

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)

> **

> Committee Reports ... CR

> **

> Executive Sessions ... ES

> **

> Record of Comm. Proceedings ... RCP

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*Information Collected For Or
Against Proposal*

> Appointments ... Appt

> **

> Clearinghouse Rules ... CRule

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

> **99hr_ab0682_AC-CE_pt01**

> Miscellaneous ... Misc

> **

Vote Record

Assembly Committee on Campaigns and Elections

Date: 3-1-00 Ladwig Seconded by: Sherman
Moved by: _____
AB: 682 Clearinghouse Rule: _____
AB: _____ SB: _____ Appointment: _____
AJR: _____ SJR: _____ Other: _____
A: _____ SR: _____

A/S Amdt: _____
A/S Amdt: _____ to A/S Amdt: _____
A/S Sub Amdt: _____
A/S Amdt: _____ to A/S Sub Amdt: _____
A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

Be recommended for:

- Passage
- Introduction
- Adoption
- Rejection

- Indefinite Postponement
- Tabling
- Concurrence
- Nonconcurrence
- Confirmation

Committee Member

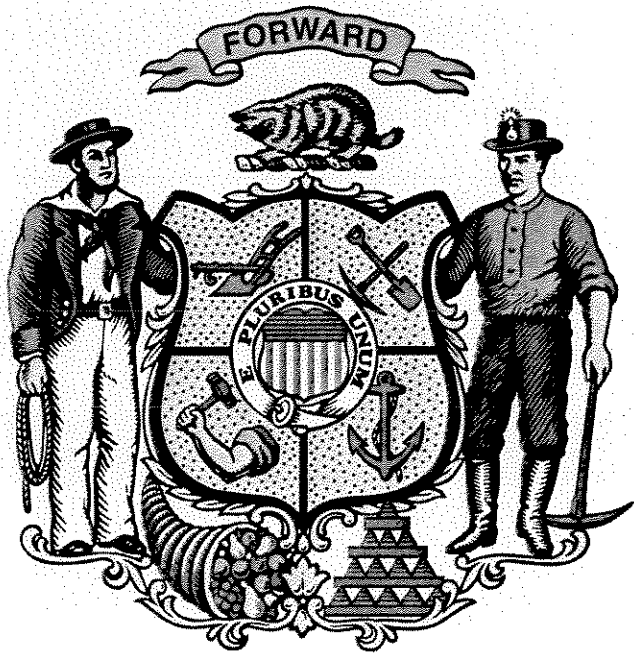
Rep. Stephen Freese, Chair
Rep. Scott Suder
Rep. Scott Walker
Rep. Phil Montgomery
Rep. Bonnie Ladwig
Rep. David Travis
Rep. David Cullen
Rep. Mark Miller
Rep. Gary Sherman

Aye	No	Absent	Not Voting
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Totals: 9 0 _____

Motion Carried

Motion Failed



TO: Campaign and Elections Committee

FROM: Marilyn H. Merten, Washington County Clerk

DATE: February 16, 2000

Subject: Assembly Bill 682
Relating to Composition of County Board of Canvassers

Mr. Chairperson, Members of the Committee:

Thank you for allowing me to present testimony before your committee in support of the proposed legislation to amend 7.60(2) of the Wisconsin Statutes relating to County Board of Canvassers.

I believe the analysis by the Legislative Reference Bureau stipulates well the reasons for the amendment; however, I wish to reinforce this analysis since I was a victim of circumstances due to the lack of clarity in the statutes.

In the 1996 fall primary election of county officials, I was one of the constitutional officers on the ballot; therefore, I was unable to act as a member of the Board of Canvassers. My deputy county clerk acted in my stead on the Board of Canvassers. The County Board Chairperson did not officially appoint her as my replacement, since 59.23(1) allows for deputies to perform the duties when the county clerk is unable to do so. This did not appear to be an issue until our county was faced with a request for recount of the county sheriff's race and in trying to find cause for the recount, the petition stated that we had constituted an illegal County Board of Canvassers, since the County Board Chairperson did not make the official appointment according to 7.60. The State Elections Board originally felt there was no flaw, however, reconsidered its initial interpretation of the law and said State Statute 7.60 stands on its own merits and is not covered by 59.23(1) appointment of deputies.

It appears to me it is important to complete the canvass in the most orderly fashion possible and the county clerk or deputy clerk should be performing this function, if at all possible. There should be no need to have the County Board Chair acting on the appointment of an individual to replace the County Clerk when the constitutional officer is capable of naming a deputy when they are unable to perform this function during an election year or otherwise. The county clerk is most familiar with the process and is ultimately responsible for the completion of the task. When the county clerk or deputy are unavailable to perform this function, the county executive or chairperson certainly may designate another individual to serve; however, I believe the first responsibility lies with the constitutional officer and the statutes should not conflict with the responsibility of the deputy county clerk.

In my discussion with other county clerks, the procedure is inconsistent, therefore, if challenged could lead to further misunderstanding. Your support of this amendment will be greatly appreciated in clarifying the law and avoiding unnecessary challenges in the future.

I thank you for the opportunity to submit this testimony to you and thank the Representatives and Senators who have introduced this legislation. I urge your support!