2019 ASSEMBLY BILL 360

August 12, 2019 - Introduced by Representatives GUNDRUM and RAMTHUN, cosponsored by Senator STROEBEL. Referred to Committee on Local Government.

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1   AN ACT *to create* 33.30 (5) of the statutes; **relating to:** elections to a lake

2   protection and rehabilitation district board of commissioners.

Analysis by the Legislative Reference Bureau

Under current law, a lake protection and rehabilitation district (district) may be created to carry out a program of lake protection and rehabilitation. Under current law, a district is governed by a board of governors, elected by secret ballot at an annual meeting for staggered three-year terms. This bill establishes certain procedures for such an election, including requiring ballots to be counted and results read immediately at the annual meeting, allowing any candidate or a designee to be present to observe the counting of ballots, and authorizing a runner-up candidate to request a recount if the difference in votes cast for the top two candidates is fewer than ten. If a recount is requested, the bill requires the board secretary to note the request in meeting minutes and requires that the ballots be enclosed in a container sealed with a tamper-evident seal and delivered to the clerk of the most populous town, village, or city in the district. The bill requires that clerk to conduct a recount within two weeks of receiving the ballots, after notifying candidates of the time and location, and allows any candidate or a designee to be present to observe such a recount.

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

1   **SECTION 1.** 33.30 (5) of the statutes is created to read:

2   33.30 **(5)** All of the following apply to an election under sub. (3) (a):

3   (a) Ballots shall be counted immediately following the election and results read

4   to those attending the meeting, including the total number of ballots cast and the

5   number of votes each candidate received. Any candidate for the district board or his

6   or her designee may be present to observe the counting of ballots.

7   (b) If the difference between the votes cast for the candidate with the most votes

8   and the votes cast for the runner–up candidate is fewer than 10, the runner–up

9   candidate may request a recount. No recount may be requested after the meeting

10   at which the election is held has been adjourned.

11   (c) If a recount is requested, all of the following apply:

12   1. The secretary shall note the request in the meeting minutes.

13   2. The ballots shall be enclosed in a container sealed with a tamper–evident

14   seal.

15   3. The container of ballots shall be delivered, unopened, to the clerk of the most

16   populous municipality in the district as soon as practicable after the election.

17   4. The clerk under subd. 3. shall conduct a recount of the ballots within 2 weeks

18   of receiving the ballots and shall immediately transmit the results of the recount to

19   the secretary of the board. The clerk shall inform all candidates of the time and

20   location of the recount at least 48 hours in advance. Any candidate for the district

21   board or his or her designee may be present to observe the recount.

22   **(END)**