

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3140/1dnins
JTK & RJM.....

11. Although we did not make any change to the treatment of s. 9.01 (1) (ag), stats., we think there is a problem with this text in that s. 9.01 (1) (ag) 1., stats., as affected by this draft, requires prepayment of any recount charge or fee at the time that a recount petition is filed and proposed s. 9.01 (1) (ag) 2g. and 2r. fix the amount of the charge in certain cases at either 50% or 100% of the actual cost of conducting a recount. Since the actual cost is not known at the time that the petition is filed, it is not possible to administer this proposed language. Since AB-959 was drafted, we have revisited this issue in 1999 AB-337 and 1999 SB-175, which require any fee that is not known at the time a petition is filed to be estimated at that time and then adjusted after the recount is complete. At some point, we will need to address this problem with the draft.