

July 11, 2007

TO: Common Council
FROM: Madison Election Advisory Committee
Sybil Better, Chair
RE: Proposed Ordinance Limiting Political and Campaign Activities of Election Employees

A proposed ordinance establishing limitations on political and campaign activities of election employees was referred to the Madison Election Advisory Committee (MEAC) by the Common Council on June 5, 2007. The MEAC took this referral very seriously. Over the course of one month, the Committee held three meetings lasting over five and one-half hours to consider the proposed ordinance. At each meeting, a public hearing was held and approximately 20 speakers testified, including several alders. Of those testifying, the predominant position was in opposition to the proposed ordinance.

The MEAC appreciates the concern that led Alder Brandon to introduce the proposal and many others alders to support it. However, we believe that the proposed ordinance goes too far to address what seems to be primarily a problem of perception. No one, even among those speaking in support of the ordinance, identified any instances in which ballots or campaign finance reports were intentionally mishandled.

The MEAC believes that the proposed ordinance:

- Has a very broad definition of election employee and would cover not only the five staff in the City Clerk's office but also many other city employees, volunteers and others who participate in the election process.
- Inadequately defines "political activity" although it remains unclear what a satisfactory definition would be.
- Precludes politically active individuals from becoming election employees for 12 months, which is a long period of time and undoubtedly too long in some if not many circumstances (e.g., the person's candidate loses in the primary).

Were this ordinance to pass, it would

- Make it more difficult for the City Clerk's office to effectively administer the election process.
- Increase the difficulty of recruiting poll workers.

The MEAC recommends that

- the Common Council place the ordinance in its current form on file,
- the City Clerk establish a policy allowing only full-time workers to handle all candidate election issues, and
- no changes be made in current poll worker requirements.

The MEAC's recommendation to place the proposed ordinance on file is based on the specificity of its language. The Committee is very willing to review any re-draft of the ordinance and/or consider any issues that the Council wishes to refer to it. We are particularly concerned about any changes that might affect poll worker recruitment and retention. Before any such changes are made, it is crucial that ample time and opportunity be provided to engage poll workers and receive their input.