



TIMOTHY RAMTHUN

STATE REPRESENTATIVE • 59th ASSEMBLY DISTRICT

04/14/2021

Testimony on Assembly Bill 51, Assembly Committee on Campaigns and Elections

Chairwoman Brandtjen and Members of the Assembly Committee on Campaigns and Elections,

Thank you for holding a public hearing today and allowing me to testify in favor of Assembly Bill 51, which seeks to require public notice of noncandidacy for incumbent local elected officials.

This bill is a reintroduction of Assembly Bill 834 from last session, which passed this committee by unanimous vote.

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. Assembly Bill 51 will bring local-level noncandidacy notices in line with state-level requirements.

This bill 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, the same as 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.

Assembly Bill 51 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 Assembly Bill 51 and allowing me to testify in favor of it. I am happy to answer any questions you may have.



DUEY STROEBEL

STATE SENATOR • 20TH DISTRICT

Testimony on Assembly Bill 51

April 14, 2021

Thank you Chair Brandtjen and members of the Assembly Committee on Campaigns and Elections for holding a public hearing on AB 51. The bill represents a common sense, good government reform designed to improve public awareness and encourage citizen participation in local government.

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.

AB 51 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. AB 51 is one such reform.

Last session, this bill passed the Assembly and a Senate committee, but failed to pass the Senate due to the onset of COVID-19. I'm confident we can get this across the finish line this session.

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

ROCK COUNTY, WISCONSIN

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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 'Lisa Tollefson', with a long horizontal flourish extending to the right.

Lisa Tollefson
Rock County Clerk



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.