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POLITICS

Bills to change voting rules have been moving through the Legislature. Here are the views of local election clerks.

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MADISON - Republican and Democratic lawmakers have drawn clear lines on where they stand on changing Wisconsin's voting laws. But the officials responsible for administering those laws have a more nuanced view of bills that have made their way through the state Legislature.

The Wisconsin Municipal Clerks Association registered against most of the bills but are supportive or neutral on two of the proposals. The group represents election officials from around the state, in both red and blue areas.

The past year challenged clerks like none other, especially during the April 2020 presidential primary when state leaders fought in court over whether to hold the election during the emerging pandemic, leaving clerks caught in the middle.

“In the midst of (the April election), I remember thinking this election is going to make or break a lot of clerks and I think there was a lot of resigning afterwards. Most things don’t stress me out but that election gave me gray hair,” said Village of Oakfield Clerk Miriam Thomas. “Most things don’t bother me at all but it was stressful especially right up to it, having the laws go back and forth, back and forth.”

Now, clerks say some of the legislation proposed by Republicans in the aftermath of the contentious 2020 elections could add to their workload.

What are some of the voting proposals being debated, and what do clerks — who administer elections at the local level — think about them?

Brookfield Clerk Kelly Michaels chairs the legislative and communications and advocacy committee for the clerks' association. She said the committee held a long meeting after the

bills were introduced to try to figure out the implications of the legislation.

"In a perfect world, things happen this way or should happen this way, but in an imperfect world, when you've got a thousand voters lined up at your door, is it really going to work that way?" Michaels said.

Absentee paperwork

The Senate and Assembly have passed Senate Bill 204, which would make various changes to the absentee ballot process. It would introduce more paperwork by requiring voters to fill out two forms instead of one to vote absentee.

Michaels said clerks do not think there should be an additional application for someone who is voting absentee in-person. She said the line to vote in-person absentee in November wrapped around the building and would have taken more time if voters had been required to fill out an application first.

The bill would also require voters who say they are indefinitely confined to their homes due to age or disability to request ballots be sent to them each year, instead of automatically receiving ballots for as long as they say they need them. It would also require absentee voters to provide a copy of their ID every time they apply for an absentee ballot, instead of just the first time they apply.

The clerks' association registered against the bill. Clerks said the additional requirements could add to their already heavy workload.

"I can see how it would be burdensome to municipalities that are a similar size or smaller than (Oakfield) especially if they're a one-person office like I am. For the November and April 2020 elections, I recruited volunteers to help me get stuff ready and send it out. I would have spent days doing it by myself," Thomas said.

Eau Claire Clerk Carrie Riepl, who said she is still catching up on other clerk duties she put off during the election cycle, agreed.

"It would definitely create more work. It's going to make it difficult for us. We may have to adjust something budget-wise," Riepl said. "We're going to have to adjust something if all of this goes through because we won't be able to keep up."

Antigo Clerk Kaye Matucheski added that she thought the requirements would "disenfranchise voters because there's so much more paperwork they have to go through."

The bill would also require clerks to post hourly updates on Election Day about the number of absentee ballots that have been mailed, received and counted. Michaels, the Brookfield clerk, said that requirement would not be feasible.

"If you are hourly having to post in your office what's my running count, you would do nothing else," Michaels said.

Returning ballots

The Senate and Assembly have passed Senate Bill 203, which would add restrictions on who can deliver completed absentee ballots to clerks' offices, in-person absentee voting sites and other locations on behalf of a voter.

Only a legal guardian or a member of the voter's immediate family — including spouses, siblings, parents, children, grandparents or grandchildren — could return the ballot. Another person that the voter designates in writing could also return the ballot, and that person could not return more than two ballots.

The clerks' association registered against the bill and noted concerns about the ability of clerks to manage or enforce the provisions. Michaels explained that ballots come in from different places and clerks would be uncertain if they would have to reject ballots if they were unsure where they came from. For example, some voters drop ballots off at neighboring city departments to avoid waiting in line.

"We don't always know how it arrived, but we know we got it," Michaels said.

Clerks also said it would be difficult to verify relationships, especially if the voter had a different last name than their relative who is delivering their ballot.

"It also is just extremely intrusive to the voter. It makes a presumption that a voter has family members," said Claire Woodall-Vogg, the Milwaukee Election Commission director. "It's just another way to make absentee voting less convenient because it worked so well for so many people in 2020."

Drop boxes

The Senate has approved Senate Bill 209, which would allow voters to return absentee ballots to a drop box if it is on the premises of the offices of election clerks. Communities with a population of 70,000 or more could have up to three more drop boxes on municipal

properties. The Assembly still has to vote on the bill and the clerks' association has registered against it.

The bill was introduced by Republican Sen. Alberta Darling of River Hills, who argued the bill is needed because state law does not mention drop boxes. Democrats have said the legislation would reduce the number of drop boxes in cities like Madison and Milwaukee, which have 14 and 15 drop boxes.

"It doesn't make any sense to me, to cut off the population at 70,000 when we are a city of over 600,000. It's just absurd," said Milwaukee's Woodall-Vogg. "It makes absolutely no sense other than restricting options for voters and trying to limit the convenience of voting by mail."

Woodall-Vogg said drop boxes are more secure than U.S. Postal Service boxes that may not have surveillance and that ballots can be damaged through mail machines.

For the November election, Eau Claire had four drop boxes. One was at City Hall and the other three were at Festival Foods locations throughout the city. Under the bill, those additional drop boxes would have to be located on municipal property.

"We chose the Festivals because they're kind of spread in different areas of the city from where City Hall is," Riepl said. "It's the convenience factor for the voters. Some of the voters don't trust that the mail system will get the ballots back to us so they like having the boxes."

Private funds

Democratic Gov. Tony Evers has already vetoed Assembly Bill 173, which would have prohibited counties and municipalities from applying for or accepting grants from private organizations. Under the bill, the Wisconsin Elections Commission could accept and distribute the funds to municipalities on a per capita basis, which would spread the amounts more equally across the state.

Republicans have pushed back against grants distributed by the Center for Tech and Civic Life, a nonprofit group supported by Facebook founder Mark Zuckerberg that gave more than \$10 million to 200 Wisconsin municipalities. Most of the money went to large, liberal cities in Wisconsin. The Wisconsin Voter Alliance and other conservative groups have unsuccessfully sued over the grants.

Eau Claire used about \$29,000 from its \$71,000 grant for drive-through, in-person absentee voting.

"We used most of it towards wages, which were unplanned in our original budget, and it really just filled a budget gap," Riepl said. "We would have just been in the hole otherwise."

Matucheski said the grants were helpful because Antigo had not budgeted for postage and absentee supplies and the city had at least twice as many absentee voters compared to normal years. Thomas said Oakfield used some of its funding for personal protective equipment and voting equipment that was easier to clean.

Clerks said the grants helped them with election administration during the pandemic. The clerks' association registered in support of the bill because the organization believed having the funding go through another organization was fair.

"No clerk would really want to be put in that position where you're answering to someone that is possibly being influenced or being required to enter into a contract in exchange for a lot of money," Michaels, the Brookfield clerk, said.

Woodall-Vogg, from Milwaukee, said different communities have different needs and thinks there should not be limits on the amount or type of funding that clerks can apply for.

"It might seem like an equal and fair way of doing it, but I don't think it's an equitable way of doing it," she said. "I don't think that it's always one-size-fits-all to do it on a per capita basis."

Making corrections

The Senate and Assembly have passed Senate Bill 212, which would prohibit clerks from correcting defects on absentee ballot certificates. It would allow but not require clerks to return improperly completed certificates to voters if time allows.

"I liken that, quite frankly, to a literacy test if they're going to start rejecting ballots because it doesn't have 'WI' on it but they listed 'Milwaukee' and we're going to have to start mailing that back. I think that is just blatant disenfranchisement," Woodall-Vogg said.

The Wisconsin Elections Commission issued a memo in 2016 at the suggestion of Republicans on the commission that guided clerks to try to resolve missing address information using the clerk's knowledge about the voter, voter registration information or a phone call.

The clerks' association has a neutral position on the bill, noting it would require clerks to treat all absentee ballots with missing information the same way.

What's next?

Most of the bills have been delayed in getting to Evers, who called for them to be presented to him over two weeks ago. Evers again signaled that he would veto the measures in his budget veto message to lawmakers on July 8.

"Not only has the Legislature failed to join me in this budget by protecting the right of every eligible Wisconsinite to vote, but they have also passed and could continue to pursue legislation that would make it harder for folks to cast their ballot," Evers wrote.

The bills could be proposed in future legislative sessions and signed into law if one of the Republicans who plan to challenge Evers wins his seat in 2022.

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How to reach the public officials involved

To contact Gov. Tony Evers, visit evers.wi.gov or call 608-266-1212.

To contact Assembly Speaker Robin Vos, email rep.vos@legis.wisconsin.gov or call 608-266-9171.

To contact Senate Majority Leader Devin LeMahieu, email sen.lemahieu@legis.wisconsin.gov or call 608-266-2056.

To contact Rep. Janel Brandtjen, chairwoman of the Assembly Elections Committee, email rep.brandtjen@legis.wisconsin.gov or call 608-267-2367.

To contact Sen. Kathy Bernier, chairwoman of the Senate Elections, Election Process Reform and Ethics Committee, email sen.bernier@legis.wisconsin.gov or call 608-266-7511.

To contact Sen. Duey Stroebel, lead author of the bills, email sen.stroebel@legis.wisconsin.gov or call 608-266-7513.

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