

The
FELZKOWSKI FLYER



WISCONSIN'S 12TH SENATE DISTRICT

MODERNIZATION PLANS FOR OUTDATED UNEMPLOYMENT TECHNOLOGY

Last week, the Legislature's bill to modernize the outdated unemployment system was signed into law. While the Department of Workforce Development has always had the ability to put out a Request for Proposal (RFP) to contract with a company to update the system, this bill now **requires** them to start that long awaited process.

2021 Wisconsin Act 4 also extends the waiver for the one-week waiting period from February 6, 2021 to March 13, 2021.

The previous COVID-19 relief bill, passed last spring, provided flexibilities in the unemployment insurance work-share program. This bill will extend those flexibilities through the termination of the national emergency or July 3, 2021 - whichever is earlier.

Last but not least, the legislation offers immunity for civil liability for COVID-19 related harm or exposure, as long as the act or omission does not involve reckless or wanton conduct or intentional misconduct - a provision the Governor vetoed in this year's COVID-19 relief bill, AB1.

MARCH 3, 2021

**1 - DWD MODERNIZATION
LEGISLATION SIGNED**

**2 - ELECTION REFORM
BILLS INTRODUCED**



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ELECTION REFORM BILLS INTRODUCED IN THE LEGISLATURE

Legislators have recently introduced election reform bills. Please read through them and let me know what you support and what you'd like to see changed. **Send me an email!**

LRB-1858: Ballot Security Act: (i) Limit drop boxes to official city/town buildings where the clerk's office is permanently located. (ii) Require boxes to be uniform and only allow one ballot at a time. (iii) ADA compliant.

LRB-1588: Election Observer Protection Act: (i) Based on North Dakota Law. (ii) Election observers must be allowed uniform and nondiscriminatory access to all stages of the election process, including the certification of election technologies, early voting, absentee voting, voter appeals, vote tabulation, and recounts. (iii) An election observer must wear a badge with the name of the individual and the name of the organization the individual is representing. (iv) An election observer may not wear any campaign material advocating voting for or against a candidate or for or against any position on a question on the ballot. (v) An election observer may not interfere with any voter in the preparation or casting of the voter's ballot or hinder or prevent the performance of the duties of any election official.

LRB-1612: Standardized Form for Requesting a Ballot: (i) WEC allowed multiple ways to request a ballot. (ii) Require only form (EL-122), which is titled "Official Absentee Ballot Application/Certification" may be used to obtain an absentee ballot and that form may only be filled out by the voter.

LRB-2032: Absentee Voting Uniformity: (i) Require all absentee ballot requests to include a copy of the voter's photo ID (end current voter ID loopholes). Note: No change to victims of domestic abuse or overseas military voter provisions under current law. (ii) Require the Elections Commission to prescribe a uniform absentee ballot request form. Require the form be completed by a voter (manually or electronically) prior to receipt of an absentee ballot. (iii) End the automatic mailing of absentee ballots. (iv) Except for indefinitely confined voters, prohibit election officials from automatically mailing absentee ballots or absentee ballot applications. Non-governmental groups remain free to mail absentee ballot applications to voters. (v) Increase transparency in the counting of absentee ballots by requiring municipalities to post online the total number of absentee ballots sent out, the number of absentee ballots returned, the number of absentee ballots counted at that time, and the number of absentee ballots remaining to be counted. (vi) Require any online voter registration system used by the state of Wisconsin to generate a populated copy of a voter registration form for use by municipal clerks, and requires all electronically completed voter registration forms to include an electronic signature of the voter. (vii) Prohibit the pre-printing of a municipal clerk's initials on any certificate or ballot used in absentee voting.

LRB-1264: Prohibits Private Funding of Election Operations: (i) Prohibits local clerks and boards of elections (Milwaukee) from applying for or receiving private funds for the purpose of administering Wisconsin elections. (ii) Requires that funds donated for election administration be consolidated by the Wisconsin Elections Commission and distributed equally on a per-capita basis (subject to JFC review) to all municipalities in the state. (iii) Requires all ballot tabulators to take an oath of office like every other election official. (iv) Prohibit paid political campaign employees from serving as poll workers.

LRB-1537: Security of Absentee Ballot Delivery to Municipal Clerks: (i) End “ballot harvesting” by stipulating that only a voter, their immediate family member or legal guardian may return a voted absentee ballot to a municipal clerk or polling place. For voters with no family in Wisconsin they may designate in writing another voter who is not a candidate to return their ballot without compensation to the municipal clerk. (ii) Expand current provisions for requesting an absentee ballot and returning a ballot by mail to include by any commercial parcel service (this allows a voter to use USPS, UPS, FedEx, etc.). (iii) Require any event at which voted absentee ballots are returned to the municipal clerk or his or her staff to comply with the same requirements for an early in-person voting location (i.e. “Democracy in the Park” type events).

LRB-0428: Indefinitely Confined Voter Reform: (i) Require statements of indefinite confinement to be made under oath or affirmation, with a medical professional concurring if the individual is under the age of 65. A false statement is a Class I felony. (ii) Clarify that the existence of a pandemic or communicable disease does not automatically qualify an elector for indefinitely confined status. (iii) Require electors to re-enroll on the indefinitely confined list every 2 years. (iv) Directs municipal clerks to remove a person from the list once they receive reliable information that the person is no longer indefinitely confined. (v) Require the Elections Commission to remove any person from the indefinitely confined rolls who applied for such statutes between March 12, 2020 and November 3, 2020. Those electors may, of course, apply again for indefinitely confined status under the provisions of the bill.

LRB-1841: Publication of WEC Meeting Minutes: (i) Require the Wisconsin Elections Commission to post on its website the meeting minutes of any meeting of the commissioners no later than 24 hours after the meeting concludes. (ii) Mirroring similar statutes, recommended enforcement actions where a person has not be charged with a crime and personnel matters are exempt from being published online.

LRB-1935: Long-term Care Facility Voting Integrity: (i) Requires long term care facilities to which Special Voting Deputies are sent to notify the next-of-kin of every resident for whom they have next-of-kin information of the dates and times at which SVDs will visit the facility. (ii) Clarify that any employee of a long-term care facility who influences a resident to apply for or not apply for an absentee ballot, cast or refrain from casting a ballot, or influences a resident’s decision for whom to cast a ballot is guilty of a Class I felony. Note: This does not prohibit these employees from confirming the voter’s residence and identity under the current SVD statute.

LRB-1703: Moving the Presidential Preference Primary to Super Tuesday - the first Tuesday in March.

LRB-2284: (i) Allow a municipality to adopt an ordinance to authorize canvassing of absentee ballots on the day before an election if they meet certain requirements. (ii) Prohibits ballots used for voting for the offices of president and vice president only, unless the elector is a new or former resident of the state and applies and qualifies for the presidential ballot as provided by law. (iii) Authorizes any city, village, or town with a population of less than 35,000 to enter into an agreement to share a polling place with an adjacent city. (iv) Adjusts the timeline to transmit absentee ballots to military and overseas electors, so it is consistent with federal law. (v) Adjust the timeline for circulating and filing nomination papers for independent candidates running for president and vice-president so it is consistent with other independent candidates.

LRB-2193: (i) Allow a district attorney in any county to prosecute election law violations that occur in a district that has all or part of the county within its bounds. (ii) Authorizes any individual to bring a claim for enforcement of election law directly in circuit court without having to first file a complaint with the Wisconsin Elections Commission.

WHAT'S NEXT?

These bills are currently out for co-sponsorship - a time frame that allows for other legislators to sign on as co-authors. They will then be referred to their respective committees in both the Senate and the Assembly, where the Committee Chairs will have the discretion to give them a public hearing. This first hearing is when the public has the ability to testify. The Committee Chairs will then have the option to hold an executive session, where the members vote on recommendation. If they pass out of committee, the legislative leaders in both houses can schedule them for a floor vote. If they pass on the floor of both houses, they then go to the Governor, who has the ultimate say on whether they're signed into law or vetoed.

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