



# DUEY STROEBEL

STATE SENATOR • 20<sup>TH</sup> DISTRICT

## Testimony on SB 206

*May 5, 2021*

Good morning Chair Bernier and fellow members of the Senate Committee on Elections, Election Process Reform and Ethics. Last year a widespread misinformation campaign spearheaded by the Dane County clerk urged voters to claim indefinite confinement as a means of bypassing Wisconsin's voter ID law and automatically receiving absentee ballots. While the Wisconsin Elections Commission and the Wisconsin Supreme Court<sup>1</sup> both rebuked the clerk for the misinformation, serious damage was done. The number of indefinitely confined voters in Wisconsin increased 238% over the course of last year, with roughly 243,900 residents claiming indefinite confinement by the November election.

In fact, one state lawmaker last year claimed to be indefinitely confined but then proceeded to appear on the campaign trail seeking re-election. Although she did not win, she did serve as an electoral college elector in the presidential election. This required her to travel to the state Capitol in December where she cast her vote - in-person - with other electors from her party.

The indefinite confinement statute is an important mechanism for those who are truly indefinitely confined due to illness, disability or age. Widespread use of this provision by some individuals who were not truly confined was a terrible abuse of process. We must reform this provision of the law to protect it from abuse and ensure that it is a workable and transparent process for those who genuinely need it.

My remarks today focus on the language I introduced as a simple amendment to SB 204. This amendment was published on the legislative website on Monday. Feedback from the public hearing on SB 204 made it clear that the absentee ballot provisions of that legislation should be directly attached to indefinitely confined voter proposals in order to create a coherent and workable approach to both issues. If only one of the two bills happens to advance through the legislative process, indefinitely confined voters could be left with an incomplete process for casting absentee ballots. Consolidating the two bills into a single piece of legislation eliminates these valid process concerns.

As amended, this proposal provides statutory clarity as to when a voter may claim indefinite confinement. The mere existence of a public health emergency or epidemic or other general situation does not specifically qualify an individual as indefinitely confined.

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<sup>1</sup> <https://www.wisbar.org/NewsPublications/InsideTrack/Pages/Article.aspx?Volume=0&Issue=0&ArticleID=28110>

The status is directly related to the individual's own, personal age, health or medical condition. This reinforces previously issued guidance from the Elections Commission and a ruling by the state Supreme Court.

While currently law merely says that "age" is a qualification for indefinite confinement, it does not define that age. Under my proposal, any elector age 65 or older may apply for and receive a designation as indefinitely confined merely because of their age. The status is not automatically granted. It must be applied for and it must be renewed every five years if a voter wishes to continue receiving absentee ballots.

For voters under age 65, the voter must certify under penalty of a Class I felony that they are indefinitely confined. Additionally, another U.S. citizen is required to sign a statement confirming that the elector is actually indefinitely confined. There is no requirement that the elector or witness disclose any medical information in this statement. This status lasts for 2 years before a voter would be required to re-apply.

This amendment also protects the integrity of Wisconsin's voter ID law by requiring indefinitely confined voters to include a copy of their voter ID with the returned absentee ballot. This allows municipal clerks to verify that the individual who completed and returned the ballot is the same person who received the ballot in the first place. Since ballots are automatically mailed to electors on the indefinitely confined list, it is important to have a two-factor authentication process that protects the integrity of the ballot.

If an indefinitely confined voter does not have a current voter ID that meets statutory requirements, the amended bill affords the voter the opportunity to have another person verify their identity with a witness statement. This closely aligns with current law, which allows long-term care facility residents to have their identity and residence confirmed by an employee of the facility at which they live.

Violations of any part of this process, to include falsely claiming indefinite confinement, claiming indefinite confinement for the purpose of avoiding the voter ID requirement when one possesses a valid voter ID, and making false statements affirming another's qualification for indefinite confinement are a Class I felony. Further, the bill directs the Elections Commission to conduct a clean-up of the current indefinitely confined voter list by removing anyone who applied for the status between March and November of 2020. Individuals with a valid reason for being indefinitely confined and who applied for the status during that timeframe are of course free to re-apply for the status under the provisions outlined in the legislation.

Thank you for your time today and I'm happy to answer any questions.



# CINDI DUCHOW

STATE REPRESENTATIVE • 99<sup>th</sup> ASSEMBLY DISTRICT

(608) 266-3007  
Toll-Free (888) 534-0099

Rep.Duchow@legis.wi.gov  
RepDuchow.com  
P.O. Box 8952  
Madison, WI 53708-8952

## Senate Committee on Elections, Election Process Reform and Ethics SB 206 – Indefinitely Confined Voters May 5, 2021

Thank you Chairwoman Bernier and members of the Committee for holding a public hearing on Senate Bill 206. This bill aims to clarify Wisconsin's existing indefinitely confined voter statute and battle the misinformation that caused confusion during the 2020 General Election.

Current law is unnecessarily vague and allows for voters to declare they are indefinitely confined because of age, disability or infirmity. Without clear definitions on what this means, many clerks were informing voters that any citizen can claim they may be indefinitely confined because of the COVID-19 pandemic. The State Supreme Court ruled this advice was incorrect, but decided that it is up to each voter to determine if they are in fact indefinitely confined.

The following provisions of Senate Bill 206 specify who may or may not declare indefinite confinement, and ensure Wisconsin's clerks have the most up to date information on the status of indefinitely confined voters:

- 1) Require statements of indefinite confinement to be made under oath or affirmation, with a witness concurring if the individual is under the age of 65.
- 2) Clarify that the existence of a pandemic does not make everyone indefinitely confined.
- 3) Require electors to re-enroll on the indefinitely confined list every 2 years if under age 65, every 5 years if over the age of 65.
- 4) Directs municipal clerks to remove a person from the list once they receive reliable information that the person is no longer indefinitely confined.
- 5) Require the Elections Commission to remove any person from the indefinitely confined rolls who applied for such statutes between March 12, 2020 and November 3, 2020. Those electors may, of course, apply again for indefinitely confined status under the provisions of the bill.
- 6) Impose a Class I felony on anyone who uses "indefinitely confined" as an excuse to bypass Wisconsin's voter ID law.

It is important that Wisconsin's laws are clear and precise, something that our current indefinitely confined voter statute is not. It is important that those who are unable to visit their polling location have the same opportunity to vote as everyone else, while also ensuring that Wisconsin's other elections laws are being followed. Senate Bill 206 accomplishes both of these goals and will help increase trust and confidence in Wisconsin's future elections.

Thank you Committee members for your consideration of Senate Bill 206.

Representative Cindi Duchow



**City of Madison**

Mayor Satya Rhodes-Conway  
City-County Building, Room 403  
210 Martin Luther King, Jr. Blvd.  
Madison, WI 53703

Phone: (608) 266-4611 | Fax: (608) 267-8671

**To: Senate Committee on Elections, Election Process Reform and Ethics**

**From: Mary Bottari, mbottari@cityofmadison.com**

**Date: May 5, 2021**

**Re: Senate Bills 209, 203, 206, 212**

I am writing on behalf of the City of Madison to express concerns with bills before the committee today, including SB 209, 203, 206, and 212. These bills are part and parcel of a national trend.

As of March, legislators in 47 states have introduced 361 bills to restrict access to voting, according to the Brennan Center for Justice. The *Washington Post* has characterized this unprecedented stampede as “the most sweeping contraction of ballot access in the United States since the end of Reconstruction, when Southern states curtailed the voting rights of formerly enslaved Black men.” Wisconsin is no slouch, introducing dozens of bills that make it harder -- not easier -- for voters to cast their ballots.

Bills have been introduced in the Wisconsin legislature that would bar many of the best practices Wisconsin cities, towns and villages developed to keep voters safe during the COVID-19 pandemic and would create a swath of new criminal penalties impacting voters and voting officials in the complete absence of any evidence of fraud or misconduct related to the 2020 elections.

**SB 209/AB 177:** Last year, in preparation for a huge influx of absentee ballots due to the pandemic, Madison installed permanent ballot drop boxes at 13 locations on city property, predominantly at fire stations. Instead of making funds available so that every community could similarly make voting safe and accessible, SB 209 would force Madison to rip out its 13 ballot boxes and only have one at the City Clerk’s office. There is no explanation for this absurdity. Communities across the nation have safely utilized drop boxes for years, not just during a pandemic.

During the pandemic, many fearful voters asked a trusted friend or neighbor to return their absentee ballot to the clerk’s office on their behalf. **SB 203/AB 192** would place bureaucratic hurdles in front of voters who wanted to exercise this common-sense option, instead forcing them to designate someone in writing to deliver their ballot and making it a Class one felony for a person to deliver more than one ballot -- a felony even though there has been no evidence of problems or fraud related to this practice.

**SB 206/AB 180** would force a disabled person or an indefinitely confined voter to reapply for “indefinitely confined” status every two years, and would require voters under 65 to have the certification of a physician or a medical professional to obtain this status. The bill applies stiff penalties to anyone seeking this type of accommodation incorrectly.

**SB 212/AB 198:** With regard to AB 198, the City of Madison anticipates that increased levels of absentee voting will be a permanent fixture in our elections. In an era of increasing absentee ballots, it simply does not make sense that clerks will be required to return ballots to voters (a process that could take two weeks or more by mail) for minor address corrections to exterior envelopes. A common error is when the witness (often the spouse of the voter) forgets to fill in their full address in the witness certification box on the exterior envelope of the ballot, because the voter already has given the address. The legislature must allow clerks to correct minor issues via email or phone call or thousands will be disenfranchised.

In the middle of the worst pandemic in modern American history, the Wisconsin state legislature failed to take any action to aid localities charged with administering elections. When election workers quit by the thousands, the legislature did not provide funds to help clerks with absentee ballots, postage, drop boxes, PPE, Plexiglas or masks. They stood by as election official across the state struggled to do their best and preserve election integrity under extraordinary conditions.

Now with no evidence of wrongdoing on the part of any election official, the legislature is inappropriately attempting to pass bills containing a series of new felony charges applying to Wisconsin’s respected clerks and election officials. It is the view of the City of Madison that our state election officials and poll workers are among the heroes of this pandemic, who worked tremendous hours to protect our democracy and voting rights in a time of crisis in a nonpartisan and professional manner.



203 South Paterson Street, Suite 100 / Madison WI 53703-3689 / 608 255-4260 / [www.wisd.org](http://www.wisd.org)

Testimony of Matt Rothschild

Executive Director, Wisconsin Democracy Campaign

Senate Committee on Elections, Election Process Reform, and Ethics

May 5, 2021

**Re: In opposition to SB 203, SB 206, SB 209, and SB 212**

Chair Bernier, and other distinguished members of the Committee.

I'm Matt Rothschild, the executive director of the Wisconsin Democracy Campaign.

Now in our 26th year, the Wisconsin Democracy Campaign tracks and exposes the money in Wisconsin politics and advocates for a full range of pro-democracy reforms so that we can have a democracy where everyone has an equal voice.

The Wisconsin Democracy Campaign strongly opposes SB 203, SB 206, SB 209, and SB 212.

But before I get into the specifics, I need to object, once again, to the raft of anti-voter bills that are being introduced here in Wisconsin and in 46 other states, to erect barriers to the exercise of our sacred freedom to vote.

This effort reinforces a pernicious lie and feeds a dangerous mass delusion about the legitimacy of the Biden presidency, and it corrodes the cornerstone of our democracy, which is respect for our electoral process.

I urge you not to further this lie.

I urge you not to feed this delusion.

And I urge you to vote against these bills that would make it harder for anyone to vote by absentee ballot – and especially for persons with disabilities and the elderly.

Now to the specifics on the four bills we oppose.

## **SB 203**

This bill burdens people who are in nursing homes or residential care facilities who are voting by absentee ballot in the days close to the election. Dropping the ballot in the mail is too risky. So what's the person to do?

This bill says the person needs to get their legal guardian or an immediate family member in Wisconsin to deliver the ballot. Only if the person doesn't have a legal guardian or immediate family member living in Wisconsin can the person designate, in writing, one non-family member who is a registered voter to deliver the ballot.

This sets up way too many hurdles.

What if the legal guardian or immediate family members are actually residing in Wisconsin but aren't available? Then the person is out of luck under this bill.

What if the person is disabled and can't write? How can the person then designate, in writing, the one non-family member to deliver the ballot?

What if a husband and wife in a nursing home want to use the same non-family member to deliver their ballots? They can't do that under this bill. That's ridiculous.

## **SB 206**

This bill makes anyone who is indefinitely confined jump through several unnecessary hoops.

First, the person would need to make a statement under oath affirming the fact of being indefinitely confined. Does that mean the statement would need to be notarized? If so, that would cost money and be a poll tax.

On top of that, if the indefinitely confined voter is under 65, that sworn statement would need "to be signed by a physician, physician assistant, or advanced practice registered nurse who has primary responsibility for the treatment and care of the voter."

This is unconstitutional age discrimination, which would violate the 14<sup>th</sup> Amendment Equal Protection Clause and the 26<sup>th</sup> Amendment, which states: "The

right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.”

In addition, this bill would require the Wisconsin Elections Commission to remove all voters who identified themselves as indefinitely confined between March 12, 2020 and November 3, 2020, and force them all to reapply for that status.

This is a crude, blanket invalidation of the status of tens of thousands of voters last year, and it implies that they all misrepresented themselves, with no evidence whatsoever. This presumption of guilt is antithetical to our system.

Finally, the bill specifies that the existence of an epidemic does not qualify the voter as being indefinitely confined.

For many elderly voters and those with preexisting conditions who were home-bound for their own safety because of COVID, this edict is heartless. And it would imperil everybody’s right to vote during any future pandemic.

### **SB 209**

This bill says that absentee ballot drop boxes must be attached to the building where the office of the clerk is located. This would disadvantage many poor people and students and people of color who do not live near city hall and who were able, during the last election, to find drop boxes closer to where they live. In big cities, this bill would cause long lines and make it much more difficult to vote by absentee ballot.

Also note that the language specifying that the drop box must to be attached to the building where the office of the clerk is located conflicts with the language in SB 203, which states that “a designated collection site must be located as near as practicable to the office of the municipal clerk.” So which is it?

### **SB 212**

This bill would prohibit clerks from correcting the most minor problems with an absentee ballot, like when the full address of the witness is not filled out completely. Maybe it’s missing the city and zip code. Under this bill, the clerk



would not be able to fill in that info, but must return the ballot to the voter and notify the voter on the MyVote website. Problem is, many absentee voters may not have Internet access or may not be fluent online. And by the time the ballot is returned to them, it may be too late. To deprive people of their right to vote on such petty technicalities is an intolerable burden.

For these reasons, we oppose these bills.

Thank you for considering our views.

**ROCK COUNTY, WISCONSIN**

Office of the Rock County Clerk  
51 South Main Street  
Janesville, WI 53545

Lisa Tollefson, Rock County Clerk



Office (608) 757-5660  
Fax (608) 757-5662  
[www.co.rock.wi.us](http://www.co.rock.wi.us)  
[Lisa.Tollefson@co.rock.wi.us](mailto:Lisa.Tollefson@co.rock.wi.us)

May 5, 2021

Committee on Elections, Election Process Reform and Ethics Chair and Members:

Testimony for Public Hearing

**Senate Bill 203 – Relating to: the secure delivery of absentee ballots and providing a penalty**

- **Against**
- This bill has several issues:
  - Is the clerk one monitoring who is dropping off the ballot?
  - Is the clerk going to need to record who drops off the ballot?
  - If the clerk is policing ballot drop off, how are they going to verify if someone is immediate family. How many of us do not have the same last name as our parents or siblings?
  - Why does the immediate family need to live in the state? The city of Beloit, WI and city of South Beloit, IL run together. A voter's sibling or child may live just a few blocks away in another state.
  - **Felony confusion:**
    - This bill creates a felony.
      - “No person designated to deliver a return envelope may deliver more than one envelope for any election for a person who is not a member of the person's immediate family.”
    - SB180 also creates a felony.
      - “Obtain a marked absentee ballot from another person and fail or refuse to deliver it to the proper municipal clerk or polling place.”
    - Let's look at how this will play out. An elderly couple asks their neighbor to deliver their ballots to their municipal clerk. It is a felony for the neighbor to deliver more than one ballot and it is a felony for the neighbor to refuse to deliver the ballots. The neighbor is felon if they do and felon if they don't.

**Senate Bill 206 – Relating to: status as an indefinitely confined voter for purposes of receiving absentee ballots automatically and providing a penalty.**

- **Against**
- Not all voters who claimed they were indefinitely confined during the pandemic, claimed they were indefinitely confined because of the pandemic. Just wiping everyone off the list is like throwing the baby out with the bath water. Many clerks have already sent out letters to verify if voters are indefinitely confined. Some voters are coming off; others are not.
- It would be more helpful to add an additional confirmation verification box making sure the voter understands that they are selecting indefinitely confined on the MyVote.wi.gov website. Then add an option to my MyVote.wi.gov website to allow the voter to cancel their indefinitely confined status.

**Senate Bill 209 – Relating to: returning absentee ballots to the office of the municipal clerk**

- **Against as written**
- **Recommendation for amendments**
  - ONE size does not fit all.
  - Large population municipalities should be allowed more drop boxes; as long as they are on government property, secured and monitored.
  - Why does the box need to be attached to the building? A drop box secured to a poll, cemented into the ground is just as effective and would allow a disabled voter to drive up and drop off their ballot without having to get out of their car.
  - Do not set specific time for the entire state to empty the drop box. Many part-time clerks work another job. They are not able to empty their drop box at 9:00 a.m. when they are at their other job. What if the box is overflowing or full?

**Senate Bill 212 – Relating to: defects on absentee ballot certificates, certain kinds of election fraud and providing a penalty.**

- **Against**
- This bill requires the clerk to return an absentee ballot to the elector if the certificate envelope is insufficient. This, in most cases, means mailing the ballot back to the voter. So if a voter's spouse is their witness, and the spouse writes in their address but not the city/state, the clerk must return the ballot to the voter. This is a waste of taxpayer dollars, when the clerk can easily see the witness lives at the same address as the elector.
- This bill requires the clerk to return an absentee ballot to the elector when the certificate envelope is insufficient. **There is no timeframe in the bill as to when to stop sending the absentee ballot with an insufficient certificate back to the voter.** So, if an absentee ballot is returned with an insufficient envelope even on or after Election Day, it SHALL be returned to the voter.

Thank you for your consideration,



Lisa Tollefson  
Rock County Clerk



WISCONSIN BOARD FOR PEOPLE  
WITH DEVELOPMENTAL DISABILITIES

May 5, 2021

Senator Bernier  
Chair, Senate Committee on Elections, Election Process, Reform and Ethics  
Wisconsin State Capitol, Rm 319 S  
Madison, WI 53707

Dear Senator Bernier and Committee members:

The Wisconsin Board for People with Developmental Disabilities (BPDD) is concerned that changes proposed in SB 203, 206, 209 and 212 may negatively and disproportionately impact people with disabilities. These bills may make it more difficult to absentee vote. Voters with disabilities have a higher utilization of absentee voting. Many are non-drivers with limited access to transportation. In addition, polling place accessibility issues and/ or disability-related or health concerns may limit their ability to vote in person.

### **SB 203 / AB 192: Secure delivery of absentee ballots**

Many voters prefer to have a trusted person drop off their absentee ballot directly at an absentee ballot drop box or at the clerk's office to guarantee it is received on time. Delays in mail delivery can impact when a requested ballot is received by the voter and returned to the clerk. Many absentee voters with disabilities may be non-drivers and may rely on friends, neighbors, extended family, and other community members to assist with routine errands and administrative tasks, including turning in their completed and secured absentee ballot.

This bill would restrict who can return an absentee ballot on a voter's behalf to the voter's immediate family or legal guardian. Other Good Samaritans would face felony charges for the same act of turning in a sealed official document. Current law recognizes a wide network of people who are willing to help their neighbors and allows the voters to choose who they trust to carry out important tasks. This approach better reflects the reality of people's lives and support networks. Family members and guardians may live at a distance and not be available or willing to return a voter's absentee ballot.

The limited exception the bill makes to accommodate absentee voters who do not have immediate family or a guardian living in the state is insufficient. The burden is on the absentee voter to identify another registered voter who has not already delivered another absentee ballot and to designate that person in writing. Checking and verifying another person's registration status would be a barrier to many voters, and it is unclear why a person's registration status makes them better qualified to deliver paperwork. Many other important legal and governmental documents may be dropped off on behalf of someone else without any criteria imposed on the deliverer.

Many households may have more than one absentee voter; the prohibition against a non-family member returning more than one ballot is inefficient and artificially restricts the number of available people who can assist absentee voters. Under this bill a nephew—not an immediate relative under the bill's definition—asked to drop off his elderly aunt and uncle's absentee ballot could help one and not the other.

## **SB 206/AB 180 Returning Absentee Indefinitely Confined Voter**

Many people with disabilities rely on absentee voting to exercise their right to vote and use the “indefinitely confined” option because of barriers to independently getting around in their community, including to the polls. These barriers are consistent from election to election. Many non-drivers, people with chronic or intermittent health conditions, people with sensory disabilities and others face such significant mobility challenges that absentee voting options are the only way they can do the advance planning necessary to guarantee they can exercise their right to vote. This bill would place additional barriers on voters who already face significant challenges, including introduction of administrative burdens that add to the timeline and complexity of being able to request an absentee ballot.

The bill establishes both the signed statement by a doctor and taking of an oath as pre-requisites for qualifying for “indefinitely confined” status and being able to apply for an absentee ballot under that status. The bill also requires this process be repeated every two years. This effectively defeats the purpose of the Indefinitely Confined Voter provision, which is to provide the status of permanent absentee voter, due to age, disability, or health status. Health care professionals are not arbitrators of voting rights. They diagnose and treat disease and condition, many of which impact patient’s mobility and daily living skills either intermittently or permanently. It is outside of a health care role to ask medical professionals to complete non-medical paperwork. Many people with disabilities who have used indefinitely confined status for years face the same barriers getting to doctor’s office or county seat to take an oath as they do to the polls.

## **SB 209 / AB 177- Returning Absentee ballots to the office of the clerk**

BPDD supports the provision of the bill that requires absentee drop boxes comply with ADA accessibility standards.

Many people with disabilities are non-drivers, rely on absentee voting, and routinely use drop boxes where they are available to guarantee receipt of their ballots. Allowing municipalities the continued flexibility to determine the number and location of drop boxes to be responsive to voter needs and facilitate the election process is important. Many absentee voters were concerned that absentee ballots would not be delivered on time if they used the postal service, and were able to walk to or have their ballot returned to absentee drop boxes. If the number of drop boxes is limited, many people will be forced to rely on mail delivery and their ballots may not arrive in time to be counted.

## **SB 212/ AB 198 Defects on Absentee Ballot Certificates**

Many people with disabilities, older adults, and other Wisconsin residents rely on absentee ballots to access their right to vote. Occasionally, absentee voters or their witnesses may inadvertently make errors—such as the witness forgetting to complete their full address—on the completed absentee ballot certificate envelop. Most of these errors are minor and are currently easily corrected by the municipal clerk.

SB 212 would prohibit the municipal clerk from correcting those errors and require notification of errors on the MyVote website. Many people who rely on absentee voting may also be people who have limited or no internet access or devices that connect to the internet and may not have e-mail addresses. It is unclear how a voter would be notified or discover there is an error if they do not know to check the MyVote website or do not have the connectivity or devices to do so. Delays in postal service delivery may mean there may not be time to return the ballot to the voter and for the voter to send it back in time for the vote to be counted. Inadvertent

administrative errors that are currently monitored and corrected by professional nonpartisan municipal clerks should not become a reason that people lose the ability to have their vote count.

One reason that defects often occur is the poor design and accessibility of the absentee ballot certificate envelope. The certificate envelope has very small print, is crowded, and is not accessible, especially for voters who have some vision loss. It's not a surprise that there are often mistakes in completing it correctly. A better solution would be to work with accessibility experts on redesign of the certificate envelope.

BPDD is charged under the federal Developmental Disabilities Assistance and Bill of Rights Act with advocacy, capacity building, and systems change to improve self-determination, independence, productivity, and integration and inclusion in all facets of community life for people with developmental disabilities<sup>1</sup>.

Thank you for your consideration,



Beth Swedeen, Executive Director,  
Wisconsin Board for People with Developmental Disabilities

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<sup>1</sup> More about BPDD [https://wi-bpdd.org/wp-content/uploads/2018/08/Legislative\\_Overview\\_BPDD.pdf](https://wi-bpdd.org/wp-content/uploads/2018/08/Legislative_Overview_BPDD.pdf).

**From:** [Barb Hebert](#)  
**To:** [Duerkop, Nathan](#)  
**Subject:** Senate Bills  
**Date:** Wednesday, May 05, 2021 10:24:14 AM

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I have sent these comments to the committee members. Please make sure they are part of the public record.

I would like to register my concern with the current Senate bills: SB 203, SB 206, SB 209 and SB 212.

As to SB 203, there is the old saying: "If it ain't broke, don't try to fix it". There have been no charges of illegal activity regarding assisting someone to return their ballot. There seems to be no purpose to this bill other than to limit the options a voter has to vote.

As to SB 206, a young friend of mine is certified as indefinitely confined and has difficulty going to appointments. He is not cognitively impaired and is very interested in our democracy. This bill would impose an additional hardship on his ability to vote.

As to SB 209, this is perhaps the most egregious attempt to limit voter participation I have ever seen (apart from that in some other states, designed to do the same thing). Due to my age and the pandemic, I have severely limited my driving. Last year, I was able to drop my ballot off at my nearby grocery store, thus not needing additional miles or the stress of going downtown. I do have a vehicle but, for some of those who do not, this bill would impose an almost insurmountable hardship.

As to SB 212, I have an essential tremor, as do many people I know, which makes it very difficult to write. My "3"s might look like "8"s or vice versa. This bill could potentially make my ballot invalid, which is horrifying to me.

I have been a member of the League of Women Voters for many years. I remember when our local, state and national Leagues sponsored candidate information and candidate debates. I personally hosted debates featuring Steve Gunderson and others. The LWV debates were always conducted in a professional and impartial manner. It pains me to see how some debates have been conducted in recent years (and how some candidates have conducted themselves). Although some have accused the League of siding with Democrats, I assure you that it is definitely non-partisan. I can give you the names of some staunch Republicans I worked with over the years. Nothing would please me more than to see our state and federal governments work together as the League did and as our governments did in the past.

Please consider the damage these bills would do to our present system of democracy and vote against them. Thank you.

Barbara Hebert  
2232 Jannet Ave.  
Eau Claire, WI 54701  
(715) 514-9692



## **Wisconsin Council of the Blind & Visually Impaired**

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754 Williamson Street, Madison, WI 53703  
608-255-1166  
[www.wcblind.org](http://www.wcblind.org)  
[info@wcblind.org](mailto:info@wcblind.org)

May 5, 2021

Dear Members of the Senate Elections, Elections Process Reform and Ethics Committee,

I am writing in opposition to SB 203, 205, 209, and 212 and wish this testimony to be entered into the public record. I am further asking that the committee slow down the process to gain better understanding of the hundreds of thousands of Wisconsinites who will be adversely impacted when trying to fulfill our right to vote if this legislation were to become law.

I am the executive director of the Wisconsin Council of the Blind & Visually Impaired. Additionally, I am among the more than 100,000 Wisconsinites who live with blindness or significant vision loss. The fastest growing population of people experiencing life-changing vision loss are older adults with the population expected to double in the next 30 years. This means many Wisconsin families will be impacted by vision loss. My agency is a statewide nonprofit providing education, advocacy, and vision services, including teaching necessary blindness skills for maintaining employment and activities of daily living.

Over the course of time my disability advocate colleagues, and I have outlined the significant barriers to voting that currently exist in Wisconsin; lack of transportation options for non-drivers, accessibility



barriers to state websites, limited financial resources due to employment barriers, and limited social networks. This suite of proposed bills (SB 203, 205, 209, and 212) place even more hurdles in front of voters with disabilities and older adults than we already face in our quest to cast our ballots. Even though there are several concerns in these bills, I will focus on just a couple here.

In SB 205, voters would be required to obtain a physician's letter attesting to the individual's need for the indefinitely confined status. In addition to the obvious transportation and cost barriers of the appointment to obtain the letter, it is highly unlikely that any physician would be willing to write such a letter. Physicians diagnose conditions and prescribe treatment plans; they do not comment on functional ability. For example, my ophthalmologist could attest to the form of my vision impairment and provide data on my acuities and field of vision and even on the status of my legal blindness. But that professional cannot provide analysis of my ability to perform my work tasks, take care of myself physically, or get to the polls to vote. All these tasks are functionalities and based on environmental circumstances. They are not diagnosable or fall under a prescribed treatment plan. Simply put the proposed provision asks us to get documentation which is virtually impossible to obtain.

Provisions to limit the number and location of drop boxes and who qualifies to carry a voter's ballot to elections officials are also concerning as they increase barriers for people with disabilities to cast our ballots. In the 2020 elections our community had drop boxes at every fire station throughout the city. I was able to independently walk to my neighborhood's fire station to place my ballot in the drop box. Without this provision, I would have needed to arrange transportation or ask someone else to deliver my ballot. People with disabilities and older adults tend to have smaller social and family networks, so imposing further restrictions on who is authorized to carry the ballot on our behalf again enhances the challenges of being able to vote.

There are hundreds of thousands of Wisconsinites who would be negatively impacted if these bills were to become law. For no fault of

our own, our rights to vote would be further limited. I implore the committee to take a step back from these bills to fully understand the negative implications for Wisconsin.

Please know the Wisconsin Council of the Blind & Visually Impaired is committed to working with you to craft legislation that increases access for all voters, including legalizing an ADA compliant accessible absentee ballot. We are also happy to assist with any constituent needs related to the loss of vision that may come before you and your staff.

Kind regards,

Denise Jess, CEO/executive director

**From:** [Carol Codner](#)  
**To:** [Duerkop, Nathan](#)  
**Subject:** Comments for Public Hearing on Voting Bills  
**Date:** Wednesday, May 05, 2021 10:19:08 AM

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Please share the following comments with the committee members and include them in the public record of today's hearing:

I am asking you to **oppose** the current 4 Senate bills on voting. Voting is a fundamental right of all US citizens. It needs to be made easier, not more difficult to vote. I understand the bills are supposed to prevent voter fraud. We already have provisions in the law that prevent voter fraud, and cases of fraud in Wisconsin are EXTREMELY low. These new proposed laws are unnecessary and will provide roadblocks to legitimate voters.

SB 203 and SB 206 make it a crime to help your neighbor vote. These are unnecessary bills.

SB 209 is a silly bill. Municipalities in Wisconsin are all different sizes. It would be no problem for a small town or city to just have one drop box at the clerk's office. But to penalize a large city like Milwaukee and only allow one drop box is just crazy. We should be encouraging people to vote. Since the mail service has become unreliable, drop boxes are now necessary.

SB 212 changes something that has been accepted for years. The outside envelope of absentee ballots is very confusing. I know because I have voted absentee during this pandemic. When a simple error, just as omitting the witness's address, can be corrected by the city clerk, she should be allowed to do so. It has nothing to do with the actual ballot inside the envelope. Please don't create problems where they don't exist by passing this law.

Respectfully submitted,  
Carol Codner, 1349 Wedgewood Ln, Neenah, WI 54956

**From:** [Libbey Brennan](#)  
**To:** [Duerkop, Nathan](#)  
**Subject:** SB 203 and SB 206 citizen opposition comments  
**Date:** Wednesday, May 05, 2021 9:31:06 AM

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Good Morning Sir,  
Please submit my remarks as part of today's hearing on Senate Bills 203,206,209 and 212.

I am writing to oppose legislation which infringes upon absentee voting rights, particularly of citizens who reside, either temporarily or permanently in Nursing Homes, Adult Family Homes, Community Based Residential Facilities, Residential Care Facilities or other group type facilities for the elderly or infirmed. Please reconsider you position on SB 203 and 206.

I am unable to be in Madison today to express my opinion in person but I hope you take the time to read my family's experience with absentee voting.

Both my parents expected to have the right, and were able, to vote absentee as they moved in and out of various facilities in the last years of the life. Senator **DARLING**, my father, while living in their home in Mequon (your district) for more than 50 years, required care following a broken hip at Newcastle Place. We did not know how long he would be there; it was all dependent on his recovery. And when his needs required him to move to a CBRF in Mequon (your district) all of his caregivers knew he was adamant about his candidate. My dad was a disabled veteran who served as a lieutenant in the Navy during WWII and Korea. McCain was his man for sure. Had SB206 been in place his right to vote absentee would have limited and restricted.

My mother's last few years and voting rights would have been negatively impacted as well. Senator **STROEBEL**. When Mom moved into Village Pointe in Grafton she lived in your district. She became wheelchair bound and unable to easily transport. Absentee voting became her mode for exercising her political right. But it also was mode for connecting with her family, friends, and caregivers. She absolutely loved being able to review her choices ahead of time and discuss the positions of all the candidates. Had SB206 been in place her right to vote absentee would also have been limited and restricted.

For both my parents their medical conditions quickly changed and their living arrangements had to change quickly too. SB206 places an undue burden for those categorized as indefinitely confined. Rights to vote absentee should not be restricted to a recurring confirmation.

In Wisconsin we already have clear legislation and guidance to prevent fraud or abuse, and to control undue influence. See Stat. §6.84(1).

Additional legislation is totally unnecessary as there has been no evidence of absentee voting fraud in the senior or medical housing community. More legislation isn't required. Additional legislation places undue burdens for the government agencies – enforcement of the current laws is all that is needed.

Regards,

Elizabeth Brennan  
W62N355 Hanover Ave.  
Cedarburg, WI 53012

**From:** [Jenny Benjamin](#)  
**To:** [Duerkop, Nathan](#); [Sen.Bernier](#); [Sen.Darling](#); [Sen.Stroebel](#); [Sen.Smith](#); [Sen.Roys](#)  
**Subject:** Testimony for Elections Committee Hearing on May 5, 2021  
**Date:** Wednesday, May 05, 2021 9:11:40 AM

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May 5, 2021

Dear Senators,

I am writing to **oppose the following bills, SB 203, SB 206, SB 209, and SB 212** because they will make it harder for people that I care about to vote. I was a caregiver for elderly parents for 18 years and know how unpredictable day to day life can be when people have chronic health conditions that impact their mobility. I see these bills as making it more difficult for elderly people, people with disabilities, and people in rural or highly populated areas to vote. We have an aging population in Wisconsin with already overwhelmed family caregivers, and we are still in a pandemic. We need to make it easier to vote and these bills create unnecessary barriers.

Please vote to support accessible and inclusive elections. Please include this testimony in the public record.

Sincerely,

Jenny Benjamin  
2309 E Fernwood Ave.  
Milwaukee, WI 53207

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Jenny Benjamin  
JB Communications, L.L.C.  
414-243-0071  
<http://jenny-benjamin.com/>  
<http://jb-communications.com/>  
<http://www.armidabooks.com/book/this-most-amazing/>

**From:** [Susan Nossal](#)  
**To:** [Sen.Bernier](#); [Duerkop, Nathan](#); [Sen.Darling](#); [Sen.Stroebel](#); [Sen.Roys](#); [Sen.Smith](#)  
**Cc:** [Susan Nossal](#)  
**Subject:** Senate Bills 203, 206, 209 and 212  
**Date:** Wednesday, May 05, 2021 9:07:45 AM

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Dear Clerk Duerkop and Senators Bernier, Darling, Stroebel, Smith, and Roys,

The ability to vote is a sacred non-partisan cornerstone of our democracy. I urge your committee to work to reduce barriers to exercising the right to vote. Senate Bills 203, 206, 209 and 212 would create barriers to participation and so I strongly urge you to **oppose these bills**.

These are my written comments for the public record.

Thank you for your consideration of safeguarding this most important civil right.

Take care and best wishes,  
Susan Nossal

1105 Haywood Drive, Apt. 1  
Madison, WI 53715

[smnossal@gmail.com](mailto:smnossal@gmail.com)  
608-332-3417

**From:** [Brian Post](#)  
**To:** [Duerkop, Nathan](#)  
**Subject:** Hearing on Election bills - follow up  
**Date:** Wednesday, May 05, 2021 10:24:49 AM

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Committee Clerk Duerkop,

I realized that I didn't include all of my contact info in the email I sent yesterday and would like to ensure you have it:

Brian Post  
Appleton, WI 54915  
920-540-7808  
[6615@sbcglobal.net](mailto:6615@sbcglobal.net)

I'm including my original email below – thank you!

Brian Post

Committee Clerk Duerkop,

I understand that tomorrow, May 5, the Senate Committee on Elections, Election Process Reform and Ethics will hold a hearing on Senate Bills 203, 206, 209 and 212. I am submitting comments and request that they be shared with committee members and included as part of the public record.

Please reject these bills. They are nothing more than solutions in search of a problem. None of these issues impacted neither results of the 2020 elections nor public confidence in the election process. The only thing affecting public confidence in elections is the BIG LIE perpetrated by the ex-president and those who support his insurrection attempt. The best way to build confidence in elections in our country is to tell people the truth – that the ex-president lied and a small minority of voters believed it.

All elections are conducted locally, by trusted municipal clerks who solicit community members as volunteers. These volunteers work very diligently to ensure each ballot is accounted for and the vote total is accurate. They are certified at the polling place in our neighborhoods. They are certified by our municipal clerks. They are certified at the county clerk level. They are certified at the state level. Every state in the country certified their results. All claims of improper handling of the election have been rejected by the courts at the state, federal, state supreme and US supreme court levels.

These baseless accusations with no credible evidence is a slap in the face of the neighbors, family, community members who conduct our elections and secure the very foundation of our democracy. These bills represent validation of the BIG LIE and support for the ongoing insurrection attempt. They need to be rejected.

**SB 203** prohibits any individual from helping more than one non-family member to return their absentee ballot. Please reject this bill.

**SB 206** places unnecessary restrictions on the ability to cast an absentee ballot. Please reject this bill.



**SB 209** prohibits municipalities from having more than one drop box. Please reject this bill.

**SB 212** requires clerks to return to the voter any absentee ballot that has an incomplete certificate. Please reject this bill.

I'm following these attacks on voting rights very closely. Your votes on this count and I encourage you to reject Senate Bills 203, 206, 209 and 212.

As an alternative to these bills, I recommend your committee adopt a resolution in support of and calling for the immediate passing of HR1 For the People Act currently in the U.S. Senate along with a call for passing the John Lewis Voting Rights Advancement Act.

Sincerely

Brian Post – Appleton, WI

**From:** [rhonda.staats@gmail.com](mailto:rhonda.staats@gmail.com)  
**To:** [Duerkop, Nathan](#)  
**Subject:** Staats Testimony SB 203, 205, 209, and 212  
**Date:** Wednesday, May 05, 2021 1:23:59 PM

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Dear Mr. Duerkop:

I am writing in opposition to SB 203, 205, 209, and 212, and wish my testimony to be entered into public record.

I am a long-time Board member of the Wisconsin Council of the Blind & Visually Impaired (WCB&VI). I serve on the Governor's Committee for People with Disabilities (GCPD) and am a member of its Executive Committee. Consequently, I am keenly interested in proposed legislation that, if passed, will present significant barriers to the ability of persons with disabilities to cast a ballot. I am opposed to any legislation that restricts the opportunity to vote, a right guaranteed in the U.S. Constitution through the 15<sup>th</sup> and 19<sup>th</sup> Amendments.

I am among the population of elders and people with disabilities who are non-drivers, a circumstance for which we already face a significant barrier to travel independently to polling places. Consequently, many of us rely on the absentee ballot. Any directive which restricts the use of absentee ballots will negatively affect our ability to vote. I used an absentee ballot during the 2020 election year, and I experienced some difficulty in getting someone to assist me to complete and properly submit my ballot. Further restrictions described in SB 203, 205, 209, and 212 will result in further hardship for all of us.

Legislation that requires a physician's verification to certify one's disability and/or eligibility for absentee ballots creates some crucial barriers. Individuals require transportation to travel to a physician's office. Accessible, affordable transportation is often the most significant barrier to non-drivers, as we must continually find workable options to accomplish the tasks of daily living. There are times when one extra trip is impossible. An additional visit to a healthcare professional may present a cost burden to people who may be on a lower fixed income.

Proposed legislation that may penalize those assisting individuals to complete and submit their absentee ballots means that fewer elders and people with disabilities get to vote. Individuals who normally assist us to vote may think twice if they believe there is a chance to incur a penalty. Reducing the number and location of drop boxes, and who is authorized to carry our ballot adds more challenges to our right to vote. Greater demands or restrictions for those who assist individuals living in skilled nursing facilities or group homes to complete a ballot will result in fewer ballots being cast.

There are hundreds of thousands of Wisconsin citizens whose ability to vote would be significantly restricted if SB 203, 205, 209, and 212 would become law. I encourage each Senator to consider the implications and consequences should these bills move forward. People with disabilities would experience significant additional challenges to their right and ability to vote.

As a member of the Wisconsin Council of the Blind&Visually Impaired and the Governor's Committee for Citizens with Disabilities, I am fully committed to advocacy supporting the empowerment of Wisconsin citizens with disabilities. Consequently, I remain committed to a process to ensure the right to vote. This includes the legalization of an ADA compliant absentee ballot, which may eliminate some of your concerns regarding the integrity of the voting process. I am available for further questions or conversations.

Kind Regards,

Rhonda Staats – La Crosse

**From:** [Jenny Price](#)  
**To:** [Duerkop, Nathan](#)  
**Cc:** [Sen. Bernier](#); [Sen. Darling](#); [Sen. Stroebel](#); [Sen. Smith](#); [Sen. Roys](#)  
**Subject:** Written comments for May 5 Senate Elections Committee Hearing  
**Date:** Wednesday, May 05, 2021 10:48:09 AM

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Good morning,

Please accept these written comments as my testimony for today's hearing on voting bills and share them with committee members and include them as part of the public record.

Dear Committee Members,

My name is Jenny Smith and I live in Verona, Wisconsin. My son is on the autism spectrum and in the course of my work advocating for his needs I have met and spoken with a number of people with disabilities who would have a harder time voting if the following bills are passed:

SB 203 /AB 192  
SB 206/AB 180  
SB 209 /AB 177  
SB 212/ AB 198

In this pandemic, we have seen how critical it is to offer people more ways to vote, not less. My father is nearly 80 and currently in chemotherapy and it is critical for his health and safety that he be able to vote absentee as long as he is in treatment and the threat of the pandemic and COVID variants remains. I helped him and my 75-year-old mother with a number of things over the last year to keep them safe and SB 203 / AB 192 would have prohibited me from returning their ballots for both of them.

I have learned from meeting and talking with people with disabilities that they face a number of obstacles when it comes to caregivers, transportation and other needs. I see no reason why we should also make it harder for them to vote by passing SB 206/AB 180. There is not sufficient evidence of voting problems to place a barrier on them and a burden on the health care system to prove the same thing over and over again — that they need options to access the ballot.

In particular for the last bill (SB 212/ AB 198), many voters don't have internet or a device to access MyVote; they would be unaware of the problem, and not able to correct it. Also, as we have seen this year, the mail is slow. There may not be time to return the ballot to the voter and for the voter to send it back by the deadline.

As an American, few things are more important to me than my right to vote and ensuring that all people, including people with disabilities and chronic illnesses, have that same opportunity. Please vote to support accessible and inclusive elections.

Sincerely,

Jenny Smith  
664 Ethan Terrace  
Verona, WI 53593

**From:** [katharineh78@charter.net](mailto:katharineh78@charter.net)  
**To:** [Duerkop, Nathan](#)  
**Subject:** Comments on hearing of SB 203, 206, 209, 212  
**Date:** Wednesday, May 05, 2021 9:05:59 AM

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I am writing to oppose the four senate bills #203, 206, 209, and 212.

Please share these comments with committee members (Senators Berner, Darling, Stroebel, Smith, and Roys). IN addition, please include these comments as part of the public record.

Each of these Senate bills (203, 206, 209, and 212) will interfere with the ability of citizens to exercise their right to vote. Voting, is, as you know, fundamental to the exercise of democracy and should be facilitated not disrupted. Although these bills do not preclude voting, they all make voting harder for citizens, esp. those who are older, and/or perhaps disabled.

All these bills are solutions in search of a problem.

SB 203. This bill precludes simple, assistance of one person to another. It says a person may not help more than one-family member to return their absentee ballot - even though there have never been any charges concerning this kind of help. If an only child has two voting parents in need of help... what then? Further the bill does not state how this prohibition aids safe voting. Where are community values here? Helping another person is not to be legislated against, probably ever - and certainly not without cause; no cause has been identified.

SB 206: This bill makes voting unnecessarily more cumbersome for older, disabled voters, and permanently confined. Providing assistance becomes a felony; leave felony classification to crimes, not to helping others.

SB 209: Limiting municipalities to one drop box significantly decreases accessibility to cast votes by citizens. There is no reasonable rationale for this stipulation. No problems with multiple drop boxes have been identified.

SC 212: A blatant attempt to find yet another way to disqualify a ballot - not being able to correct errors on absentee ballot certification. Clerks are able to make right common sense errors by voters without interfering with the vote in any way. Indeed, completing incomplete voting certification by clerks was supported, even required by Republicans in the 2016 election - and this behavior did not interfere with secure voting then, so why now?

Thank you for this opportunity for me to express my opinion.

Katharine

**From:** [kjswangg](#)  
**To:** [Duerkop, Nathan](#)  
**Subject:** Senate bills 203, 206, 209, 212  
**Date:** Wednesday, May 05, 2021 8:44:58 AM

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Mr. Duerkop,

Please include these comments in the hearings for the above bills. Thank you.

As the Chief Election Inspector for the Town of Linden in Iowa County, I am registering my opposition to S. 203, S. 206, S. 209, and S. 212. The extra requirements for absentee voters and the severe restrictions on ballot drop boxes will do nothing to increase election security and will only harm people with limited mobility.

As an election official, I am deeply disappointed that the Wisconsin legislature wants to make it more difficult for people to vote. In my many years serving the voters in our local township, I have observed how dedicated all the town and county clerks are to making sure the elections are fair, safe, and efficient. These bills are a slap in the face to all the hardworking and committed election officials in Wisconsin.

Thank you.

Kathleen Swanson



To: Senator Bernier, Chair, and members of the Senate Committee on Elections, Election Process Reform, and Ethics

From: Barbara Beckert, Director of External Advocacy and Milwaukee Office Director

Date: May 5, 2021

Re: Testimony regarding SB 203/ AB 192, SB 206/ AB 180, SB 209/ AB177, SB 212 . AB 198

Chair Bernier and members of the Committee, thank you for the opportunity to share these comments with you. Disability Rights Wisconsin (DRW) is the designated Protection and Advocacy system for Wisconsinites with disabilities. DRW is charged with protecting and enforcing the legal rights of individuals with disabilities, investigating systemic abuse and neglect, and ensuring access to supports and services.

DRW provides education and assistance to individuals with disabilities to promote their full participation in the electoral process, including registering to vote, casting a vote, and accessing polling places. DRW, in partnership with BPDD, coordinates the Wisconsin Disability Vote Coalition. This non-partisan Coalition works to ensure full participation in the entire electoral process of voters with disabilities, including registering to vote, casting a vote, and accessing polling places. In addition, DRW staffs a Voter Hotline which assists voters with disabilities, older adults, as well as care givers, educators and other callers. Our testimony today is grounded in the experiences of assisting thousands of voters over the years.

I want to thank Senator Bernier for providing an option for remote testimony and providing policy makers with the opportunity to hear from some of the voters who could be directly impacted. I know a number of people with disabilities and advocates also provided written testimony to help inform your deliberations.

Today I will share our concerns about SB 203, SB 206, SB 209, and SB 212. The common denominator for these bills is that they will make it harder for many voters with disabilities and older adults to absentee vote. Voters with disabilities have a higher utilization of absentee voting. Many are non-drivers with limited access to transportation. In addition, polling place accessibility issues, and/or disability related or health concerns may limit their ability to vote in person.

### **SB 203 / AB 192: Secure delivery of absentee ballots**

SB 203 would limit options for returning absentee ballots to the voter, a member of their immediate family or a legal guardian. "Immediate family" is defined as a

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#### MADISON

131 W. Wilson St.  
Suite 700  
Madison, WI 53703

608 267-0214  
608 267-0368 FAX

#### MILWAUKEE

6737 West Washington St.  
Suite 3230  
Milwaukee, WI 53214

414 773-4646  
414 773-4647 FAX

#### RICE LAKE

217 West Knapp St.  
Rice Lake, WI 54868

715 736-1232  
715 736-1252 FAX

[disabilityrightswi.org](http://disabilityrightswi.org)

800 928-8778 consumers & family

spouse, sibling, parent or child. With one limited exception, anyone else returning a marked absentee ballot for another voter would be guilty of a Class I felony. Only if a voter is unable to deliver their absentee ballot and has no legal guardian or immediate family residing in this state, may the voter designate, in writing, another person to return their completed ballot. That designated individual must also be a registered voter in the state, may not be a candidate on the ballot, and may not be paid for their assistance. A designated individual may deliver only one ballot per election for someone other than their immediate family.

SB 203 would create new barriers for many voters with disabilities and older adults who rely on absentee voting. They take their right to vote seriously and are anxious to make sure their ballot is returned on time and their vote will be counted. Unreliable mail delivery has increased the number of people who do not trust the mail. Many rely on others to return their absentee ballot – this may be a friend, a neighbor, a care provider, a roommate, a community volunteer – or in some cases a family member. This bill would prohibit a roommate helping a roommate, neighbors helping neighbors unless the voter had no immediate family residing in the Wisconsin.

Limiting who can return the ballot to legal guardians or immediate family residing in the state is very problematic. The majority of people with disability do not have a guardian and many do not have family nearby. It would be a very significant burden for family members to travel across state to return their relative's absentee ballot. In addition, some people do not have a close or trusting relationship with their family members. In our work as the Protection and Advocacy agency, we see it is often a family member who is the perpetrator of abuse. We also hear from voters who do not trust a family member to assist them with completing their ballot. Voters should have the freedom to choose the person they trust to return their absentee ballot – not have it dictated by government.

For voters who are not able to return their own absentee ballot and have no legal guardian or immediate family in the state (SB 203 does not indicate how this would be demonstrated), SB 203 would allow the voter to designate, in writing (it is unclear when or where this designation takes place), one person who is a registered Wisconsin voter to deliver the ballot (provided the designated person is not a candidate on the ballot or being compensated to do so). There is no indication as to when this person would be identified and how any last minute changes would be accommodated. Finally, a designated individual may deliver only one ballot per election for someone other than their immediate family. A neighbor would not be able to return the ballots for an elderly husband and wife. A care provider could not return the ballots for two roommates. The complexity of these restrictions will guarantee voter confusion.

SB 203 would significantly restrict who can return absentee ballots and introduce restrictions that will be very confusing for voters and highly problematic for clerks to administer. SB 203 will make it more difficult for many people with disabilities and older adults to vote. For those reasons, we ask you to oppose SB 203.

### **SB 206/AB 180 Returning Absentee Indefinitely Confined Voter**

DRW opposes SB 206 because we are concerned it will make it harder to vote for many voters with disabilities and older adults who rely on “indefinitely confined” status to vote. Wisconsin’s indefinitely confined statute has been on the books for decades, and provides an important safeguard to ensure many disabled, elderly and chronically ill voters can cast a ballot. This provision is important to many individuals for whom, due to their own age, illness, or disability, either permanent or intermittent, leaving their residence imposes a burden. Many indefinitely confined voters have significant disabilities and/or disabling medical conditions, but live in the community. For example, over 75,000 Wisconsinites are enrolled in Family Care, Partnership and IRIS. All are at a nursing home level of care, with most living in the community. Many designate as indefinitely confined voters. See the last page of this document for examples of indefinitely confined voters.

Currently voters sign a statement: “I certify that I am indefinitely confined because of age, illness, infirmity, or disability and request that absentee ballots be sent to me automatically until I am no longer confined or I fail to return a ballot.” SB 206 would require the voter to make their statement under oath (it is unclear what this means and if it would need to be notarized) and have their statement signed by a healthcare professional (if under 65).

Requiring a physician/health care professional’s signature in order to receive an indefinitely confined voter status is very problematic. Many indefinitely confined voters have difficulty leaving their home and may not have access to transportation, so a visit to a healthcare provider to give them permission to vote may be an undue burden. In addition, a visit to a healthcare professional to have their sworn statement signed is unlikely to be covered by insurance, leaving the disabled voter responsible for the charge. Health care professionals may be unwilling to sign such statements. The physician I consulted with said he felt health care providers would be unlikely to sign as it is a “non-medical” issue. The Wisconsin Supreme Court affirmed that “indefinitely confined” status is for the voter to determine – it is not a medical diagnosis.

SB 206 would require a voter to reapply for indefinitely confined status every two years. This would eviscerate the purpose of the Indefinitely Confined status – to provide voters with the status of **permanent absentee voter** due to age, disability, or health status. Requiring this application renewal process every two years, when there has been no change in the voter’s status, is unnecessary and places additional barriers that will make it more difficult for some people with

disabilities and older adults to vote. Completing the absentee ballot application can be a challenging process. SB 204 would require indefinitely confined voters to provide a photo ID, and that would add an additional barrier for many of these voters who do not drive, may have difficulty leaving their home, and have significant challenges to get to DMV and obtain a photo ID, and/or have difficulty providing or uploading a copy of photo ID because of limited access to technology and/or limited ability.

Based on our work assisting voters, we believe it would be helpful to update and clarify the statutes regarding Indefinitely Confined Voter. We ask that you not advance SB 206 or SB 204, and instead work with the disability and aging community to update the current statutes. We have shared proposed language with Senator Bernier and would welcome the chance to share it with other committee members.

Let's work together to clarify the Indefinitely Confined provision and who should be utilizing it. The voters who rely on this provision often have very difficult lives and struggle to participate in our electoral system. The Indefinitely Confined status is vital to upholding their constitutional right to cast a ballot. Please do not advance SB 206 and work with us to improve this important safeguard for many Wisconsin voters.

**SB 209 / AB 177- **Returning Absentee ballots to the office of the clerk****

SB 209 will limit drop boxes for absentee ballots to a drop box authorized by the municipal clerk that is attached to a building where the municipal clerk's office is permanently located.

Many people with disabilities are non-drivers, rely on absentee voting, and use drop boxes where they are available to guarantee receipt of their ballots. Allowing municipalities, the continued flexibility to determine the number and location of drop boxes to be responsive to voter needs and facilitate the election process is important. Wisconsin has always valued local control; the state should not be restricting our communities from determining how many drop boxes are needed to support their voters.

During the 2020 elections and to a limited extent in 2021, the DRW Hotline heard from many absentee voters who were concerned that absentee ballots would not be delivered on time if they used the postal service. In many cases, we were able to assist them by identifying the locations of absentee drop boxes in their community. In some cases, the voter was able to walk to a drop box to return their ballot. Other voters were able to have a neighbor or care provider return their ballot to a nearby drop box, or we were able to connect them with a community volunteer who could assist them. If the number of drop boxes is limited, many people will be forced to rely on increasingly unreliable mail delivery and their ballots may not arrive in time to be counted.

SB 209 includes a very positive provision, requiring that drop boxes meet ADA accessibility standards. DRW thanks the authors for including this, and supports the requirement for ADA accessibility of drop boxes.

### **SB 212/ AB 198 Defects on Absentee Ballot Certificates**

SB 212 would prohibit a municipal clerk from correcting a defect on the completed absentee ballot certificate envelope. Under current law, if the witness certificate is missing certain address information, the clerk receiving the ballot may complete that address information if known. Alternatively, the clerk may return the ballot to the voter so they may contact the witness and correct the defect if time permits.

Under the bill, if a clerk received an absentee ballot with a defective certificate, the clerk would be required to return the absentee ballot to the voter instead of processing it when certificate information is missing. This would be required regardless of how much time remains to correct the issue or to cast a different ballot before polls close. The clerk would also be required to post a notification of the defect on the voter's voter information page on MyVote Wisconsin.

DRW is concerned about the harmful impact of SB 212 on some voters with disabilities and older adults. During the 2020 elections, we heard from many voters who were anxious about how to correctly complete the application form for an absentee ballot, as well as the absentee ballot certificate envelope. The certificate envelope has very small print, is crowded, and **is not accessible** for many voters who have some vision loss. It's not a surprise that there are often mistakes in completing it correctly.

Based on the experience of the voters that we assist, it has been very helpful for clerks to correct a defect on the absentee ballot certificate envelope, such as completing the witness address, and honoring the voter's intent. If this process changes and clerk must return the ballot to the voter, it is highly probable that there will not be enough time for the voter to correct the problem and return the ballot. Posting information on MyVote would result in inequitable access as so many Wisconsinites do not have ready access to the internet and to a computer or smart phone. The majority of voters who contact us for assistance do not have such access. We are concerned proposed changes would disenfranchise many voters.

Rather than restricting the clerk from correcting defects, we ask policy makers to look at the root cause of these defects. What actions can be taken to reduce the number of defects on the absentee ballot certificate envelope? First and foremost, this should include asking the WEC to redesign the certificate envelope with guidance from national usability and accessibility experts. More public education is also important, as is doing usability testing on the instructions for absentee voters, and including older adults and voters with disabilities in the usability testing.

For these reasons, we ask you to oppose AB 198/ SB 212, and to instead look at opportunities to have election officials redesign the absentee ballot certificate envelope with guidance from design and usability experts.

Thank you for your consideration of our comments. We encourage policy makers to slow down the process of making such significant changes to our voting laws. There are no elections scheduled for the remainder of 2021 and this provides time to work with stakeholders to carefully assess and vet proposed changes. We welcome the opportunity to work with you to improve the accessibility of our elections, and ensure that the voters with disabilities and older adults have the opportunity to fully exercise their right to vote and fulfill their civic duty.

## **EXAMPLES OF INDEFINITELY CONFINED VOTERS**

Wisconsin's Indefinitely Confined provision allows voters to self-certify that they are *"indefinitely confined because of age, illness, infirmity, or disability and request absentee ballots be sent to me automatically until I am no longer confined or I fail to return a ballot."* These are some examples of disabled Wisconsin voters who rely on the Indefinitely Confined provision to exercise their right to vote.

### **39 year old on Dialysis**

D. has been voting as an IC absentee voter since 2016. When D. went online to get her absentee ballot in 2016, she was in the hospital. She knew that she would need to always ask for one. She saw online that Indefinitely Confined was an option (which she didn't know about prior to this) and realized this was an appropriate option for her. D. is a patient on dialysis. Because of her struggles with dialysis, she's begun having lots of other health issues, including skin lesions, mobility difficulties, and stroke. Dee uses a walker most of the time. She estimates that she is ambulatory with her walker about 80% of the time. D. says that even leaving the house is difficult to do. In public places, people will unintentionally bump or crowd her. This makes her very nervous and anxious about even going places.

### **28 year old with multiple disabilities**

J. lives with his parents and family. His parents serve as his guardian. J. needs support with reading and completing his ballot. With all of the commotion at the polling place, this is more easily done at home for him. There is less stress and confusion if he is able to vote at home. Although polling places are required to be ADA compliant, physical accessibility can be difficult for J. as well, so voting at home alleviates these problems. When J. went to court for his guardianship hearing, it was very important to him and to his family that he retain his right to vote. The GAL was initially not very supportive of this, but his parents worked with the GAL to help her understand that J. understood and could participate in the voting process. When J. turned 18, he went with his parents to the Municipal Clerk's office to register. Upon registering, they requested Indefinitely Confined voter status right away. J. has always been an indefinitely confined voter.

### **60 year old Voter with MS**

I am a 60-year old person who has been living with relapsing-remitting multiple sclerosis, a progressive, central nervous system disease, since 2004. My physical balance and walking has declined to the point that I have needed to use assistive devices, including wheelchairs sometimes, for the past few years. Although I am able to live independently, I have to use adaptive modifications and hired assistance to be able to have many household needs and activities taken care of.

I became indefinitely confined in the spring of 2020, realizing that my health condition places me in the high-risk group for covid-19. Being able to vote from home not only removed the burden of wondering about, and trying to figure out how I would navigate the mobility issues and possible barriers involved with delivering my ballot to the ballot box, it also removed the risk that I would have endured by potentially exposing myself to covid-19. To be able to vote this way is priceless—without this means, many of us would not be able to have our voices--through our votes-- count.

### **Voter with MS, in her 60's**

K is a mother, wife, and taxpayer. She loved her job but had to stop working over 20 years ago as she was increasingly disabled by MS. She lives at home but is at a nursing home level of care and enrolled in Wisconsin's IRIS program which provides long term care supports in the community. She spends her days in bed and needs assistance with all activities of daily living. Leaving her home to go to an essential medical appointment requires extensive planning and coordination, because of her level of disability, and frailty, and accessibility needs. Leaving her home to visit with family and friends is for the most part an unattainable dream.

She has voted as an indefinitely confined voter for ten years and takes pride in being a good citizen and regular voter. Because of her disability, her physical ability to write is very limited. She is not able to complete forms by herself either by hand or on the computer. The proposed requirements for her as an indefinitely confined voters to go somewhere to take an oath, and to see her doctor to have him verify her status would be major barriers. Having to resubmit the request every year and repeatedly provide a copy of photo ID would also be extremely difficult.

### **63 year old Voter with Cerebral Palsy**

I'm a 63-year-old woman with Cerebral Palsy. Since 1989, I have lived in my own wheelchair accessible apartment with the help of come in home health aides. I use an electric wheelchair, and I'm unable to get into a car. I need a wheelchair equipped vehicle, and use the County Paratransit van to get around. It's my only means of transportation. I am grateful to have it, but you have to schedule a ride two days in advance, and you have to allow a lot of waiting time on both ends because it is a shared ride service. It would be very difficult to vote using the Paratransit van, because I wouldn't know two days in advance when to tell them to come back, and would probably also have to ride around for awhile on the way to vote. The process would involve a lot of time, trouble and planning, and waiting in a location I wasn't familiar with. Even though I believe that my vote is very important, I doubt that I would do it much, even before Covid, because of the logistical and safety issues. I think it was my social worker they told me how to get an absentee ballot back in 1989 when I first moved out on my own. I was told at that time that as long as I always returned my ballot, I would continue to get them and I have voted in every election since then. I rely on continuing to get my absentee ballot. It enables me to concentrate and who I want to vote for, rather than how or if I'm going to get to the voting site. My physical condition isn't going to get better, and in fact I get less mobile as I get older, so having to reapply every time wouldn't make sense, and would probably make me miss elections. I really hope they leave things the way they are



**From:** [Noreen Holmes](#)  
**To:** [Duerkop, Nathan](#)  
**Subject:** Voting Rights Bills  
**Date:** Wednesday, May 05, 2021 6:29:06 AM

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Good Morning Mr. Duerkop,

Please share with the entire Senate Committee on Elections:

I am writing in opposition to Senate Bills SB203, SB206, SB209, SB212. Each of these bills places limits on the ability of some Wisconsinites to vote. This is just wrong and seems to further voter suppression which has grown from the election of President Joe Biden, the most reviewed election in this country which has proven to be the safest election and free from voter fraud. I feel like Dorothy, in the Wizard of Oz, who proclaims "We're not in Kansas anymore Toto". I feel like this cannot be happening in Wisconsin. Please do not support advancing these bills.

Sincerely,

Noreen Holmes  
1213 26th St. S.  
La Crosse, WI 54601

**From:** [Anne Weber](#)  
**To:** [Duerkop, Nathan](#)  
**Subject:** Re: SB 203, SB 206, SB 209 & SB 212  
**Date:** Wednesday, May 05, 2021 1:09:49 AM

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May 4, 2021

Dear Mr. Nathan Duerkop,

My husband and I are constituents of Senator Darling. I appreciate the opportunity to submit written testimony in opposition to SB 203, SB 206, SB 209, and SB 212. I have strong concerns that these bills will make it much more difficult for people with disabilities and older adults to vote. I am very disappointed that these bills were even proposed. I am a retired dentist and my husband is a retired geriatric physician. We are very familiar with chronic health conditions and long-term disabilities that impact daily life, including exercising one's right to vote. We strongly believe that voters need accessible options and easy access to all aspects of voting: registration, requests for absentee ballots, voting in person, and returning ballots.

I believe that SB 203 would make it very difficult for people to access natural support from friends and neighbors, because of the limitations in the bill on who can obtain and return absentee ballots. I think that there are many elderly couples who routinely get support from a neighbor with returning ballots. I would find it ridiculous that if I were assisting a neighbor couple that I could return one ballot but not the other. Also, I find it intrusive that the government would dictate who can return my ballot. This should not be legislated.

I believe that SB 206 places too great a burden on a person with health conditions who need to utilize "indefinitely confined" status when voting and that it would limit the rights of indefinitely confined voters. It is unreasonable that voters would be required to provide statements under oath signed by their doctors and to complete this process every two years. Placing fear into voters that somehow a misstep could result in a felony charge will cause undue stress on the voter and create reluctance in a physician to assist with signing statements. Voters who are indefinitely confined should continue to receive absentee ballots for every election for as long as needed.

I believe that SB 209 could present challenges to voting for people who have limited transportation. People in rural areas or in highly populated areas need access to more drop box options rather than less. Why are you trying to make this so difficult for voters?

I believe that SB 212 will make clerk's jobs more stressful and difficult than they already are. Currently a clerk can be a helpful human and contact a voter if there is a question on the return envelope, a missing zip code in an address for instance. This bill would direct the clerk to post a problem on the MyVote website instead. I could see situations in which a voter would not know there was a problem with their absentee ballot if they did not have internet or a device to access MyVote. They could miss an opportunity to correct it. Also, mail is slow and there might not be enough time to return the ballot to the voter and for the voter to send it back by the deadline. Votes would not be counted.

These bills, if voted into law, will make it more difficult for people with disabilities, chronic health conditions, older adults, and people with limited transportation to vote. These bills discourage community members from helping each other and instead criminalize kindness. These bills neither defend nor uphold the constitution because they could prevent people from voting. In your roles as senators you have sworn to protect and defend the constitution. Please vote against these bills.

Sincerely,

Dr. Anne Weber  
2250 W. Kenboern Drive  
Glendale, WI 53209

Sent from my iPhone

**From:** [Tiffany Glass](#)  
**To:** [Duerkop, Nathan](#)  
**Subject:** Election Committee Hearing Written Testimony  
**Date:** Wednesday, May 05, 2021 1:04:47 AM

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Hello,

I hope you are doing well. I am writing to share written comments (below) for the May 5 public hearing.

Thank you very much in advance for your time,

Tiffany Glass

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Dear Senator Bernier and Committee members,

I am writing to provide comments for the May 5 public hearing for the bills SB 203, SB 206, SB 209, and SB 212.

My name is Tiffany Glass. I live in Madison, WI. I am the parent of a son with multiple disabilities. I am very concerned that these bills undermine access to vote for WI citizens, particularly citizens with disabilities, and I oppose these bills.

Because our household includes people with disabilities, we have come to rely on unobstructed access to absentee voting options. Beyond our own household, many members of our community also depend on unrestricted access to absentee voting. Many members of our community also depend on assistance from friends, neighbors, and others, in addition to other accommodations, in order to access the means to vote and in order to return absentee ballots. People with disabilities and people who require accommodations for voting due to life circumstances make up a substantial portion of the adult population. These bills would disenfranchise a large number of citizens, making it more difficult for them to vote, thereby undermining the integrity of our democratic processes in this state.

For example, exceptionally problematic passages from SB 203 include: the elector may designate, in writing, one person who is registered to vote in this state to deliver the return envelope as provided in this subdivision, .....No person designated to deliver a return envelope may deliver more than one envelope for any election for a person who is not a member of the person's immediate family.

Any language in the bills that specifies the modality through which a voter exercises their constitutional right is problematic. Specifications that voters must communicate in writing disenfranchises voters who, through disability or temporary circumstance, are unable to write. My son cannot speak, and he cannot write. These bills make me feel concerned that the voices and civic engagement of members of our household might not be valued in WI.

For these reasons and more, I strongly oppose these bills. I believe they undermine the voting rights of WI citizens.

Thank you,

Tiffany Glass

**From:** [Anna Shen](#)  
**To:** [Duerkop, Nathan](#)  
**Cc:** [Sen.Bernier](#); [Sen.Darling](#); [Sen.Stroebe](#); [Sen.Smith](#); [Sen.Roys](#)  
**Subject:** Senate Bills 203, 206, 209 and 212 hearing  
**Date:** Tuesday, May 04, 2021 11:30:48 PM

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I have the following comment on the Senate Committee on Elections, Election Process Reform and Ethics hearing on Senate Bills 203, 206, 209 and 212. I request that this be shared with committee members and entered into the public record.

Voting is the foundation of American democracy and the efforts of the Wisconsin legislature should be directed to facilitating rather than suppressing the right to vote. If you believe in the right to vote, I urge you to oppose Senate Bills 203, 206, 209 and 212. The bills are based on a false rationale - the false claim of massive voter fraud that numerous investigations have failed to substantiate. The Wisconsin Elections Commission 2020 report, covering over 5.8 million votes cast from November 2018 through the 2020 presidential primary, indicates 19 possible cases of fraud, good evidence that existing safeguards are effective. If you want to perpetuate the fiction that 99% of voter fraud cases are not caught, then you might say that the total number of possible fraudulent votes would be 1900 out of 5.8 million, or 0.0003%. How does this unreasonably inflated, yet insignificant, number compare to the likely thousands or tens of thousands of voters, mainly elderly and disabled, whose ability to cast a ballot is suppressed?

Respectfully,

Anna Shen

Madison WI



May 4, 2021

To: The Senate Elections Committee  
Re: SB 203, SB 206, SB 209, and SB 212

Wisconsin Faith Voices for Justice is a state-wide interfaith education and advocacy organization. Together with the Wisconsin Council of Churches, we lead the Wisconsin Interfaith Voter Engagement Campaign. As people of faith, we are deeply committed to upholding our democracy and safeguarding every citizen's sacred right to vote.

I write today in strong opposition to SB 203, SB 206, SB 209, and SB 212.

These bills will make it more difficult for eligible voters to exercise their Constitutional right to vote. They will most egregiously harm the elderly, indefinitely confined, and disabled voters, placing onerous restrictions and requirements on their ability to receive absentee ballots automatically, as they have done in the past.

SB 209 limits the availability of dropboxes by requiring they be attached to the building where the municipal clerks work. This severely limits the usefulness of dropboxes. If they have to be on the building where the clerk works, the voter might as well just go to the clerk's office to deliver their absentee ballot. People with limited mobility or access to transportation will find it difficult to impossible to bring their absentee ballot to the dropbox. And since SB 203 severely limits who can deliver an absentee ballot, the end result will be to disenfranchise many voters.

These bills run counter to the very foundation of our democracy by so drastically interfering with people's ability to vote. We urge you, therefore, to vote against these dangerous, undemocratic bills.

**From:** [Gail Campbell](#)  
**To:** [Duerkop, Nathan](#)  
**Subject:** SB-206 / Status as Indefinitely Confined Voter  
**Date:** Tuesday, May 04, 2021 11:01:42 PM  
**Attachments:** [image.png](#)

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Hello Mr. Duerkop,

Please share my attached letter to editor with members of the Senate Elections Committee.  
Thank you.

Respectfully,

***Gail M. Campbell***  
***2518 Winnebago St***  
***Apt #309***  
***Madison, WI 53704***  
***414-344-8129***



## **Gail Campbell: Don't use ageism to take away absentee voting rights**

Apr 27, 2021

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Dear Editor: I never heard a peep about voter fraud until the GOP started losing elections. This month a new bill, SB-2061, is questioning my reason for requesting absentee ballots! But how many elder or disabled citizens can stand in line at the polls, or sit a long time at the DMV for photo IDs?

Yet the archaic definition for reason to request absent ballot is "indefinitely confined" which describes no one! There are days I



cannot even walk, and good days when I can get out to mail or hand deliver my ballot. Even when my mother was paralyzed from brain cancer and could not sit in a wheelchair anymore, we got her out to see her doctor on a stretcher.

So Robin Vos wants to charge me with a "felony" having a good day? How can a legislator pretend he doesn't get this fluctuation of mobility! Let's change that definition to "not able to stand in line."

Do not take away my right to an absentee ballot just to appease this ageism!

**Gail Campbell**

Madison

**From:** [Gary Pokorny](#)  
**To:** [Duerkop, Nathan](#)  
**Subject:** Comments on SB203, SB206, SB212  
**Date:** Tuesday, May 04, 2021 10:18:21 PM

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Dear Mr. Duerkop,

I am submitting comments on three bills: SB203, SB206, SB212. I ask that my comments be shared with members of the Senate Committee on Elections, Election Process Reform and Ethics, and be entered into the record.

I am opposed to these three bills because of their negative impact on family members and other citizens, especially the elderly and those with illness or disability.

During the pandemic, I requested and voted by absentee ballot, as did my wife and other family members, including my elderly father. I took my father's ballot and made sure it got to his city clerk, and did the same for my wife. I understand SB203 would make my simple assistance illegal.

As my father aged, we learned the value of his applying for absentee ballots indefinitely. We are thankful that his city clerk alerted him to this option when he saw he was no longer able to walk on his own. My father applied on the spot, without a doctor's letter, based on common sense. He has voted in each primary and general election since. We know others, not as old but with limitations, who should have the same ability to vote safely and securely by absentee ballot, without worrying from one election to the next whether or how they will cast their vote. SB206 would make this more difficult.

Finally, I believe that ballots cast by eligible voters should be counted. Those who mail in or drop off their absentee ballots have, in good faith, voted and believe their ballot will be counted. If they made an omission or error on the envelope (not the ballot) which does not affect their eligibility, the ballot should be counted. A clerk should be able to complete or correct information, which does not affect the ballot, in order to account for the whereabouts of absentee forms. SB212 would, in effect, send some ballots into limbo – without a realistic opportunity to be remedied in a timely way. SB212 makes it more likely that elderly or disabled voters will not have their ballots counted.

I oppose these measures which pretend to address voting problems but just make it more difficult for people to vote.  
Thank you.

Gary Pokorny  
2344 N 60<sup>th</sup> St  
Milwaukee, WI 53210

**From:** [Sandy Brown](#)  
**To:** [Duerkop, Nathan](#)  
**Subject:** Oppose Senate Bills 203, 206, 209 and 212  
**Date:** Tuesday, May 04, 2021 9:41:12 PM

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All four of these bills will place an undue burden on voters or will create new barriers to participating in our elections. Please oppose these bills.

I request that my comments be shared with committee members and included as part of the public record.

Sandy Brown  
811 N 5th Ave, Sturgeon Bay, Wi 54235

**From:** [Joyce Metter](#)  
**To:** [Duerkop, Nathan](#)  
**Subject:** Voting Bills  
**Date:** Tuesday, May 04, 2021 9:37:06 PM

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A previous email left out The LWV of Beloit address and phone number for the records.

Please include these comments in the public record. Members of the Elections Committee have also been sent this email.

The following bills make it harder to vote for Wisconsin citizens, especially the most marginalized ones. In a democracy the right to vote is sacred. That right should be readily and easily accessible to all citizens. Please oppose these bills and keep Wisconsin's elections fair and safe for all Wisconsinites.

**SB 203** would not improve elections in any way, but takes away the opportunity to help your neighbor. There are many safeguards already in place when it comes to returning ballots for your friends and neighbors.

**SB 206** Place unnecessary restrictions on people who currently certify as indefinitely confined or those under 65 to have to obtain doctor statements. This bill says no one can be trusted. How very unAmerican.

**SB 209** Would require drop boxes be attached to the building the clerk's office is in. How impractical is that. Our drop box for absentee ballots, payments to the city, and other city mail, is in a drive thru area all citizens, even disabled ones, can use. It is safe and secure and proven to be for years. It doesn't have to be attached to be so.

**SB212** requires clerks to return to the voter any absentee ballot that has an incomplete certificate. The clerk must also post a notification of the defect on the voter's information page in the voter registration database. While we could support legislation requiring clerks to inform voters of an incomplete certificate, this bill does nothing to assist voters to remedy the error or omission. It prohibits clerks from making common-sense corrections of a witness's address, something we have supported since 2016. This legislation only gives reason to disqualify the ballots of eligible voters.

Thank you,

Joyce Metter, Action Chair  
League of Women Voters of Beloit  
2318 Parkmeadow Drive  
608-346-9855, 608-322-4816



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

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



May 5, 2021

To: Senate Committee on Elections, Election Process Reform and Ethics  
Re: Statement for public hearing on SB 203, SB 206, SB 209, SB 212

The League of Women Voters of Wisconsin believes that voting is a fundamental citizen right that must be guaranteed. Participating in our democracy by voting should be a safe, accessible and positive experience for all eligible Wisconsin residents. To that end, lawmakers should avoid measures that place undue burden on the voter or erect barriers to voter participation. To that end, **we oppose SB 203, SB 206, SB 209 and SB 212.**

**SB 203** prohibits any individual from helping more than one non-family member to return their absentee ballot. This is extreme. There have been no charges of illegal activity related to the very American practice of helping one's neighbor cast an absentee ballot, and current law provides sufficient safeguards to prevent such problems. SB 203 would only limit the options voters have for obtaining and returning an absentee ballot and would not improve elections. It would place a disproportionate burden on voters with disabilities.

**SB 206** places unnecessary restrictions on the ability to cast an absentee ballot. It allows for no flexibility to address unforeseen personal or public circumstances such as an unexpected illness in the family or a pandemic. The bill would limit the rights of voters who currently certify as indefinitely confined and impose burdensome requirements for those under the age of 65 to obtain statements signed by a doctor. This bill creates new hurdles for voters, at the risk of committing a felony. Such draconian measures will not improve Wisconsin elections.

**SB 209** attempts to ensure that ballot drop boxes continue to be secure and accessible ways for people to return a ballot. However, it falls short of accomplishing that goal. At the same time, it does not maintain the primary benefit of ballot boxes, which is accessibility. Ballot boxes helped thousands of Wisconsin voters in multiple municipalities to return their absentee ballots safely and in a timely manner during all the pandemic elections..

This bill requires drop boxes to be tamper-resistant and moisture-resistant, include a slot that is only large enough to allow for the insertion of an absentee ballot, satisfy the accessibility requirements under the federal Americans with Disabilities Act, and be emptied once each day at 9 a.m. by the clerk or deputy clerk in public view. All of that is good.

Unfortunately SB 209 prohibits municipalities from having more than one drop box, and the box must be affixed to the building that houses the Clerk's office. That does virtually nothing to increase accessibility by residents of various neighborhoods, especially those who are confined and/or have disabilities. It would actually decrease accessibility in those municipalities that had multiple drop boxes installed last year.

We would welcome and consider supporting a different bill that would create standardized rules for ballot boxes and would include the following measures:

- Allow municipalities to provide multiple ballot boxes;
- Require that instructions meet accessibility standards and be in multiple languages;
- Require that the date and time of the last pick-up be posted visibly on each ballot box;
- Prohibit electioneering within 100 feet of a ballot box location;
- Require more than one person to collect ballots, while maintaining a clear and transparent chain of custody;
- Require clerks to obtain a waiver from the Wisconsin Elections Commission to move a ballot box once the location has been posted;
- Require signage on the ballot box stating it is illegal to tamper with any ballot;
- Require that ballots returned to the wrong municipality's box be forwarded to the correct municipality.

**SB 212** requires clerks to return to the voter any absentee ballot that has an incomplete certificate. The clerk must also post a notification of the defect on the voter's information page in the voter registration database. While we could support legislation requiring clerks to inform voters of an incomplete certificate and explain options for the voters to submit a ballot that will be counted, this bill does nothing to assist voters to remedy the error or omission. It prohibits clerks from making common-sense corrections of a witness's address, something we have supported since 2016. This legislation only gives reason to disqualify the ballots of eligible voters.

**The League of Women Voters of Wisconsin opposes SB 203, SB 206, SB 209 and SB 212, and we urge you to reject these bills.**

**From:** [Ann Gainey](#)  
**To:** [Duerkop, Nathan](#)  
**Subject:** Senate Bills 203, 206, 209, 212  
**Date:** Tuesday, May 04, 2021 9:03:35 PM

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To Mr. Nathan Duerkop

Please share my comments with and include in the public record May 5, 2021

Senator Bernier  
Senator Darling  
Senator Stroebel  
Senator Smith  
Senator Roys

Senators,

I am writing to express my serious opposition about the legislature efforts to suppress voting rights with Senate bills 203, 206, 209, 212.

These bills negatively affect Wisconsin residents who are impacted by physical conditions, age and accessibility to ballot boxes.. and why would you want to impose more work on physicians to certify that some residents are indefinitely confined. Why would you even consider it a felony to someone who is assisting a person(s) with disability(ies)? The majority of eligible Wisconsin residents want to vote and many need assistance due to disabilities. Why would you deny them that right? Why would you discourage them from exercising their constitutional right to vote?

These draconian and unconstitutional measures affect Wisconsin residents of all political persuasions.

Sincerely,  
Ann and Richard Gainey

Lifelong Wisconsin residents

Sent from my iPad

**From:** [Joyce Metter](#)  
**To:** [Duerkop, Nathan](#)  
**Subject:** Voting Bills  
**Date:** Tuesday, May 04, 2021 9:01:48 PM

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Committee Clerk Duerkop,

Please include these comments in the public record. Members of the committee were also sent this email.

The following bills make it harder to vote for Wisconsin citizens , especially the most marginalized ones . In a democracy the right to vote is sacred. That right should be readily and easily accessible to all citizens . Please oppose these bills and keep Wisconsin's elections fair and safe for all Wisconsinites .

**SB 203** would not improve elections in any way , but takes away the opportunity to help your neighbor . There are many safeguards already in place when it comes to returning ballots for your friends and neighbors .

**SB 206** Place unnecessary restrictions on people who currently certify as indefinitely confined or those under 65 to have to obtain doctor statements . This bill says no one can be trusted . How very unAmerican.

**SB 209** Would require drop boxes be attached to the building the clerk's office is in . How impractical is that . Our drop box for absentee ballots , payments to the city , and other city mail , is in a drive thru area all citizens , even disabled ones , can use . It is safe and secure and proven to be for years. It doesn't have to be attached to be so .

**SB212** requires clerks to return to the voter any absentee ballot that has an incomplete certificate. The clerk must also post a notification of the defect on the voter's information page in the voter registration database. While we could support legislation requiring clerks to inform voters of an incomplete certificate, this bill does nothing to assist voters to remedy the error or omission. It prohibits clerks from making common-sense corrections of a witness's address, something we have supported since 2016. This legislation only gives reason to disqualify the ballots of eligible voters.

Thank you,

Joyce Metter, Action Chair  
League of Women Voters of Beloit



**From:** [Sydney Badeau](#)  
**To:** [Duerkop, Nathan](#)  
**Subject:** Written testimony for Voting Bills.  
**Date:** Tuesday, May 04, 2021 8:44:34 PM

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Please share the testimony with the election committee members and include it as part of the public record.

May 4, 2021

Hi Senators,

I'm Sydney Badeau. I'm a person with a disability who doesn't drive, and because of absentee voting, I was able to safely vote during the pandemic. These voter suppression bills (SB 203, SB 206, SB 209, and SB 212) will make it harder if not impossible for myself and others to vote, especially the ones making it hard for people to use indefinitely confined voting options. You shouldn't make it harder for people to vote who live in nursing homes, because all Americans have the right to vote with assistance. I live in a rural area too, and I don't feel it's right if you combine polling places with small populations because there's no public transportation around so it'll make it even harder for folks to vote.

Please vote to support accessible elections.

Sincerely,

Sydney Badeau

14417 W Skinner Rd Brodhead WI 53520

**From:** [Greg Hatt](#)  
**To:** [Duerkop, Nathan](#)  
**Cc:** [smguensburg@gmail.com](mailto:smguensburg@gmail.com)  
**Subject:** Voting Rights - SB 203, SB 206, SB 209 and SB 212  
**Date:** Tuesday, May 04, 2021 8:17:16 PM

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To the Committee Clerk, Nathan Duerkop:

I would like my comments shared with all committee members and included as part of the public record.

Our history as a reasonable and democratic state is being seriously undermined by these bills. If anything, the voting process should be made easier for citizens of our state to register and vote, whether voting is done in person or via an absentee ballot.

As a citizen and registered voter, I am writing to express my strong opposition to the voter suppression actions that are represented in the following bills:

- SB 203 – unfairly limits voters who need assistance with absentee ballots when there is no evidence of fraudulent practices. This bill is clearly an effort to suppress legal voting. This process penalizes young voters, elderly voters, anyone who is single and/or without family in the area, and many others.
- SB 206 – any WI voter should be able to request and cast an absentee ballot without restrictions as to the reason for the request. It is a voter's right to vote. The current pandemic is a great example of why there should not be restrictions. The state should be making this process easier, not more difficult. Again, there is no evidence of fraudulent practices and there are safeguards in place to manage this process.
- SB 209 – drop boxes should be made available in as many places as possible. This bill puts an undue burden on voters when there is no evidence of a problem. This bill only puts more restrictions on voters, especially those with limited transportation options.
- SB 212 – this is another effort to suppress counting votes of citizens. As a citizen who has volunteered and worked in the City Clerk's office during in-office absentee voting, there is no reason to prohibit making common-sense corrections and communicate any absentee ballot issues to a voter. This is clearly another effort to suppress a voter's ballot from being counted.

None of these bills should move forward. These bills are an embarrassment to our state and have nothing to do with protecting the voting process. They only suppress voters' rights and the right to have ballots counted in an election.

Sincerely,

Susan Guensburg  
750 Radiant Ct  
Oconomowoc, WI 53066  
[hattsoff@charter.net](mailto:hattsoff@charter.net)

**From:** [Kristen Voskuil](#)  
**To:** [Duerkop, Nathan](#)  
**Subject:** Testimony in Opposition of Senate bills 203, 206, and 209  
**Date:** Tuesday, May 04, 2021 8:05:56 PM

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Hi Nathan,

I would like to request that my testimony be submitted to the committee members and included as part of the public record.

Thank you very much Nathan.

Members of the committee, I am writing to voice my opposition to Senate bills 203, 206, and 209.

My objections to 203 and 206 are interrelated in that they would work to limit the ability of those with severe disabilities to participate in voting. I trained as a social worker with the elderly and it is very common for a personal care attendant or social worker to help all of their interested people cast ballots. It is also very common for a volunteer for the League of Women Voters or other organizations to help all interested people that live in the same residential care facility cast their ballots. During the pandemic I offered serve as a witness to any homebound person in my church that wanted to submit an absentee ballot. SB 203 would severely reduce or eliminate a lot of these options for the severely disabled. SB 206 imposes additional restrictions on those who would seek to be designated as indefinitely confined. I would like the authors of these bills to show me an example of how the indefinitely confined status has been abused. Disabled people are constantly asked to "justify" their status, their benefits, their existence, and their worth to society. These bills places yet more barriers to their ability to participate in civil society by limiting the access to the help they might need to do so.

SB 209 I object to on the sheer ridiculousness of the premise. If you want to maintain or enact certain security standards for drop off boxes I understand, however to limit each municipality to only one dropbox seems odd. Other organizations have figured out ways to securely store such things as bodily fluids, medications, and money. Surely we can design a way to keep more than one location secure so that ballots can be dropped off.

Thank you,  
Kristen Voskuil, Waterloo WI

Mikael C. Snitker, PhD  
5513 Old Middleton Rd.,  
Madison, WI 53705  
608.620.8857  
snitker@msn.com

May 5, 2021

Honorable Committee Chair &  
Committee Members

Greetings,

My name is Mikael Snitker, of Madison, Wisconsin and I require an absentee ballot due to my invisible disability. On some days, I am able to go into public because my condition's symptoms are less severe for an event such as voting, however, my symptoms wax and wane and it is not predictable which days I will function better in order to carry out my right to vote. If my symptoms are worse on voting day, I will in essence not have the opportunity to vote.

I am writing to share my concerns about SB 206 which would eliminate important provisions of the *Wisconsin's Indefinitely Confined Voter status*. It is exceptionally important to me and to other indefinitely confined voters to have the ability to be permanent absentee voters and know I will always receive an absentee ballot; I ask that you to oppose SB206, and retain Wisconsin's *Indefinitely Confined Voter Status* which is vitally important to me and many other voters with a disability.

Very respectfully,



Mikael C. Snitker  
Disabled veteran

May 4, 2021

Topic: Senate Committee on Elections, Election Process Reform and Ethics May 5, 2021  
Hearing

Dear Committee Clerk Nathan Duerpok,

Voting is a fundamental right. Without voting, there'd be no American democracy.

Women voting has only been allowed since 1920. In 1924 Native Americans were granted the legal right to vote, but did all communities allow it? Not until after 1965! Poll tax was not prohibited until 1964. Eighteen-year-olds got the right to vote in 1971. Many have lost their lives, fighting for our right to vote.

I have worked many elections at my Town, both on election days and for early voting. I have a lot of hands-on experience and I have a lot to say about the following disenfranchisement anti-voter legislation: SB203, 204, 205, 206, 207, 209, 201, 211, 212, and 213. These bills will take us backwards, creating steep barriers to voting.

Throughout our country's history, those in power, have attempted to prevent the disenfranchised from having access to the polls. These bills are continuing this atrocious white male dominated disenfranchisement tradition. Because I have worked many elections, I know from first-hand experience that these bills are rooted in lies and feed on delusions about the November 2020 election.

Here are some brief descriptions of what I believe to be is wrong with these horrendous bills:

SB203: Would make it harder for persons with disabilities or in a nursing home or residential care facility to access assistance in delivering their absentee ballot. And SB203 prohibits any individual from helping more than one non-family member to return their absentee ballot. There have been no charges of illegal activity related to the very American practice of helping one's neighbor cast an absentee ballot. Current law provides many safeguards to prevent such problems. SB 203 would only limit the options voters have for obtaining and returning an absentee ballot and would not improve elections.

SB204: Would make it much harder to vote by absentee ballot, especially for persons with disabilities or those who are in nursing homes or residential care facilities. They would have to show a Voter ID card, and everyone would have to request an absentee ballot for every election instead of getting their absentee ballots mailed to them.

SB205: Would require nursing homes and residential care facilities to paternalistically contact relatives of residents when voting is going to occur at the facility. Would also make it a felony for employees of such facilities to even encourage residents to vote!

SB206: Would require persons who are indefinitely confined to sign an oath, and any such person who is under 65 would need to get the oath also signed by their doctor or nurse, which is age discrimination! This bill creates new hurdles for voters, especially those with disabilities, and makes providing assistance a felony crime.

SB207: Would prohibit employees of “issue advocacy” groups from being poll workers. Does this mean you? It would limit the number of available poll workers, who are already hard to find.

SB209: Would require that municipalities have only one dropbox, which would have to be attached to the building where the clerk’s office is. This would cause huge lines in urban areas and add to the confusion of how to vote. Drop boxes helped thousands of Wisconsin voters around the state return their absentee ballots safely in a timely manner during the pandemic elections. Limiting municipalities to one ballot box does not increase accessibility by residents of various neighborhoods, and it would actually be a decrease in accessibility for those municipalities that had installed multiple drop boxes last year.

SB210: Would require clerks to allow observers to be no more than three feet away from voters, which would violate voters’ right to privacy and could intimidate voters and poll workers alike.

SB211: Would require the Elections Commission to create a very detailed absentee ballot application that is separate and distinct from the absentee ballot certificate envelope voters must already complete when they return their absentee ballots. This makes it more burdensome for voters to request an absentee ballot, and especially so for voters with disabilities.

SB212: Would prohibit a clerk from correcting a defect on a completed absentee ballot certificate envelope. Instead of directly contacting the voter for information, the clerk must use an arduous process of returning the ballot to the elector via the USPS and post a notification of the defect on the elector’s page on the MyVote website.

SB213: Would shift authority over elections from the Elections Commission by letting individuals sue election officials without first filing a complaint with the commission. Under current law, an alleged violation would have to be tried in the county where a defendant resides. This bill allows plaintiffs to “venue shop” for partisan judges. Further, it would allow district attorneys to investigate election law violations in counties contiguous to theirs, resulting in, for example, DAs in Republican strongholds to open investigations into alleged violations in counties that are Democratic strongholds.

Please read my comments into the record. If you are considering protecting American voting rights, defeat these bills.

Respectably yours,

Joan Cervenka  
9970 N Benson Road  
Hayward WI 54843  
715-634-3191

**From:** [Debbie Zemel](#)  
**To:** [Duerkop, Nathan](#)  
**Cc:** [Sen.Darling](#); [Sen.Bernier](#); [Sen.Stroeel](#); [Sen.Smith](#); [Sen.Roys](#)  
**Subject:** Opposition to SB203/AB192, SB206/AB180, SB209, SB212/AB198  
**Date:** Tuesday, May 04, 2021 6:09:24 PM

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I am writing to voice my fierce objections to SB203/AB192–SB206/AB180-SB209 and SB212/AB198 and would like my objections be part of the public record.

During my over 40 years of professional work with seniors of our community serving as a Milwaukee County Senior Center Director, Executive Director of a CBRF and a RCAC facility and a Clinical Director of a Care Management Company, I have learned a few things! Our seniors have been active and vital members of our community. Some have served our country in wars—fighting for Democracy in Europe, Korea, Viet Nam, Iraq, Afghanistan, etc. some of these veterans have scars that they hide both physically and emotionally. Some have fought for civil rights, advocated for health care and many have been advocates for better education for our children. They raised their children to be good citizens. I am sure, many of our elders helped elect you! Some may even be your parents.

The senior members of our community are stake holders and advocates. They should be given every opportunity to make voting easier for them. These restricting measures are nothing more than voter suppression. Why?

While I can appreciate the concern for voter fraud—there is NO evidence that it exists. In fact, absentee voting is one of the most secure ways to vote! So why is there a movement to restrict the voting process? These bills not only restrict the ability for these seniors to vote, but it also restricts those who care for them the ability to help them vote—why?

Why is it necessary to limit the amount of drop boxes, which would make it easier for all citizens to cast their ballots? To me, it makes no sense. For a Democracy to work, all citizens should have access to voting. We should be having hearing addressing ways to make voting easier and have more accessibility.

When I was the Executive Director of a CBRF and RCAC facility 18 years ago, we had voting at our facility. Our residents could have the dignity of casting their vote in person with an election official supervising. Now, they need to apply for an absentee ballot—which is intimidating if you aren't computer savvy and need to provide a picture identification—(one that is approved!). Now, because of the restrictive nature of voting, facilities may or may not assist residents with voting. What about the folks who live alone and don't have access to a computer or the ability to have a witness sign their ballot? Why?

One day you will be a senior—will you have the opportunity to cast your vote with ease and in a dignified manner? You were elected to represent everyone in your district—including individuals with disabilities and people who are elderly and may be infirm. Please represent them. Stand up for them—help them be able to cast their vote—they may even vote for you!

Deborah Rosenthal Zemel  
6344 North Berkeley Blvd  
Milwaukee, WI 53217  
414-962-5640 (h)  
414-793-3562 (c)

Sent from my iPad

**From:** [Kathleen Kretzer](#)  
**To:** [Duerkop, Nathan](#)  
**Subject:** Written comments to be shared with committee and included within public record on Senate Bills 203, 206, 209 and 212.  
**Date:** Tuesday, May 04, 2021 6:03:03 PM

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Dear Mr. Duerkop:

My comments to be shared with the committee and included within public record are as follows.

I oppose Senate Bills 203, 206, 209, and 212. These proposed bills do not guarantee the safety of our free elections, but they do place obstacles on the vulnerable voting population: the elderly and the physically challenged. Last year, we women celebrated the one-hundredth anniversary of a hard fought victory.. our right to vote. Now, you want more restrictions on how we -- or maybe only some --people can vote. Only one drop box affixed to the clerk's office building? Really? That's going to make it so much more inconvenient for voters. What's wrong with our public libraries? I give thanks that we had multiple options for how we voted in 2020, when the most vulnerable were hunkered down while the pandemic raged. As a United States citizen, my right to vote is guaranteed by the Constitution. Please stop trying to silence the voices of the vulnerable, and vote no on **all** the above mentioned Bills.

Thank you for your time.

Kathleen Kretzer  
3010 W. Oriole Drive  
Milwaukee, WI 53209

414-462-1042



**From:** [Joy Perry](#)  
**To:** [Duerkop, Nathan](#)  
**Subject:** written testimony for SBs 203, 206, 209, and 212  
**Date:** Tuesday, May 04, 2021 5:30:58 PM

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Hello

Please make sure that Senators Bernier, Darling, Stroebel, Smith and Roys receive a copy of these comments before tomorrow's vote. Thank you.

Senators,

I strongly oppose all four of the voting-related bills you will be considering today, SBs 203, 206, 209 and 212.

All seem to be written to address problems that do not exist in Wisconsin and to further place obstacles in the paths of voters. These measures are not just unnecessary but will undoubtedly decrease voting and make voting more difficult.

This is exactly the wrong approach to take with respect to voting in Wisconsin. We have had no substantiated instances of voter fraud that have had any effect on elections. By making voting more inconvenient, more difficult, it certainly appears that the intended effect of these bills would be to depress voting, and would not improve election integrity in any way.

I COMPLETELY DISAPPROVE of this approach and these measures. I COMPLETELY DISAPPROVE of efforts to enact voting obstacles such as these.

Please VOTE NO on SBs 203, 206, 209 and 212.

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Joy Perry  
5157 N Loop Rd  
Larsen, WI 54947  
920-915-4593

**From:** [Brian Post](#)  
**To:** [Duerkop, Nathan](#)  
**Cc:** [Sen.Bernier](#); [Sen.Darling](#); [Sen.Stroebe](#); [Sen.Smith](#); [Sen.Roys](#); [Rep.Murphy](#); [Sen.Roth](#)  
**Subject:** Hearing on Election bills  
**Date:** Tuesday, May 04, 2021 5:09:15 PM

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Committee Clerk Duerkop,

I understand that tomorrow, May 5, the Senate Committee on Elections, Election Process Reform and Ethics will hold a hearing on Senate Bills 203, 206, 209 and 212. I am submitting comments and request that they be shared with committee members and included as part of the public record.

Please reject these bills. They are nothing more than solutions in search of a problem. None of these issues impacted neither results of the 2020 elections nor public confidence in the election process. The only thing affecting public confidence in elections is the BIG LIE perpetrated by the ex-president and those who support his insurrection attempt. The best way to build confidence in elections in our country is to tell people the truth – that the ex-president lied and a small minority of voters believed it.

All elections are conducted locally, by trusted municipal clerks who solicit community members as volunteers. These volunteers work very diligently to ensure each ballot is accounted for and the vote total is accurate. They are certified at the polling place in our neighborhoods. They are certified by our municipal clerks. They are certified at the county clerk level. They are certified at the state level. Every state in the country certified their results. All claims of improper handling of the election have been rejected by the courts at the state, federal, state supreme and US supreme court levels.

These baseless accusations with no credible evidence is a slap in the face of the neighbors, family, community members who conduct our elections and secure the very foundation of our democracy. These bills represent validation of the BIG LIE and support for the ongoing insurrection attempt. They need to be rejected.

**SB 203** prohibits any individual from helping more than one non-family member to return their absentee ballot. Please reject this bill.

**SB 206** places unnecessary restrictions on the ability to cast an absentee ballot. Please reject this bill.

**SB 209** prohibits municipalities from having more than one drop box. Please reject this bill.

**SB 212** requires clerks to return to the voter any absentee ballot that has an incomplete certificate. Please reject this bill.

I'm following these attacks on voting rights very closely. Your votes on this count and I encourage you to reject Senate Bills 203, 206, 209 and 212.

As an alternative to these bills, I recommend your committee adopt a resolution in support of and calling for the immediate passing of HR1 For the People Act currently in the U.S. Senate along with a call for passing the John Lewis Voting Rights Advancement Act.

Sincerely

Brian Post – Appleton, WI

**From:** [helen onsrud](#)  
**To:** [Duerkop, Nathan](#)  
**Cc:** [Sen.Stroebe](#); [Sen.Bernier](#); [Sen.Darling](#); [Sen.Roys](#); [Sen.Smith](#)  
**Subject:** In the interest of democracy do NOT suppress Wisconsin Votes!  
**Date:** Tuesday, May 04, 2021 3:50:09 PM

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We HAVE been going through a pandemic. We HAVE NOT been going through a period of voter fraud and it is irresponsible to suggest differently.  
I find it disgraceful that our Republican legislature is more intent on keeping people from voting than it has been on keeping them safe.  
It is not the integrity of elections that concerns me – it is the integrity of a certain cadre of politicians.

Please share these comments and include them as part of the public record.

Helen J. Onsrud,  
221 23<sup>rd</sup> Street South  
La Crosse, WI 54601

Sent from [Mail](#) for Windows 10



**GEORGE L. CHRISTENSON**  
MILWAUKEE COUNTY CLERK

**Senate Committee on Elections, Election Process Reform, and Ethics  
Public Hearing on Wednesday, May 5th 2021  
Written Testimony provided by Milwaukee County Clerk George L. Christenson**

Chairwoman Bernier 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 in a bi-partisan fashion with this committee and legislative leaders to identify bona fide ways to improve upon our election processes. Thank you.

**Senate Bill 203 – Oppose**

This bill creates a great number of barriers for people who need assistance to vote. The provision requiring that only an immediate family member may deliver an absentee ballot does not take into account that a family member is not willing or able to deliver that ballot. Furthermore, it implies that a family member is more trusted than a close friend or another trusted individual (for example their priest) to deliver the ballot when there is ample evidence to the contrary. The written permission requirement is also an unnecessary burden to the voter and the fact that the designee must be a registered voter – which means to be 18 years or older - is inconsistent with current law and practice. It is unreasonable that someone aged 16 or 17 is trusted to work the polls on Election Day but is not trusted to deliver an absentee ballot. Similarly, limiting a non-family member to delivering one ballot is not practical. Should an elderly couple with no living relatives in the State be forced to scramble and find designees for each of their ballots, ensuring that the designee has not already delivered a ballot for a non-relative already and/or that they are a registered voter? And risk being charged with a draconian Class I Felony punishment, as prescribed by this bill? I've mentioned in the past that some of these proposed election law changes are un-American but this one goes even further – it's un-Wisconsin like! The Wisconsin way of life is to be neighborly and helpful and this bill discourages that very thing. It's another blatant attempt to put more barriers to voting. I do agree with the part of this bill that allows a municipality to designate a site other than the municipal clerk's office as a location for a voter to return their completed absentee ballot. Additional drop off locations make voting easier, which should be the goal of this legislative body.

**Senate Bill 206 – Oppose**

This bill has a number of issues. Requiring that the voter's statement claiming that he or she is indefinitely confined be made under oath is unnecessary. When casting their ballot all voters attest that they are doing so in accordance with all applicable laws and requirements and this includes the fact that they are indefinitely confined. The requirement that a person under 65 years of age provide a statement from their doctor

about their disability may be a violation of the Health Insurance Portability and Accountability Act (HIPAA). Furthermore, it discriminates against those individuals with physical illnesses and disabilities as requiring someone who has a permanent disability to prove that fact in order to vote every two years is quite burdensome and quite frankly inhumane. By providing that a voter's status as indefinitely confined is removed every two years unless the voter submits a renewal application also places additional undue burden onto the municipal clerks as it requires more work for them to reach out to the electors to maintain voter rolls. It is simply unnecessary and aims to fix a problem that does not exist. Many clerks in the state are part-time employees who have limited hours to fulfill their obligations to their local municipalities. Elections is not just what they do.

### **Senate Bill 209 – Oppose**

I oppose this bill because I simply do not see the necessity for restricting where drop off locations can be located. There are many secured locations not attached to the municipal clerk's building that are secure. For example, a police department building or a fire station that is not part of the building where the municipal clerk is located can serve as a secure drop off location, especially if the location is monitored by video surveillance (which is usually the case). If the drop off location is secure and video monitored, the requirement to empty the drop box every day at 9AM is unnecessary, unreasonable and creates an undue burden on the clerks. Finally, publishing a separate notice of the location of the drop box and the days on which it is available for receiving absentee ballots is unnecessary as it can be handled through the Type E notice that clerk's already publish prior to each election. This method is also more cost effective.

### **Senate Bill 212 - 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. If the witness is a municipal employee (during in-person absentee voting) and fails to place the municipality's address on the envelope, the voter should not be adversely impacted. The clerk's office should be able to fix the error without adversely impacting the voter's ballot. 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.

### **Senate Bill 292 – Oppose**

I oppose this bill because it places another undue burden on our municipal clerks. All municipal canvass activities are fully transparent and open to the public to attend and observe. Those who think this process needs to be closely watched can surely dedicate their time to attend and observe in person. Streaming equipment and maintenance of the same are not without cost therefore those who wish to observe the canvass do not get to dictate unreasonable conditions because they are unwilling and indolent to appear in person. As the 2020 Presidential Recount in Milwaukee County proved: even the most sophisticated video monitoring of the canvass process, which was employed during the recount, will leave some complaining that it is insufficient.

### **Senate Bill 297 – Support**

I am in support of this bill as it will prevent a vacancy on the legislative body in case of a canceled or postponed election. A vacancy will deprive a constituency related to the respective legislative seat of representation on that legislative body.







Date: May 5, 2021

To: Senator Bernier, Senator Darling, and members of the Senate Committee on Elections, Election Process Reform and Ethics

From: Janet L. Zander, Advocacy & Public Policy Coordinator

Re: **Against SB 203** relating to: the secure delivery of absentee ballots and providing a penalty.

**Against SB 206** relating to: status as an indefinitely confined voter for purposes of receiving absentee ballots automatically and providing a penalty.

**Against SB 209** relating to: returning absentee ballots to the office of the municipal clerk.

**Information Only SB 212** relating to: defects on absentee ballot certificates, certain kinds of election fraud, and providing a penalty.

The Greater Wisconsin Agency on Aging Resources, Inc. (GWAAR) is a nonprofit agency committed to supporting the successful delivery of aging programs and services in our service area consisting of 70 counties (all but Dane and Milwaukee) and 11 tribes in Wisconsin. We are one of three Area Agencies on Aging in Wisconsin. Our mission is to deliver innovative support to lead aging agencies as we work together to promote, protect, and enhance the well-being of older people in Wisconsin. There are over one million adults age 60 and older residing in our service area.

Thank you for this opportunity to share testimony against SB 203, SB 206, and SB 209, and for information only on SB 212. In 2020, nearly 25% of the electorate were age 65 and older<sup>1</sup>. Voting is a high priority for many older adults, resulting in older voters forming a much larger share of all voters than their share in the electorate (64% in the 2018 election)<sup>2</sup>. Despite a strong desire to vote, as people age, there are often barriers standing between their desire to vote and being able to vote.

Older adults are the fastest growing demographic of our state's population<sup>3</sup>. Within the older population, a large and growing percentage of people are age 85 and older. With advanced age people are more likely to have multiple chronic illnesses which can make it harder to get around. Additionally, many older adults no longer drive. Some parts of Wisconsin, particularly in the sparsely populated north, many people have a long way to go to vote and many communities do not

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<sup>1</sup> Cilluffo, A. & Fry, R, Pew Research Center, An Early Look at the 2020 Electorate (Jan 2019). Retrieved April 14, 2021 from <https://www.pewresearch.org/social-trends/2019/01/30/an-early-look-at-the-2020-electorate-2/>.

<sup>2</sup> Brandon, E., U.S. News, Why Older Citizens are More Likely to Vote (Oct. 2020). Retrieved April 14, 2021 from <https://money.usnews.com/money/retirement/aging/articles/why-older-citizens-are-more-likely-to-vote>.

<sup>3</sup> U.S. Census Bureau (2020, June 25). 65 and Older Population Grows Rapidly as Baby Boomers Age. Retrieved March 16, 2021, from <https://www.census.gov/newsroom/pressreleases/2020/65-older-population-grows.html>.

have public transportation options widely available. For these reasons, it is not surprising that absentee voting is generally more heavily utilized by older voters.<sup>4</sup> Older adult voters also make up a large percentage of the voters who request an indefinitely confined status designation. In the November 2020 General election, two-thirds of the indefinitely confined absentee ballot applications came from voters over age 65.<sup>5</sup>

### **SB 203**

SB 203 will make it more difficult for some older adults to vote by limiting who can return the absentee ballot to the voters themselves, a member of their immediate family, or a legal guardian (with some very limited exceptions). While some older voters can return their own ballots (by mail, in-person, or at a designated drop box), others are unable to do so and have expressed concerns about mailing their ballot especially when time is limited and ballots may not be received in time (as happened in recent elections). Most older adults (or voters of any age) do not have legal guardians, and some do not have any immediate family members in the state (or elsewhere), much less immediate family residing within close proximity to them. It is unreasonable to expect one's family member to travel across the state to return an absentee ballot on their behalf. For voters unable to return their own absentee ballot and with no legal guardian or immediate family in the state (it is unclear how this would be demonstrated), SB 203 would permit the voter to designate, in writing (it is unclear when or where this designation takes place), one person who is a registered Wisconsin voter to deliver the ballot (provided the designated person is not a candidate on the ballot or being compensated to do so). It is unclear if the designated person must be identified in advance of returning the ballot, which would not accommodate any last-minute changes needed. SB 203 also does not acknowledge the support systems put in place by many older adults where friends help one another, as the bill prohibits any person designated to deliver an absentee ballot from delivering more than one ballot for any election for a person who is not a member of their immediate family. If a tenant in a senior apartment building offers to return the absentee ballots of more than one of his/her neighboring tenants, this would be prohibited under SB 203. Restricting who can return absentee ballots will negatively impact older voters and make it more difficult for some older adults to vote.

### **SB 206**

SB 206 proposes significant changes that would make it much more difficult for electors seeking an indefinitely confined voter status. Voters would no longer be able to sign a statement indicating they are indefinitely confined due to age, physical illness, or disability but would now be required to make their statement under oath and have it signed by a healthcare professional (if under 65). Requiring a physician/health care professional's signature in order to receive an indefinitely confined voter status will present a major barrier to some older voters. Not all voters who are confined by age, physical illness, or disability seek medical care and some would face financial and

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<sup>4</sup> Stewart, C., III. (2020, March 20). Some Demographics on Voting by Mail. Retrieved April 13, 2021, from <https://electionupdates.caltech.edu/2020/03/20/some-demographics-on-voting-by-mail/>.

<sup>5</sup> Wisconsin Elections Commission (2021, February 3), November 3, 2020 Election Data Report. Retrieved April 13, 2021, from <https://urbanmilwaukee.com/wp-content/uploads/2021/01/D.-November-2020-Election-Data-Report.pdf>.

transportation barriers if required to do so. Likewise, health care professionals may be reluctant to sign such statements, particularly if the voter/patient was new to them. Additionally, SB 206 calls for the removal of a voter's status as indefinitely confined every two years (or completion of a renewal application every two years) instead of the status continuing, as it does under current law, until the voter notifies the clerk they are no longer indefinitely confined. Some older indefinitely confined voters seek this designation as a means of indicating their wish to be a permanent absentee voter. Some older voters face significant challenges completing the absentee ballot application. These challenges include, but are not limited to, not knowing how to request an absentee ballot application, not having the necessary required identification, and submitting proof of their identification. It can be difficult, particularly for those who do not drive, to get to the Department of Motor Vehicles to obtain a photo ID. Even for those who have photo IDs it can be challenging to obtain needed copies due to limited access to technology and/or limited ability. Requiring this application renewal process every two years, when there has been no change in the voter's status, is unnecessary and places additional barriers that will make it more difficult for some older adults to vote.

### **SB 209**

While we appreciate SB 209 includes the "return of an absentee ballot to a drop box authorized by the municipal clerk" as a legal means of returning a ballot in addition to returning it by mail or delivering it in person to the municipal clerk, we are concerned that the bill requires the drop box to be attached to the building where the municipal clerk's office is permanently located. The Wisconsin Municipal Clerks Association noted, "that very secure drop boxes on the City Hall campus would no longer be allowed as they are not affixed to the building. Also multi-use drop boxes such as those at the Library that are affixed would also be eliminated." We agree with these comments and would like municipal clerks to determine which locations and boxes will best meet the needs of their communities and community members. Additionally, the bill prohibits the use of any other drop box for the delivery of an absentee ballot. While one drop box location may be enough for some communities, others will benefit from drop boxes located in secure locations throughout the community to ensure access to those with limited transportation. GWAAR agrees all drop boxes should meet the accessibility requirements under the federal Americans with Disabilities Act.

### **SB 212**

According to the Wisconsin's Elections Commission's November 3, 2020 Election Data Report, the percentage of absentee ballots returned and rejected was very small at 0.2% (4,270 ballots). Over one-third (1,475) of those absentee ballots were rejected due to insufficient certification or a compromised certificate envelope. Under current law, a municipal clerk who receives an absentee ballot with an improperly completed certificate or no certificate *may, but is not require to*, return the ballot to the voter whenever time permits so that the voter may correct the defect. While the number of returned and rejected ballots related to problems with the certification are small, they still impact thousands of voters (many of whom are likely older adults). Current law does not require municipal clerks to consistently respond to these errors leaving some voters able to fix the defects while others are not. **GWAAR appreciates that some errors are minor** (part of witness address is missing, etc.) **and have been easily fixed by clerks contacting voters to gather missing information without**

**needing to return the absentee ballot. GWAAR supports a consistent approach to responding to absentee ballot certificate errors or missing certificates but is concerned about the process outlined in SB 212.**

SB 212 indicates clerks *shall* return the ballot to the elector (it would no longer be may), it also indicates the clerks *shall post a notification of the defect on the elector's voter information page on the Internet site used by electors for original registration* (MyVote Wisconsin) and further indicates *the municipal clerk may not correct a defect in the certificate*. Removing the clerk's ability to correct even minor administrative errors (on otherwise valid ballots) and requiring notifications of defects to be posted online (instead of communicated more directly) will likely increase the number of absentee voters whose ballots are returned and rejected. Many voters are unable to use online resources and would not understand why their absentee ballots have been returned or that corrections are needed to the certificate. Additionally, there may be insufficient time to return the ballot to the voter, for the voter to learn of the defects and make corrections, and to resubmit the ballot in time to be counted. We encourage policymakers to explore alternatives that would allow clerks to consistently respond to improperly completed or missing certificate information in a manner that is timely and requires voters to be notified of the defects and corrections needed by means other than solely online.

GWAAR supports voting processes that ensure every eligible older adult who wants to vote, can vote, no matter where they live or how they choose to vote. Thank you for your consideration of these comments opposing SB 203, SB 206, SB 209 and providing additional information on SB 212. We appreciate the interest in and efforts of policy makers to preserve, protect, and enhance the voting rights of older adults and people with disabilities. We look forward to continuing to work with you on policies that improve the quality of life of older people in Wisconsin.

**Working together to promote, protect, and enhance  
the well-being of older people in Wisconsin.**

Contact:  
Janet Zander  
Advocacy & Public Policy Coordinator, MPA, CSW  
Greater Wisconsin Agency on Aging Resources  
[janet.zander@gwaar.org](mailto:janet.zander@gwaar.org)  
(715) 677-6723 or (608) 228-7253 (cell)



**Commissioners**  
Stephanie Findley, Chair  
Carmen C. Cabrera  
Jess Ripp

**Executive Director**  
Claire Woodall-Vogg

**Election Commission**

## **City of Milwaukee Testimony on SB 203, SB 206, SB 209, and SB 212**

May 5, 2021

Senate Committee on Elections, Election Process Reform and Ethics

Thank you to Senator Bernier and to the committee members for the opportunity to provide written testimony on SB 203, SB 206, SB 209, and SB 212, all bills related to absentee voting in the State of Wisconsin. The City of Milwaukee opposes all four bills, as they are seeking to create extreme restrictions on the absentee voting process, which is already a secure, accurate, and convenient voting option for the residents in our state. These bills seek to create solutions for which no problem currently exists.

**SB-203** unnecessarily and unfairly restricts voters in their method to return absentee ballots. Ballots are mailed using the United States Post Office directly to the voter and that individual should have the autonomy to designate anyone they wish to return their ballot via mail, drop box, or in-person to the clerk's office. Many homebound voters rely on neighbors, friends or family to return their ballot. Requiring clerks to staff alternative return locations is archaic and costly. Our current drop boxes are more secure with a more detailed chain of custody log than a United State Postal Service mailbox. They are monitored by video surveillance 24 hours a day, emptied in pairs of two, and have far fewer people and/or machines handling the ballots than if they were returned by mail. The Wisconsin Election Commission could and should create uniform chain of custody paperwork for drop boxes, but no further restrictions should be placed on them.

**SB-206's** impact is to complicate the voting process for the most vulnerable within our state – those who identify as being indefinitely confined due to age, illness, or disability. There is no evidence of abuse of this status and the City of Milwaukee opposes this bill in its entirety.

**SB-209** limits a municipality to one drop box, regardless of the size of the community, which is unfair and does not meet the needs of a large, diverse community of over 300,000 voters, especially voters with transportation challenges. Furthermore, prescribing the exact time that clerks are required to empty the box, rather than allowing the clerk to establish and publish the time, is an overreach of state control. Clerks across the state have different office hours and different absentee drop box needs.

**SB-212** does not address the specific procedural issues that clerks are facing when deciding whether an absentee certificate envelope's certification is deemed "sufficient." Under Wis. Stat. 6.87(6d), "[i]f a certificate is missing the address of a witness, the ballot may not be counted." Witness address is not defined in this section of state statute. However, the Wisconsin Election Commission in October of 2016 determined that a witness address needed to include the witness's house number, street name, municipality and state in order to be sufficient. In this very same guidance, they instructed clerks to provide missing information around the witness address if they were able to reasonably determine such information using their professional judgment.



The overwhelming majority of incomplete certificate envelopes that the City of Milwaukee receives contain a voter's signature, witness's signature, and a witness address. The witness often lives at the exact same address as the voter or is a direct neighbor of the voter. They will provide their street number and street name, but fail to rewrite "Milwaukee, WI" on the witness address line. If they live at the same address as the voter, that complete address appears on the certificate envelope with the voter's residency information. To prevent a clerk from curing an otherwise perfectly valid certificate envelope by forbidding us to write the obvious municipality and state, which appears elsewhere on the ballot, is as ridiculously trivial and mean-spirited as the literacy tests issued in the South in the 1950s to disenfranchise voters of color.

Furthermore, we would encourage the legislature to go a step further than it has done and provide voters with an alternative option for curing the ballot. Rather than requiring that clerks mail ballots back to voters, we would suggest that an affidavit to complete the missing information be made available on the online voter portal currently known as MyVote. This affidavit would take into consideration the tight timelines that absentee voters are often facing when having to mail ballots through the United States Postal Service and would allow them to more quickly cure their own errors by eliminating one half of the mailing time and associated costs.

The City of Milwaukee urges you to oppose SB 203, SB 206, SB 209, and SB 212. Thank you for your consideration.

**For additional information and questions, please contact:**

Brenda Wood, Intergovernmental Policy Manager, City of Milwaukee  
[bwood@milwaukee.gov](mailto:bwood@milwaukee.gov); 414-339-9054

**From:** [Marie Garnhart](#)  
**To:** [Duerkop, Nathan](#)  
**Subject:** Upcoming legislation  
**Date:** Tuesday, May 04, 2021 2:37:50 PM

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Dear Sir:

Please share my comments on the upcoming legislation with the committee and include them in the official record.

Regarding SB 203, SB 206, and SB 209, these bills unnecessarily complicate the voting process for elderly, less mobile, and handicapped persons of all kinds. Please do not enact such legislation.

Regarding SB 212 I can understand requiring clerks to return an incomplete absentee ballot unless it is a matter of a common-sense correction of a witness's address. Please do not enact this legislation as it stands.

Thank you for considering my opinion

Marie Garnhart  
7835 W. Canterbury Ct.  
Franklin, WI



## **Public Comment**

*Public Hearing on May 5<sup>th</sup>, 2021*

Senate Committee on Elections

Greetings! My name is Stephanie Birmingham and I am a resident of Sturgeon Bay, Wisconsin. I work for Options for Independent Living, located in Green Bay, Wisconsin, as Advocacy Coordinator. Options is a non-profit organization committed to empowering people with disabilities to lead independent and productive lives in their community through advocacy, the provision of information, education, technology and related services. We believe in the Independent Living Philosophy, in self-direction and that people with disabilities have the right to make informed choices for themselves.

I am grateful for the opportunity to express my concerns about:

- **Senate Bills 203 and 206**

I believe these bills will make it harder for people like me, disabled adults, to vote. If I was before you in-person, you would be seeing a 33-year-old white, short-statured female with dark brown hair, sitting in a black power wheelchair. What you wouldn't and can't see is my reality of being a non-driver, nor my congenital bone condition, Osteogenesis Imperfecta. You also can't see that I am a Master's-level educated professional who values her civil right to participate in the democratic process. You also wouldn't see that I have voted as an indefinitely confined voter.

Senate Bill 203 will create an undue burden and barrier to a group of individuals who already face systemic challenges to exercising the right to vote. This Bill is extremely ableist and makes many assumptions about the individual circumstances of disabled people. To limit who can return an absentee ballot to either a member of the voter's immediate family, or the voter's legal guardian, with limited exception, when the voter is unable to do so themselves, is absurd. Not all people with disabilities want their family or legal guardian assisting them in their right to vote. Furthermore, there are many assumptions being made here, including the following: one, that there is a family member willing to assist, second, that there is an amicable relationship between the absentee voter and a family member, and lastly, such idea ignores the fact that according to the National Council on

Aging, “In almost 60% of elder abuse and neglect incidents, the perpetrator is a family member<sup>1</sup>”. Having a family member return the absentee ballot is not a fail-safe measure against the supposed fraud that many believe happens through absentee voting.

While some may point out that Senate Bill 203 offers an exception to the family member or legal guardian-only provision, to have to designate a person in-writing seems excessive and simply just another hurdle put up to keep people with disabilities from exercising their right to vote. Consider the absentee voter who designates one person to deliver their absentee ballot for them and then, as life would have it, something changes and that person is no longer available. Then what? Should they forfeit their right to vote? I think not!

It’s been stated by some that voting absentee should mirror what happens to in-person voting. I’d like to give you an example of what that looks like. In the Spring election of 2019, voting in-person for me meant risking my life by driving my power wheelchair down the middle of the street in order to get to my nearest polling location. Why you ask? Because the sidewalks were covered in ice and snow and the public buses didn’t go close to my polling location. But I was determined and I was excited vote for a specific candidate. I also wanted to honor the sweat, blood and tears of those who have worked tirelessly to ensure that I have the right to vote.

Lastly, I ask you to consider both the ableism and paternalism that is rampant throughout Senate Bill 206. Simply put, SB 206 requires indefinitely confined voters under the age of 65 to obtain a “permission slip” from their doctor to vote. It operates on the premise that disabled people lie, are untruthful, deceitful and seek to undermine the integrity of the election process. Quite frankly, it’s insulting. There is nothing glamorous about voting as ‘indefinitely confined’ and to have to ask my doctor to provide a statement for *one more thing* in my life verifying that I am disabled implies that my doctors’ word is more truthful than my own experience of living for thirty-three years with my bone condition.

This entire Bill leaves me with so many questions? Who is going to pay for the doctor visit? Will you work with the WI Department of Health Services and the

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<sup>1</sup> Issues for Advocates. *National Council on Aging*. Accessed 4 May 2021. <https://www.ncoa.org/article/get-the-facts-on-elder-abuse>

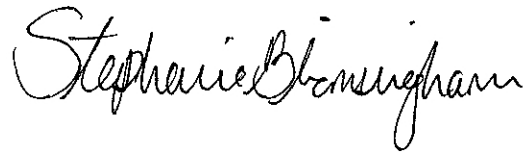
Centers for Medicare and Medicaid Services on appropriate reimbursement rates? What about those people with disabilities who don't have a regular healthcare provider? And does someone magically become more truthful and believable at the age of 65 that they do not have to provide a doctor's statement?

Furthermore, the Bill's assertion that the "existence of an outbreak or epidemic of a communicable disease in a voter's community does not qualify the voter as indefinitely confined" seems discriminatory. For some people, by the very nature of their disability and/or chronic medical condition, exposure to an outbreak or epidemic can be deadly. This seems to inherently reward behavior that is contrary to what we have learned is best practice to reduce transmission and spread of disease and may require some people with disabilities to choose between life and their right to vote. When is the last time someone asked you to decide between living and voting while knowing that the "wrong choice" means you face a felony?

Also, to require a person to re-apply as indefinitely confined every two years seems to fly in the face of the intent for such voter designation. What makes voting as indefinitely confined so convenient as a disabled voter is that an absentee ballot is automatically sent for each election. To require re-application is, in essence, diluting this accommodation for disabled people. While some may argue that indefinitely confined voters don't need to submit a valid ID when registering to vote, they would be correct. What perhaps is not considered is the difficulty faced by many disabled people to access a local DMV office to obtain an ID. Transportation access for the disability community is a huge issue Statewide and especially troublesome for disabled Wisconsinites in rural parts of the State. For many, getting to their local DMV isn't just a matter of "catching a ride".

In conclusion, as an American, few things are more important to me than my right to vote and ensuring that ALL people, including people with disabilities, have that same opportunity. I invite all of you to reflect on the reality that the disability community is the largest minority that ANYONE can become a part of at any point in their life through accident, illness, or injury. And if one is fortunate to live into older age, they will likely experience a disabling condition. Disability does not know race, gender, age, economics, political party, religion, and so on. These bills may very likely impact yourself at some point, if not now. Therefore, I implore you to please vote to support accessible and inclusive elections.

Respectfully submitted,

A handwritten signature in black ink that reads "Stephanie Birmingham". The script is fluid and cursive, with the first letter of each word being capitalized and larger than the others.

Stephanie Birmingham  
Advocacy Coordinator  
[stephanieb@optionsil.org](mailto:stephanieb@optionsil.org)  
(920) 495-9688

Options for Independent Living, Inc.  
555 Country Club Road  
Green Bay, WI 54307

**From:** [Barbara Leigh](#)  
**To:** [Duerkop, Nathan](#)  
**Cc:** [Sen.Bernier](#); [Sen.Darling](#); [Sen.Stroebe](#); [Sen.Smith](#); [Sen.Roys](#)  
**Subject:** Legislative Committee Hearing on Voting Bills  
**Date:** Tuesday, May 04, 2021 2:08:51 PM

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To: Wisconsin City Clerk Nathan Duerkopf and Members of the Senate Committee

Re: Written Comments in regard to Senate Bills 203, 206, 209 and 212

My Position: Opposed

From: Barbara Leigh, Ph.D. from UW Madison, US citizen born in Wisconsin

04/04/21

PLEASE SHARE MY CONCERNS WITH COMMITTEE MEMBERS AND INCLUDE THEM AS PART OF THE PUBLIC RECORD

I have been a consistent voter in every local, state-wide and federal election since I can remember. As a person with a disability—partial paralysis—who is elderly and who has no car. For the last 10 years I have especially relied on Wisconsin providing reasonable accommodations to help me cast my ballots. In 2020, because of the virus I was very relieved to be able to mail in my ballot, and since there is no cure in sight for my disability, it was very helpful to be considered “indefinitely confined. A friend with a car dropped off my ballot and that of a friend who is also disabled.

Under current Bills being proposed I might not have been able to vote, nor would thousands of others who have disabilities, are elderly, perhaps without computers, transportation or family members who could help take in their ballot.

All these bills seem very quixotic, with no real rationale except, apparently, to discourage voting by my demographic by making it more difficult or impossible to get our ballots to you.

SB 203 prohibits my friends from helping more than one non-family member to return their absentee ballot. Why???

SB 206 restricts the ability to cast an absentee ballot without considering any personal or public unforeseen circumstances like unexpected illness, extreme weather conditions or a pandemic. AND it limits the rights of voters like me who are currently certified indefinitely confined and imposes extreme requirements for people under the age of 65 to obtain statements signed by a doctor. AND this bill makes providing assistance a felony crime. What does that even mean??

SB 209 prohibits municipalities from having more than one drop box, and the box must be affixed to the building that houses the clerk’s office. Milwaukee, for example, is a very large city where many of us don’t have a car. How does this law do anything but make it harder for

lower income people to vote??

Please take our concerns into consideration and replace these bills with efforts to make voting easier for all our citizens.

Thank you for your kind attention. Barbara Leigh

**From:** [Dot Fisher](#)  
**To:** [Sen. Bernier](#); [Sen. Darling](#); [Sen. Stroebel](#); [Sen. Smith](#); [Sen. Roys](#); [Duerkop, Nathan](#)  
**Subject:** Oppose Senate Bills 203, 206, 209 and 212  
**Date:** Tuesday, May 04, 2021 1:46:27 PM

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Senate Committee on Elections, Election Process Reform and Ethics Members and Committee Clerk,

As a registered Wisconsin voter, I submit my written comments in opposition to Senate Bills 203, 206, 209 and 212 for consideration at the committee hearing on May 5, 2021 and request that my comments be included as part of the public record. As an absentee voter, I oppose these bills because of the excessive burden they would place on voters, especially those with disabilities, and on our democracy.

Specifically, I oppose these bills because:

**SB 203** prohibits any individual from helping more than one non-family member to return their absentee ballot. There have been no charges of illegal activity related to the very American practice of helping one's neighbor cast an absentee ballot. Current law provides many safeguards to prevent such problems. SB 203 would only limit the options voters have for obtaining and returning an absentee ballot and would not improve elections.

**SB 206** places unnecessary restrictions on the ability to cast an absentee ballot and allows for no flexibility to address unforeseen personal or public circumstances such as an unexpected illness in the family or a pandemic, as evidenced by all the elections in WI in 2020, and 2021 to date . The bill would limit the rights of voters who currently certify as indefinitely confined and impose extreme requirements for those under the age of 65 to obtain statements signed by a doctor. This bill creates new hurdles for voters, especially those with disabilities, and makes providing assistance a felony crime.

**SB 209** prohibits municipalities from having more than one drop box, and the box must be affixed to the building that houses the clerk's office. Drop boxes helped thousands of Wisconsin voters around the state return their absentee ballots safely in a timely manner during the pandemic elections. Limiting municipalities to one ballot box does not increase accessibility by residents of various neighborhoods, and it would actually be a decrease in accessibility for those municipalities that had installed multiple drop boxes last year.

**SB 212** requires clerks to return to the voter any absentee ballot that has an incomplete certificate. The clerk must also post a notification of the defect on the voter's information page in the voter registration database. While I could support legislation requiring clerks to inform voters of an incomplete certificate, this bill does nothing to assist voters to remedy the error or omission. It prohibits clerks from making common-sense corrections of a witness's address. This bill only gives reason to disqualify the ballots of eligible voters.

Elizabeth Mahoney  
PO Box 246  
Ellison Bay WI 54210

**From:** [rhonda.staats@gmail.com](mailto:rhonda.staats@gmail.com)  
**To:** [Duerkop, Nathan](#)  
**Subject:** Staats Testimony SB 203, 205, 209, and 212  
**Date:** Wednesday, May 05, 2021 1:23:59 PM

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Dear Mr. Duerkop:

I am writing in opposition to SB 203, 205, 209, and 212, and wish my testimony to be entered into public record.

I am a long-time Board member of the Wisconsin Council of the Blind & Visually Impaired (WCB&VI). I serve on the Governor's Committee for People with Disabilities (GCPD) and am a member of its Executive Committee. Consequently, I am keenly interested in proposed legislation that, if passed, will present significant barriers to the ability of persons with disabilities to cast a ballot. I am opposed to any legislation that restricts the opportunity to vote, a right guaranteed in the U.S. Constitution through the 15<sup>th</sup> and 19<sup>th</sup> Amendments.

I am among the population of elders and people with disabilities who are non-drivers, a circumstance for which we already face a significant barrier to travel independently to polling places. Consequently, many of us rely on the absentee ballot. Any directive which restricts the use of absentee ballots will negatively affect our ability to vote. I used an absentee ballot during the 2020 election year, and I experienced some difficulty in getting someone to assist me to complete and properly submit my ballot. Further restrictions described in SB 203, 205, 209, and 212 will result in further hardship for all of us.

Legislation that requires a physician's verification to certify one's disability and/or eligibility for absentee ballots creates some crucial barriers. Individuals require transportation to travel to a physician's office. Accessible, affordable transportation is often the most significant barrier to non-drivers, as we must continually find workable options to accomplish the tasks of daily living. There are times when one extra trip is impossible. An additional visit to a healthcare professional may present a cost burden to people who may be on a lower fixed income.

Proposed legislation that may penalize those assisting individuals to complete and submit their absentee ballots means that fewer elders and people with disabilities get to vote. Individuals who normally assist us to vote may think twice if they believe there is a chance to incur a penalty. Reducing the number and location of drop boxes, and who is authorized to carry our ballot adds more challenges to our right to vote. Greater demands or restrictions for those who assist individuals living in skilled nursing facilities or group homes to complete a ballot will result in fewer ballots being cast.

There are hundreds of thousands of Wisconsin citizens whose ability to vote would be significantly restricted if SB 203, 205, 209, and 212 would become law. I encourage each Senator to consider the implications and consequences should these bills move forward. People with disabilities would experience significant additional challenges to their right and ability to vote.



As a member of the Wisconsin Council of the Blind & Visually Impaired and the Governor's Committee for Citizens with Disabilities, I am fully committed to advocacy supporting the empowerment of Wisconsin citizens with disabilities. Consequently, I remain committed to a process to ensure the right to vote. This includes the legalization of an ADA compliant absentee ballot, which may eliminate some of your concerns regarding the integrity of the voting process. I am available for further questions or conversations.

Kind Regards,

Rhonda Staats – La Crosse

**From:** [Bobbi](#)  
**To:** [Duerkop, Nathan](#)  
**Subject:** Senate Bills 203, 206, 209 and 212  
**Date:** Tuesday, May 04, 2021 1:37:54 PM

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Please share with committee members and include as part of the public record.

Voting is a most fundamental right of all Americans. Despite the wild accusations flung around following the November 2020 election and all the lawsuits that resulted with no valid findings, no voter fraud was identified. I see absolutely no reason for laws and restrictions to be put in place making it more challenging for Americans to cast their ballots. The year 2020 was difficult for all of us for many reasons due to the pandemic and yet, we came out and voted in record numbers. People risked their lives to vote. Others took heroic measures to make sure their ballots were counted. We should be making it easier for Wisconsin citizens to vote.

My parents are life-long voters. Now in their mid-eighties, with increasing physical challenges, it was a relief to learn they can have ballots mailed to them indefinitely. Why would you want to stop people who have been doing their civic duty all their lives from being able to vote safely from their homes? Why make it harder? We should all be voting by mail as is done in Oregon. People have jobs and families and busy lives. Not everyone can adjust their schedule ahead of time to go stand in line, sometimes for hours to be sure their vote counts. EVERYONE's vote should count. EVERY SINGLE ELECTION, regardless of how that vote is submitted.

Bobbi Rongstad  
14363 N Heffners Road  
Saxon, WI 54559

**From:** [Becky Otte-Ford](#)  
**To:** [Duerkop, Nathan](#)  
**Subject:** voter suppression bills  
**Date:** Tuesday, May 04, 2021 1:11:03 PM

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Dear committee clerk,

I'm emailing to register my opposition for SB 203, SB 206, SB 209, and SB 212, and I request that my comments be shared with committee members and included as part of the public record.

These bills as a whole place unreasonable burdens on voters without addressing any real problems or adding any necessary safeguards to our voting system. If you want to uphold democracy, don't use voter suppression tactics. I encourage you to make it easier to help our neighbors vote, to make it easier to vote absentee, easier to return absentee ballots, and easier to correct innocent mistakes if absentee ballots were not filled out completely.

Rebecca Otte-Ford  
1027 Chandler St  
Madison, WI 53715

**From:** [Scott & Judy Stieber](#)  
**To:** [Duerkop, Nathan](#)  
**Subject:** Senate Bill 203  
**Date:** Tuesday, May 04, 2021 12:48:55 PM

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Committee Clerk

Please share my opinion with the Senate Committee with Elections

I oppose this unneighborly and unfriendly voting bill SB 203. I do not believe it would improve our elections.

I would like to know why we need another bill regarding absentee voting in Wisconsin. Absentee ballots are an important part of helping people vote. Please, don't make voting more difficult.

Thank you  
Judy Stieber

**From:** [Caryl Sewell](#)  
**To:** [Duerkop, Nathan](#)  
**Subject:** May 5th hearing  
**Date:** Tuesday, May 04, 2021 12:15:24 PM

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Please distribute the following comment to members of the Senate Committee on Elections, Election Process Reform, and Ethics and add it to the public record.

Wealthy white male landowners used to run our government. It is sad to see our state legislature moving in that direction with the current bills under consideration. Tightening the rules to make it harder for people to vote is an insidious move and we urge you to oppose SB 203, 206, 209 and 212 because of the burden they will place on voters. None of these bills are improvements instead, they are clear attempts to create new crimes to stop people from assisting other voters. Fear of fraud, where there is no fraud, is the biggest fraud of all.

Sincerely,  
Robert and Caryl Sewell  
17760 Gebhardt Rd.  
Brookfield, WI 53045

**Testimony of Jay Heck, Executive Director, Common Cause Wisconsin**  
**Wisconsin Senate Committee on Elections, Elections Process Reform & Ethics**

**May 5, 2021**

**In Opposition to Senate Bill 203, Senate Bill 206, Senate Bill 209, Senate Bill 212**

Common Cause in Wisconsin (CC/WI) is one of the state's largest non-partisan political reform advocacy organizations with more than 8,000 members and activists residing in every county of the state. We have been active in Wisconsin since our founding in 1970.

We oppose four of the measures being considered by this Senate Committee today and urge members of this committee to vote against their passage. All four of these measures would make it more difficult and burdensome for Wisconsinites to be able to cast a ballot during an election. All are extremely partisan and were devised exclusively by members of one political party to attempt to gain partisan advantage in elections and without any consultation with members of other political parties or with nonpartisan election advocacy organizations such as Common Cause Wisconsin.

Specifically, we oppose:

**Senate Bill 203:** This bill would prohibit any individual from helping more than one non-family member return their absentee ballot. The bill would limit who can return a voter's absentee ballot to include only the voter's immediate family or legal guardian, with very limited exceptions.

- This bill makes it harder for voters to return their completed ballots to have their votes counted. Voters should have access to needed assistance from trusted friends, neighbors, care providers or community groups. Many voters with disabilities who vote absentee are non-drivers and ask someone they trust to deliver their absentee ballot. If their usual driver has already delivered a ballot for someone, the voter would have to find another way to get it returned.

**Senate Bill 206:** This bill makes anyone who is indefinitely confined jump through several hoops in order to vote, including the voter making a statement under oath affirming the fact of being indefinitely confined. If the indefinitely confined voter is under 65, that sworn statement would need "to be signed by a physician, physician assistant, or advanced practice registered nurse who has primary responsibility for the treatment and care of the voter." In addition, the bill specifies that the existence of an epidemic does not qualify a voter as being indefinitely confined, and kicks people off the indefinitely confined list who signed up March 12 through November 3, 2020.

- For many elderly and disabled voters and those with preexisting conditions who have been home bound for their own safety because of COVID, this bill is heartless. It would put voters at risk while voting for the duration of this pandemic and during any future pandemic. No other voter must submit a sworn and signed statement under oath such as this requirement sets out to do. This is a crude, blanket

invalidation of the status of tens of thousands of voters, and without evidence, it implies that they all misrepresented themselves. This presumption of guilt flies in the face of free, fair, and accessible elections.

**Senate Bill 209:** This bill would limit absentee ballot drop boxes only to be attached to the building where the office of the clerk is located.

- This bill increases the difficulty for voters to return their completed ballots and have their votes counted. Reducing the number of drop boxes in high populated areas (particularly Milwaukee, Madison, and other larger cities) that span miles and service thousands of voters to only one box, disadvantages the voters who do not live near the one box. Voters across the state used drop boxes to return their ballots when their clerk's office is otherwise inaccessible or closed. Legislation should be encouraging more secure options for returning ballots, not fewer.

**Senate Bill 212:** This measure would require the clerk to mail the defective ballot envelope back to the voter, require the clerk to put a notice of the defect on the voter's voter information page in MyVote, and prohibit a municipal clerk from correcting a defect on the completed absentee ballot certificate envelope. Specifically, the bill would create new felonies in the list of election frauds to punish election officials.

- This bill addresses how clerks should act when a voter returns a completed absentee ballot with a defect in the ballot certificate. If a certificate envelope has a defect, the clerk must return the ballot to the elector and post a notification of the defect on the elector's voter information page on MyVote website. However, not all voters can access MyVote and they would be unaware of the problem to make corrections. Additionally, the bill does not make clear if the voter will know the notice has been put in their voter information page on MyVote unless they happen to check the page. Existing law does not require notice of defects; however, the Wisconsin Election Commission guidance encourages clerks to contact the voter directly.
- Mailing a ballot back to the voter within only a few days until Election Day will guarantee the ballot envelope is not returned corrected in time for the vote to be counted. The mail can be slow. There may not be time to return the ballot to the voter and for the voter to send it back, so the vote may not be counted.
- Currently the clerk may look up the address or contact the voter for information. Existing law allows the clerk to mail the ballot back if there is time for the voter to correct the defect. This is a bad bill in that it will result in many ballots being tossed for information missing on the envelope. AND the bill does not allow for correction of the envelope except by the voter when the ballot and envelope is returned by mail. It does not seem to allow the clerk alternate ways for corrections, like a phone call and a visit to the clerk's office by the voter. While a correction or cure process for absentee ballot envelopes is something that the legislature should consider and undertake, it should not be in the form of this bill. It should give clear instructions so that clerks and voters are able to correct mistakes to ensure all ballots cast are counted.

In sum, the enactment and passage into law of any of these four measures would have a detrimental effect on Wisconsin voters. There is no credible evidence that any of the restrictions that these measures would place on voting are justified or are needed and all would result in fewer eligible and fully legal voters from being able to cast their ballots. This is voter disenfranchisement of the very worst kind and it is cynical, partisan, and completely unnecessary.

Common Cause Wisconsin respectfully urges Committee Members and the full Wisconsin Legislature to reject these measures.