you shouldn't have said yes while drinking....

I kid.

Next, you have to share EVERYTHING about yourself. Well, almost everything. The country where you were born. Your education level. What variety of ethnicity you are. Mom's maiden name.

Why does Wisconsin care whether you graduated from graduate school or not? Why does Wisconsin care what country you're from? What business is it of Wisconsin's what variety of Caucasian or Hispanic someone is? And why does Wisconsin need to know your mom's maiden names?

Then, present the EVIDENCE. A couple both present must present legal state ID, a birth certificate, a social security number, and proof of divorce. Not just a state ID. Not just a passport. Not just a birth certificate. Not just a social security number. All of it. Because apparently, what's good enough to vote or buy a gun in Wisconsin is INSUFFICIENT to get a marriage license.

Marriage is some SERIOUS business in Wisconsin, I guess!

Hang on, you're not done. You need the name, address and phone number of your officiant. How many of you have the name, address and phone number of a judge or a priest or a pastor at the ready?

Now remember, you can't be closer than second cousins, unless you're a woman over 55. I guess it's for the kids, right? Except that's more than a bit off-putting, especially if you're a same sex couple!

But finally...you've filled out the form. Now you think you're done. But you're not done. Now you wait until your clerk has processed the application...and then you wait some more...another 6 days.

Oh and that'll be \$90 please. \$90 dollars to key in information from a pre-prepared form. \$90 for about 10 minutes labor. Pretty good for government work?

Now the clock really starts ticking. You only have 30 days to USE your marriage license. So after that "cooling off period", HURRY UP AND GET MARRIED!

One day past 30 days, and the process starts all over again.

Maybe Wisconsin just wants to make us all meticulous about our time management, but with everything going on in planning a wedding, perhaps a little relief is in order?

So finally, the big day arrives...and it's awesome. Well, mine was. All the hassle was well worth it. We say "I do!", the officiant says "I now pronounce you husband and wife", and you sign the license.

Now, where to file the license? Where you live? No, where you got married. If those two counties are different, then one more time, make that drive to ANOTHER clerk's office, with limited office hours. Probably going to cost you a little more time off from work again. Unless you had planned to go on your honeymoon right away, in which case, pray the person you trust to file the license does so in a timely manner!!!

Because you have exactly 3 days to FILE the license. Per WI statute 765.30 (4)(a), the penalty for failure to file your license in 3 days is "\$200 fine or (3) months IMPRISONMENT".

Wow, Wisconsin!

Why, Wisconsin, make it so hard. Is the state interested in promoting MARRIAGE...or a marriage bureaucracy?

I think we can do a lot better.

Thank you.

A handwritten signature in black ink, appearing to be "A. McAllister" or similar, written in a cursive style.