



DUEY STROEBEL

STATE SENATOR • 20TH DISTRICT

Testimony on Senate Bill 741

Thank you Chair Bernier and members of the Senate Committee on Elections, Ethics and Rural Issues for holding a public hearing on Senate Bill 741. The bill represents a common sense, good government reform designed to improve public awareness and encourage citizen participation in local government. My testimony will be directed toward the substitute amendment that was recently introduced.

Under current law, an incumbent local elected official who seeks reelection is required to file a declaration of candidacy with the office of record (i.e., the local clerk's office) within a specified timeframe. On the other hand, an incumbent local elected official who *does not* plan to seek reelection is supposed to file a notification of non-candidacy with the local clerk's office within a specified timeframe. Under both scenarios, there is no requirement for the local clerk's office to provide public notice of the opening of a seat for a local governing body.

SB 741 seeks to improve public awareness of open seat elections at the local level by requiring the local clerk's office to provide public notice of non-candidacy filings in accordance with the state's legal notice law.

Wisconsin's spring local government elections usually feature lower turnout and less media coverage on the candidates who are vying for open seats compared to their fall equivalents. This reality makes it all the more imperative that we advance sensible reforms to improve public knowledge and provide opportunities for citizens to engage with our system of government. SB 741 is one such reform.

Thank you again for your time and consideration. I would welcome any questions from the committee.



TIMOTHY RAMTHUN

STATE REPRESENTATIVE • 59th ASSEMBLY DISTRICT

02/12/2020

Testimony on Senate Bill 741, Senate Committee on Elections, Ethics, and Rural Issues

Chairwoman Bernier and Members of the Senate Committee on Elections, Ethics, and Rural Issues,

Thank you for holding a public hearing today and allowing me to testify in favor of Senate Bill 741, which seeks to require public notice of noncandidacy for incumbent local elected officials.

Free and fair elections are the cornerstone of any representative democracy. In order for the public to have confidence in the process and results of any election, transparency and openness are absolutely critical.

In any election, if the incumbent files with the office of record a notification of non-candidacy or fails to file a notification of candidacy by a certain deadline, the seat is considered 'open'. Under current law, there is no requirement for the office of record to provide public notice of an open seat for county and local elections, only state elections. Senate Bill 741 will bring local-level non-candidacy notices in line with state-level requirements.

This bill, with the substitute amendment, would require any office of record for non-state elections (school board, local, county, etc.) to provide public notice of an open seat election via an Internet posting on their website. If the office of record does not have a website, they must provide a posting in three public areas, similar to current open meetings law requirements.

This notice would increase public awareness of an open seat that might otherwise go unnoticed. In addition, many individuals might be interested in public service, while also not wanting to run against an incumbent. With a public notice of an open seat, those individuals will have the chance to reevaluate their desire to run in light of an incumbent leaving office.

Senate Bill 741 will boost public awareness of open seat elections at the local and county level, allowing for people to engage in our system of government in ways they otherwise might not.

Thank you again for holding this hearing on Senate Bill 741 and allowing me to testify in favor of it. I am happy to answer any questions you may have.

2019 - 2020 LEGISLATURE

SENATE SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 741

February 11, 2020 - Offered by Senator STROEBEL.

1 **AN ACT** *to create* 8.05 (1) (j) 2m., 8.10 (2) (am), 8.15 (1m), 8.20 (8) (ae) and 120.06
2 (6) (b) 3m. of the statutes; **relating to:** public notice of noncandidacy for
3 incumbent local elected officials.

Analysis by the Legislative Reference Bureau

Under current law, there is no public notice requirement when an incumbent local elected official whose office is up for election either files a notification of noncandidacy or fails to file a declaration of candidacy within a specified time frame.

Under this bill, if such an incumbent files a notification of noncandidacy or fails to file a declaration of candidacy, that fact must be posted on the Internet or in three different locations within the relevant jurisdiction if there is no Internet site. The bill's public notice requirement applies to the officer or body with whom current law requires a declaration of candidacy to be filed for a particular office.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 SECTION 1 . 8.05 (1) (j) 2m. of the statutes is created to read:

1 8.05 (1) (j) 2m. If, under subd. 2., an incumbent files written notification that
2 the incumbent is not a candidate for reelection to his or her office or fails to file a
3 declaration of candidacy within the time prescribed by this paragraph, the officer or
4 body with whom the declaration of candidacy is required to be filed shall promptly
5 provide public notice of that fact on the officer's or body's Internet site or, if the officer
6 or body does not maintain an Internet site, by posting notices in at least 3 different
7 locations within the jurisdiction that the officer or body serves.

8 SECTION 2 . 8.10 (2) (am) of the statutes is created to read:

9 8.10 (2) (am) If, under par. (a), an incumbent holding local office files written
10 notification that the incumbent is not a candidate for reelection to his or her office
11 or fails to file a declaration of candidacy within the time prescribed in par. (a), the
12 officer or body with whom the declaration of candidacy is required to be filed shall
13 promptly provide public notice of that fact on the officer's or body's Internet site or,
14 if the officer or body does not maintain an Internet site, by posting notices in at least
15 3 different locations within the jurisdiction that the officer or body serves.

16 SECTION 3 . 8.15 (1m) of the statutes is created to read:

17 8.15 **(1m)** If, under sub. (1), an incumbent holding local office files written
18 notification that the incumbent is not a candidate for reelection to his or her office
19 or fails to file a declaration of candidacy within the time prescribed in sub. (1), the
20 officer or body with whom the declaration of candidacy is required to be filed shall
21 promptly provide public notice of that fact on the officer's or body's Internet site or,
22 if the officer or body does not maintain an Internet site, by posting notices in at least
23 3 different locations within the jurisdiction that the officer or body serves.

24 **SECTION 4 . 8.20 (8) (ae) of the statutes is created to read:**

1 8.20 **(8) (ae)** If, under par. (a), an incumbent holding local office files written
2 notification that the incumbent is not a candidate for reelection to his or her office
3 or fails to file a declaration of candidacy within the time prescribed in par. (a), the
4 officer or body with whom the declaration of candidacy is required to be filed shall
5 promptly provide public notice of that fact on the officer's or body's Internet site or,
6 if the officer or body does not maintain an Internet site, by posting notices in at least
7 3 different locations within the jurisdiction that the officer or body serves.

8 **SECTION 5 . 120.06 (6) (b) 3m. of the statutes is created to read:**

9 120.06 **(6) (b) 3m.** If, under subd. 3., an incumbent files written notification that
10 the incumbent is not a candidate for reelection to his or her office or fails to file a
11 declaration of candidacy within the time prescribed by this paragraph, the school
12 district clerk shall promptly provide public notice of that fact on the school district's
13 Internet site or, if the school district does not maintain an Internet site, by posting
14 notices in at least 3 different locations within the school district.

15 **SECTION 6 . Initial applicability.**

16 (1) This act first applies to the April 6, 2021, election.

17 **(END)**