City of Lake Geneva
Vote for 1

○ Barb Krause

○ write-in:

Woods Elementary-Geneva Jt. 4
School Board Member
Vote for 1

○ Frank R. Broz

○ Quan Le

○ write-in:

Wisconsin Elections Commission
212 East Washington Ave, Third Floor
P.O. Box 7984
Madison, WI 53707-7984
608.267.0953 (direct)
608.228.7497 (cell)
608.267.0500 (fax)
nathan.judnic@wi.gov

From: Quan Le <quanmle@gmail.com>
Sent: Monday, August 23, 2021 1:19 PM
To: Judnic, Nathan - ELECTIONS <Nathan.Judnic@wisconsin.gov>
Cc: Hoag, Erin C - ELECTIONS <erin.hoag@wisconsin.gov>
Subject: Re: SD seats up for election in 2022

I'm asking as the official district clerk. Isn't the elections commission suppose to provide guidance for election official which I am.

Quan

On Mon, Aug 23, 2021 at 1:17 PM Quan Le <quanmle@gmail.com> wrote:

We're a very small district. It's a 3 person board with one elementary school. I don't think we have legal counsel. Can you send me an unofficial non-binding guidance or something?

Quan

On Mon, Aug 23, 2021 at 12:14 PM Judnic, Nathan - ELECTIONS <Nathan.Judnic@wisconsin.gov> wrote:

The WEC staff is attempting to help you sort out issues of board members and potential special elections based on resignations, appointments, etc. While we are certainly happy to help work through some of these issues and look at the applicable statutes, any formal legal advice would need to come from your board's legal counsel, not the WEC.

The Commission does not have authority over Chapter 17 (vacancies) or Chapter 120 – school board governance. Therefore if you are looking for formal advice to share with other members of the board, you should contact the board's counsel to obtain it.

Regards,

Nathan W. Judnic

Staff Attorney

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From: Quan Le <quanmle@gmail.com>
Sent: Monday, August 23, 2021 12:06 PM
To: Hoag, Erin C - ELECTIONS <erin.hoag@wisconsin.gov>
Cc: Judnic, Nathan - ELECTIONS <Nathan.Judnic@wisconsin.gov>
Subject: Re: SD seats up for election in 2022

Yes, I am looking for some kind of official memo from the wi elections commission stating that Eric Chapman is up for election in 2022 and the vacant seat that I'm filling does not expire until 2023.

On Mon, Aug 23, 2021 at 12:00 PM Hoag, Erin C - ELECTIONS <erin.hoag@wisconsin.gov> wrote:

Ok.

It sounds like the resignation probably happened after the 2021 spring election so the question is how much time is left on the term. If there is one year or less left, the election for your seat will be in 2022. If there is more than a year left, the next would be up for the 2023 election.

Not sure exactly what you're looking for here. Are you looking for some kind of memo format or something?

From: Quan Le <quanmle@gmail.com>
Sent: Monday, August 23, 2021 11:46 AM
To: Hoag, Erin C - ELECTIONS <erin.hoag@wisconsin.gov>
Cc: Judnic, Nathan - ELECTIONS <Nathan.Judnic@wisconsin.gov>
Subject: Re: SD seats up for election in 2022

Ok thank you. So Eric Chapman is up for election in 2022. That is clear.

Am I also up for election in 2022? I was officially sworn in this August so the vacancy occurred before November. I will double check on the exact timing of the resignation.

Also, can you provide me with a more official looking guidance to present to the other board members?

Quan Le

On Mon, Aug 23, 2021 at 10:34 AM Hoag, Erin C - ELECTIONS <erin.hoag@wisconsin.gov> wrote:

Hello Quan Le,

Erin from Wisconsin Elections Commission here. Based on what we discussed, and Wis. Stat. 120.42(2): "Elections to fill unexpired terms shall be held simultaneously with the elections for regular terms. In school districts electing members of the school board at large, the regular terms shall be filled by the appropriate number of candidates receiving the highest number of votes and the unexpired terms shall be filled by the appropriate number of candidates receiving the next highest number of votes".

It would appear that the election where you had two seats to fill was April 7, 2020 with Molly Polyeosk receiving the highest number of votes (getting the full term) and Eric Chapman receiving the second highest number of votes (getting the unexpired term). That means that if two years were left on the unexpired term, Eric Chapman would be up for reelection in 2022.

You also need to consider the vacancy you are filling. Based on Wis. Stat. §17.26(1g)(a), "Except as provided in sub. (1m), in a common, union high, or unified school district, by appointment by the remaining members. An appointee under this paragraph or sub. (1m) shall hold office until a successor is elected and takes office under s. 120.06 (6) or 120.42 (1). When a vacancy occurs in the office of a board member who is in the last year of his or her term, or when a vacancy occurs after the spring election but on or before the last Tuesday in November in the office of a board member who is not in the last year of his or her term, the successor shall be elected at the 2nd following spring election", the seat you are filling would also be up for election in spring 2022 or in the spring of 2023, depending on the timing of the most recent resignation.

I hope this is helpful! Please let me know if you have further questions.

Best,

Erin Hoag

Elections Specialist

Wisconsin Elections Commission

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elections.wi.gov

Wisconsin law now requires a photo ID to vote. For additional information, click here.