



DEVIN LEMAHIEU

SENATE MAJORITY LEADER

TO: Members of the Committee on Senate Organization

FROM: Senator Devin LeMahieu, Chair

DATE: October 27, 2021

SUBJECT: Ballot 21-026 ~ Access to Election Documents

The Committee on Senate Organization, by a vote of Ayes, 3 (LeMahieu, Kapenga, and Feyen); Noes, 2 (Bewley and Ringhand); and Not Voting, 0; has approved the following motion:

[MOTION 1] *It is moved that the Committee on Senate Organization makes the following findings:*

- *On February 11, 2021, the Joint Legislative Audit Committee directed the Legislative Audit Bureau (LAB) to evaluate elections administration issues, including:*
 - *efforts by the Wisconsin Elections Commission (WEC) to comply with election laws, including by working with clerks to ensure voter registration records include only eligible voters, and by providing training and guidance to clerks;*
 - *efforts by clerks to comply with election laws, including by administering elections, processing absentee ballots, and performing recount responsibilities, as well as the observations and concerns of clerks regarding elections administration;*
 - *the use of electronic voting equipment, including the methodology and results of WEC's most-recent statutorily required post-election audit and the actions taken as a result of this audit; and*
 - *General Election-related complaints filed with WEC and clerks, as well as how these complaints were addressed.*
- *The LAB issued an audit report on Elections Administration (report 21-19) on October 22, 2021, making 30 recommendations for improvements and including 18 issues for legislative consideration in this report.*
- *The City of Madison clerk prohibited the LAB from physically handling election records.*
- *The LAB's access to, and examination of, election records assists lawmakers to understand the procedures followed by clerks in practice.*
- *Obtaining complete information relating to the elections-related procedures followed by clerks throughout Wisconsin is essential for the LAB to perform its statutorily required duty to assist the Legislature to perform its lawmaking function.*

[MOTION 2] *It is moved that the Committee on Senate Organization appoints and directs the Committee on Elections, Election Process Reform and Ethics to do the following:*

- *Investigate the failure by local governments to provide requested election documents to the Legislative Audit Bureau (LAB).*
- *Assist the LAB in obtaining access to election documents from the City of Madison that were not provided to the LAB during its audit of election administration issues in the November 2020 elections.*
- *Require the attendance of local election officials before the committee to answer questions relating to the reasons that the City of Madison refused to provide election documents to the LAB.*

Please feel free to contact my office if you have any questions.

DL:jb