



## PATRICK TESTIN

STATE SENATOR

DATE: June 29<sup>th</sup>, 2021

RE: **Testimony on Senate Bill 244**

TO: The Senate Committee on Government Operations, Legal Review, and Consumer Protection

FROM: Senator Patrick Testin

---

Thank you Chairman Stroebel and committee members for hearing my testimony in support of Senate Bill 244 (SB 244).

Every day, we are pummeled with the message that America is divided. Some will tell you that our traditions no longer have purpose. Recently, even our national anthem has come under fire. NBA owner Mark Cuban garnered support from anti-anthem activists when he stopped playing the song at Dallas Mavericks home games.

American symbols like the flag and our national anthem have the power to unite. They remind us that we share a common bond. That is why I joined with Representative Tony Kurtz to author the Star Spangled Banner Act. Passage of SB 244 will ensure the playing of the national anthem before all sporting events held in venues that were built using taxpayer funding.

Much like the Federal Flag Code, this legislation was purposely drafted broadly and does not provide any penalties. It does not require that all attendees sing.

There is precedent for this. Wisconsin Code Chapter 118 requires that each school day begin with either a recitation of the pledge or the singing of the national anthem.

It is reasonable to expect that venues constructed with taxpayer dollars show the same respect for our country that we require of our schools and here in the Capitol. For some, it also a chance to honor those who served and/or are serving in our armed forces.

The anthem reminds us of who we are, where we came from and who we want to be as a country. I hope you can join me, the Wisconsin American Legion, and the VFW Department of Wisconsin in support of this bill.



---

# TONY KURTZ

---

STATE REPRESENTATIVE • 50<sup>th</sup> ASSEMBLY DISTRICT

## 2021 Senate Bill 244

Relating to: playing or singing the national anthem at certain sporting events

Tuesday, June 29, 2021

Senate Committee on Government Operations,  
Legal Review and Consumer Protection

Thank you, Chairman Stroebel for holding a public hearing on Senate Bill 244 (SB 244) today and thank you to the members of the committee for taking my testimony.

Enjoying a sporting event with friends and family is a cherished activity for many Americans. Sitting down in the stands for a baseball game in the summer or watching a Friday night lights high school football game in the fall are some of America's favorite pastimes. This freedom we have, to enjoy watching or competing in these games is, in fact, not free. Many men and women have paid the ultimate price for our country's freedom. Being reminded at these sporting events of the sacrifices that our service members had to make in order for us to enjoy our freedoms is a very important tradition that must be maintained.

As someone who has served in the military for 20 years, I am very passionate about our national anthem. I am worried that our pride in our country is diminishing and the fear of causing controversy may deter stadiums from playing the national anthem at sporting events like we have seen happen in many other states already. As a veteran and someone who deeply believes in our nation, I think our national anthem is a unifying theme in our country. In fact, this tradition began in 1862 during the height of the civil war. This song has a way of bringing our country together, and that is as important now as it's ever been.

As a veteran, when someone kneels for the national anthem, that truly does bother me, but the truth is, I served so that they have the freedom to kneel if they so choose. "Freedom is not free" is a sentiment that I fear is being lost in our country. One simple way of reminding our fellow Wisconsinites of the sacrifices that our service men and women have made is the playing of our national anthem. Let's celebrate our nation, let's play the national anthem at sporting events and let's be proud of our country and our service members.

Thank you again for the opportunity to present my testimony on SB 244 relating to the playing of the national anthem at sporting events.



June 29, 2021

To: Senate Committee on Government Operations, Legal Review and Consumer Protection  
Re: VFW-Department of Wisconsin SUPPORT of SB 244

On behalf of State Commander Cory Geisler and all the members of the Veterans of Foreign Wars-Department of Wisconsin, I ask you to join us in supporting SB 244-Relating to: playing or singing the national anthem at certain sporting events.

SB 244 calls for all sporting events that are held at a venue constructed at least in part with public moneys, to play or sing the Star -Spangled Banner prior to the event. This bill closely aligns with the core philosophies of the VFW's mission to encourage, promote, and preserve Patriotism throughout the land.

Nothing in the history of our country inspires unity, appreciation for our flag, and most importantly, remembrance of all those who served and sacrificed to protect what the flag represents. If we allow this long-honored tradition to fade away, we send the message to our current and future generations that we are not "United" in our continued fight for liberty and freedom. Make no mistake, our youth are watching, and we will need them to step-up and sign on the dotted line someday to put on the uniform and defend what we hold so dear. If we, as a people, do not tell them we are indeed united, then divided we will fall.

Yours in Patriotism,

A handwritten signature in black ink, appearing to read "Jason E. Johns". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

Jason E. Johns  
Immediate Past State Commander  
Veterans of Foreign Wars-Department of Wisconsin





To: Members, Senate Committee on Government Operations, Legal Review and Consumer Protection  
From: Wisconsin Parks and Recreation Association  
Date: June 29, 2021  
RE: **Comments for Information Only on SB 244/ AB 226**

---

WPR submits these comments for information only regarding Senate Bill 244/Assembly Bill 226. WPR is a membership association that represents over 1,200 individuals delivering a broad spectrum of services in Wisconsin. Our members include Park, Recreation and Therapeutic Recreation professionals in local, county, state, school district, private and agency settings. WPR also represents public Park and Recreation Boards and Commissions, students, commercial firms, and Emeritus (retired) members.

Across the state, our members are administering thousands of games every year on public fields – from in-house recreational leagues to competitive travel tournaments. Engagement in recreational sports spans across all ages from tee ball all the way up to adult softball leagues. Given our role in delivering recreational sports, we have some questions about the need for this legislation and how logistically it will be managed on the ground by our members.

**Our members wholeheartedly support the playing or singing of the national anthem at games and events.** However, depending on the appropriate venue and league level, this administratively could be unmanageable. Would equipment be needed at every youth sports game on local fields? How could this effect the timing of keeping activities on schedule? Would a recreational staff person have to attend each game to ensure the anthem is played? Would we need to add more staff to ensure compliance?

We also are not clear on how this would be implemented during a sports tournament – which often includes numerous games occurring simultaneously. If we are required to now play or sing it for every game during a tournament, it could be disruptive to other games going on and hard to manage the timing of tournament games – which sometimes can be 40-50 games a day!

Our members offered an idea for an amendment to this legislation, which we believe will preserve the stated intent in the co-sponsorship memo, while providing some flexibility for recreational leagues. We ask legislators consider defining “venue” under the bill to be defined as “a place where the sporting event is held with minimum seating capacity of 500 individuals or more.” By defining venue in the bill, the legislative intent will be maintained so that the

national anthem is played (or sung) for large sporting events – this even includes most high school gyms.

We recognize the bill has already passed the Assembly, but our questions remain about the practical need and implementation hurdles. While we appreciate there is no penalty or enforcement mechanism in this bill, if it should become law, we would advise our members to follow the law.

Therefore, our members, (including our teenage recreational staff) will be on the hook for compliance. This means we will need to add staff and protocols and deal with complaints if a staffer forgets or if crowds get frustrated with the continued singing/playing before every game at a tournament, for example.

For these reasons, we ask the committee to take a pause and consider how this policy would be followed in our day to day lives.

Thank you for your consideration.