

1 Polk County Board of Supervisors
2 Resolution No. 25-16
3 Resolution Authorizing Application for County Waiver from
4 State Mandated Process Concerning Absentee Ballots

5 TO THE HONORABLE SUPERVISORS OF THE COUNTY BOARD OF THE COUNTY OF POLK:

6 Ladies and Gentlemen:

7 WHEREAS, on March 16, 2016, the Wisconsin Legislature enacted 2015 Wisconsin Act
8 261, which amongst its provisions established a state mandate upon local municipal clerks to
9 process absentee ballots pursuant to Sections 6.33(5)(a) and 6.36(1)(a) 13. and 14., which said
10 sections read as follows:

11 Section 6. 33(5)(a) 2. :

12 "Except as provided in par. (b) and this paragraph, whenever a municipal
13 clerk mails an absentee ballot to an elector or receives an in-person
14 absentee ballot application or an absentee ballot the municipal clerk
15 shall, no later than 48 hours after mailing an absentee ballot or receiving
16 an in-person absentee ballot application or an absentee ballot, enter
17 electronically on the list maintained by the commission under s. 6.36 (1)
18 the information required under that subsection or submit the
19 information to the clerk's designee who shall, no later than 24 hours
20 after receiving the information from the clerk, enter electronically on
21 the list maintained by the commission under s. 6.36 (1) the information
22 required under that subsection. If a deadline under this subdivision falls
23 on a Saturday or Sunday, the deadline is extended to the next business
24 day."

25 Section 6.36 (1) (a) 13. and 14.:

26 "Official registration list. (1)(a) The commission shall compile and maintain
27 electronically an official registration list." relief from sections:

28 ...

29 "13. A separate column indicating the date on which an elector applied to vote by
30 in-person absentee ballot.

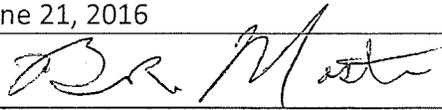
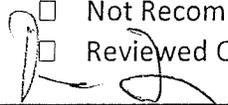
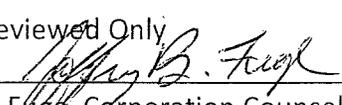
31 14. Separate columns indicating the date on which the clerk mailed an absentee ballot
32 to an elector and the date on which the elector returned the absentee ballot."

33 WHEREAS the newly created mandate imposes unrealistic time constraints upon the
 34 County Clerk in processing absentee ballots in that during the April 2016 election one quarter of
 35 the 1100 absentee ballots were processed within statutory time constraints and absentee
 36 ballots for the general election to be held in November 2016 are likely to increase three fold.

37 NOW THEREFORE BE IT RESOLVED, that, pursuant to Wisconsin Statute Section 66.0143,
 38 the Polk County Board of Supervisors does hereby authorize on behalf of Polk County a request
 39 to the Wisconsin Department of Revenue for a waiver from the state mandated process
 40 concerning absentee as set forth in Wisconsin Statute Sections 6.35(5)(a)2., 6.36 (1)(a) 13., and
 41 14.

42 BE IT FURTHER RESOLVED that the County Clerk is directed to, as follows:

- 43 1. Prepare and Submit to the Wisconsin Department of Revenue the application for
 44 local appeals for exemption from state mandate as authorized herein.
- 45 2. Distribute a copy of this resolution to the Wisconsin Government Accountability
 46 Board, Wisconsin county clerks, the Wisconsin Legislators representing constituents
 47 residing in Polk County, the Wisconsin County Clerks Association, the Wisconsin
 48 Municipal Clerks Association, Wisconsin Towns Association, League of Wisconsin
 49 Municipalities, and Wisconsin Counties Association.

Funding Source/ Funding Amount:	Not Applicable
Date Reviewed as to Appropriations:	Not Applicable
Committee Recommendation as To Appropriation:	Not Applicable
Effective Date:	Upon passage
Dated Submitted To County Board	June 21, 2016
Submitted By:	 6/9/16
Review By County Administrator: <input checked="" type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input type="checkbox"/> Reviewed Only  Dana Frey, County Administrator	Review By Corporation Counsel: <input checked="" type="checkbox"/> Approved as to Form <input type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input checked="" type="checkbox"/> Reviewed Only  Jeffrey B. Fuge, Corporation Counsel

Acknowledgement of County Board Action

Mark As Appropriate:

At its regular business meeting on the 21st of June 2016, the Polk County Board of Supervisors considered and acted on the above resolution, **Resolution No. 25-16, Resolution Authorizing Application for County Waiver from State Mandated Process Concerning Absentee Ballots**, as follows:

- Adopted by simple majority of the board of supervisors by a vote of _____ in favor and _____ against.
- Adopted by unanimous vote.
- Defeated by a vote of _____ in favor and _____ against.
- Defeated by voice vote.
- Action Deferred by Procedural Action, as follows: _____

SIGNED BY:



Dean Johansen, County Board Chairperson

Attest: 

Carole T. Wondra, County Clerk

CERTIFIED COPY OF POLK COUNTY RESOLUTION

STATE OF WISCONSIN

COUNTY OF POLK

I Carole T. Wondra, Polk County Clerk due hereby certify that the attached hereto and incorporated herein is a full, true and correct copy of Resolution No. 25-16, adopted by the Polk County Board of supervisors at its regular business meeting held on June 21, 2016.

Carole T. Wondra 6-23-16

Carole T. Wondra, Polk County Clerk

Date