



RON TUSLER

STATE REPRESENTATIVE • 3rd ASSEMBLY DISTRICT

**Testimony Before the
Assembly Committee on Campaigns & Elections
and
Senate Committee on Elections, Ethics and Rural Issues**

May 29, 2019

Fellow committee members and Senate colleagues, thank you for taking the time for this joint hearing today on Assembly Bill 245/Senate Bill 240, Assembly Bill 246/Senate Bill 241, and Assembly Bill 247/Senate Bill 242. These bills were drafted at the request of the Wisconsin Elections Commission and make a number of changes that will clarify or update existing laws or repeal outdated provisions to ensure the efficient and effective administration of elections. These changes are **not** intended to be policy changes and have bipartisan support.

Assembly Bill 245/Senate Bill 240 addresses elections administration, recall petitions, and recount procedures; Assembly Bill 246/Senate Bill 241 addresses changes with voter registration; and Assembly Bill 247/Senate Bill 242 makes changes to absentee voting and voting procedures.

I would like to thank Senator Bernier for her hard work collaborating with the Elections Commission and getting these bills drafted. Likewise, thank you to the Elections Commission and its staff for identifying these areas in need of statutory updates and explaining the reasons behind these changes. Finally, I would like to thank Ranking Member Zamarripa and Ranking Member Miller for their cooperation and feedback to make these bills a truly bipartisan effort.

I will defer to the experts from the Elections Commission for further explanation and the rationale behind these bills. Thank you for your attention and consideration.

**Testimony of Meagan Wolfe
Administrator
Wisconsin Elections Commission**

**Senate Committee on Elections, Ethics and Rural Issues
Assembly Committee on Campaigns and Elections
May 29, 2019**

**Room 411 South, State Capitol
Public Hearing**

Chairperson Bernier, Chairperson Tusler and Committee Members:

Thank you for the invitation to provide testimony on behalf of the Wisconsin Elections Commission (WEC) regarding the three bills up for a hearing today.

These three bills contain many provisions adopted as part of the legislative agenda of the bipartisan Elections Commission. Some of the provisions have been part of the agency's legislative agenda for many years, and we appreciate the Legislature's willingness to consider adopting these recommendations. The Commission was careful to propose items that are administrative or technical in nature, that update or clarify inconsistencies in the statutes, and that improve the administration of elections. It did not include significant policy items in its legislative agenda. All of the proposed changes received the unanimous support of our Commission and therefore I am testifying in support of all three bills.

Given the variety of items included in the bills, I do not intend to provide detailed background regarding each individual provision, but I have provided a supporting memo for each bill which explains the Commission's request relating to each section of the bills. I will offer a brief overview of each bill and would be happy to address any questions.

Senate Bill 240/Assembly Bill 245

SB 240 and AB 245 include provisions related to miscellaneous election processes as well as recall and recount procedures. Several of the sections clarify and update the WEC's complaint process and its authority to issue either temporary orders or orders related to recount procedures when addressing a complaint. Other matters addressed in the bill include the following:

1. Accommodating electronic poll books which are being implemented by a growing number of municipalities.

2. Clarifying that municipalities may not create ward lines that cross boundaries of congressional, state assembly, or county supervisor districts.
3. Clarifying ballot requirements related to write-in votes for city offices and independent candidates at partisan primary elections.
4. Permitting local clerks to publish a sample ballot in a reduced size and creating consistent requirements for the publication of election notices.
5. Removing a requirement that the Commission widely distribute addresses of organizations certified to provide services to victims of domestic abuse or sexual assault, in order to avoid broadcasting potential addresses of voters using those facilities as a temporary address.
6. Deleting a reference to candidates withdrawing after being approved for ballot access, which is not a process that is actually available to candidates.
7. Permitting the use of election inspectors from outside a municipality but within the same county to work at central count locations.
8. Modernizing language regarding the transmission of official election results from county clerks to the WEC.
9. Establishing additional options for notifying candidates that a recount petition has been filed and the start of a recount.
10. Clarifying that signers of a recall petition must also include their printed name on the petition.

Senate Bill 241/Assembly Bill 246

SB 241 and AB 246 includes provisions related to the voter registration process. Many of the provisions are simply aimed at eliminating confusion over terminology related to a proof of residence document used for voter registration versus a photo identification document. Current statutes refer to the proof of residence document as an “identifying document,” which is a term borrowed from federal voter registration law. The Photo ID Law introduced definitions for “identification” and “proof of identification,” which voters must present in order to receive a ballot.

The proof of residence requirement for voter registration and the photo ID requirement for obtaining a ballot are a common source of confusion for clerks, election inspectors and voters. Using the term “identifying document” to describe a proof of residence document only adds to that confusion and the challenge of effectively training election

officials and educating voters. Eliminating the adjective “identifying” when referring to a proof of residence document will make better use of plain language and create a common understanding of terminology which translates into better election administration.

The other provisions of these bills reflect current and established practices and policies. These include:

1. Authorizing the Commission to send address verification postcards to voters who register by mail or online.
2. Permitting electors to use an electronic form to show proof of residence.
3. Including temporary receipts issued by the Division of Motor Vehicles as a valid form of proof of residence.
4. Confirming that a pay stub or pay statement qualifies as a valid form of proof of residence as well as a paycheck.
5. Clarifying that a new voter registration application must be submitted when a voter changes their name or address.

These provisions reflect either processes that are currently in place or a logical extension of the existing statutes and therefore the Commission does not view them as significant policy changes.

Senate Bill 242/Assembly Bill 247

SB 242 and AB 247 focuses on updating statutes related to absentee voting and Election Day voting procedures.

The most common questions we have received regarding this bill concern the language in Sections 7, 10 and 11 related to the option to cast a provisional ballot. I want to make clear that the proposed changes do not affect existing options for casting a provisional ballot. They only remove statutory language that has applied to a progressively smaller number of voters since 2014, when new legislation required that every voter registration application include a proof of residence document. At the time, approximately 1,000 electors who had registered without proof of residence were grandfathered in and could cast a provisional ballot which would be counted if they provided proof of residence by the Friday after the election in which they voted.

Currently there are approximately 35 electors remaining in this category because the rest have either provided proof of residence when voting or their voter registration has been deactivated through the statutory Four-Year Maintenance Process. After clerks record voter participation for the Spring Election into the statewide voter registration system,

and following the next mailing for the Four-Year Maintenance Process in June, there will be no individuals remaining in this category.

The proposed changes would clean up the statutes to remove references to a provisional ballot option that no longer exists. The actual law would remain the same regardless of whether the references to this type of provisional ballot are removed, but our recommended changes would reduce confusion for those trying to understand the provisional ballot options that do exist. In comparison to other states, Wisconsin has relatively few provisional ballots cast, most of them due to an elector not having a photo ID at the time of voting, and that small number of provisional ballots simplifies election administration procedures.

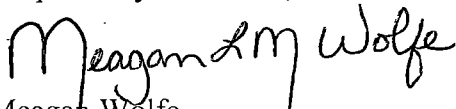
SB 242 and AB 247 update and clarify other statutes related to the rules for voting, including an elector's competency to vote; procedures related to former Wisconsin residents, military electors, and overseas electors; voting with Special Voting Deputies; and curbside voting. The curbside voting provisions reflect current practices and provide more specific guidance than the current statutes. Other provisions of the bill help to ensure the privacy of ballots processed at central count locations and clarify that it is a crime for someone to obtain a marked absentee ballot from a voter and fail to deliver the ballot to the municipal clerk or the polling place.

Taken together, these provisions would clean up some relatively minor but chronic issues with existing statutes related to voting by absentee ballot or on Election Day.

In summary, these bills will update and clarify a variety of election law provisions which will improve the administration of elections as well as our training of local election officials. It will also make it easier for voters and the public to understand the rules for elections and voting in Wisconsin.

Thank you for the opportunity to testify before this committee on these bills. I will be happy to respond to your questions.

Respectfully submitted,



Meagan Wolfe
Administrator

Wisconsin Elections Commission
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INTERIM ADMINISTRATOR MEAGAN WOLFE

MEMORANDUM

DATE: May 24, 2019

TO: Wisconsin Legislature

FROM: Meagan Wolfe
Administrator

SUBJECT: WEC Legislative Agenda Items Included in LRB-3377

This memorandum outlines items of the Wisconsin Elections Commission (WEC) legislative agenda which are incorporated into LRB-3377. The WEC legislative agenda request is described for the changes proposed in each section of LRB-3377, which focuses on various election administration processes, recall petitions and recount procedures. This memorandum is identical to WEC's summary memorandum regarding **LRB-2186**.

1. Sections 1, 2, 3, and 5 of LRB-3377 reorganize and clarify statutes related to the processing of complaints filed with the Commission. The net result of the changes would permit the WEC to receive complaints related to the conduct of a recount, such as calculating the proper recount fee or consistently applying recount standards when multiple boards of canvassers are involved. The provisions would not permit the Commission to review the result of a recount as court review is the sole remedy for challenging a recount result. The provisions would permit Commission staff to resolve procedural questions or conflicts more definitively and they are supported by the directive of Wis. Stat. § 9.01(10) that the Commission develop standard forms and procedures for use in recounts.
2. Section 4 authorizes the Commission to issue temporary orders when necessary to maintain the status quo while a complaint is being processed and investigated. Current statutes allow the WEC to issue an order to a local election official only after completion of an investigation. The provision would clarify the Commission's authority to direct a local election official to stay any action until the completion of a review or investigation, such as when the question is whether to schedule a recall election or whether a candidate has qualified for ballot access.
3. Section 6 clarifies that cities and villages may not draw ward lines that cross the boundaries of a congressional, state assembly or county supervisory district, as is

the case for townships. This provision avoids problems with assigning electors to the proper voting ward if a city or village annexes territory in different districts.

4. Section 7 clarifies that a line for write-in votes must be provided on ballots for city offices, as is required for ballots pertaining to other levels of government.
5. Section 8 deletes a requirement that independent candidates for state office appear on partisan primary ballots. This requirement was previously necessary to determine an independent candidate's eligibility for public funding and it was not removed when public funding for state candidates was eliminated. Independent candidates who qualify for ballot access do not have opponents at a partisan primary and automatically appear on the general election ballot.
6. Section 9 permits local clerks to publish a sample ballot in a reduced size as part of the Type B Notice. Wis. Stat. §10.02 (2)(c) already allows the ballot size to be reduced when publishing the notice, and this provision makes the statutes consistent and reduces costs that jurisdictions must incur when publishing election notices.
7. Section 10 updates the statutes to accommodate electronic poll books by eliminating the requirement to make paper copies of the poll list if an electronic poll book is used.
8. Section 11 removes outdated language regarding the availability of a copying machine while retaining language requiring that municipal clerks secure poll lists after they have been copied.
9. Sections 12, 13 and 14 removes a requirement that the WEC provide to each municipal clerk, on a continuous basis, the names and addresses of organizations certified to provide services to victims of domestic abuse or sexual assault. The provision requires the WEC to provide this information to municipal clerks as needed to confirm the eligibility of confidential voters (voters who are victims of domestic abuse or sexual assault). The addresses of organizations serving such voters may be sensitive information in that they provide temporary shelter to victims, and sending this information unsolicited to over 1,800 municipal clerks could also compromise the security of victims. These provisions better promote the security of victims of domestic abuse or sexual assault by requiring the addresses of service providers to be shared only as needed.
10. Section 15 accommodates the use of electronic poll books and the ability to update them for subsequent elections. This provision allows electronic poll books to be erased after the last day for filing a recount petition, but only if the clerk first transfers the electronic poll book data to a disk or other recording medium which must be retained for 22 months after the election, which is the required retention period for paper poll lists under state and federal law.

11. Section 16 removes a reference to a candidate withdrawing before an election, in the context of tallying write-in votes. However, Wisconsin Statutes do not provide a procedure for candidates to withdraw. Once a candidate qualifies for ballot access, their name cannot be omitted or removed from the ballot unless they die. This provision would eliminate questions and uncertainty about whether and how a candidate can withdraw after qualifying for ballot access.
12. Section 17 permits central count municipalities to appoint qualified electors of their county to serve as absentee ballot canvasser if the municipality cannot identify a sufficient number of qualified electors who are residents of the municipality. When 2013 Act 147 expanded the residency of election officials to the county in which they serve, it did not similarly modify the residency requirement for election inspectors appointed to assist with the central count absentee ballot canvassing process. This provision establishes more consistent residency requirements for the two categories of election inspectors, although municipalities must first attempt to identify sufficient central count inspectors who are residents before enlisting countywide residents.
13. Section 18 modernizes language regarding the method of transmitting official election results from the county to the WEC. The current statute requires county clerks to deliver or transmit to the Commission a certified copy of each county board of canvass statement. In current practice, county clerks use the Commission's Canvass Reporting System (CRS) to generate those statements using their secure login credentials, and then mail a signed copy of that report to the Commission. In 2014, the Legislature made a similar change by allowing political committees to sign their campaign finance reports electronically when certifying that information to the Government Accountability Board. The provision allows the WEC to use current technologies to determine the most efficient and secure method of transmitting official election results.
14. Section 19 establishes alternative processes for notifying candidates that a recount petition has been filed so that a recount is not delayed by a candidate attempting to avoid service of the notification. It permits the a candidate to acknowledge voluntary receipt of the recount petition or by the municipal clerk notifying the candidate by email or telephone. If all of those methods are unsuccessful the clerk must forward the petition to the sheriff for personal service. If the sheriff is unable to serve the candidate after 24 hours, the recount may proceed after the clerk publishes or posts notice of the recount at least 24 hours in advance of the start of the recount.
15. Section 20 clarifies that a signature on a recall petition may not be counted if the signer has not legibly printed their name on the petition. While 2013 Act 160 required the signer's printed name for nomination papers and election petitions, it did not add the same requirement for recall petitions. This provision creates consistent requirements for election petitions.

16. Section 21 eliminates the requirement that the WEC promulgate administrative rules for the purpose of prescribing the form of various election notices. The Commission creates sample forms which contain all of the information prescribed by the statutes and publishes the sample forms on its website. County and municipal election officials use the sample forms to create and publish the required notices for their elections. Administrative rules would not add any substantive guidance or standards for the creation of sample forms.
17. Sections 22, 23, 24 and 25 clarify that notice of any referendum at a Spring Primary or Partisan Primary must be included in Type A and Type C notices for those elections, as is required for notices that pertain to the Spring Election and the General Election.
18. Sections 26, 27, 28 and 29 create consistent requirements for the publishing of election notices at various elections. Current statutes omit references to publishing a Type A Notice of Referendum Election before the Spring Primary if the referendum does not relate to direct legislation, or a Type C Notice of Referendum for non-direct legislation referenda voted on at the Spring Primary or for any referenda to be voted on at the Partisan Primary, Finally, the statues do not mention publication of a Type D Notice of Polling Hours and Locations requirement for either the Spring or Partisan Primary although it is required as part of the general definition of the Type D notice at 10.01(2)(d). These provisions clarify that all relevant election notices must be published for each type of election.

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INTERIM ADMINISTRATOR MEAGAN WOLFE

MEMORANDUM

DATE: May 24, 2019

TO: Wisconsin Legislature

FROM: Meagan Wolfe
Administrator

SUBJECT: WEC Legislative Agenda Items Included in LRB-3378

This memorandum outlines items of the Wisconsin Elections Commission (WEC) legislative agenda which are incorporated into LRB-3378. The WEC legislative agenda request is described for the changes proposed in each section of LRB-3378, which focuses on absentee voting and voting procedures. This memorandum is identical to WEC's summary memorandum dated May 1, 2019 regarding **LRB-2329**.

1. Sections 1, 2 and 15 of LRB-3379 update language regarding determining whether an elector is competent to vote. The election statutes were not updated to reflect changes in the guardianship statutes or guardianship forms, which ensure the right to vote by persons who are under guardianship or adjudicated incompetent unless a court specifically determines that the individual is not competent to exercise the right to vote. This change would make the election laws consistent with current practice and with other state laws regarding guardianship and legal competency.
2. Section 3 clarifies a deadline for former Wisconsin residents to vote in a Presidential Election if they do not yet qualify to vote in their new state of residency. Current law allows former Wisconsin residents to cast a ballot in a Presidential Election if they do not yet qualify to vote in their new state but does not provide a specific deadline for requesting an absentee ballot. This provision clarifies such requests for absentee ballots by former Wisconsin residents must be submitted by 5:00 p.m. on the fifth day before the election, which is consistent with the deadline for most other absentee voters.
3. Section 4 repeals a provision requiring each municipal clerk to keep an updated list of eligible military electors that reside in the municipality in the format provided by the Commission, and to distribute a copy of the list to each polling place. The intent of this provision was to ensure compliance with absentee ballot procedures for military voters and with the exemption from the voter registration requirement

for military electors. In practice, all of the required information regarding military electors exists within the statewide voter registration system, and all known military voters automatically appear on the poll books. This change would reflect modernized procedures.

4. Section 5 exempts overseas electors from the requirement to submit a separate absentee ballot request before a Federal Write-In Absentee Ballot (FWAB) from that elector may be counted. The FWAB is a blank ballot that can be downloaded and marked with candidate names by a military or overseas elector if they do not receive an official absentee ballot in time to return it by Election Day. The declaration/affirmation page of the FWAB contains all the necessary information to serve as a request for an absentee ballot. Overseas voters face many of the same difficulties in voting as overseas military voters and this provision establishes a more consistent process for all overseas voters.
5. Section 6 clarifies that a FWAB is valid when submitted by an overseas elector, whether the elector is overseas permanently or temporarily. This is consistent with recent statutory changes regarding temporary overseas electors required by a federal court consent decree pertaining to the rights of temporary overseas electors under Wisconsin law.
6. Sections 7, 10 and 11 update information regarding options for provisional ballots by clarifying that provisional ballots cannot be cast by electors who did not provide a proof of residence document when registering to vote. Legislation enacted in 2014 eliminated this category of provisional ballots except for electors who were grandfathered in under prior law. Following the WEC's Four-Year Maintenance process in June 2019, there will no longer be electors remaining in this category because either they will have provided proof of residence to complete their registration or their voter registration will become inactive because they have not voted in four years and have not responded to a mailing.

Removing the remaining statutory language that mentions this category of provisional ballots will avoid the impression that a provisional ballot is an option for new registrants who do not have a proof of residence. These provisions would become effective on July 1, 2019 pursuant to Section 18 of the bill. Additional information regarding this item is outlined in a more detailed WEC memorandum.

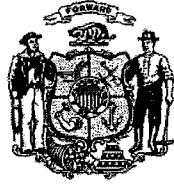
7. Section 8 updates language regarding the process of curbside voting for electors who are unable to enter the polling place due to a disability. The provision outlines the curbside voting process more specifically than current law and more accurately reflects the actual practice. This provision preserves procedures for verifying the elector's identity, securing ballots marked outside the polling place, and announcing the elector's name and address similar to the process for other Election Day voters.
8. Section 9 clarifies a specific section of the statutes related to electors who may or may not vote with Special Voting Deputies that serve nursing homes and other

adult-care facilities. Special Voting Deputies may serve electors in a multiple-use facility that includes nursing home, assisted living, and retirement home units or wings. This provision clarifies a statutory provision that is currently somewhat ambiguous by stating that residents of a retirement home portion of a multiple-use facility may not vote with Special Voting Deputies when a municipal clerk has not designated the retirement home unit as a “qualified retirement home” warranting service by Special Voting Deputies.

9. Sections 12 and 13 consolidate redundant language regarding the duty of municipal clerks to transmit ballots to absentee voters.
10. Section 14 eliminates the requirement to place the voter number on the back of ballots processed at central count locations. This provision protects the privacy of the ballot which could otherwise be traced back to identify the voter who cast it, unlike absentee ballots which are processed at polling places.
11. Sections 16 and 17 clarify that it is illegal to obtain a marked absentee ballot from another person and fail or refuse to deliver it to the municipal clerk or polling place, and define such violations as one of the prohibited election practices defined as a Class I felony.

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INTERIM ADMINISTRATOR MEAGAN WOLFE

DATE: May 24, 2019
TO: Wisconsin Legislature
FROM: Meagan Wolfe
Interim Administrator
SUBJECT: LRB-3378 Provisional Ballot Provisions

This memorandum outlines the reason that the Elections Commission requested changes to Wis. Stats. §§ 6.79(2)(d) and 6.97(1) to remove references to issuing provisional ballots to electors who have not provided a proof of residence document. The proposed changes have been incorporated into the draft of LRB-3378.

The need for the requested changes resulted from the grandfathering of voter registrations submitted prior to the enactment of 2013 Act 182, which became effective April 4, 2014. Prior to Act 182, electors who registered during the open registration period in the clerk's office or through a special registration deputy were not required to present a proof of residence document in order to be listed as a registered voter and included on the poll list. In addition, electors who submitted a voter registration application by mail but did not include a proof of residence document were listed on the poll list with a notation "POR Required." These individuals could then receive a ballot at the polls after presenting a proof of residence document to complete their registration requirements, or they could receive a provisional ballot which would be counted only if they presented the proof of residence to the municipal clerk by the Friday after the election.

2013 Act 182 eliminated the option to register without a proof of residence document, except for military and permanent overseas electors. However, the statewide voter registration system still includes a small number of electors designated as "POR Required" because they mailed in a registration application prior to April 4, 2014 but did not include a proof of residence document. Currently there are approximately 50 electors marked as "POR Required" in the statewide voter registration system, down from roughly 1,000 electors at the time the WisVote system was launched in 2016 as the modernized iteration of the statewide voter registration system.

The "POR Required" designation has been removed from most of the original pool of electors to which it applied for one of two reasons. Either the elector has subsequently voted and provided their proof of residence document, or they have been removed from the voter registration database as part of our Four-Year Maintenance process. Under that process, a voter who has not voted over the course of four years and three successive

General Elections receives a postcard inquiring whether they wish to remain registered. If the postcard is returned as undeliverable or the recipient does not respond within 30 days, their voter registration is inactivated and they need to re-register before they can vote again.

Pursuant to statutes, the WEC mails Four-Year Maintenance postcards in June of odd-numbered years which allow voter participation to be recorded in the WisVote system for the last General Election and Spring Election, meaning the next mailing will be sent within two months. All of the remaining individuals marked as "POR Required" because they have not voted since before the 2014 General Election will receive a postcard. If the postcard is returned as undeliverable or the recipient does not respond, their voter registration will be inactivated. If the recipient responds to their municipal clerk requesting that their registration be continued, they will be required to submit a proof of residence document, which will serve to eliminate the "POR Required" designation.

Regardless of whether the statutory provisions are amended as outlined in LRB-3378, after the Four-Year Maintenance mailing there will no longer be electors eligible to use a provisional ballot if they registered by mail without providing proof of residence prior to April 4, 2014. Continuing to include the existing statutory language that references this option only serves to confuse local clerks and voters about the availability of provisional ballots by incorrectly implying that a provisional ballot is an option for new registrants who have not provided a proof of residence document. Provisional ballots already can be a complicated topic and the WEC's goal in including this item in its legislative agenda was simply to clean up the statutory language to reflect the actual status.

There are no other elections scheduled prior to the Four-Year Maintenance mailing. The requested change is not related to, and will not affect, the option to complete a provisional ballot if an elector does not have a valid Photo ID when voting. The only other circumstance in which a provisional ballot may be cast in Wisconsin is when an individual who attempts to register to vote at the polling place on Election Day has been issued a Wisconsin Driver's License or Wisconsin DOT-issued State Identification Card but is unwilling or unable to provide the license or state identification card number, and the lack of that number is the only missing item of information required on the registration application.

In short, the provisions of LRB-3378 affecting Sections 6.79 and 6.97 related to provisional ballots are intended only to make the statutes clearer and more consistent, and they would not remove a provisional ballot option that would otherwise exist.

I hope this information is helpful, but please feel free to contact me if you need any additional information.

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INTERIM ADMINISTRATOR MEAGAN WOLFE

MEMORANDUM

DATE: May 24, 2019

TO: Wisconsin Legislature

FROM: Meagan Wolfe
Administrator

SUBJECT: WEC Legislative Agenda Items Included in LRB-3379

This memorandum outlines items of the Wisconsin Elections Commission (WEC) legislative agenda which are incorporated into LRB-3379. The WEC legislative agenda request is described for the changes proposed in each section of LRB-3379, which focuses on voter registration processes. This memorandum is identical to WEC's summary memorandum regarding **LRB-1456** dated May 1, 2019 except for one item which was removed from the bill and which would have deleted the requirement that municipal clerks include prepaid postage when they mail out voter registration applications.

1. Most of the changes proposed in LRB-3379 relate to clarifying the distinction between a proof of residence document used for voter registration and a photo identification document used to obtain a ballot. Throughout the election statutes, there are numerous references to a proof of residence document as an "identifying document," a term borrowed from federal law prior to the enactment of Wisconsin's Photo ID Law. LRB-3379 eliminates the term "identifying" when referring to a proof of residence document, which will help reduce confusion for election officials and voters interpreting the statutes. This amendment is included in Sections 1, 2, 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, and 22.
2. Section 3 permits the WEC to send address verification postcards to voters who register by mail or online. This is consistent with current practice in which the Commission sends these mailings on behalf of municipalities. This facilitates consistent compliance and leveraging State purchasing power for printing and mailing. This change would also be consistent with 2013 Wisconsin Act 149, which specifically authorized the agency to send out address verification postcards for voters who register on Election Day.

3. Section 6 permits an elector to provide their proof of residence document in electronic format when registering to vote. This is consistent with established WEC policy which recognizes that many documents such as bank statements, utility bills and paychecks may be generated only in an electronic format.
4. Sections 8 and 9 permit an unexpired driving receipt or an unexpired State identification card receipt issued by the Division of Motor Vehicles to be used as a proof of residence document when registering to vote. This is consistent with DMV's current practice of issuing a temporary receipt prior to issuing a driver license or state-issued identification card, which are valid proof of residence documents. This is also consistent with the Photo ID Law which recognizes those temporary receipts as being valid forms of identification.
5. Section 10 allows using a pay stub or pay statement as a proof of residence document when registering to vote, in addition to a paycheck which is currently permitted. As many voters no longer receive a physical paycheck, the WEC has previously interpreted the term "paycheck" to include pay stubs, pay sheets, or other payroll documentation such as a direct deposit statement. This provision would update and clarify the statutory language.
6. Section 18 requires an elector who has changed their name or address to complete a new voter registration application rather than simply notifying the election inspectors at the polling place of the change. The WEC has consistently required voters who wish to change their name to complete a new voter registration. This provision is consistent with current practice and previous legislation which removed this option for voters to make changes to their registration without submitting a new registration form, and would ensure that every change in a voter's registration is documented with a new voter registration.

Rep.Tusler

From: O'Bright, Lori J. <Lori.OBright@outagamie.org>
Sent: Thursday, May 23, 2019 16:20
To: Rep.Murphy; Rep.Petersen; Rep.Rohrkaste; Rep.Sortwell; Rep.Steineke; Rep.Stuck; Rep.Tauchen; Sen.Cowles; Sen.Jacque; Sen.Olsen; Sen.Roth
Cc: Rep.Tusler; Mark Matthew; Wadium, Mark M.; Hickey, Sara A.
Subject: FW: Urgent - Co-Sponsorship of LRB 1456/1, LRB 2186/1 and LRB 2329/1
Attachments: 19-1456_1.pdf; 19-2186_1.pdf; 19-2329_1.pdf; Memo for co-sponsorship of LRB 1456-2186-2329.pdf

Importance: High

Good Afternoon,

I would like to urge your co-sponsorship on the attached LRB drafts.

As Chief Elected Official for Outagamie County, my input is that these bills add clarity to a number of election functions.

As noted on the co-sponsorship letter: "These changes are not, nor are they intended to be, policy changes, rather, they are important updates to help ensure the efficient and proper administration of elections in Wisconsin." They have bi-partisan support.

As Rock County Clerk Lisa Tollefson reports in the email, her personal favorite is a change regarding "writing voter numbers on the back of ballots at central count locations," and I agree that change is very important. The reason this is an important change is that writing a voter number on a ballot ties the ballot to a voter if someone were to also review the poll list/absentee ballot log. If an open records request is received for ballot images, county clerks have tremendous work to redact ballot by ballot each of those numbers. Numerous counties now have municipalities that utilize central count locations. In Outagamie, Appleton and Grand Chute use central count to process their absentee ballots since 2018. Those are the two largest populous voting municipalities within Outagamie County.

Note that this is not an official position of Outagamie County as I haven't had time to request it with standing committees, but I'm urging your co-sponsorship and the changes as an elected official who administers elections for Outagamie County. If you have any questions regarding the attached and my recommendation, please feel free to contact me.

Thank you.

Lori J. O'Bright
Outagamie County Clerk
320 S. Walnut Street
Appleton, WI 54911
Phone: 920-832-5077
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From: Lisa Tollefson [mailto:Lisa.Tollefson@co.rock.wi.us]

Sent: Thursday, May 23, 2019 9:57 AM

To: Wisconsin County Clerks: cheryl.kroening@co.adams.wi.us; heather.schutte@co.ashland.wi.us; deeann.cook@co.barron.wi.us; sfibert@bayfieldcounty.org; juno_sl@co.brown.wi.us; roxann.halverson@co.buffalo.wi.us; whinrichs@burnettcounty.org; hauser.beth@co.calumet.wi.us; jsadler@co.chippewa.wi.us; christina.jensen@co.clark.wi.us; sue.moll@co.columbia.wi.us; jgeisler@crawfordcountywi.org; mcdonell@countyofdane.com; kgibson@co.dodge.wi.us; jlau@co.door.wi.us; sue.sandvick@douglascountywi.org; jwathke@co.dunn.wi.us; janet.loomis@co.eau-claire.wi.us; dtrudell@co.florence.wi.us; lisa.freiberg@fdlco.wi.gov; nmatuszewski@co.forest.wi.us; lgebhard@co.grant.wi.gov; mdoyle@greencountywi.org; lotto@co.green-lake.wi.us; greg.klusendorf@iowacounty.org; clerk@ironcountywi.org; kyle.deno@co.jackson.wi.us; audreym@Jeffersoncountywi.gov; ttreptow@co.juneau.wi.us; mary.kubicki@kenoshacounty.org; annoye.jamie@kewauneeco.org; gdankmeyer@lacrossecounty.org; carla.jacobson@lafayettecountywi.org; jnagel@co.langlade.wi.us; cmarlowe@co.lincoln.wi.us; jessicabackus@co.manitowoc.wi.us; Nan.Kottke@co.marathon.wi.us; mcclerk@marinettecounty.com; gsorensen@co.marquette.wi.us; slyons@co.menominee.wi.us; george.christenson@milwaukeecountywi.gov; shelley.bohl@co.monroe.wi.us; kim.pytleski@co.oconto.wi.us; thartman@co.oneida.wi.us; O'Bright, Lori J. <Lori.OBright@outagamie.org>; jwinkelhorst@co.ozaukee.wi.us; akbauer@co.pepin.wi.us; jamie.feuerhelm@co.pierce.wi.us; sharon.jorgenson@co.polk.wi.us; simoniss@co.portage.wi.us; jean.gottwald@co.price.wi.us; Wendy.Christensen@racinecounty.com; victor.vlasak@co.richland.wi.us; Lisa Tollefson <Lisa.Tollefson@co.rock.wi.us>; lbeebe@ruskcountywi.us; BEvert@co.sauk.wi.us; cwilliamson@sawycercountygov.org; Pam.Schmidt@co.shawano.wi.us; jon.dolson@sheboygancounty.com; cindy.campbell@sccwi.gov; andria.farrand@co.taylor.wi.us; paul.syverson@co.trempealeau.wi.us; rhoff@vernoncounty.org; daalle@co.vilas.wi.us; kbushy@co.walworth.wi.us; lolson@co.washburn.wi.us; ashley.reichert@co.washington.wi.us; mwartman@waukeshacounty.gov; jill.lodewegen@co.waupaca.wi.us; megan.kapp@co.waushara.wi.us; sertmer@co.winnebago.wi.us; tminer@co.wood.wi.us

Subject: Urgent - Co-Sponsorship of LRB 1456/1, LRB 2186/1 and LRB 2329/1

Importance: High

Good Morning,

Attached are three bills that includes fixes and changes to update statutes concerning elections. The Wisconsin Election Commission requested these clarifications. The memo attached gives a summary of the changes. (My personal favorite is the elimination of writing the voter number on the back of ballots at central count locations.)

Please urge your legislators to support these bills. If they would like to co-sponsor these bills, **the deadline is today, Thursday, May 23, 2019 at 5:00 p.m.**

Thank you,

Lisa Tollefson

Rock County Clerk

51 S Main St.

Janesville WI 53545

608-757-5660

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