

WISCONSIN STATE
LEGISLATURE
COMMITTEE HEARING
RECORDS

1999-00

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on
Campaigns &
Elections
(AC-CE)

File Naming Example:

Record of Comm. Proceedings ... RCP

- > 05hr_AC-Ed_RCP_pt01a
- > 05hr_AC-Ed_RCP_pt01b
- > 05hr_AC-Ed_RCP_pt02

Published Documents

> Committee Hearings ... CH (Public Hearing Announcements)

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> Committee Reports ... CR

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> Executive Sessions ... ES

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> Record of Comm. Proceedings ... RCP

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*Information Collected For Or
Against Proposal*

> Appointments ... Appt

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> Clearinghouse Rules ... CRule

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> Hearing Records ... HR (bills and resolutions)

> **99hr_sb0175_AC-CE_pt01**

> Miscellaneous ... Misc

> **



WISCONSIN LEGISLATURE

P.O. Box 7882 • Madison, WI 53707-7882

April 26, 1999

Memorandum

To : All Legislators

From : Speaker Scott Jensen and Senator Robert Welch

Subject : LRB 2228/4 - Fees for Recounts of Elections

Many local officials have contacted us regarding the unmet costs of various elections. An example of this occurred in a recent Assembly election where the margin of defeat was almost 4,000 votes out of over 15,000 cast. The charges assessed under current law were a total of \$455 or \$5 per ward. According to the County Clerk, the actual cost to local taxpayers was \$2,273.29. This bill is designed to provide for a more realistic accounting and use of the recount procedure. The bill changes fees and exemptions:

- Retains current fees/exemptions for elections where 1,000 or less votes are cast and difference is between candidates/referendum question is less than 0.5%.
- If more than 1,000 votes are cast and difference is more than 0.5% but not more than two(2) percent of total votes cast, the cost is \$5 per ward or municipality(where no wards exist).
- If more than 1,000 votes are cast and difference is more than two(2) percent, the fee is the actual cost of the recount.
- Payment of fee/estimated costs at time of filing with remainder due in 30 days after notification.

For further information see attached **Analysis by Legislative Reference Bureau**. If you are interested in co-sponsorship, please contact either Chad Taylor in Speaker Jensen's office (6-3387) or Shayne Clausen in Senator Welch(6-0751) prior to May 15th.

Analysis by the Legislative Reference Bureau

Under current law, a petitioner requesting a recount of an election generally must pay a fee of five dollars for each ward for which a recount is requested and five dollars for each municipality where no wards exist. However, current law does not require a fee if the difference between the leading candidate and the petitioner or the affirmative and negative vote on a referendum was less than ten votes, if 1,000 or less votes were cast, or less than 0.5% of the total votes cast, if greater than 1,000 votes were cast. A petitioner must pay any fee in full at the time he or she files the petition.

This bill retains the current fees and the current exemptions for any election where 1,000 or less votes are cast or where greater than 1,000 votes are cast and the difference in votes cast between the leading candidate and the petitioner or the affirmative and negative vote on a referendum is 0.5% or less. However, this bill changes the fees for other elections, depending upon the difference in votes between the leading candidate and the petitioner or the affirmative and negative vote on a referendum. If greater than 1,000 votes are cast in the election and the difference in votes is more than 0.5% but not more than two percent of the total votes cast, the fee under this bill is five dollars per ward and five dollars per municipality where no wards exist. If greater than 1,000 votes are cast and the difference in votes is more than two percent of the total votes cast, the fee under this bill is the actual cost of performing the recount. In addition, this bill requires a petitioner to pay a reasonable estimate of the fee at the time of filing and any balance within 30 days after the filing officer notifies the petitioner of the amount due.

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.