

## 5.A Documents Delivered to Clerks and Elected Officials.

This document describes all the documents you might deliver to clerks and elected officials involved in the referendum/resolution process in the city or village you are working in. This includes the city/village clerk and the council/board members.

These documents are ready-to-use templates – but you may modify some of them if you feel the urge or see a local reason to. We recommend you do not modify 5.E and 5.F as we are trying to maintain consistency of language across the state. The fields that you need to customize, in each document, for your municipality are in red.

**There are eight documents** to be delivered to various persons – and that make up the rest of this section.

- 5.B Cover Letter to Clerk for Petition
- 5.C Certification of UTA Petition
- 5.D Cover Letter to Council or Board
- 5.E City/Village Full Resolution
- 5.F Example of Wording for the Ballot
- 5.G Public Official Notification Letter
- 5.H Where to Send Labels Avery 8660
- 5.I Type A and Type C Notice examples

We first discuss the purpose of each of these documents. Then we tell you who gets each of these documents and when. **Early hint: You might provide a copy of the first seven documents to the clerk when you also deliver all of the petition signature sheets you collected.**

(Note: Beyond these working documents, you might consider delivering to the clerk one or two general information documents – to be given to the board members. These might include documents from Chapter 4: A, B, C, and M, N, O – the file names are shown with the letters in this handbook.)

### Summary Table – details below

Document Name	Purpose	Who (Clerk Gets All of them)	When (All to Clerk w/Petitions)
5.B	Cover Letter to Clerk for Petition	Clerk only	With the completed petitions
5.C	Referendum Certification Letter	Clerk to Council/Board Members	With 5.D and 5.E after certifying sigs
5.D	Board Member Cover Letter	Clerk to Council/Board Members	With 5.C and 5.E after certifying sigs
5.E	Full Resolution Language	Clerk to Council/Board Members	With 5.C and 5.D after certifying sigs
5.F	Example of Wording for the Ballot	Clerk to County Clerk for Ballot	After the council/board votes
5.G	Public Officials Notification Letter	Clerk to Public Officials	After election results
5.H	Public Officials Mailing Labels	Clerk to Print Labels	With the completed petitions
5.I	Type A and Type C Notice examples	Clerk if s/he asks about this	Before election day if clerk asks

The clerk gives these three to each council or board member after s/he certifies the petitions.

### ***What is the purpose of each document and who receives it?***

#### 5.B Cover Letter to Clerk for Petition

This is the submittal letter explaining the petition for direct legislation process and instructing the clerk what needs to be done with all the information. Only the City/Village clerk needs to receive this document – as it is addressed to her/him. *Also while you hand this information to the clerk, we suggest you ask to be put on the agenda for the next council/board meeting to give a presentation and/or answer questions for the board*

#### 5.C Certification of UTA Petition

This is a example certification page for the clerk to show the council/board members that the requirements of state statutes have been met by the submitter/group – requiring they pass the resolution, or, as we prefer, they put it to a referendum ballot. The clerk may have her/his own template – which s/he might use instead. A copy

of her/his certification is given to each board member with a copy of each 5.D = Cover Letter and 5.E = Full Resolution. If the clerk has her own process and forms, suggest to her/him to ignore our example.

#### 5.D Cover Letter to Council or Board

This is the cover letter explaining why we are asking the council/board to put the referendum on the ballot, and what the resolution is about. Ask the clerk to make copies of this document and the 5.C = Certification Letter, and 5.E = Full Resolution document and deliver them to each of the council/board members.

#### 5.E City/Village Full Resolution

This is a copy of the full resolution that we are asking the council/board members to pass after greater than 50% of voters have voted YES on the ballot. We are also asking the council/board to pass **this** resolution language even if they decide to pass the resolution on their own – rather than put it on the ballot as we prefer. This is the full resolution language represented by the shortened language put on the ballot. This is sent to the council/board members with 5.D = Cover Letter, and 5.C = Certification Letter. The council/board authorized persons will sign passage of the resolution – in the spaces at the end of the document. They sign it after the referendum has passed, if they allow the referendum.

#### 5.F Example of Wording for the Ballot

This is a copy of what the ballot might look like for the clerk – so s/he doesn't have to try to extract this from the text of the full resolution. Only the City/Village clerk needs to receive this document. S/he will decide how this information will be shared with the County for placement on the ballot – after the city/village council/board votes to put it on the ballot. **IMPORTANT** – Ask the clerk to send the wording **as is**, without shortening it. THEN, when the time comes, ask her to allow you to verify the actual wording that she is intending to send to the county clerk – telling her that we are trying to ensure consistency of language across the state. AND follow up with her later to ask when and what she will send the referendum to the county.

#### 5.G Public Official Notification Letter

This is the notification letter that the referendum requires the clerk to send to each of the representatives identified in the next document (5.H = Labels.) Its intent is to show all levels of community's representatives that this community is calling for this constitutional amendment. This letter goes to all levels of government – including the President.

#### 5.H Where to Send Labels Avery 8660

This is a page formatted to print on Avery 8660 labels the mailing labels for each government representative to whom the clerk will send the 5.G = Notification. You should update this document with your *local-specific* representatives' contact information before giving it to the clerk. This makes her/his job easier – cooperation through comity. Instructions for identifying the representatives are provided at the bottom of this (the one you are reading right now) document.

#### 5.I Type A and Type C Notice examples

The clerk can find the rules and requirements for public notices of referendum at this site:

<https://elections.wi.gov/clerks/notices>. But s/he might not know how to write the notice and might ask you for example wording. You need be concerned with these only if the clerk asks.

#### ***Said another way: What documents do each of the actors get and when?***

City/village clerk – Bring the first seven documents – 5.B to 5.H when you bring her/him the signed petitions. This should be done as soon as the last signature is collected within the 60-day collection period. If there is a delay, and 60 days passes since the day of the first signature, early signatures will start becoming invalid – starting back at the first day of signature collection. If not all of the forms are ready on time, at least get the

cover letter and the signed petitions in on time. The other forms are not *required* nor subject to the 60-day requirement – and can be brought in later – but soon. The clerk has 15 days to certify the petition, or notify the group of discrepancies. When the board has approved putting the referendum on the ballot, you can bring the documents 5F to 5G to the clerk and discuss their significance and use.

If it makes sense, based on your relationship and conversations with the clerk, you can also bring, the other three documents (5F to 5G) with the signatures – rather than after the council or board meeting.

County Clerk – After the referendum is passed by greater than 50% of voters, the City Clerk has to send the ballot language (5F negotiated version) to the County Clerk to be put on the next voter ballot.

City/Village board members - The clerk should send each of the council/board members a copy of 5.C, 5.D and 5.E when she is processing the documents - to alert them about our referendum submittal. After the election, and assuming there is a majority YES vote, the clerk should resend each council/board member a copy of 5.E (Full Resolution) for their approval and signature by the appropriate person.

### ***Some things to know about text of each form***

#### 5.B Cover Letter to Clerk for Petition

The first page of this letter discusses what is expected of the clerk prior to the referendum being put on the ballot. The clerk knows how to get it on the ballot and we do not discuss that.

The second page of this letter discusses what is expected of the clerk once the electors have voted to pass the resolution. Of course, if the referendum is voted down, these tasks would not apply. We assume the clerk knows the process of informing the council/board members of the referendum passage, but ask her/him to include the resolution in that correspondence so the members can see the resolution they are passing.

This document is signed by a **resident** of the community.

#### 5.C Certification of UTA Petition

The local group might ask the clerk if s/he would like to have them send him or her an electronic copy of this form – so the clerk doesn't have to recreate it from the paper copy.

There are three “Date” fields to be filled in by the Clerk. The first two “Date” fields in the header and body paragraph is the date that the petitioners (that’s you – who *filed* the paperwork) *handed* the petition forms and other forms to the clerk, or her designee. The other date (shown as *Certified this [Day] day of [Month, Year]*) below the main paragraph, is when the clerk “certifies” there are adequate signatures and likely sends the Certification, and other appropriate, forms to the council/board members.

Note: The clerk has 15 days to either certify the signatures are adequate, or contact the group with the problems she sees that result in an inadequate number of signatures. Once the group is notified of the problems, they have 10 days to correct the problems and get back to the clerk. In either case, the certification date does not exist until the clerk is satisfied that there is an adequate number of signatures.

This document is signed the city/village **clerk**.

#### 5.D Cover Letter to Council or Board

We have not identified any comments needed to clarify this document

This document is signed a **resident** of the community.

### 5.E City/Village Full Resolution

This document is signed by whoever at the municipality is given the authority to sign resolutions for passage. They sign it after the referendum has passed, if they allow the referendum.

### 5.F Example of Wording for the Ballot

This document strips away the less relevant text to make the ballot language more understandable. This is the proposed text to go on the ballot. The United to Amend representative should ask the City/Village Clerk to copy them on the letter to the county clerk so you can verify what is proposed on the ballot and alert the City Clerk if the text is not accurate. If they change it and you are unsure if you should accept it as is, please send George Penn and Jim Crist a copy of what is proposed by the clerk and we can discuss it with you.

### 5.G Public Official Notification Letter

The local group might ask the clerk if s/he would like to have them send him or her an electronic copy of this letter – so the clerk doesn't have to recreate it from the paper copy.

### 5.H Where to Send Labels Avery 8660

We suggest you put the local-specific representative information for the municipality in the label positions – make it easier for the clerk and build relationships. Information on representative position for each label is shown at the bottom of the page. (For the process to find your local legislators, refer to bottom of the document “5.H Where to Send Labels Avery 8660”\_on the second page.)

### 5.I Type A and Type C Notice examples

Our knowledge is a little weak here – and we are not sure which of these is required for village vs. city clerks. The clerk can find the rules and requirements for public notices of referendum at this site: <https://elections.wi.gov/clerks/notices>. Only once did a clerk ask us for an example of text for these notices. While you can't tell them which of these notice types they need to place in the local paper, you can offer this document as an example of the language they might use. You need be concerned with these only if the clerk asks.