

October 24, 2013 Safety & Licensing Committee - City Clerk Report:

1. **Results of Hearings on Proposed Election Legislation:**

Bill #:	Description	Positive-Negative-Neutral Impact
AB-89	Method of reporting election returns by municipality. This bill is for 20 or less voters that can be combined in reporting units for communities with population over 35,000. This was unanimously approved to go forward to the Assembly.	Neutral
AB-128	Recall petition requirements. This bill is regarding the requirements to initiate a recall – the person must be charged with a crime or violating local ordinance. This bill will move forward to the Assembly on a 6-3 party line vote.	Neutral
Joint Bill 25	Recall of elective officers. This bill will move forward to the Assembly on a party split vote. This one would be a constitutional change and has a long way to go.	Neutral
AB-202	Certification of election observers. The Assembly amended the bill and it now reads the observers can sit no closer than 3 feet and no further than 8 feet from the table. They <u>removed</u> the “0-3 feet” part of the bill and the option to allow observers to sit at the table of voter registration was removed. This bill will move forward to the Assembly on a 6-3 party line vote.	Positive with amendment
AB-54	Limiting the times for voting by absentee ballots in person. The purpose of this bill is to make in-person absentee voting standardized throughout the state. This bill was originally presented with no regard for part-time clerks. An amendment to allow voters to “make appointments” with the Clerk to vote outside of 7:30 am to 6:00 pm was made. Also, another amendment was made to the bill <u>removing</u> the 40 hours per week requirement. Kevin Kennedy from the Government Accountability Board testified encouraging the Committee to standardize the in-person voting to coincide with actual voting hours. He suggested that wording be included to say “In person absentee voting may be conducted during the hours of 7:00 am to 8:00 pm at the <u>discretion</u> of the Municipal Clerk. This would allow us to set our hours within those hours (our office business hours for Appleton). We would still be required to publish our absentee hours in the paper and would not be able to sway from those published hours. Kevin Kennedy also suggested to include allowing Saturday & Sunday for in-person absentee voting at the <u>discretion</u> of the Municipal Clerk but only the weekend that falls 10 days prior to the election. This provision would allow Milwaukee & Madison and other larger cities to still conduct weekend voting, it also allows the part-time Clerks to have weekend hours 10 days prior to the election. The Committee is working with Kevin Kennedy to re-work this amendment to meet Kevin’s recommendations.	Positive with proposed amendments
AB-393	Residency of election officials. No update at this time. Concern would be losing our trained workers to a neighboring community who pays a higher wage. If names are provided from a party list, concern would be those people are not familiar with our streets and polling locations causing potential errors for instructing voters where to go.	Negative

AB-394	Labeling of duplicate ballots. This bill would provide a location on the ballot where election workers will indicate a remade or duplicate ballot. The purpose of the bill is to standardize this process so that every municipality is labeling them the same.	Neutral
SB-297	Absentee voting at residential care facilities. The City of Appleton has 5 nursing homes. This proposed bill could add 22 additional facilities (i.e. CBRF's, adult day care & adult family homes). We would be required to train additional Special Voting Deputies to reach all these facilities and comply with posting and publishing notice requirements. We pay two SVD's \$50 each/visit/facility. This would be an extreme burden with increasing our cost immensely and coordinating all these facilities.	Negative

2. **Wisconsin Elections:** Below is an article from the October 2013 League of Wisconsin Municipalities spotlighting our administration of elections over the past two years. It outlines some of the election-related duties, summarizes statistics regarding the costs of election and details the current effort intended to assist both the 1,852 municipal clerks and 72 county clerks in determining the most efficient means of managing election data. An important factor in the success of elections is the level of resources allocated to election budgets to secure sufficient staffing, materials, equipment & technological tools. If you have any questions, I welcome the opportunity to sit down with you to discuss it in further detail.
  
3. **Polling Place Onsite Accessibility Compliance Audit Report:** On October 8<sup>th</sup>, the Government Accountability Board sent notification that my proposed action plan to resolve accessibility findings identified at the Appleton Polling Places during the June 5, 2012 onsite accessibility audit is approved. This ensures that all our polling places comply with accessibility standards so that all voters may cast a ballot privately and independently.
  
4. **Granicus/Legistar Update:** On October 18, 2013 between the hours of 9:00 pm and midnight Pacific Time, Granicus systems may be inaccessible while they perform software updates. The purpose of this maintenance update is to extend the product stability and functionality of our Granicus solution. We will see positive results for the following: LiveManager supported on Windows 8, improvements to managing speakers in LiveManager during a meeting, LiveManager will now have a preview video button in the Setup menu allowing us to verify the video is working and streaming is functional and lastly it fixes a bug that was causing the "request to speak" in Vote Cast to move the cursor in LiveManager, thus interrupting LiveManager users typing notes or motions.

That concludes my report.

Respectfully submitted,

*Char Peterson*

Char Peterson, CMC/WCMC  
City Clerk

## WISCONSIN ELECTIONS: MANAGEMENT AND FUNDING

The State of Wisconsin has endured a unique series of political events and extra elections over the past two years, which has focused increased attention on how elections are administered and funded. Municipalities were required to absorb many of the costs of additional elections in their budgets. This article briefly outlines some of the election-related duties of municipal clerks, summarizes statistics regarding the costs of election, and describes a current effort intended to assist municipal and county clerks in determining the most efficient means of managing election data and

completing required tasks in the State's election management system.

Wisconsin's system of administering elections at the local level is one of the most decentralized in the nation. There are currently 1,852 municipalities in Wisconsin and each one has an essential role in providing free and fair elections to its residents. Administering elections properly is central to ensuring that voters and citizens remain confident in the integrity of the election results and in the democratic process. In 2012 alone, each Wisconsin municipal clerk conducted

six statewide elections, and some conducted additional local elections. As with other municipal functions, an important factor in the success of elections is the level of resources allocated to election budgets to secure sufficient staffing, materials, equipment, and technological tools.

**ELECTION DUTIES OF MUNICIPAL CLERKS**

Wisconsin municipalities are responsible for administering both statewide and local elections for their voters. Municipal clerks (and the Election Commission in the City of Milwaukee) recruit and train poll workers, register voters, maintain voter records, prepare ballots, issue absentee ballots, establish and equip polling places with certified voting equipment, and direct the canvass of official results. See Wis. Stat. Sections 7.15 and 7.53. Clerks must maintain their own election training certification and keep updated on changes to Wisconsin election laws in order to implement new election

standards and procedures so that voters are served properly and consistently throughout the state.

Another important aspect to most municipal clerks' election-related duties is the management of the Statewide Voter Registration System (SVRS) for their voters. The Help America Vote Act of 2002 required the State of Wisconsin to create SVRS to house and maintain all of Wisconsin's voter registration records. SVRS also contains other important data related to absentee ballot management, the printing and management of poll books, the placement of voters into their correct voting districts and wards, and much more. SVRS is the critical backbone of election administration, but the work required to maintain it may not be familiar to many voters and municipal officials other than local clerks.

**PROVIDER-RELIER AGREEMENTS**

When the State (through the former Elections Board, now the Government

Accountability Board) created SVRS in 2006, it was recognized that due to vast differences in available staff and technology, not all municipal clerks had the necessary resources to maintain their voter records and complete other important election-management tasks in SVRS. As a result, three categories of clerk SVRS users were created: self-providers, reliers and providers. Clerks who manage voter registration records and other ballot and election records for their own voters are known as SVRS self-providers. Clerks in smaller communities who delegate their SVRS tasks and authority to a county clerk or clerk in another municipality are reliers. Clerks in relier communities must coordinate the flow of voter and election information with provider clerks. To ensure that SVRS tasks are completed, the parties have entered into contracts known as Provider-Relier Agreements. There are a variety of such agreements currently in place.

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**FIGURE 1: 2012 ELECTION COSTS FOR WISCONSIN COUNTIES AND MUNICIPALITIES**

	Total 2012 Costs	2012 Presidential Preference and Spring Election	2012 Recall Primary	2012 Recall Election	2012 Partisan Primary	2012 Presidential and General Election
Total Cost	\$36,628,310.88	\$7,681,685.01	\$6,307,911.11	\$6,710,307.36	\$5,886,104.08	\$10,042,303.32
Training	\$1,754,632.60	\$655,381.62	\$161,250.35	\$245,247.28	\$200,800.75	\$491,952.60
Ballots	\$4,791,337.43	\$957,139.41	\$728,645.81	\$937,205.50	\$739,720.16	\$1,428,626.56
Memory Devices	\$384,606.67	\$90,508.12	\$117,798.05	\$55,924.82	\$46,509.70	\$73,865.98
Programming	\$3,412,734.34	\$771,482.30	\$617,190.90	\$596,031.93	\$764,508.75	\$663,520.46
Ballot Bags	\$92,630.89	\$16,219.14	\$11,618.49	\$10,657.22	\$38,853.65	\$15,282.39
Wages	\$12,264,910.86	\$2,293,251.84	\$2,292,419.91	\$2,371,531.85	\$2,031,914.93	\$3,275,792.33
Staff	\$10,057,368.28	\$1,920,863.97	\$1,758,462.01	\$1,905,206.77	\$1,391,272.53	\$3,081,563.00
Rental	\$142,258.25	\$31,753.17	\$29,188.45	\$21,297.45	\$29,351.00	\$30,668.18
Notices	\$1,321,452.68	\$320,487.90	\$242,705.77	\$245,914.82	\$238,126.45	\$274,217.74
Documents	\$588,770.28	\$148,522.09	\$101,366.65	\$93,241.72	\$92,832.37	\$152,807.45
Misc.	\$1,817,608.61	\$476,075.46	\$247,264.73	\$228,048.01	\$312,213.79	\$554,006.63

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Municipalities which are self-providers exercise greater independence and flexibility when administering elections. Self-providers have immediate access to their voter and election data and can more easily provide services on-demand such as voter registration, absentee voting, and reporting. Provider clerks perform significant SVRS duties and coordinate the work of relier clerks to increase the accuracy of data and the efficiency of election services. In some cases, hybrid agreements exist which allow relier clerks to perform some SVRS tasks rather than delegating all duties to the provider clerk. The majority of relier municipalities compensate the provider pursuant to their negotiated agreements, although the rate of compensation varies based on population, number of elections, amount of work involved, or other factors.

The Elections Division of the G.A.B. is responsible for administering and enforcing Wisconsin's election laws, establishing standards to ensure uniformity, developing best practices and training materials, and safeguarding the votes of all electors. Last year, several provider clerks asked the G.A.B. to study the increasing burdens being placed on them by the Legislature and the G.A.B. to administer SVRS tasks for their reliers. As a result, the G.A.B. created a Clerk Concerns Task Force, and one issue this group is studying is identifying new options for provider-relied relationships. This effort may encourage relier clerks to assume responsibility for some tasks currently being completed by provider clerks, and facilitate that transition, where feasible. The G.A.B. currently is gathering information about the terms contained in various provider-relied SVRS agreements, and creating several sample agreement templates that may be adopted by providers and reliers, or tailored to local circumstances. The

G.A.B. will share the results of this effort with municipal and county clerks in the coming months.

**PUTTING ELECTION COSTS IN CONTEXT**

2012 was an exceptional year in terms of the number of elections held in Wisconsin. Based on information submitted to the G.A.B., the total costs to municipalities and counties to administer the five statewide elections for which the G.A.B. collected cost data were \$36,628,310.88. For the two statewide elections held in the spring of 2013, the total costs were \$10,095,697.06. Detailed cost reports for each election and each municipality and county are available on the G.A.B. website <<http://gab.wi.gov/publications/statistics/gab-190>>. Figures 1 and 2 are a breakdown of cost categories related to the 2012 and 2013 elections, as reported by municipal and county clerks:

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**FIGURE 2: 2013 ELECTION COSTS FOR WISCONSIN COUNTIES AND MUNICIPALITIES**

	<b>2013 Total Costs</b>	<b>2013 Spring Election</b>	<b>2013 Spring Primary</b>
<b>Total Cost</b>	<b>\$10,095,697.06</b>	<b>\$5,711,912.74</b>	<b>\$4,383,784.32</b>
Training	\$327,446.75	\$177,313.65	\$150,133.10
Ballots	\$1,021,763.82	\$676,458.35	\$345,305.47
Memory Devices	\$77,483.57	\$40,522.14	\$36,961.43
Programming	\$1,274,210.51	\$823,910.86	\$450,299.65
Ballot Bags	\$16,075.68	\$10,081.41	\$5,994.27
Local Election Official Wages	\$3,565,667.79	\$2,000,310.28	\$1,565,357.51
Staff Wages/Salaries	\$2,433,241.50	\$1,295,748.77	\$1,137,492.73
Polling Place Rental	\$52,745.84	\$26,350.67	\$26,395.17
Notices	\$473,742.43	\$280,783.54	\$192,958.89
Polling Place Documents	\$200,290.91	\$101,775.80	\$98,515.11
Miscellaneous	\$653,028.26	\$278,657.27	\$374,370.99

## Article

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It is important to keep in mind that many municipalities are paying their county or another municipality to provide SVRS services, and those costs were not uniformly included in the figures above. In some cases that may be the most efficient and least costly approach. However, if a municipality is interested in becoming an SVRS self-provider, it should first review its Provider-Relier Agreement. Becoming an SVRS self-provider does require completion of initial, as well as ongoing, SVRS training provided by the G.A.B.

### SUPPORTING ELECTION INTEGRITY AND SOUND MANAGEMENT

Administering elections in Wisconsin has historically been a matter of local control, and, while that is a strength of our system, it can also create challenges, including the responsibility of municipalities to shoulder a significant share of the financial burden. The G.A.B. encourages municipal governing bodies as they develop their annual budgets to consider and appreciate the staff time and resources required to administer elections. This includes the management of SVRS, the continuous training and education required, printing poll books, ballots and notices, and the recruitment and retention of election inspectors. Ensuring that local election officials have

access to the resources necessary is a key to conducting successful elections and serving voters well. The G.A.B. regularly consults and works with local election officials as partners, and will continue to provide assistance and support in many ways, including the creation of updated sample Provider-Relier agreements that may be used as a framework for managing elections in the Statewide Voter Registration System.

This article was submitted by the Government Accountability Board. The GAB encourages local clerks to contact the GAB office with any questions or comments. Please send any comments or questions to [GAB@wi.gov](mailto:GAB@wi.gov) or call (608) 261-2028.