

Explanatory Statements as to the Two Questions

1. Explanatory statement regarding Question 1:

The Wisconsin Constitution does not limit the ability of the state or local governments to receive non-governmental grants, funds, or equipment to assist in carrying out election-related responsibilities. Question 1 would add a new provision to the Constitution to prohibit the state or local governments from applying for, accepting, expending, or using such funds to assist with carrying out “any primary, election, or referendum.” The question would appear to apply to any type of non-governmental grant or funding, no matter how general in scope.

A “yes” vote on Question 1 would vote to create a new provision of the Wisconsin Constitution—Wis. Const. art. III, § 7(1). That provision would prohibit a state agency or local government from applying for, accepting, expending, or using any non-governmental moneys or equipment in connection with the conduct of any election.

A “no” vote on Question 1 would vote not to add Wis. Const. art. III, § 7(1) to the Wisconsin Constitution.

2. Explanatory statement regarding Question 2:

Wisconsin statutes define and regulate how clerks can designate individuals to serve as election officials and carry out various tasks relating to elections. The Wisconsin Constitution does not separately spell out which individuals can do that work.

Question 2 would add a new provision to the Constitution to prohibit individuals from performing tasks related to an election

unless they are an “election official designated by law.” Under current statutes, clerks have the statutory power to designate individuals to carry out election-related tasks, and so such designated individuals could continue doing their work as an “election official designated by law.” But that power is only statutory, and if the statutes changed, the new constitutional provision would bar clerks from designating individuals to assist with election-related tasks.

A “yes” vote on Question 2 would vote to create a second new provision of the Wisconsin Constitution—Wis. Const. art. III, § 7(2), which would prohibit an individual from performing election-related tasks unless they are an “election official designated by law.”

A “no” vote on Question 2 would vote not to add Wis. Const. art. III, § 7(2) to the Wisconsin Constitution.

DONE in the City of Madison,

this 6th day of March, 2024.

Scott McDonell, Dane County Clerk