



JOAN BALLWEG

PO Box 8952, State Capitol
Madison, Wisconsin 53708-8952
Tollfree: (888) 534-0041
Fax: (608) 282-3641
Rep.Ballweg@legis.wi.gov

WISCONSIN STATE REPRESENTATIVE

41ST ASSEMBLY DISTRICT

AB 418: Fees for Election Recounts
Testimony of State Representative Joan Ballweg
Assembly Committee on Campaigns and Elections
October 16, 2013

Thank you, Chair Bernier and members of the Campaigns and Elections Committee for hearing Assembly Bill 418. AB 418 will increase the dollar amount a county clerk can charge for a recount between the threshold of 0.5 and 2 percent of the total votes of an election or at least ten votes if 1,000 votes or fewer are cast. Currently, a clerk can only charge \$5 per ward, which comes nowhere close to recouping the actual costs of a recount. This legislation increases the charge to \$25 per ward. Still a reasonable amount, but an amount that will go a long way in helping our county clerks keep balanced budgets.

The cost of conducting a recount goes to programming for recounting electronic ballots and the labor to conduct the recount. Increasing the fee for this threshold of votes will not cover the whole cost of recall, but it will help substantially to combat the cost of such an unplanned expenditure.

I've provided written testimony from Margaret Bostelmann, Green Lake County Clerk. In her testimony, Mrs. Bostelmann highlights the cost of a recent recount in Green Lake County. She notes that the petitioners paid \$5 for nine wards, totaling \$45. The total cost, however; came to just over \$2,000. Under this proposal, the Green Lake County Clerk would be able to recoup \$225 in this example.

There is an amendment being proposed by Rep. Bernier, changing the threshold range to 0.25 and 1 percent of total votes cast. I consider this a friendly amendment and thank Rep. Bernier for her contribution to the legislation.

The last time this fee was changed was in the 2001 budget. It is far over due to adjust the charge and help our county clerks perform all their duties with limited budgets.

Thank you for your time and I'm happy to answer any questions you have.



*GREEN LAKE COUNTY
OFFICE OF THE COUNTY CLERK*

*Margaret R. Bostelmann, WCPM
County Clerk*

*Office: 920-294-4005
FAX: 920-294-4009*

Rep. Kathy Bernier
Chair of Committee on Campaigns and Elections
State Capitol Madison WI 53708

Support of Assembly Bill 418

Dear Representative Bernier,

On Thursday, April 12, 2012 a recount of votes was held in Green Lake County at the petition of four candidates who ran in the April 3, 2012 election for Green Lake County Board of Supervisors.

Four candidates filed a petition amidst concerns of flaws in the electronic tabulating voting machines used in Green Lake County for the election of Green Lake County Supervisor.

The recount took approximately five hours to complete. The recount was completed under the oversight of the Green Lake County Canvass Board and five tabulators assisted in the recount. The tapes from the Edge (touch screen) machine which contain the printed ballots were reviewed. Each district supervisor's name in the recount was read while two tabulators kept count on a tally sheet of the votes cast. The hand count was verified to the total from the Edge voting machine on election night. No discrepancy was found.

Each paper (mark sense) ballot was looked at, absentee ballots reconciled and all ballots were hand counted. After the hand count was verified by a second person the ballots were fed into the Eagle voting machine and the machine count and hand count were verified. The recount revealed 3 discrepancies, all initiated by human error; one ballot did not have the arrow connected on the ballot, but voter intent was determined, one write-in vote was given to the wrong person, and one ballot not initialed by poll workers was not counted.

All four petitioners were present for the recount and encouraged to view all the proceedings of the recount. The only restriction was not to touch anything and all questions were to be directed to me, the County Clerk rather than the tabulators. Petitioners were encouraged to watch and count along when tallying took place.

Over 1,000 total votes were counted. Although the petitioners paid \$5 for each of the nine wards for a total of \$45, the total cost to the County for staff time, attorney costs, and per diems to tabulators and canvass board was just over \$2000. These costs do not include the cost of the four municipal clerks to gather and provide the town clerk's information needed for the recount.

The result of the recount showed only slight changes in the totals for three candidates. There were no discrepancies found in the voting machines used in the election.

	Candidates	Original Vote Tally	Recount Tally	Final percentage
District 9	David Richter (incumbent)	219	220	88%
	Jan Londowski (write-in)	30	29	12%
District 10	Sue Wendt (newcomer)	193	192	69%
	Lauree Renaud (newcomer)	88	No change	31%
District 11	Harley Reabe (challenger)	197	No change	63%
	Sue McConnell (incumbent)	115	No change	37%
District 13	Nicolas Toney (challenger)	173	No change	65%
	Tom Traxler (incumbent)	92	No change	35%

I support this Bill because it allows County Clerks like me, to recoup more of the actual costs of recounts. Costs that are not covered by the petitioners are paid for by tax levy dollars.

Sincerely,



Margaret R. Bostelmann
County Clerk



OFFICE OF THE CITY CLERK

300 East Main Street
Sun Prairie, WI 53590-2227
(608) 837-2511
FAX (608) 825-6879
Website www.cityofsunprairie.com

October 15, 2013

Representative Bernier
State Assembly

Good morning members of the Committee on Campaigns and Elections,

I am unable to attend the Public Hearing and Executive Session tomorrow pertaining to proposed legislation for elections but I would like to present information how these bills will affect my municipality.

Assembly Bill 418

Relating to fees for election recounts

I have been a clerk for over 18 years, and have worked with election administration for over 28 years. In all those years of conducting elections I have had to conduct only a few recounts. Of those elections with recounts none of the results were changed because of the recount.

Because municipalities use electronic tabulation in counting votes, the tabulation is not subject to human error. Vote totals that were changed during a recount were because of human error on the part of the voter or election officials in the election process. i.e. marking the ballot, ineligible writing.

I don't see that lowering the quantifying percentage will have a significant impact on the results. Currently, if I have 2,000 ballots cast in an election with a request for a recount, there would have to be between 10 and 40 ballots with errors; which is a lot of errors in an election with only 2,000 ballots cast. Under the amendment for this bill there would have to be 5 to 20 ballots or processing errors, which is more reasonable for a margin of error that could change election results.

Raising the fee from \$5 to \$25 per ward would not reimburse the municipality for the actual cost of conducting the recount, but it would help to defray some of the expenses.

This bill as presented with the amendment would help the municipalities with the impact of recounts.

Assembly Bill 419

Relating to counting votes for write-in candidates

This bill has been requested by the clerks for a while!

In November 2012 we had a total of 322 write-ins on the 16,192 ballots in my four voting districts. None of these write-in votes were for registered candidates. In April 2013 there were a total of 51 write-in votes on 3,953 ballots.

Considerable time is spent sorting, counting, and reconciling these ballots and numbers which had no impact on the election results. Neither Mickey Mouse, the Grinch nor Dumbledore Hagits got enough votes to become President of the United States, but the taxpayers had to pay to have these write-in votes accounted for and reconciled.

This bill provides the ability to count ballots for candidates that are truly interested in serving in the offices they registered for.

This bill as presented would help my and other municipalities with election costs.

Assembly Bill 393

Relating to residency of election officials

The municipal clerks have always expressed a concern that we would be required to take a countywide list that is submitted by political parties.

It is hoped that the amended bill will ensure that a municipality could use their experienced and trained election officials instead of being required to take a political party nominee. The word "may appoint" should allow the flexibility needed for municipalities that need additional workers, while not constraining municipalities that have an adequate number of election officials.

This bill as presented with the amendment would provide municipalities the needed flexibility to acquire an adequate amount of election officials.

Assembly Bill 394

Relating to labeling of duplicate ballots

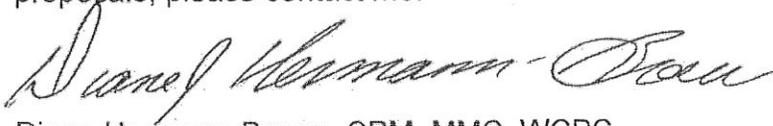
Our previous Dane County Clerk had a procedure set up for the municipal clerks to follow when issuing duplicate ballots. Many County Clerks did not establish a written procedure for this process.

This bill will provide consistency across the state so all election officials will have a set procedure to follow for issuing duplicate ballots.

This bill as presented would provide consistence for all municipalities issuing duplicate ballots.

I would like to thank the members of your committee for considering the input of the municipal clerks on these bills. The municipal clerks are the "front line" of election administration. We know and understand the needs and limitations of the voters and our municipality, so we appreciate that the representatives take their time to understanding our responsibilities and concerns as these bills are brought forward.

If you have any questions pertaining to these comments or would like to discuss other bill proposals, please contact me.

A handwritten signature in cursive script that reads "Diane Hermann-Brown".

Diane Hermann-Brown, CPM, MMC, WCPC
Cochair of the Wisconsin Municipal Clerks
Election Communication Committee
City Clerk
City of Sun Prairie
300 E Main Street
Sun Prairie WI