

2013 DRAFTING REQUEST

Assembly Amendment (AA-AA2-AB54)

Received: 11/13/2013 Received By: jkreye
Wanted: As time permits Same as LRB:
For: Duey Stroebel (608) 267-2369 By/Representing: john
May Contact: Drafter: jkreye
Subject: Elections - miscellaneous Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: rep.stroebel@legis.wisconsin.gov
Carbon copy (CC) to: joseph.kreye@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Accepting absentee ballots in person

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	jkreye 11/13/2013	scalvin 11/13/2013	rschluet 11/13/2013	_____	srose 11/13/2013	srose 11/13/2013	
/2				_____	lparisi 11/13/2013	lparisi 11/13/2013	

FE Sent For:

<END>

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FE Sent For:

1/2 sac
11/13/2013


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/1 jkreye

*T sac
11/13/2013*

*9
11/13/13*

FE Sent For:

<END>

11-13-13

John — Rep. Shroebel

ABS1

amendment to AA2

line 2 — remove "office"line 3 — after "week", insert x ref to
notice
under 10.01(2)(e)
(as provided in the notice...)
?line 3 — after "week" = insert"or an election
official" =

line 4-6 reword to be

anytime Monday to Friday

delete the language related to

Saturday and Sunday



**ASSEMBLY AMENDMENT ,
TO ASSEMBLY AMENDMENT 2,
TO ASSEMBLY BILL 54**

*Today
now*

11-13

1 At the locations indicated, amend the amendment as follows:

2 **1.** Page 1, line 2: delete "office".

3 **2.** Page 1, line 3: after "week," insert "as provided in the notice under s. 10.01
4 (2)(e),".

5 **3.** Page 1, line 3: after "clerk" insert "or an election official".

6 **4.** Page 1, line 4: delete the material beginning with "after" and ending with
7 "election," on line 6 and substitute: "anytime Monday to Friday".

8

(END)

at any time

Kreye, Joseph

From: Kreye, Joseph
Sent: Wednesday, November 13, 2013 12:08 PM
To: Karls-Ruplinger, Jessica
Subject: RE: AB 54 - Committee Amendment

It would probably be better if the end of that sentence read "and shall witness the certificate for any such ballot cast".

I can draft an amendment to the amendment if it's needed.

Joe

Joseph T. Kreye
Senior Legislative Attorney
Legislative Reference Bureau
608 266 2263

From: Karls-Ruplinger, Jessica
Sent: Wednesday, November 13, 2013 11:57 AM
To: Kreye, Joseph
Subject: RE: AB 54 - Committee Amendment

Joe,

I reviewed Assembly Amendment 2, and I'm concerned about the use of the word "paragraph". I think the committee intended to limit the requirement that the clerk witness the certificate to the ballots cast during absentee voting timeframe described in the amendment. Using "paragraph" could be interpreted to require a clerk to witness the certificate in other instances in s. 6.86 (1) (b), which includes in-person absentee voting that occurs within the 7:30am-6pm timeframe in the bill (as amended by AA1) and absentee voting by mail, if the municipality has 30 or fewer office hours available for in-person absentee voting in a week. Do you have any thoughts on this? Thanks!

Jessica

Jessica Karls-Ruplinger
Senior Staff Attorney
Wisconsin Legislative Council
(608) 266-2230
Jessica.Karls@legis.wisconsin.gov

From: Kreye, Joseph
Sent: Tuesday, November 12, 2013 11:08 AM
To: Karls-Ruplinger, Jessica
Cc: Zuleger, Chad
Subject: RE: AB 54 - Committee Amendment

Got it. Thanks.

Joseph T. Kreye
Senior Legislative Attorney
Legislative Reference Bureau
608 266 2263

From: Karls-Ruplinger, Jessica
Sent: Tuesday, November 12, 2013 11:06 AM
To: Kreye, Joseph
Cc: Zuleger, Chad
Subject: RE: AB 54 - Committee Amendment

Joe,

It's a simple amendment to AB 54. It was introduced as Assembly Amendment 2. [The committee also adopted Assembly Amendment 1, which was already introduced.]

Jessica

Jessica Karls-Ruplinger
Senior Staff Attorney
Wisconsin Legislative Council
(608) 266-2230
Jessica.Karls@legis.wisconsin.gov

From: Kreye, Joseph
Sent: Tuesday, November 12, 2013 11:05 AM
To: Karls-Ruplinger, Jessica
Cc: Zuleger, Chad
Subject: RE: AB 54 - Committee Amendment

Thanks Jessica.

Is this an amendment to AB54 or to ASA1 to AB54?

Did the committee vote on this as Assembly Amendment 1? If so, we'll make sure that the chief clerk enters it as such.

Joe

Joseph T. Kreye
Senior Legislative Attorney
Legislative Reference Bureau
608 266 2263

From: Karls-Ruplinger, Jessica
Sent: Tuesday, November 12, 2013 11:02 AM
To: Kreye, Joseph
Cc: Zuleger, Chad
Subject: AB 54 - Committee Amendment

Joe,

The Assembly Committee on Campaigns and Elections introduced and adopted a verbal amendment to Assembly Bill 54 that now needs to be drafted for the floor on Thursday. Some of the language was taken from LRBa1099/1. Below is how it was read to the committee:

If a municipality has 30 or fewer office hours available for in-person absentee voting in a week, the municipal clerk may process an application made in person after 6 p.m. Monday to Friday or anytime on Saturday or Sunday, not including the Saturday and Sunday after the Friday preceding the election, and shall witness the certificate for any ballot cast under this provision.

I expect that you may need to tweak the language to conform to drafting standards. Chad Zuleger (in Rep. Bernier's office) is the clerk of the committee, so you can contact him or me if you have questions.

Jessica

Jessica Karls-Ruplinger
Senior Staff Attorney
Wisconsin Legislative Council
(608) 266-2230
Jessica.Karls@legis.wisconsin.gov

Kreye, Joseph

From: Kreye, Joseph
Sent: Wednesday, November 13, 2013 12:49 PM
To: Karls-Ruplinger, Jessica
Subject: RE: AB 54 - Committee Amendment

Jessica,

Because the language of the "verbal" amendment was the language approved by the committee, I tried to adhere to that as much as possible when drafting the amendment. I am, however, a little concerned about the difference between "receiving an application made in person" and "processing an application made in person". Assembly Bill 54, on page 2, line 4, refers to "receiving" such applications, but AA2 refers to "processing" such applications. Are those 2 things meant to be different because that how I would read it. If they're supposed to be the same thing, then we should have used the same word.

BTW, to extent that this is in your control, I would discourage the committees from approving "verbal" amendments.

Joe

Joseph T. Kreye
Senior Legislative Attorney
Legislative Reference Bureau
608 266 2263

From: Karls-Ruplinger, Jessica
Sent: Wednesday, November 13, 2013 11:57 AM
To: Kreye, Joseph
Subject: RE: AB 54 - Committee Amendment

Joe,

I reviewed Assembly Amendment 2, and I'm concerned about the use of the word "paragraph". I think the committee intended to limit the requirement that the clerk witness the certificate to the ballots cast during absentee voting timeframe described in the amendment. Using "paragraph" could be interpreted to require a clerk to witness the certificate in other instances in s. 6.86 (1) (b), which includes in-person absentee voting that occurs within the 7:30am-6pm timeframe in the bill (as amended by AA1) and absentee voting by mail, if the municipality has 30 or fewer office hours available for in-person absentee voting in a week. Do you have any thoughts on this? Thanks!

Jessica

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Senior Staff Attorney
Wisconsin Legislative Council
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State of Wisconsin
2013 - 2014 LEGISLATURE



LRBa1225/1

JK:sac: [initials]

RMR

ASSEMBLY AMENDMENT,
TO ASSEMBLY AMENDMENT 2,
TO ASSEMBLY BILL 54

NOW

page 1, line 4: delete
"grown" and substitute
"receive".

- 1 At the locations indicated, amend the amendment as follows:
- 2 **1.** Page 1, line 2: delete "office".
- 3 **2.** Page 1, line 3: after "week," insert "as provided in the notice under s. 10.01
- 4 (2) (e)."
- 5 **3.** Page 1, line 3: after "clerk" insert "or an election official".
- 6 **4.** Page 1, line 4: delete the material beginning with "after" and ending with
- 7 "election," on line 6 and substitute: "at any time Monday to Friday".

8 (END)

- # page 1, line 6: after "any" insert "such".
- # page 1, line 6: delete "under this".
- # page 1, line 7: delete "paragraph".