

1999 DRAFTING REQUEST

Bill

Received: **12/30/1999**

Received By: **rmarchan**

Wanted: **Soon**

Identical to LRB:

For: **Glenn Grothman (608) 264-8486**

By/Representing: **scott kulla**

This file may be shown to any legislator: NO

Drafter: **rmarchan**

May Contact:

Alt. Drafters: **kuesejt**

Subject: **Elections - miscellaneous**

Extra Copies: **JTK**

Pre Topic:

No specific pre topic given

Topic:

Composition of county boards of canvassers

Instructions:

See Attached. Redraft 1997 LRB-2033

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Reauired</u>
/?	rmarchan 01/04/2000	chanaman 01/05/2000		_____			
/1		chanaman 0 1/06/2000	martykr 01/05/2000	_____	lrb-docadmin 01/05/2000		
/2			martykr 0 1/06/2000	_____	lrb-docadmin 0 1/06/2000	lrb-docadmin 01/20/2000	

FE Sent For:

<END>

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1?	rmarchan	Cm# 1	1/25	1/25 1/5			
FE Sent For:		1/5					

<END>

Kuesel; Jeffery

From: Kulla, Scott
Sent: Wednesday, December 22, 1999 4:13 PM
To: Kuesel, Jeffery
Subject: Drafting Request

Jeff,

It is my bosses hope that we can redraft this for the current session to be introduced in January 2000. Some background for you: The clerks main concern is making sure that her Deputy is allowed to perform the necessary functions of the job during her elections cycle which currently is not provided for in statute. Second, the effective date of this legislation would need to be before the next partisan elections this fall.

To our knowledge this bill did not go anywhere, nor is anything currently in statute to take care of this situation. I will be back in the office on Dec. 28th. If you have any questions or concerns please **email** me and I will get back to you immediately.

Thank you,

Scott M. Kulla
Research Assistant
Rep. Glenn Grothman
59th Assembly District



26AA7000.TIF

SOON

1997 ASSEMBLY NOTE 94

May 27, 1997 - Introduced by Representatives M. LEHMAN, OLSEN, GROTHMAN, LADWIG, MUSSER, PLOUFF, ALBERS, HUEBSCH, SYKORA and VRAKAS, cosponsored by Senators ROESSLER and MOEN. Referred to Committee on Elections and Constitutional Law.

reger
scat

1 AN ACT to amend 7.60 (2) of the statutes; relating to: the composition of county
2 boards of canvassers (in certain counties)

two

Analysis by the Legislative Reference Bureau

that

Currently, a board of canvassers in each county canvasses elections for county, state and national offices, county and state referenda and certain other elections and referenda. The board consists of the county clerk and 2 other qualified electors of the county appointed by the clerk, except in counties having a population of 500,000 or more, where the board of election commissioners serves as the board of canvassers. No person may serve as a member of a board of canvassers if the person is a candidate for an office to be canvassed by that board. If the county clerk's office is vacant or if the clerk cannot perform his or her duties, the county executive or, if there is no county executive, the chairperson of the county board of supervisors designates another qualified elector of the county to serve. Also, under current law, every county clerk is required to appoint one or more deputies.

under the bill

This bill provides that if the county clerk's office is vacant, the clerk cannot perform his or her duties, or the clerk is a candidate at an election being canvassed, the county clerk shall designate a deputy clerk to perform his or her duties. Under the bill, if the county clerk and the designated deputy clerk are both unable to perform their duties, the county executive or chairperson of the county board of supervisors must designate another qualified elector to serve, as currently provided.

must

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

on the board of canvassers in the event that the

ASSEMBLY BILL 394

CS

IN CERTAIN COUNTIES

SECTION 1. 7.60 (2) of the statutes is amended to read:

7.60 (2) COUNTY BOARD OF CANVASSERS. The county clerk and 2 qualified electors of the county appointed by the clerk constitute the county board of canvassers. The members of the board of canvassers shall serve for 2-year terms commencing on January 1 of each odd-numbered year, except that any member who is appointed to fill a permanent vacancy shall serve for the unexpired term of the original appointee. One member of the board of canvassers shall belong to a political party other than the clerk's. ~~If the county clerk's office is vacant, & the clerk cannot perform his or her duties or the clerk is a candidate at an election being canvassed,~~ the county clerk shall designate a deputy clerk ^{who shall} to perform the clerk's duties. ~~If the county clerk and designated deputy clerk are both unable to perform their duties,~~ the county executive or, if there is no county executive, the chairperson of the county board of supervisors shall designate another qualified elector of the county to perform the clerk's duties. If a member other than the clerk cannot perform his or her duties, the clerk shall appoint another member to serve. No person may serve on the county board of canvassers if the person is a candidate for an office to be canvassed by that board. If lists of candidates for the county board of canvassers are submitted to the county clerk by political party county committees, the lists shall consist of at least 3 names and the clerk shall choose the board members from the lists. Where there is a county board of election commissioners, it shall serve as the board of canvassers.

(END)

as a member of the board of canvassers in the event that.

PROOF W/ STAT

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**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-4125/1dn
RJM:cmh:km

January 5, 2000

Representative Grothman:

This draft contains various technical clarifications that were not included in 1997 AB-394. Please feel free to call if you have any questions or suggested changes.

Robert J. Marchant
Legislative Attorney
Phone: (608) 261-4454
E-mail: Robert.Marchant@legis.state.wi.us

SOON

RMNR

1999 BILL

refer
act

1 **AN ACT to amend 7.60 (2)** of the statutes; **relating to:** the composition of county
2 boards of canvassers in certain counties.

Analysis by the Legislative Reference Bureau

Currently, a board of canvassers in each county canvasses elections for county, state and national offices, county and state referenda and certain other elections and referenda. The board consists of the county clerk and two other qualified electors of the county appointed by the clerk, except that in counties having a population of 500,000 or more the board of election commissioners serves as the board of canvassers. No person may serve as a member of a board of canvassers if the person is a candidate for an office to be canvassed by that board. If the county clerk's office is vacant or if the clerk cannot perform his or her duties, the county executive or, if there is no county executive, the chairperson of the county board of supervisors designates another qualified elector of the county to serve. Also, under current law, every county clerk is required to appoint one or more deputies.

Under the bill, the county clerk must designate a deputy clerk to perform his or her duties on the board of canvassers in the event that the county clerk's office is vacant, the clerk cannot perform his or her duties, or the clerk is a candidate at an election being canvassed. If the county clerk and the designated deputy clerk are both unable to perform their duties, the county executive or chairperson of the county

BILL

board of supervisors must designate another qualified elector to serve, as currently provided.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 7.60 (2) of the statutes is amended to read:

2 **7.60 (2) COUNTY BOARD OF CANVASSERS IN CERTAIN COUNTIES.** The county clerk and
3 2 qualified electors of the county appointed by the clerk constitute the county board
4 of canvassers. The members of the board of canvassers shall serve for Z-year terms
5 commencing on January 1 of each odd-numbered year, except that any member who
6 is appointed to fill a permanent vacancy shall serve for the unexpired term of the
7 original appointee. One member of the board of canvassers shall belong to a political
8 party other than the clerks. If The county clerk shall designate a deputy clerk who
9 shall perform the clerk's duties as a member of the board of canvassers in the event
10 that the county clerk's office is vacant, or if the clerk cannot perform his or her duties
11 or the clerk is a candidate at an election being canvassed. If the county clerk and
12 designated deputy clerk are both unable to perform their duties, the county executive
13 or, if there is no county executive, the chairperson of the county board of supervisors
14 shall designate another qualified elector of the county to perform the clerk's duties.
15 If a member other than the clerk cannot perform his or her duties, the clerk shall
16 appoint another member to serve. No person may serve on the county board of
17 canvassers if the person is a candidate for an office to be canvassed by that board.
18 If lists of candidates for the county board of canvassers are submitted to the county
19 clerk by political party county committees, the lists shall consist of at least 3 names

BILL

1 and the clerk shall choose the board members from the lists. Where there is a county
2 board of election commissioners, it shall serve as the board of canvassers.

3 (END)

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

Date: 01/06/2000

To: Representative Grothman

Relating to LRB drafting number: LRB-4125

Topic

Composition of county boards of canvassers

Subject(s)

Elections - miscellaneous

1. **JACKET** the draft for introduction _____

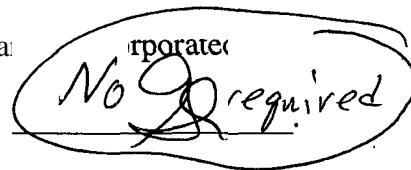


in the **Senate** o r t h e **A s s e m b l y** (check only one). Only the requester under whose name the drafting request is entered in the **LRB's** drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____

A revised draft will be submitted for your approval with changes _____

3. Obtain **FISCAL ESTIMATE** NOW, prior to introduction _____



If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Robert J. Marchant, Legislative Attorney
Telephone: (608) 261-4454