



Board of Election Commissioners

Commissioners
Stephanie Findley
David H. Redemann
Robert F. Spindell, Jr.

Executive Director
Neil V. Albrecht

February 26, 2013

Representative Kathleen Bernier, Chair
Assembly Committee on Campaigns and Elections

Dear Members of the Assembly Committee on Campaigns and Elections:

Thank you for the opportunity to provide written testimony on Assembly Bill 18 relating to the appointment and residency of election officials.

On any Election Day, the City of Milwaukee operates 193 voting sites which provide polling place assignments for residents in the city's 327 wards. These sites are staffed with between 1,200 and 2,500 election workers, depending on the anticipated turnout for the election. This number represents recruitment, training and mobilization of what is a massive one-day workforce.

There is no question that poll worker recruitment and retention is an emerging challenge for municipalities across this nation or that innovative approaches and best practices must be considered in order to encourage a spirit of civic engagement and responsibility from all populations.

As proposed in AB 18, broadening the election worker residency requirement from a municipal to a county level is a strategy that we believe could be a successful approach to expanding poll worker participation, particularly for high turnout elections.

However, as the Executive Director of the City of Milwaukee Election Commission, I have great concern for the provision of AB 18 which calls for an expansion of the "first choice nominee" appointments as currently outlined in Wisconsin § 7.30(4).

To date, the lists of poll worker candidates supplied by the primary political parties have proven to be challenging to administer for the City of Milwaukee as well as other municipalities in Wisconsin. Please consider the following:

- A June 2012 report by the Pew Charitable Trust identifies that *"The number of political independents has continued to grow, as both parties have lost ground among the public. Based on surveys conducted this year, 38% describe themselves as independents, up from 32% in 2008 and 30% in 2004. The proportion of independents is now higher than at any point in more than two decades. Looking back even further, independents are more numerous than at any point in the last 70 years"*. The "first choice nominee" process reduces election worker opportunities for political independents, a growing percentage of the total population.

- The City of Milwaukee has never received a significant or consistent volume of referrals from either party, nor has this number ever approached exceeding our capacity to assign all of the referrals.
- A historic review of this process demonstrates that at least half of the nominees submitted by the political parties do not follow through on attending training or accepting assignments as poll workers.
- A significant percentage of those that do become active tend to participate for a limited number of elections and do not fulfill the two-year commitment identified in §7.30(6)(a).
- Of greatest concern, the assignments of “first choice nominee” can result in “displaced” election workers - individuals that have worked at a voting site, often for decades, being bumped to accommodate a “first choice nominee.”

An expansion of the provision of §7.30(1)(a), to include political party “first choice nominees” from outside of a municipality will only exacerbate these problems and do nothing to alleviate poll worker shortages. Instead, in probability, hundreds of poll workers will be bumped from their neighborhood sites to accommodate the assignments of political party nominees that live outside of the municipality, causing disillusionment and frustration for residents that have served tirelessly and for decades in their positions.

Rather, nominations and assignments should be based on need and flexibility. Nominees should be given priority assignment, but only where there are vacancies.

As noted earlier, poll worker recruitment and retention has become a challenge to large and small municipalities across the country. The United States Election Assistance Commission has published a guide of best practices in poll worker recruitment, retention and management. Recruitment strategies initiated by the City of Milwaukee are referenced several times in this manual as national models of innovative and productive approaches to recruiting election workers with the necessary skills to match the level of responsibility of their positions. I would welcome the opportunity to share these strategies with members of the legislature at any time.

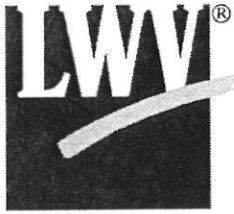
In conclusion, I would like to reiterate that while an infusion of workers from outside of a municipality could clearly benefit election worker recruitment, the manner in which they are assigned and integrated into a polling place staffing should be fair and not compromise the retention of other workers. As noted early, there are existing challenges in the administration of the current state statutes requiring “first choice nominee” assignments from the political parties. An expansion of this process would only exacerbate these problems by displacing dedicated election workers. It could also compromise the spirit of community ownership at a neighborhood-based voting site.

Expanding the political party “first choice nominee” process would not benefit the election official recruitment process, but instead would compromise the consistency of election officials at voting sites and displace those that have already made dedicated commitments.

Thank you,



Neil Albrecht
Executive Director



**LEAGUE OF WOMEN VOTERS® OF WISCONSIN
EDUCATION NETWORK**

612 W. Main Street, #200
Madison, WI 53703-4714

Phone: (608) 256-0827
<http://www.lwwwi.org>

February 26, 2013

To: Assembly Committee on Campaigns and Elections

Re: Statement about Assembly Bill 18

The League of Women Voters supports the provision of AB 18 which allows clerks to hire poll workers from anywhere in the county, although we believe that people from the municipality should be hired first.

We find the other provision of AB 18 to be more problematic. It permits a political party to nominate individuals to serve as election workers in a particular ward, which may be anywhere in the county. In most cases, the bill *requires* municipalities to accept such political appointees to serve in the wards for which they are nominated for at least half of the positions to be filled.

Taken together, these two provisions would move Wisconsin away from the locally controlled, nonpartisan election administration model that has worked well for decades. The bill could replace poll workers who are residents of a municipality with political appointees from outside. It is not clear what problem this bill would address.

It is said that having appointees from the two major parties serving as election officials would protect the interests of both political parties. But what about protecting the interests of the voters? Given that many people believe political parties are more concerned about self-preservation than about the interests of regular citizens, it is no comfort to have "both sides present." Indeed, this would only politicize our nonpartisan polling places.

Election Day is about the voters, and any changes should place voters first. Wisconsin residents expect to be able to cast their ballots in polling places that are orderly, neutral and nonpartisan – not political and bipartisan.

Not only does Wisconsin have an enviable record of voter participation, but national elections experts have commended our state's high level of professionalism in election administration. We have competent clerks and excellent training provisions for election workers. The best way to improve Wisconsin's elections is to build on these strengths by enhancing the training modules and continuing to improve and modernize the statewide voter registration system.

We urge you to reject this bill or amend it to avoid politicizing Wisconsin's polling places. Thank you.

To: Assembly Committee on Campaigns and Elections

Date: February 26, 2013

From: Paul Malischke, malischke@yahoo.com

Subject: AB – 18, Residency of Pollworkers

Please reject AB-18, which would ease the current residency requirements so that poll workers may generally be a resident of the **county** in which they serve as poll workers.

Giving clerks more flexibility to recruit pollworkers is a worthy goal.

However, this bill has an underlying negative effect. The political parties, using their existing ability to name pollworkers, would be able to force a municipality to take pollworkers from outside the municipality. Since political parties may designate pollworkers under s. 7.30(4), they could name pollworkers from outside the municipality, even if the municipal clerk is able to easily find capable pollworkers from within the municipality.

Municipalities and municipal clerks should not be forced to relinquish local control of their elections.

Please introduce an alternative bill, or a substitute amendment, with these characteristics:

- Require all political party nominees under 7.30(4) to be from within the municipality.
- Ease the current requirements so that poll workers selected by the clerk may be a resident of the county.
- The chief inspector must be from the municipality.

In addition, consider allowing high school students to work within the county. Since high schools often draw students from several municipalities, allowing them to work county-wide might facilitate their recruitment. The current statutory qualifications for high school students as pollworkers ensure high quality, regardless of where they are assigned.

A bill with these characteristics would have the advantageous features for our clerks and municipalities, without the negative effects. For clerks that are able to get pollworkers from within the municipality, there would be no change from the existing situation.

State of Wisconsin\Government Accountability Board

212 East Washington Avenue, 3rd Floor
Post Office Box 7984
Madison, WI 53707-7984
Voice (608) 266-8005
Fax (608) 267-0500
E-mail: gab@wisconsin.gov
<http://gab.wi.gov>



JUDGE THOMAS H. BARLAND
Chair

KEVIN J. KENNEDY
Director and General Counsel

DATE: November 3, 2011

TO: Wisconsin Municipal Clerks
City of Milwaukee Election Commission
Wisconsin County Clerks
Milwaukee County Election Commission

FROM: Nathaniel E. Robinson
Elections Division Administrator
Government Accountability Board

SUBJECT: Appointment of Election Inspectors from Lists Submitted by Political Parties
Lists Must be Received by Wednesday, November 30, 2011

December 31, 2011 marks the end of the current term of election inspectors (poll workers). At a meeting in December, but not later than December 31, 2011, the municipal governing body shall appoint election inspectors for a two-year term which begins January 1, 2012 and ends December 31, 2013.

No later than November 30, 2011, the two major political parties whose candidates for governor or president at the last general election received the largest number of votes at an *individual polling place* (generally, the Democratic and Republican parties) may submit a certified list of election inspector nominees to the municipal governing body. Currently, the Democratic and Republican Parties are actively working to assemble and submit lists of election inspector nominees to as many municipalities as possible.

Each party reserves the right to establish the criteria a prospective nominee must meet in order to be included on the list submitted by the party. This may include a requirement to be a member of the party or to belong to an organization affiliated with the party.

If Lists are Received from One or Both Parties

When lists of election inspector nominees are submitted to a municipal governing body, appointments must be made from the lists submitted by the parties for as long as election inspector positions are available. If party lists have been timely received, positions must be filled from the lists until the names on those lists have been depleted. Nominees must be qualified electors of the wards in they serve. The lists may also designate individuals as first choice nominees, who must be appointed if they qualify and so long as positions are available. Appointment of persons not appearing on the lists may only occur after the lists have been exhausted. Note: The parties have sole discretion to determine criteria.

When the Democratic and Republican parties' lists are received, the clerk must adhere to "party imbalance" at each polling place. Party imbalance means that the party whose candidate for the Office of Governor in November 2010 received the most votes at the polling place will have one more election inspector at that polling place than the other party.

Example: Five election inspectors are to be placed at a polling place. Scott Walker received the most votes at the polling place in November 2010. The governing body appoints three names from the Republican list and two names from the Democratic list.

If Lists are Received but are Insufficient

If the Democratic and Republican parties' lists are insufficient to fill the positions available for that party's nominees, the remaining positions are filled without regard to party affiliation.

Example: Seven inspectors are to be placed at a polling place. Tom Barrett received the most votes at the polling place in November 2010. If sufficient lists from both parties were submitted, four names would be appointed from the Democratic list and three names would be appointed from the Republican list. In this example however, there are only three names on the Democratic list and no Republican list was submitted. The governing body appoints the three Democratic names and the Mayor, Village President or Town Board Chairperson nominates other qualified individuals, regardless of party affiliation, and submits the names to the governing body for appointment to the remaining four "unaffiliated" positions. If the Republican Party submits a list with two names, then two unaffiliated positions would be appointed.

If No Lists are Received

If no lists are submitted, the Mayor, Village President or Town Board Chairperson nominates other qualified individuals, regardless of party affiliation, and submits the names to the governing body for appointment. All appointments are made without regard to party affiliation.

A letter has been sent to the Republican and Democratic state parties reminding them of their responsibility to submit lists of poll worker nominees. The letters accompany this correspondence.

Please refer to the Election Official section of the Election Administration Manual for additional information. If you have questions, please contact the G.A.B. Help Desk at (608) 261-2028, or gabhlpdes@wi.gov. Thank you!

cc: Kevin J. Kennedy
Director and General Counsel
Government Accountability Board

Michael R. Haas
Staff Counsel
Government Accountability Board

Diane Lowe
Lead Elections Specialist
Government Accountability Board

Testimony of Timothy Dake Regarding 2013 Assembly Bill 18

February 26, 2013

As both a Wisconsin citizen and a poll worker, I am very concerned about and tore over AB 18. I heartily support the idea of allowing poll workers to work any poll in their county of residence. This will, of course, make it easier for a county to adequately cover all polls with the pool of available poll workers. My own home county of Milwaukee often struggles to fill the open poll positions in the City of Milwaukee while experiencing a surplus of poll workers in the suburban communities. This idea has the added benefit of introducing a measure of non-bias into the system as the additional poll workers are not inclined to wish for particular results in that specific community.

But I find the second idea contained in the bill of allowing the two major political parties to split the assignments of poll workers to be a short-sighted and potentially "undemocratic" notion. There are more than two political parties in this nation and in addition to the political parties there are the voters who constitute the largest percentage of people with the political affiliation of "independent." I am a member of the independent bloc. Imposing the requirement for each of the two major political parties to contribute 50% of the poll workers will prohibit me, and others similarly politically inclined, from participating in the electoral system. Independents as poll workers provide a check and balance on the political parties.

Creating any type of apportionment system by political party will prove cumbersome and untenable. There are simply too many political parties to represent and if the apportionment were done by the strength of party registrations within the community, the independent voters, as poll workers, would be frozen out of the process. This action will merely reduce the size of the pool of prospective poll workers and actually damage the system currently in place.

The Legislature would better serve the people of Wisconsin by acting to increase the number of poll workers participating in the process without regard to political party affiliation by opening up the area within which those poll workers may serve and pay no attention to the individual's party affiliation.

Timothy Dake
3286 W. Plaza Dr.
Franklin, Wisconsin
53132-9036

262-308-0553

timd@wisconsingrandsonsofliberty.com

Zuleger, Chad

From: MaryAnn Hanson <mhanson1@wi.rr.com>
Sent: Monday, February 25, 2013 7:25 AM
To: Zuleger, Chad
Subject: Testimony to submit for Feb. 26, 2013 hearing

February 25, 2013

To the members of the Assembly Committee on Campaigns and Elections
Representative Kathleen Bernier, Chairman

I wish to register in support of Assembly bill 18.

This bill will not only increase the number of potential poll workers available to be hired but engages the two majority political parties in the placement of those party poll workers. I support both.

Many communities are currently in need of hiring more poll workers than they have volunteers for the position. Wisconsin election law, Statute.7.30, assigns to the two majority political parties, Democratic and Republican, the duty to recruit party members to serve as poll workers and to submit those names to the municipal clerks. Actually, the foundation for the conduct of Wisconsin elections is built on this responsibility assigned to the two majority political parties. This is the check and balance lawmakers built into the system: the two parties with the most to gain and the most to lose from an election working together to ensure that the process of our elections is open, fair and conducted according to statute.

Often, in a municipality there are more poll worker volunteers from one political party than another due to the political makeup of a community. AB 18 bill would expand the opportunity for serving as a poll worker to the entire county of residence instead of limiting that opportunity by municipality of residence. This would enable a party member from a predominantly Republican or Democratic community, willing to be a poll worker, the chance to serve instead of having to wait until there is an opening in their municipality which already has more than enough poll workers from their party. It will, also, offer a larger pool of replacements for clerks who, often, and at the last minute, have a poll worker or workers who become ill, or for other reasons cannot work an election.

AB 18 does not change the statutory deadline for submitting names by November 30th of the odd year; does not change other eligibility criteria; continues to require the poll worker candidates to take the required amount of training from the responsible clerk and continues to require every poll worker to take and sign the oath of office to uphold the laws and duties assigned to poll workers.

AB 18, also, provides for the two majority political parties to participate in the placement of up to 50% of their party's poll workers. This, too, is a positive addition to current law. Engaging the two parties in placement will probably be based on their past experience as to which polling locations may need both parties working together, equally, to ensure that the election is open, fair and conducted according to statute. Laws requiring Republicans and Democrats to work together to conduct our elections promotes confidence in the voters at the polls.

I urge committee members to vote yes on AB 18.

Mary Ann Hanson
3740 Mountain Drive
Brookfield, Wisconsin 53045