

2003 DRAFTING REQUEST

Bill

Received: 02/27/2003

Received By: jkuesel

Wanted: Today

Identical to LRB:

For: Elections Board

By/Representing: Kevin Kennedy

This file may be shown to any legislator: NO

Drafter: jkuesel

May Contact:

Addl. Drafters:

Subject: Elections - miscellaneous

Extra Copies:

Submit via email: NO

Pre Topic:

No specific pre topic given

Topic:

Federal election administration aids

Instructions:

Per 03b0002/1.

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>
/?	jkuesel 02/27/2003	kgilfoy 02/27/2003		_____		for Freese per Kevin Kennedy	State
/1			rschluet 02/27/2003	_____	sbasford 02/27/2003	sbasford 02/28/2003 sbasford 02/28/2003	

FE Sent For:


 03-04-2003
 ("1")
 "Rush"
 Requested By
 Terri in
 Freese's
 Office

<END>

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NOTE

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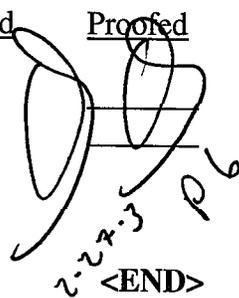
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1/1	jkuesel	2/27/11-2/27 kmq					

FE Sent For:



 2-27-03
 <END>

2003

Date (time) needed

THU 2/27

LRB - 2161, 1

BILL

DNOTE

JTK: King

Use the appropriate components and routines developed for bills.

AN ACT . . . [generate catalog] *to repeal . . . ; to renumber . . . ; to consolidate and renumber . . . ; to renumber and amend . . . ; to consolidate, renumber and amend . . . ; to amend . . . ; to repeal and recreate . . . ; and to create . . .* of the statutes; relating to: *financing of election administration costs, creation of an election administration fund, and making an appropriation.*

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

For the main heading, execute: create → anal: → title: → head

For the subheading, execute: create → anal: → title: → sub

For the sub-subheading, execute: create → anal: → title: → sub-sub

For the analysis text, in the component bar:

For the text paragraph, execute: create → anal: → text

attached

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

SECTION #.

JWS1-8

DOA:.....Schaeffer - BB0327, Elections Board appropriation changes
FOR 2003-05 BUDGET -- NOT READY FOR INTRODUCTION

1
2
3

AN ACT ...; relating to: creation of an election administration fund, appropriation of certain federal revenues to the Elections Board, assessment of municipalities for chief inspector training costs, and making appropriations.

Analysis by the Legislative Reference Bureau

Under the federal Help America Vote Act of 2002, this state is eligible to receive federal financial assistance for the purchase of voting equipment, compliance with federal requirements for the conduct of federal elections and other election administration costs, construction of barrier-free polling places, and outreach and training of election officials to enable greater participation of individuals with disabilities in federal elections. To be eligible for most of this federal assistance, this state must make ~~matching contribution~~ *expenditures from state moneys* equal to at least 5% of the amount of ~~assistance received.~~

spent by this state for the same purposes for which federal assistance is received

This bill appropriates to the Elections Board all amounts received by this state from the federal government under this act. The bill does not provide any state matching contribution. The bill permits the Elections Board to use the federal aid to provide financial assistance to eligible counties and municipalities for election administration purposes authorized by federal law. The bill also establishes a segregated fund, as required by federal law, for disbursement of all federal moneys to be expended for election administration purposes under the Help America Vote Act.

Currently, no individual may serve as a chief inspector (chief poll worker) at any polling place in this state unless that individual is certified by the state Elections

9 FE-5

SENATE AMENDMENT ,
TO SENATE BILL 1

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

2 1. Page 1, line 12: after "appropriations;" insert "creating an election
3 administration fund;"

4 2. Page 4, line 1: before that line insert:

5 SECTION ~~1d.~~ 5.05 (11) of the statutes is created to read:

6 5.05 (11) AIDS TO COUNTIES AND MUNICIPALITIES. From the appropriation under
7 s. 20.510 (1) (x), the board may provide financial assistance to eligible counties and
8 municipalities for election administration costs.

9 SECTION ~~1d.~~ 20.510 (1) (x) of the statutes is created to read:

10 20.510 (1) (x) *Federal aid*. From the election administration fund, all moneys
11 received from the federal government, as authorized by the governor under s. 16.54,
12 to be used for election administration costs under P.L. 107-252.

13 SECTION ~~1d.~~ 25.17 (1) (e) of the statutes is created to read:

INS
1-8

1 **15.617 Same; council. (1) ELECTION ADMINISTRATION COUNCIL.** There is
 2 created in the elections board an election administration council consisting of
 3 members appointed by the executive director of the elections board, including the
 4 clerk or executive director of the board of election commissioners of the 2 counties or
 5 municipalities in this state having the largest population, one or more election
 6 officials of other counties or municipalities, representatives of organizations that
 7 advocate for the interests of individuals with disabilities and organizations that
 8 advocate for the interests of the voting public, and other electors of this state.

9 **SECTION 117.** 19.69 (4) of the statutes is created to read:

10 19.69 (4) **NONAPPLICABILITY.** This section does not apply to any matching
 11 program established between the secretary of transportation and the commissioner
 12 of the federal social security administration pursuant to an agreement specified
 13 under s. 85.61 (2).

14 **SECTION 118.** 20.002 (11) (d) 2m. of the statutes is created to read:

15 20.002 (11) (d) 2m. The election administration fund under s. 5.055

16 ~~**SECTION 119.** 20.005 (3) (schedule) of the statutes; at the appropriate place,~~
 17 insert the following amounts for the purposes indicated:

		2003-04	2004-05
18			
19	20.510 Elections board		
20	(1) ADMINISTRATION OF ELECTION AND CAMPAIGN LAWS		
21	(v) Election administration SEG A	-0-	-0-

22 **SECTION 120.** 20.510 (1) (t) of the statutes is created to read:

23 20.510 (1) (t) *Election administration; state contribution.* From the election
 24 administration fund, a sum sufficient to meet federal requirements for state

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

-2161/1
LRB0002/rdh
JTK: ~~akj~~

knj

February 10, 2003

Kevin Kennedy:

As you know, most but not all of the moneys that may become available to this state under the federal Help America Vote Act of 2002 (P.L. 107-252) require a 5% matching ~~state contribution~~. Because no such ~~contribution is~~ available under this draft or under current law, the ability of this state to capture most of the moneys that are potentially available to us under P.L. 107-252 is limited.

Also, to receive most of the federal moneys, this state is required to adopt an election administration plan. This plan must be adopted through an involved procedure that requires this state: a) to create an advisory council whose membership must be appointed to represent certain interests; b) to hold public hearings; and c) to publish our proposed plan and any significant changes in the Federal Register. Because this draft does not provide for this planning process, our ability to capture these federal moneys under P.L. 107-252 may be further limited.

In addition, there are mandatory auditing requirements in connection with receipt of federal aids under P.L. 107-252. If there is an audit exception, this state must repay the federal government for any aids that were improperly expended. To ensure that these repayments can be made, it would be desirable to create an appropriation to repay the federal government for audit exceptions. It might also be desirable to require counties and municipalities to repay this state for any expenditures made with federal aid to which the federal government takes exception.

Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2161/1dn

JTK:kmg:rs

February 27, 2003

Kevin Kennedy:

As you know, most but not all of the moneys that may become available to this state under the federal Help America Vote Act of 2002 (P.L. 107-252) require a 5% matching expenditure. Because no moneys for such expenditures are available under this draft or under current law, the ability of this state to capture most of the moneys that are potentially available to us under P.L. 107-252 is limited.

Also, to receive most of the federal moneys, this state is required to adopt an election administration plan. This plan must be adopted through an involved procedure that requires this state: a) to create an advisory council whose membership must be appointed to represent certain interests; b) to hold public hearings; and c) to publish our proposed plan and any significant changes in the Federal Register. Because this draft does not provide for this planning process, our ability to capture these federal moneys under P.L. 107-252 may be further limited.

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