



DAVID STEFFEN

STATE REPRESENTATIVE • 4th ASSEMBLY DISTRICT

April 8, 2025

Testimony to the Assembly Committee on Campaigns and Elections on Assembly Bill 35

Chairman Maxey and Committee Members,

Thank you for the opportunity to testify in favor of Assembly Bill 35, the “Robert F. Kennedy Jr. Act.”

The 2024 presidential election cycle highlighted an outlier in Wisconsin election law. With the suspension of Robert F. Kennedy Jr.’s presidential campaign, attention quickly turned to Wisconsin, and its requirement that candidates who have withdrawn their candidacy remain on the ballot (unless they die). According to NCSL, 48 states have a process that is less restrictive than Wisconsin’s in allowing for withdrawn candidates to keep their name from appearing on the ballot. AB 35 provides a remedy to this quirk in Wisconsin election law.

Assembly Bill 35 creates a clear timeline and set of requirements for candidates to meet in the event that they no longer want their name to appear on the ballot. A candidate is required to submit a sworn and verified statement to the Wisconsin Elections Commission attesting that they are withdrawing their candidacy. They must adhere to a strict deadline when filing this statement and must pay a processing fee for this service. Under the bill, various candidates are eligible for this withdrawal process including independent candidates for president and vice president as well as candidates for US Senate/House and state-level candidates.

This proposal recognizes that real-world circumstances may impact a candidate’s decision to continue through Election Day and eliminates unnecessary voter confusion by creating a process for candidates to remove their name from the ballot if certain criteria are met.

Thank you for the opportunity to speak in favor of this bill. I encourage you to join me in supporting this legislation and am happy to answer any questions you have.

A handwritten signature in black ink, appearing to read "David Steffen".

David Steffen
State Representative
4th Assembly District



Van H. Wanggaard

Wisconsin State Senator

Testimony on Assembly Bill 35

Thank you, Chairman Maxey, and committee members for holding a hearing today on Assembly Bill 35. Simply, this bill will put Wisconsin in line with the vast majority of the rest of the United States, and allow an independent candidate to remove their name from the ballot.

A favorite saying of mine has always been, “you can’t legislate common sense.” But, this bill is testing that theory.

In Wisconsin, the only way your name can be withdrawn as a candidate is if you die. Assembly Bill 35 simply allows an independent candidate to remove their name from the partisan primary ballot prior to June 10th and from the general election ballot prior to the 4th Tuesday in August. To remove their name, a candidate must file a sworn statement with the elections commission, and pay a fee of either \$1,000 for national and statewide candidates, or \$250 for all other candidates.

A review by The National Conference of State Legislatures (NCSL) found that Wisconsin has one of the most restrictive candidate withdrawal laws in the country. There are only 2 states (California and New York), where it is more difficult – and that is because they both completely prohibit it, with no exceptions.

Wisconsin is the only state where death is the only acceptable reason to withdraw your name. Our neighbors Michigan and Minnesota, at least have a caveat for individuals that have suffered a medical hardship.

Life is unpredictable. Your situation or circumstances in life can change in the blink of an eye. A person, or their loved one, may become sick, be diagnosed with a medical condition, be relocated because of work, or may simply have a change of heart. That person should be allowed to remove their name as a candidate. To me, that is the compassionate thing to do, and is truly common sense.

One argument that I have heard against this bill is that municipal clerks would not have enough time to print the ballots. However, I have been made aware that some clerks like to print the ballots prior to the deadline. And, I would counter that by saying that we have deadlines for a reason. Right now, someone could die and need to have their name removed from the ballot, and if an ambitious clerk had already printed their ballots, they would have to print them all over again. Assembly Bill 35 simply adds another mechanism for someone’s name to be removed.

Again, thank you for your consideration of Assembly Bill 35 and, I urge your support so that we can bring a little common sense to our election process.

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April 8, 2025

Assembly Committee on Campaigns and Elections:

Testimony for Public Hearing – Assembly Bill 35 Relating to: withdrawal of candidacy for certain offices filled at the general election and providing a penalty.

INFORMATIONAL

Chair Maxey and Committee Members:

Thank you for allowing testimony today.

Under this bill a candidate who does not qualify under sub (1) to appear on the ballot at the partisan primary or general election, and if before the last day for the Wisconsin Elections Commission certifies the candidates for the ballot the candidate can file a sworn statement to have their name removed.

Recommend the deadline for a candidate to file paperwork to be removed from the ballot be set at least one week prior to the deadline for certification.

- County clerks are already under tight time constraints to meet our ballot printing deadlines. County clerks must deliver ballots to their municipal clerks 48 days prior to the partisan primary and the fall general election. Our municipal clerks must mail absentee ballots to anyone who has a request on file 47 days prior to the partisan primary and the fall general election. With the increase in the popularity of absentee voting, County Clerks need to print higher quantities of absentee ballots to meet the demand. Printing more ballots takes more time.
- The process of developing ballots for an election begins months before the election. Programming, proofing, testing, with multiple reviews to ensure accuracy. Each piece of a ballot layout affects other parts of the ballot. When one name or more are taken off a ballot, then the entire series of ballots are affected. All ballot variations need to be review. In my county there are over 100 versions of the ballot for each election.

Recommend that if the ballot placement drawing is already done when a candidate requests to be removed from the ballot, that the order of the other candidates does not change.

- If a redrawing of the ballot placement is needed, this will cause additional delays to county clerks.

Recommend that if the presidential candidate is requesting to be removed, their running mate is also removed.

- This clarification would ensure that we are not allowing a vice-presidential candidate on the ballot without a presidential candidate.

Recommend a more thorough process for verifying that it is the candidate who wants to remove their name from the ballot.

- This would help eliminate someone from trying to make false statement to remove an opponent from the ballot.

Thank you for your consideration,

Lisa Tollefson