

**Ald. Konkel Suggestions for
Madison Advisory Elections Committee
re: Ordinance to establish limitations on political
and campaign activities of election employees.**

First of all, the more I look into this ordinance and try to figure out how to fix it, it seems the more complications and loopholes I discover. While I may personally believe there are some issues that can proactively be addressed, there hasn't been a demonstrated problem, beyond the perception that was created by the media. I think this ordinance is fraught with problems and doesn't get to the issues that could be addressed. I think perhaps the best thing to do is place this on file and continue the discussion. However, in the event that you don't place it on file, here are some suggestions for improvements.

Capture Campaign Activity

I am much more concerned about campaign activity occurring in polling places than someone's involvement in political activity outside of the polling place the other days of the year. I agree that someone who is highly visible in a campaign should not be a poll worker in the very wards that they are campaigning in. I think this should apply to volunteers as well as persons who are paid for their services. As a result, I would suggest that you change the definition of campaign activity as follows:

c. "Campaign Activity" means any of the following activities:

- i. Serving as a treasurer of a campaign committee for any candidate running in the ward in which the poll worker is working, or,
- ii. Making a contribution to a candidate running in the ward in which the poll worker is working, or
- iii. Endorsing a candidate running in the ward in which the poll worker is working, or
- iv. Appearing on literature of a candidate of any person running in the ward in which the poll worker is working, or
- v. Being a family member of a candidate running in the ward in which the poll worker is working.

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ii. Being a candidate for election.

3. No person shall work for the City as an Election Employee or volunteer in any ward in which the person engaged in Campaign Activity within the election cycle. No candidate or incumbent shall work as a poll worker in any ward in which they were elected or in which they are running for office during the current election cycle.

Deleted: No person shall be employed by the City as an Election Employee if that person engaged in Political Activity within the twelve (12) months preceding the election

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Definition of Political Activity

While I am less concerned about political activity and in fact believe it could be removed, I do think that if it stays in, the following changes are necessary.

1. The definition of "political activity" is missing some types of committees.
2. The definition of "political activity" does not include officers and directors of the sponsoring organizations.
3. I'm not sure why a 527 is the standard. There are many political groups that are attempting to influence elections that would not have to register with the IRS as a 527

and it would be very difficult to verify the status and officers and directors of any 527 unless the spend over \$25,000. The groups listed in iii. are the committees that we need to cover.

4. It does not cover elections committee chairs of political parties and various other well-known politicians around town.

b "Political Activity" means any of the following activities:

- i. Serving as an officer or director of a political party, or,
- ii. Serving as a political director or chair of the elections committee for a political party. or
- iii. Serving as an ,treasurer of a political action committee, legislative campaign committee, political group (referendum), recall committee, independent committee or serving as an officer or director of a sponsoring organization a sponsoring organization of any of the above, or
- iii. Are an individual required to file an EB-1, or
- iv. Serving as and administrator for a conduit or serving as an officer or director of a sponsoring organization for a conduit,

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Definition of Election Employee vs. Volunteer

I like an idea I heard from Alder Schumacher which would be to restrict LTEs from working in the Clerk's office on elections issues. Additional LTEs could be employed during heavy campaign periods, but they would work on duties other than elections related duties. If you do not restrict this ordinance to employees in the clerks office, then this ordinance should include volunteers as well.

"(g) Limitations On Political And Campaign Activities Of Election Employees.

2. Definitions. As used in this Subdivision (g):

- a "Election Employee" means any person working (paid or unpaid) for the City of Madison whose duties include the oversight of the conduct of elections or the receipt or review of election filings such as nomination papers or finance reports.