
Meeting of the Board

Tuesday, October 20, 2015
9:00 A.M.

Agenda
Open Session

Government Accountability Board Offices
212 East Washington Avenue, Third Floor
Madison, Wisconsin

Tuesday, October 20, 2015

9:00 A.M.

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The Government Accountability Board may conduct a roll call vote, a voice vote, or otherwise decide to approve, reject, or modify any item on this agenda.

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P. Closed Session

5.05 (6a) and 19.85 (1) (h)	The Board's deliberations on requests for advice under the ethics code, lobbying law, and campaign finance law shall be in closed session.
19.85 (1) (g)	The Board may confer with legal counsel concerning litigation strategy.
19.851	The Board's deliberations concerning investigations of any violation of the ethics code, lobbying law, and campaign finance law shall be in closed session.
19.85 (1) (c)	The Board may consider performance evaluation data of a public employee over which it exercises responsibility.

The Government Accountability Board has scheduled its next meeting for Tuesday, December 15, 2015 at the Government Accountability Board offices, 212 East Washington Avenue, Third Floor in Madison, Wisconsin beginning at 9:00 a.m.

State of Wisconsin\Government Accountability Board

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JUDGE GERALD C. NICHOL
Chair

KEVIN J. KENNEDY
Director and General Counsel

Wisconsin Government Accountability Board

212 East Washington Avenue
Madison, Wisconsin
September 1, 2015
9:00 a.m.

Open Session Minutes

<u>Summary of Significant Actions Taken</u>	<u>Page</u>
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F. Approved Software Licenses for SVRS Modernization	3
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Present: Judge Gerald C. Nichol, Judge John Franke, Judge Timothy L. Vocke and Judge Harold Froehlich (in person), and Judge Elsa Lamelas and Judge Thomas Barland (by telephone)

Staff Present: Kevin J. Kennedy, Jonathan Becker, Michael Haas, Ross Hein, Sharrie Hauge, Nathan Judnic, Reid Magney, Brian Bell, Matthew Kitzman, David Buerger

A. Call to Order

Chairperson Nichol called the meeting to order at 9:11 a.m.

B. Director's Report of Appropriate Meeting Notice

Director Kevin J. Kennedy informed the Board that proper notice was given for the meeting, and reviewed supplemental materials in Board Members' folders.

C. Approval of Minutes of Previous Meeting

June 18, 2015

July 13, 2015

MOTION: Approve the minutes of the June 18 and July 13, 2015 meetings of the Government Accountability Board. Moved by Judge Froehlich, seconded by Judge Barland. Motion carried unanimously.

D. Personal Appearances

Mary Ann Hanson of Brookfield appeared on her own behalf to express concern about the Board setting standards for electronic poll books. She said the staff is busy implementing voter ID and modernizing SVRS, and urged the Board not to introduce electronic poll books during 2016 elections.

Andrea Kaminski of Madison appeared on behalf of the League of Women Voters of Wisconsin to clarify statistics she presented in June 2015 regarding the number of registered voters who may not have an acceptable form of ID to vote. She also urged the Board to adopt standards for electronic poll books so clerks who want can use them.

Fond du Lac County Clerk Lisa Freiberg appeared to ask the Board to permit staff to move forward with standards for electronic poll books. She said that if a pilot program is offered as a test, she would consider participating.

Dane County Clerk Scott McDonell appeared to discuss electronic poll books and issues clerks may face if they wish to implement them. He said he is more concerned about voter ID causing lines at polling places than electronic poll books, which should speed up the line.

Brown County Clerk Sandy Juno appeared to discuss electronic poll books, and said many municipalities are eager to participate in a pilot program. She discussed the benefits of having a statewide vendor or having the Board develop its own poll book program to reduce costs.

E. ES&S Voting Equipment Approval

Elections Division Administrator Michael Haas and Elections Specialist Matthew Kitzman made an oral presentation based on a written report beginning on page 16 of the September 2015 Board Meeting Materials.

Mr. Kitzman reviewed the report, explaining that the Unity system is an upgrade to systems the Board approved two years ago, with the biggest change being the switch from Windows XP to Windows 7 as the computer operating system.

Board Members and staff discussed the requirement that the vendor submit a redacted technical specifications package to receive approval. Mr. Kitzman explained that staff received a complete technical packet, and the redacted version allows the Board to fulfill public records requests for information without disclosing trade secrets and security information.

Board Members and staff also discussed the testing and certification processes of the U.S. Election Assistance Commission, which has certified this equipment.

MOTION: Adopt the staff’s recommendations for approval of the Election Systems and Software’s Application for Approval of Unity 3.4.1.0 voting system, EAC certificate ESSUnity3410, including the conditions described in the memorandum.

MOTION: Adopt the staff’s recommendations for approval of the Election Systems and Software’s Application for Approval of Unity 3.4.1.1 voting system, which is a modification of the EAC approved Unity 3.4.1.0, EAC certificate ESSUnity3410, including the conditions described in the memorandum.

Both motions moved by Judge Franke, seconded by Judge Vocke. Motions carried unanimously.

F. Microsoft License for SVRS Modernization (WisVote)

Elections Division Administrator Haas, Elections Supervisor Ross Hein and SVRS Trainer Juanita Borton made oral presentations based on a memorandum starting on page 60 of the September 2015 Board Meeting Materials regarding a request to purchase licenses for Microsoft Dynamics CRM, the software platform on which the modernized Statewide Voter Registration System is being built. The cost to obtain 2,000 licenses for clerk access and use is \$489,024.

Mr. Hein reviewed the history of SVRS and details of the new system, which will be called WisVote. SVRS was purchased from a vendor, has a number of usability problems, and is coming to the functional end of its life. Dynamics CRM is “customer relationship management” software used first by corporations and more recently by governments to manage customer databases. Its advantage is that Microsoft maintains the underlying computer code. The G.A.B.’s information technology and program staff are using Dynamics CRM to modernize SVRS to be easier for clerks to use. In addition, there will be lower costs for server hosting and clerk training, amounting to half a million dollars over three years. Funding for the licenses and the software development comes from federal funds received under the Help America Vote Act. The funds have been reserved in the agency’s budget. The WisVote system is scheduled to launch in January 2016.

Board Members and staff discussed procurement details for the software licenses.

Ms. Borton gave a brief demonstration of some key differences between the old and new systems.

Board Members and staff discussed additional details of maintenance and support costs for the old and new systems.

MOTION: Approve the purchase of software licenses for Microsoft’s Dynamics CRM product in the amount of \$489,024.00. Moved by Judge Franke, seconded by Judge Froehlich. Motion carried unanimously.

Judge Nichol called a recess at 10:40 a.m. The Board reconvened at 10:57 a.m.

G. Report on E-Poll Book Survey

Elections Specialists David Buerger and Jennifer Webb made an oral presentation based on a memorandum starting on page 69 of the September 2015 Board Meeting Materials. At the June 2015 Board Meeting, the Board directed staff to survey clerks about their interest in electronic poll books. Staff reviewed the survey results from 806 clerks. Mr. Buerger said that while urban areas may have more interest in electronic poll books, there is widespread support for the Board to develop standards so such equipment may be sold in Wisconsin. Instead of full implementation, staff is recommending the development of standards followed by a pilot program to test the standards and equipment. The standards would focus on functionality and security issues. After a pilot program, implementation would be voluntary by municipalities.

Board Members and staff discussed electronic poll book vendors and how other states have approached electronic poll books differently. Minnesota and Ohio used vendors while Iowa and Michigan developed their own systems.

Director Kennedy explained that the key element is getting voter registration information from the state's system into the electronic poll book, then moving the voter participation information about who voted back into the state's system.

Board Members discussed the issue. Judge Franke said the agency should proceed with standards. Judge Lamelas expressed concern about other agency tasks for the upcoming election and said she does not support going forward now. Judge Froehlich expressed his desire for a wet signature on the poll book rather than an electronic signature.

MOTION: Direct staff to develop procedures, standards and proposed legislative changes for electronic poll books and report back to the Board at its next meeting. Moved by Judge Franke, seconded by Judge Vocke.

Roll call vote: Barland:	Aye	Franke:	Aye
Lamelas:	No	Froehlich:	No
Vocke:	Aye	Nichol:	Aye

Motion carried 4-2.

H. MyVote Wisconsin Design Contract

Division Administrator Haas made an oral presentation based on a written report starting on page 78 of the September 2015 Board Meeting Materials. He discussed the history of the agency's voter information website (MyVote.WI.gov) which was developed on a compressed time schedule in 2012 with a grant from the Department of Defense's Federal Voting Assistance Program (FVAP) to deliver absentee ballots to military and overseas voters. Staff has been working for more than a year on improving the website's usability; however, due to the grant expiring in November 2016, staff recommends retaining a private vendor to do much

of the remaining work. He said staff is looking for a vendor to create the look and feel of the website based on usability testing that has already been done by agency staff. Mr. Haas asked the Board to approve the motion on page 79 with modifications, authorizing staff to post a request for proposals.

Board Members and staff discussed the motion and options for using an existing state contract instead of issuing an RFP if that would expedite the process. If staff finds a more efficient process, it will bring a proposal to the Board for approval.

MOTION: Authorize the posting of a Request for Proposal related to the development and coding of the updated MyVote Wisconsin website, including a mobile version of the website, to be compatible with the agency’s voter registration system database. Moved by Judge Froehlich, seconded by Judge Barland. Motion carried unanimously.

I. Window for Lobbyist Contributions to State Officials Running for President

Ethics & Accountability Division Administrator Jonathan Becker made an oral presentation based on a written report starting on page 80 of the September 2015 Board Meeting Materials. He said that because Governor Walker is running for President of the United States, Wisconsin lobbyists have inquired about when it is permissible for them to make donations to his campaign. He explained that state statutes contain a “window” during which lobbyists may make campaign contributions, which is tied to the period for circulating nomination papers. Because nomination papers are not part of the process for major party candidates to get their name on the ballot, current statutes are silent on when lobbyists may contribute to a presidential candidate who is also a partisan elected state public official. Independent candidates and major party candidates whose party does not place them on the ballot have the ability to get on the ballot by circulating nominating petitions or nomination papers during certain time periods. Mr. Becker said staff is not making a specific recommendation, but requests a decision by the Board to provide lobbyists, candidates and the public with consistent advice during the 2016 presidential election cycle.

Board Members and staff discussed Mr. Becker’s memorandum.

MOTION: Communicate to the Legislature via a resolution the fact situation regarding lobbyist contributions to a presidential candidate, stating that statutes are ambiguous and suggesting it would be appropriate for the Legislature to address the issue and pass a law indicating when a lobbyist may first contribute to a state elected official who is a candidate for president or vice president. Moved by Judge Vocke.

Judge Froehlich said he would second the motion if Judge Vocke removes the word “ambiguous.” Board Members discussed the motion. Judge Vocke substituted the phrase “do not specifically address the issue.”

AMENDED MOTION: Communicate to the Legislature via a resolution the fact situation regarding lobbyist contributions to a presidential candidate, stating that statutes do not specifically address the issue, and suggesting it would be appropriate for the Legislature to

address the issue and pass a law indicating when a lobbyist may first contribute to a state public official who is a candidate for president or vice president.

Motion carried unanimously.

Director Kennedy said he would have the Board Chair review the resolution before transmitting it to the Legislature.

J. Request for Waivers of SEI Requirement

Ethics & Accountability Specialist Adam Harvell made an oral presentation based on a memorandum starting on page 91 of the September 2015 Board Meeting Materials. Two individuals who are required to file a Statement of Economic Interests have requested the Board waive part of the disclosure requirement for the names of business clients.

- John Zeratsky is a new member of the Moraine Park Technical College Board. Staff recommends the Board grant Mr. Zeratsky's request for waiver, and instruct staff to send notice informing him of that fact.
- John Horning is a Board Member of the Wisconsin Housing & Economic Development Authority. Staff recommends the Board grant Mr. Horning's request for waiver, and instruct staff to send notice informing him of that fact.

MOTION: Grant the Statement of Economic Interests waiver requests of John Zeratsky and John Horning and instruct staff to notify them of the waiver. Moved by Judge Vocke.

Board Members and staff discussed whether Mr. Horning is in a position as a WHEDA Board Member to do business with clients. Judge Vocke withdrew the portion of his motion with respect to Mr. Horning. Seconded by Judge Franke. Motion carried unanimously.

Mr. Becker said he would contact Mr. Horning and tell him the Board is reluctant to approve his request and needs more information. He will also contact WHEDA's counsel to see if they have any concerns. Staff will come back to the Board at the next meeting with information and a recommendation.

K. Administrative Rules

Staff Counsel Nathan Judnic made an oral presentation based on a memorandum starting on page 114 of the September 2015 Board Meeting Materials regarding administrative rules. He said that after communicating with the Legislative Reference Bureau, LRB has removed WIS. ADMIN CODE GAB §§ 1.29, 1.41, 1.55, 4.01, 20.01, 20.04, and chapters 4 and 5 because the Board has either explicitly declined to reaffirm them or the Board took no action to reaffirm them.

Regarding the administrative rule on technical college IDs for voter identification, Mr. Judnic reported the emergency rule is still in effect and the permanent rule has been approved by the Governor's office. Next steps are compiling reports to the Legislature, oversight committees,

and the Joint Committee on Review of Administrative Rules. He said the permanent rule should be in place before the emergency rule expires.

L. Legislative Status Report

Ethics Specialist Brian Bell made an oral presentation based on a memorandum starting on page 147 of the September 2015 Board Meeting Materials.

Judge Froehlich asked about the status of campaign finance statutes that have been struck down recently by courts. Staff Counsel Judnic said that at the Board's October meeting, staff will provide a comprehensive overview of recent cases, changes to the law and how that affects campaign finance administration going forward.

Director Kennedy discussed the Senate and Assembly's upcoming session calendars. He said staff has had some discussions with Senator Fitzgerald's office about a campaign finance bill. He also expects a bill to restructure the agency, but has not seen anything specific.

Judge Nichol called a break for lunch at 12:25 p.m. The Board reconvened at 1:05 p.m.

M. Proposed 2016 Government Accountability Board Meeting Schedule

Director Kennedy made an oral presentation based on a memorandum starting on page 164 of the September 2015 Board Meeting Materials regarding meeting dates for 2016. The proposed dates are:

Tuesday, January 12, 2016 (Teleconference)
Tuesday, March 1, 2016
Tuesday, April 26, 2016
Friday, June 10, 2016
Tuesday, August 30, 2016
Tuesday, October 18, 2016
Tuesday, December 13, 2016

Board Members offered no objections to the proposed meeting date schedule, and Judge Nichol said it was the consensus of the Board to adopt them.

N. Per Diem Payments

MOTION: Approve a half-day's per diem payment for preparation for the September 1, 2015 Board Meeting. Moved by Judge Vocke, seconded by Judge Franke. Motion carried unanimously.

O. Director’s Report

Ethics and Accountability Division Report – campaign finance, ethics, and lobbying administration

Written report from Division Administrator Becker and Division staff was included beginning on Page 169 of the September 2015 Board Meeting Materials. Mr. Becker highlighted a news release about lobbying activity in the first six months of the legislative session which generated many positive news stories.

Elections Division Report – election administration

Written report from Division Administrator Haas and Division staff was included beginning on Page 177 of the September 2015 Board Meeting Materials. Mr. Haas noted upcoming special elections for legislative offices, updated statistics for four-year voter record maintenance, and the polling place accessibility report.

Office of General Counsel Report – general administration

Written report from Kevin J. Kennedy, Sharrie Hauge and Reid Magney was included beginning on Page 195 of the June 2015 Board Meeting Materials. Director Kennedy thanked Mr. Magney for his work assisting the management team in responding to the Legislative Audit Bureau report on complaints received by the Board.

P. Closed Session

Adjourn to closed session to consider written requests for advisory opinions and the investigation of possible violations of Wisconsin’s lobbying law, campaign finance law, and Code of Ethics for Public Officials and Employees; confer with counsel concerning pending litigation and consider performance evaluation data of a public employee of the Board.

MOTION: Move to closed session pursuant to WIS. STAT. §§5.05(6a), 19.85(1)(h), 19.851, 19.85(1)(g), 19.85(1)(c), and 19.85 (1) (e), to consider written requests for advisory opinions and the investigation of possible violations of Wisconsin’s lobbying law, campaign finance law, and Code of Ethics for Public Officials and Employees; confer with counsel concerning pending litigation; consider performance evaluation data of a public employee of the Board; and deliberate or negotiate the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Moved by Judge Vocke, seconded by Judge Barland.

Roll call vote: Barland:	Aye	Franke:	Aye
Lamelas:	Aye	Froehlich:	Aye
Vocke:	Aye	Nichol:	Aye

Motion carried unanimously. The Board recessed at 1:12 p.m. and convened in closed session at 1:21 p.m. The Board adjourned in closed session at 3:46 p.m.

Summary of Significant Actions Taken in Closed Session:

- A. Complaints: Four matters considered; two matters dismissed.
- B. Personnel: One matter considered.
- C. Litigation: Eight pending matters considered.
- D. Contracts: One matter considered.

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The next regular meeting of the Government Accountability Board is scheduled for Tuesday, October 20, 2015, at the Government Accountability Board offices, 212 East Washington Avenue, Third Floor, Madison, Wisconsin beginning at 9:00 a.m.

September 1, 2015 Government Accountability Board meeting minutes prepared by:

Reid Magney, Public Information Officer

September 16, 2015

September 1, 2015 Government Accountability Board meeting minutes certified by:

Judge Thomas Barland, Board Secretary

October 20, 2015

State of Wisconsin \ Government Accountability Board

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JUDGE GERALD C. NICHOL
Chairperson

KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: For the October 20, 2015 Board Meeting

TO: Members, Wisconsin Government Accountability Board

FROM: Kevin J. Kennedy, Director and General Counsel

Prepared and Presented by:
David Buerger and Jennifer Webb – Elections Specialists

SUBJECT: Electronic Poll Book Standards

I. Background

In July 2013 Director Kevin Kennedy assembled a team to research and prepare for the potential use of electronic poll books in Wisconsin. The team was also charged with recommending standards for approval of electronic poll books pursuant to Wis. Stat. § 6.79(1m). The initial research report was presented to the Board at its December 2013 meeting. Board staff presented the final report at the March 2014 meeting with two recommendations. First, that the Board direct staff to continue to research and develop standards for approval of electronic poll books pursuant to Wis. Stat. § 6.79(1m); and second that the staff should conduct an analysis of the costs and benefits of developing in-house a custom electronic poll book system for use in Wisconsin. Both motions failed and Director Kennedy noted that based on the decision of the Board, staff would not devote any significant resources to further electronic poll book research.

At the April 2015 meeting, Manitowoc County Clerk Jamie Aulik appeared to request that the Board revisit the development of standards for electronic poll books and presented a letter signed by 107 municipal and county clerks requesting the same. At the June 2015 meeting, both voter advocates and election officials spoke in support of developing standards for the approval of electronic poll books for use in Wisconsin. During the Elections Division report the Board discussed the growing clerk interest in having the Board develop standards for certification and approval of electronic poll books. The Board directed staff to survey the clerks to determine their level of support for development of standards and the actual use of electronic poll books, if approved.

At the September 1, 2015 meeting the Board heard a report from staff that indicated a broad base of support for the development of standards for the testing and approval of electronic poll books. The Board directed staff to prepare procedures, proposed legislative changes, and standards for the approval of electronic poll books pursuant to Wis. Stat. § 6.79(1m). This memorandum outlines the proposed testing and approval process, recommended standards, and suggested legislative changes.

II. Overview of Proposed Testing and Approval Process

Board staff recommends that each electronic poll book system submitted for approval be subject to three levels of review and testing prior to approval.

- A. Administrative Review of Application –The electronic poll book vendor shall be required to submit an application to the Government Accountability Board for evaluation. The application shall include the information specified in Appendix A and any other information deemed necessary by the Board.
- B. Functional Configuration Audit – The vendor shall set up and configure a test system for examination by Board staff. Board staff will verify the system performs in accordance with the vendor’s specifications and Board requirements.
- C. Telecommunications Test – Board staff will test the ability of the electronic poll book to transmit and receive data electronically and communicate with other electronic poll books, a central server, or the statewide voter registration system.

Additionally, the Board may, at its discretion, require an electronic poll book system to be successfully used in an actual election prior to final certification and approval. Board staff shall supervise any such field test and provide a report to the Board on the performance of the system in that election.

After certification, each county or municipality which has contracted for an electronic poll book shall conduct an acceptance test at the time of delivery to ensure that the system received is the same as the one approved by the Board and that the system will be able to successfully send and receive data from state, county, or municipal servers.

III. Recommended Standards

Vendors seeking approval of electronic poll books by the Government Accountability Board must demonstrate that the system meets State requirements by producing evidence that the system meets the below minimum system requirements and required functionalities.

- A. Minimum System Requirements
 1. **Documentation** – The electronic poll book system must include documentation which fully describes the system, how to use the system, and the steps to access the various features of the system. This documentation may include, but is not limited to:
 - a. System architecture overview
 - b. Software and hardware descriptions
 - c. User operation manuals
 - d. Training materials
 - e. Technical manuals
 - f. Failsafe data recovery procedures
 - g. Security procedures
 - h. List of consumables and other supply chain information

2. **Safety** – The electronic poll book and any peripheral devices must be designed and built with components that limit the risk of injury or damage to any individual or hardware and minimize the risk of fire or electrical hazards.
3. **Accessibility** – The electronic poll book and any peripheral devices must be designed for easy handling and use by all election officials and voters. This includes the weight of the pieces of the system, ergonomics of the pieces, screen size and shape, screen contrast, typeface and font size.
4. **Durability** – The electronic poll book and any peripheral devices must be designed to withstand continuous use on Election Day.
5. **Data Encryption** – The electronic poll book system must encrypt all data stored locally as well as transmitted across a network.
6. **Voting System Isolation** – The electronic poll book system must not communicate or be connected to the voting system used at the polling place.
7. **Device Security** – Any components of the electronic poll book system that are used for other purposes prior to Election Day should be purged of any software and/or data not related to the upcoming election prior to being placed into service for an election.
8. **Network Security** – The electronic poll book system should be capable of transmitting data across a network to a central server or other electronic poll books. The system must be configured to prohibit connections to or from any network other than the authorized network. The system must also be capable of operating even when there is no Internet connectivity.
9. **Data Backup** – The electronic poll book system should allow for data recovery in the event of a system failure.
10. **Power Backup** – The electronic poll book system should be designed to allow for continued use in case of primary power failure.
11. **Data Transfer** – The electronic poll book system should be capable of import and export of data with the statewide voter registration system in a data format specified by the Board. Specific requirements include:
 - a. Ability for the electronic poll book to accept a file of pre-registered voters in the State-specified format that can be loaded into the electronic poll book directly by the election official without requiring additional manipulation.
 - b. Ability for the electronic poll book to accept a file containing updates (including late registrations and absentee ballot requests processed after the initial electronic poll book load) in the State-specified format that can be loaded directly into the electronic poll book by the election official without requiring additional manipulation.
 - c. Ability for the electronic poll book to export a file of election participation, in the State-specified format, which includes all of the State-specified fields, which can be loaded directly into SVRS by the election official without requiring

additional manipulation. The file must include both pre-registered voters that were loaded onto the electronic poll book ahead of the election, as well as supplemental voters that were added after the electronic poll book was loaded (election day registrations and late registrations received after the electronic poll book was loaded)

- d. Ability for the electronic poll book to export a file of Election Day registrations, in the State-specified format, which includes all of the State-specified fields, and which can be imported into the statewide voter registration system directly by the election official without requiring additional manipulation.

B. Required Functionalities

1. **Ease of Use** – The procedures for setting up the electronic poll book system, searching voter records, recording ballot issuance, and shutting down the electronic poll book system must be reasonably easy for an election official to learn, understand, and perform.
2. **List Storage** – The electronic poll book system must have the capability to store a list of voters, street addresses, polling locations, and ineligible persons adequate to support any jurisdiction in Wisconsin.
3. **Name/Address Search** – The electronic poll book system must have the capability to quickly search a list of voters by name or street address to support any jurisdiction in Wisconsin.
4. **Polling Place Lookup** – The electronic poll book system must be able to accurately determine a voter’s ward and correct polling place by name or street address.
5. **Capture of Signatures** – The electronic poll book system must have the ability to capture a signature from electors requesting a ballot.
6. **Election Day Registration** – The electronic poll book system must have the capability to accept new voter registration records and update existing voter registration records on Election Day.
7. **Ineligible List Matching** – The electronic poll book system must be able to compare new and updated voter registration records against the ineligible person list and notify the election inspector of a potential match.
8. **Incident Reporting** – The electronic poll book system must allow for detailed notes to be recorded for each voter record to document incidents and must be able to print any associated documentation.
9. **Audit Trail** – The electronic poll book system must be capable of maintaining and providing a user-readable, printable audit trail/record of all user actions.
10. **Confidential Voters** – The electronic poll book system must be capable of maintaining a separate list of confidential voters and withholding confidential information related to those voters.

Board staff recommends that for good cause shown, the Board may exempt any electronic poll book system from strict compliance with the above standards.

If the Board adopts the standards described above, staff recommends conducting a cost/benefit analysis to evaluate the options of permitting municipalities to purchase electronic poll books provided by vendors or developing a state-level electronic poll book system in-house directly incorporated into the statewide voter registration system. This data would be helpful to determine the most efficient and productive route to proceed before determining the scope and timing of any pilot program at a future election. A pilot program would then help Board staff further refine the draft standards and could help identify potential technological, administrative, and legal challenges prior to a full municipal or county-level implementation.

IV. Suggested Legislative Changes

While Wis. Stat. § 6.79 provides that the poll list may be maintained electronically, that statute as well as several other provisions would benefit from revision to maximize the cost-savings that can be realized by using an electronic poll book and otherwise account for the fact that the poll list may be maintained in an electronic format. Suggested revisions include the following:

Statute	Relevant Text	Suggested Revision
§5.02	None – to be created	Add “electronic poll book” to the list of definitions. “Electronic Poll Book” means the combination of mechanical, electromechanical, and electronic equipment (including the software, firmware, and documentation required to program, control, and support the equipment) that is used to access and maintain the electronic poll list.
§5.02	None – to be created	Add “electronic poll list” to the list of definitions. “Electronic poll list” means a poll list that is maintained in a computer database.
§6.79(1m)	Two election officials at each election ward shall be in charge of and shall maintain 2 separate poll lists...	If the lists are maintained electronically, only one electronic poll book is required to be used. An electronic poll book must be programmed so that the coordinated action of two (2) election inspectors is necessary to access the electronic poll book.
§6.79(1m)	If the lists are maintained electronically, the officials shall enter the information into an electronic data recording system that enables retrieval of printed copies of the lists at the polling place.	If the lists are maintained electronically, the officials shall enter the information into an electronic poll book that enables retrieval of printed copies of the lists at the polling place.

§7.23(1)(e)	Poll lists created for any election may be destroyed 22 months after the election at which they were created.	Add, “Electronic poll books may be cleared or erased after the latest day for the filing of a petition for a recount under § 9.01 for any office on the ballot. Before clearing or erasing the electronic poll book, a municipal clerk shall transfer all data required to reproduce the voter list to a disk or other recording medium which may be erased or destroyed 22 months after the election for which the list was created.”
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V. Recommended Motions

Board staff recommends the following motions:

MOTION 1: The Government Accountability Board adopts the above standards and procedures for the testing and approval of electronic poll books.

MOTION 2: The Government Accountability Board directs staff to conduct a cost/benefit analysis to evaluate the options of permitting municipalities to purchase electronic poll books provided by vendors or developing a state-level electronic poll book system in-house directly incorporated into the statewide voter registration system.

MOTION 3: The Government Accountability Board directs staff to incorporate the above recommended legislative changes into the Board’s legislative agenda and communicate those proposals to the Legislature.

Appendix A – Electronic Poll Book Application Requirements

1. Vendor name and contact information
2. Description of the electronic poll book system including hardware, firmware, and software version numbers
3. Vendor's affirmation that the Board shall be notified of any modification prior to making any offer to use, sell, or lease equipment
4. Production of a full and redacted set of the following:
 - A. System architecture and overview
 - B. Equipment specifications
 - C. Technical manuals or other technical documentation related to the system
 - D. User guides and training materials
 - E. Recommended security procedures
 - F. Failsafe data recovery procedures
 - G. List of consumables and other supply chain information
 - H. Repair or maintenance policies
5. Any reports from voting systems testing laboratories (VSTL) either accredited by the U.S. EAC or a VSTL approved by the Board indicating compliance with Wisconsin or any other state's electronic poll book standards
6. A list of municipalities, counties, or states using the system
7. Any known anomalies involving the functioning of the electronic poll book and how those anomalies were resolved
8. If any portion of the application or materials provided to the Government Accountability Board is copyrighted, trademarked, or otherwise trade secret, the application shall include written assertion of any protected interests and redacted versions of the application and all materials consistent with any properly asserted protected interests. Simply identifying the entire electronic poll book system or even an individual item as "proprietary" is not sufficient. Any assertion of proprietary rights must include detailed specifics of each item protected, the factual and legal basis for protection, whether there is anything public within the protected item, and if there is, how to extract it along with a statement whether there are costs to do so
9. Vendor's agreement to prepare the electronic poll book system for a test of the functionality or usability of the system developed by Board staff
10. Vendor's agreement to keep the Board informed of all hardware, firmware and software changes and all jurisdictions using the electronic poll book system as a condition of maintaining the Board's approval for the use of the electronic poll book system
11. Vendor's agreement to escrow, at its expense, a copy of the programs, documentation, and source code used for any election in the State with an agent approved by the Board
12. Vendor's attestation that the system meets the minimum system and functional requirements for use in Wisconsin
13. Vendor's agreement to pay all costs incurred by the State related to testing the electronic poll book

State of Wisconsin\Government Accountability Board

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JUDGE GERALD C. NICHOL
Chairperson

KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: For the October 20, 2015 Meeting

TO: Members, Wisconsin Government Accountability Board

FROM: Kevin J. Kennedy
Director and General Counsel
Wisconsin Government Accountability Board

Prepared and Presented by:
Diane Lowe
Lead Elections Specialist

SUBJECT: Ballot Format for 2016 Elections

At the December 16, 2014 Board meeting, a report was presented summarizing staff's efforts to improve ballot usability and to provide consistency of appearance of ballots used throughout the state. In addition, staff proposed basic guidelines for development of ballot designs for future elections. The Board approved the proposed general design format and guidelines and set out several additional requirements. Staff is requesting the Board's approval of recommended ballot formats for the 2016 Elections.

A. Background

G.A.B. staff began a deliberative process to update and improve ballot design in late 2013, starting with research into best practices and publications based on usability testing which focus on a less cluttered appearance, simply-worded instructions and clear navigational cues. The goal was not only to improve ballot usability but also to design a ballot template that would ensure all ballots looked reasonably similar across the state. After the 2014 recommended general election ballot format was publicized, it became apparent that some clerks did not approve of some of the design features, based upon their personal assessment of the ballot's readability as well as the operation of their specific voting equipment. Two legislative campaigns also filed a lawsuit to prevent the agency from requiring the use of its recommended ballot format. The lawsuit was eventually dismissed.

In an effort to more systematically collect, consider, and incorporate feedback from clerks and other interested parties, staff initiated a formal sample ballot design and approval process, culminating in the presentation of the recommended ballot format to the Board for its consideration. The process included inviting input from county and municipal clerks, ballot preparers and printers regarding the proposed format of the 2015 spring ballots. Communications were also sent to the Republican and Democratic parties, as well as the two elections committees

in the Legislature, to inform them of the revised process and to solicit their input regarding the ballot design. G.A.B. staff did not receive input regarding the 2015 spring election ballots from either the political parties or the elections committees.

At the December 2014 Board meeting, the proposed ballot designs for 2015 elections were presented to the Board. Staff incorporated the following into the design:

1. Relevant statutory requirements established in Wis. Stat. §§5.51-5.56, which address legibility of print, uniform appearance of candidate names, instructions to voters, notice to voters, information as to municipality, ward(s), election date and space for initials of inspectors or municipal clerk.
2. Usability features such as predominately left-justified text, mixed case print, clear instructions, navigational cues and shading.
3. Examples of ballots with lines between candidate names and without.
4. A clerk suggestion to place a line for inspectors' initials in the "For Official Use Only" section. This section is required for documentation of any remade ballots.

B. Decision of the Board

Considering the goal of uniformity in ballot design while still providing the flexibility to accommodate software limitations and conflicting personal preferences of Local Election Officials, staff recommended the following criteria for determining substantial compliance when reviewing ballot proofs submitted by county clerks.

Required:

- Use of a sans serif font.
- Center positioning of ballot title, "Instructions to Voters," and governmental categories.
- Left justification of Notice to Voters.
- Left justification of office title and instructions.
- Left justification of text in endorsement section, beginning with "Ballot issued by" through the "Certification of Voter Assistance" section.
- Navigational cues.
- "For Official Use Only" section must be formatted as shown on draft.

Preferred:

- Reverse shading (white on black) for Instructions to Voters and categories.
 - May use bold print with gray shading.
- The "W" in "write-in" may be capitalized and the colon is optional.
- For referenda, the words "Question," "Yes," and "No" may appear in all caps or initial caps.
- The municipality and wards may be centered in the endorsement section.

The Board accepted staff's recommendations and also approved a motion specifically requiring that ballots contain a line separating the names of candidates.

C. 2016 Ballots

As in 2015, staff solicited input with respect to the proposed ballot design for the 2016 elections. A communication was posted on the G.A.B. website inviting clerks to weigh in on the design. Ballot printers, the Republican and Democratic parties and the two elections committees in the Legislature were also notified of the posting and asked to contribute their comments. The suggestion and comments received are included with this memorandum.

There were no fall elections in 2015. Therefore, the Board's December 2014 approval only concerned ballots for the 2015 spring primary and election for nonpartisan office. The ballots submitted for approval for 2016 are for the four regularly-scheduled elections: Spring Primary, Spring Election and Presidential Preference Vote, Partisan Primary and General Election. The ballots are formatted as approved by the Board in 2014. However, due to the incongruity of the Spring Election/Presidential Preference ballot and the unique nature of the Partisan Primary, more explanation is required on these ballots to protect voters from over-voting or cross-voting.

Special Considerations

The Spring Election and Presidential Preference Vote optical scan ballot combines a partisan primary contest with nonpartisan contests. Additional instructions are needed to caution voters against voting in both parties or voting more than once and to try to clarify that only the Presidential Preference Vote is a partisan contest.

There are two variations on the optical scan ballot for this office, GAB-209ms. One ballot lays out the Presidential Preference contest with a party preference selection. The other treats the contest as a simple "vote for one" contest. There are pros and cons associated with both styles. A party preference selection on the ballot risks a voter mistaking it for a straight party selection and assuming marking a party gives all candidates in that party a vote. Staff believes that this risk is negligible due to the anticipation that both parties will have more than one candidate. The more likely voter error will be voting in both parties. When a party preference is designated, the vote in the preferred party will be preserved.

Historically, the Partisan Primary ballot is especially confusing to voters. Regardless of the long-standing law against cross-party voting, voters continue to attempt to vote in multiple parties. The Partisan Primary ballot includes additional guidance in the instructions and also within the party columns. The notation: "End _____ Party Primary" appears at the end of each party column along with a stop sign graphic, to signal to voters that they may not select candidates from multiple parties.

Recommended Motion

The Board approves the attached proposed ballot designs for the four regularly-scheduled 2016 elections.

Official Primary Ballot

Nonpartisan Office and Referendum

February 16, 2016

Notice to voters: If you are voting on Election Day, your ballot must be initialed by two election inspectors. If you are voting absentee, your ballot must be initialed by the municipal clerk or deputy clerk. Your ballot may not be counted without initials. (See end of ballot for initials.)

Instructions	County	Municipal (Cont.)
<p>If you make a mistake on your ballot or have a question, ask an election inspector for help. (Absentee voters: Contact your municipal clerk.)</p> <p>To vote for a name on the ballot, fill in the oval next to the name like this: <input type="radio"/></p> <p>To vote for a name that is not on the ballot, write the name on the line marked "write-in" and fill in the oval next to the name like this: <input type="radio"/></p>	County Executive Vote for 1	City Treasurer Vote for 1
	<input type="radio"/> Candidate	<input type="radio"/> Candidate
	<input type="radio"/> Candidate	<input type="radio"/> Candidate
	<input type="radio"/> Candidate	<input type="radio"/> Candidate
	<input type="radio"/> write-in:	<input type="radio"/> write-in:
	County Supervisor, District _ Vote for 1	Alderspersion, District _ Vote for 1
<input type="radio"/> Candidate	<input type="radio"/> Candidate	
<input type="radio"/> Candidate	<input type="radio"/> Candidate	
<input type="radio"/> Candidate	<input type="radio"/> Candidate	
<input type="radio"/> write-in:	<input type="radio"/> write-in:	
Judicial	Municipal	Alderspersion at Large Vote for 1
Justice of the Supreme Court Vote for 1	Mayor Vote for 1	<input type="radio"/> Candidate
<input type="radio"/> Candidate	<input type="radio"/> Candidate	<input type="radio"/> Candidate
<input type="radio"/> Candidate	<input type="radio"/> Candidate	<input type="radio"/> Candidate
<input type="radio"/> write-in:	<input type="radio"/> Candidate	<input type="radio"/> Candidate
Court of Appeals Judge, District _ Vote for 1	<input type="radio"/> Candidate	<input type="radio"/> Candidate
<input type="radio"/> Candidate	<input type="radio"/> Candidate	<input type="radio"/> write-in:
<input type="radio"/> Candidate	<input type="radio"/> write-in:	Municipal Judge Vote for 1
<input type="radio"/> Candidate	City Clerk Vote for 1	<input type="radio"/> Candidate
<input type="radio"/> write-in:	<input type="radio"/> Candidate	<input type="radio"/> Candidate
Circuit Court Judge, Branch _ Vote for 1	<input type="radio"/> Candidate	<input type="radio"/> Candidate
<input type="radio"/> Candidate	<input type="radio"/> Candidate	<input type="radio"/> write-in:
<input type="radio"/> Candidate	<input type="radio"/> write-in:	Turn ballot over to continue voting.
<input type="radio"/> Candidate	Continue voting at top of next column.	
<input type="radio"/> write-in:		
Continue voting at top of next column.		

School District	Official Primary Ballot Nonpartisan Office and Referendum February 16, 2016 for _____ Municipality and ward number(s)	
Name of School (optional) School Board Member Vote for not more than 2		
<input type="radio"/> Candidate		
<input type="radio"/> write-in:		
<input type="radio"/> write-in:		
Referendum	Ballot issued by _____ Initials of election inspectors	
To vote in favor of a question, fill in the oval next to "Yes," like this: <input checked="" type="radio"/>	Absentee ballot issued by _____ Initials of municipal clerk or deputy clerk (If issued by SVDs, both SVDs must initial.)	
To vote against a question, fill in the oval next to "No," like this: <input checked="" type="radio"/>	Certification of Voter Assistance I certify that I marked this ballot at the request and direction of a voter who is authorized under the law to receive assistance.	
Level of government conducting referendum (State, County, Municipal, School District...)	_____ Signature of assistor	
QUESTION 1: Shall the...?		
<input type="radio"/> Yes		
<input type="radio"/> No		
Page 2 of 2-sided ballot. Ballot begins on other side.		

For Official Use Only
<i>Inspectors: Identify ballots required to be remade.</i>
Reason for remaking ballot: <input type="checkbox"/> Overvoted <input type="checkbox"/> Damaged <input type="checkbox"/> Other
Original Ballot No. or Duplicate Ballot No. _____
Initials of inspectors who remade ballot _____

Official Primary Ballot

Nonpartisan Office

February 16, 2016

Notice to Voters: If you are voting on Election Day, your ballot must be initialed by two election inspectors. If you are voting absentee, your ballot must be initialed by the municipal clerk or deputy clerk. Your ballot may not be counted without initials. (See back of ballot for initials.)

Instructions to Voters

If you make a mistake on your ballot or have a question, ask an election inspector for help. (Absentee Voters: Contact your municipal clerk.)

To vote for a name on the ballot, make an “X” or other mark in the square next to the name, like this: To vote for a name that is not on the ballot, write the name on the line marked “write-in.”

Judicial	County
Justice of the Supreme Court Vote for 1	County Executive Vote for 1
<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate
<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate
<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate
write-in: _____	write-in: _____
Court of Appeals Judge, District _ Vote for 1	County Supervisor, District _ Vote for 1
<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate
<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate
<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate
write-in: _____	write-in: _____
Circuit Court Judge, Branch _ Vote for 1	
<input type="checkbox"/> Candidate	
<input type="checkbox"/> Candidate	
<input type="checkbox"/> Candidate	
write-in: _____	

Official Ballot

Presidential Preference Vote, Nonpartisan Office and Referendum

April 5, 2016

Notice to voters: If you are voting on Election Day, your ballot must be initialed by two election inspectors. If you are voting absentee, your ballot must be initialed by the municipal clerk or deputy clerk. Your ballot may not be counted without initials. (See end of ballot for initials.)

A	B	C
General Instructions	Presidential Preference (Cont.)	Judicial
<p>If you make a mistake on your ballot or have a question, ask an election inspector for help. (Absentee voters: Contact your municipal clerk.)</p> <p>To vote for a name on the ballot, fill in the oval next to the name like this: <input type="radio"/>.</p> <p>To vote for a name that is not on the ballot, write the name on the line marked "write in" and fill in the oval next to the name like this: <input type="radio"/>.</p>	Choose a Party Primary	Justice of the Supreme Court Vote for 1
	<p>Fill in the oval next to your party choice, like this <input type="radio"/>. Choose only ONE.</p> <p><input type="radio"/> Republican</p> <p><input type="radio"/> Democratic</p>	<p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> write-in:</p>
	Cast Your Vote for President	Court of Appeals Judge, District _ Vote for 1
	<p>Vote ONCE in your chosen party</p> <p style="text-align: center;">Republican Party Primary</p>	<p><input type="radio"/> Candidate</p> <p><input type="radio"/> write-in:</p>
Presidential Preference Vote	President of the United States Vote for 1	Circuit Court Judge, Branch _ Vote for 1
<p>In the Presidential Preference Vote:</p> <ul style="list-style-type: none"> You may vote in only ONE party's primary. You may vote only ONCE. If you vote more than once, your choices will not be counted. 	<p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> Uninstructed Delegation</p> <p><input type="radio"/> write-in:</p>	<p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> write-in:</p>
	Special Instructions for Presidential Preference Vote	Democratic Party Primary
<p>Choose the party in which you will vote. Within the party you have chosen, you have ONE of 3 choices:</p> <ul style="list-style-type: none"> Vote for a person whose name is printed on this ballot in the party you have chosen. Vote for an uninstructed delegation from Wisconsin to the national convention of the party you have chosen. Write in the name of another person to become the presidential candidate of the party you have chosen. 	President of the United States Vote for 1	County Executive Vote for 1
		<p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> Uninstructed Delegation</p> <p><input type="radio"/> write-in:</p>
	End Presidential Preference Vote	County Supervisor, District _ Vote for 1
	Nonpartisan offices begin at top of next column.	<p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> write-in:</p>
Presidential Preference Vote continues at top of next column.		Turn ballot over to continue voting.



Municipal	School District	
Mayor Vote for 1	Name of School District <i>(optional)</i> School Board Member Vote for not more than 2	Official Ballot Presidential Preference Vote, Nonpartisan Office and Referendum April 5, 2015 for _____ Municipality and ward number(s)
<input type="radio"/> Candidate		
<input type="radio"/> Candidate	<input type="radio"/> Candidate	
<input type="radio"/> write-in:	<input type="radio"/> Candidate	
City Clerk Vote for 1	<input type="radio"/> Candidate	Ballot issued by _____ _____ Initials of election inspectors
<input type="radio"/> Candidate	<input type="radio"/> Candidate	
<input type="radio"/> Candidate	<input type="radio"/> write-in:	Absentee ballot issued by _____ _____ Initials of municipal clerk or deputy clerk. (If issued by SVDs, both SVDs must initial.)
<input type="radio"/> write-in:	<input type="radio"/> write-in:	
City Treasurer Vote for 1	Referendum	Certification of Voter Assistance I certify that I marked this ballot at the request and direction of a voter who is authorized under the law to receive assistance. _____ Signature of assistor
<input type="radio"/> Candidate	To vote in favor of a question, fill in the oval next to "YES," like this: <input checked="" type="radio"/>	
<input type="radio"/> write-in:	To vote against a question, fill in the oval next to "NO," like this: <input checked="" type="radio"/>	
Aldersperson, District _ Vote for 1	Level of government conducting referendum (State, County, Municipal, School District...)	
<input type="radio"/> Candidate		For Official Use Only
<input type="radio"/> Candidate		Inspectors: Identify ballots required to be remade. Reason for remaking ballot: <input type="checkbox"/> Overvoted <input type="checkbox"/> Damaged <input type="checkbox"/> Other <i>Original Ballot No. or Duplicate Ballot No.</i> _____ _____ Initials of inspectors who remade ballot
<input type="radio"/> write-in:	QUESTION 1: Shall the ..?	
Aldersperson at Large Vote for 1	<input type="radio"/> Yes	
<input type="radio"/> Candidate	<input type="radio"/> No	
<input type="radio"/> Candidate		
<input type="radio"/> write-in:		
Municipal Judge Vote for 1		
<input type="radio"/> Candidate		
<input type="radio"/> Candidate		
<input type="radio"/> write-in:		
Continue voting at top of next column.		

Page 2 of 2-sided ballot. Ballot begins on other side.



Official Ballot

Presidential Preference Vote, Nonpartisan Office and Referendum

April 5, 2016

Notice to voters: If you are voting on Election Day, your ballot must be initialed by two election inspectors. If you are voting absentee, your ballot must be initialed by the municipal clerk or deputy clerk. Your ballot may not be counted without initials. (See end of ballot for initials.)

A	B	C
General Instructions	Judicial	Municipal (Cont.)
<p>If you make a mistake on your ballot or have a question, ask an election inspector for help. (Absentee voters: Contact your municipal clerk.)</p> <p>To vote for a name on the ballot, fill in the oval next to the name like this: <input type="radio"/></p> <p>To vote for a name that is not on the ballot, write the name on the line marked "write in" and fill in the oval next to the name like this: <input type="radio"/></p>	<p>Justice of the Supreme Court Vote for 1</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> write-in:</p>	<p>City Treasurer Vote for 1</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> write-in:</p>
	<p>Special Instructions for Presidential Preference Vote</p> <p>In the Presidential Preference Vote</p> <ul style="list-style-type: none"> You may vote only ONCE. If you vote more than once, your choices will not be counted. <p>You have ONE of 3 choices:</p> <ul style="list-style-type: none"> Vote for a person whose name is printed on this ballot. Vote for an uninstructed delegation from Wisconsin to the national convention of the party you have chosen. Write in the name of another person to become the presidential candidate of the party of your choice. <p>Fill in ONE oval ONLY for this office.</p>	<p>Court of Appeals Judge, District _ Vote for 1</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> write-in:</p> <p>Circuit Court Judge, Branch _ Vote for 1</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> write-in:</p>
	County	
	<p>County Executive Vote for 1</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> write-in:</p>	<p>Municipal Judge Vote for 1</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> write-in:</p>
	<p>County Supervisor, District _ Vote for 1</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> write-in:</p>	School District
		<p>Name of School District (optional) School Board Member Vote for not more than 2</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> write-in:</p> <p><input type="radio"/> write-in:</p>
Presidential Preference Vote		
<p>President of the United States Vote for 1</p>	<p><input type="radio"/> write-in:</p>	<p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p>
Republican Party Primary	Municipal	
<p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> Uninstructed Delegation</p> <p><input type="radio"/> write-in:</p>	<p>Mayor Vote for 1</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> write-in:</p>	<p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> write-in:</p> <p><input type="radio"/> write-in:</p>
Democratic Party Primary	<p>City Clerk Vote for 1</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> write-in:</p>	
<p><input type="radio"/> Candidate</p> <p><input type="radio"/> Candidate</p> <p><input type="radio"/> Uninstructed Delegation</p> <p><input type="radio"/> write-in:</p>	<p>Continue voting at top of next column.</p>	
End Presidential Preference Vote		
<p>Nonpartisan offices begin at top of next column.</p>		



Referendum		
<p>To vote in favor of a question, fill in the oval next to "YES," like this: <input checked="" type="radio"/></p> <p>To vote against a question, fill in the oval next to "NO," like this: <input checked="" type="radio"/></p>		<p>Official Ballot Presidential Preference Vote, Nonpartisan Office and Referendum April 5, 2015 for</p> <p>_____</p> <p>Municipality and ward number(s)</p>
Level of government conducting referendum (State, County, Municipal, School District...)		<p>Ballot issued by</p> <p>_____</p> <p>_____</p> <p>Initials of election inspectors</p>
QUESTION 1: Shall the ..?		<p>Absentee ballot issued by</p> <p>_____</p> <p>_____</p> <p>Initials of municipal clerk or deputy clerk. (If issued by SVDs, both SVDs must initial.)</p>
<input type="radio"/> Yes		<p>Certification of Voter Assistance</p> <p>I certify that I marked this ballot at the request and direction of a voter who is authorized under the law to receive assistance.</p> <p>_____</p> <p>Signature of assistor</p>
<input type="radio"/> No		For Official Use Only
		<p><i>Inspectors: Identify ballots required to be remade.</i></p> <p>Reason for remaking ballot:</p> <p style="margin-left: 40px;"><input type="checkbox"/> Overvoted</p> <p style="margin-left: 40px;"><input type="checkbox"/> Damaged</p> <p style="margin-left: 40px;"><input type="checkbox"/> Other</p> <p><i>Original Ballot No. or Duplicate Ballot No.</i></p> <p>_____</p> <p>_____</p> <p>Initials of inspectors who remade ballot</p>

Page 2 of 2-sided ballot. Ballot begins on other side.



Official Ballot

Nonpartisan Office

April 5, 2016

Notice to Voters: If you are voting on Election Day, your ballot must be initialed by two election inspectors. If you are voting absentee, your ballot must be initialed by the municipal clerk or deputy clerk. Your ballot may not be counted without initials. (See back of ballot for initials.)

Instructions to Voters

If you make a mistake on your ballot or have a question, ask an election inspector for help. (Absentee Voters: Contact your municipal clerk.)

To vote for a name on the ballot, make an "X" or other mark in the square next to the name, like this: To vote for a name that is not on the ballot, write the name on the line marked "write-in."

Judicial	County
Justice of the Supreme Court Vote for 1	County Executive Vote for 1
<input type="checkbox"/> Candidate Name	<input type="checkbox"/> Candidate Name
<input type="checkbox"/> Candidate Name	<input type="checkbox"/> Candidate Name
write-in: _____	write-in: _____
Court of Appeals Judge, District _ Vote for 1	County Supervisor, District _ Vote for 1
<input type="checkbox"/> Candidate Name	<input type="checkbox"/> Candidate Name
<input type="checkbox"/> Candidate Name	<input type="checkbox"/> Candidate Name
write-in: _____	write-in: _____
Circuit Court Judge, Branch _ Vote for 1	
<input type="checkbox"/> Candidate Name	
<input type="checkbox"/> Candidate Name	
write-in: _____	

Official Ballot

Presidential Preference Vote

April 5, 2016

_____ Party Primary

Notice to Voters: If you are voting on Election Day, your ballot must be initialed by two election inspectors. If you are voting absentee, your ballot must be initialed by the municipal clerk or deputy clerk. Your ballot may not be counted without initials. (See back of ballot for initials.)

If you make a mistake on your ballot or have a question, ask an election inspector for help. (Absentee Voters: Contact your municipal clerk.)

Presidential Preference Vote

In the presidential preference primary:

- You may vote in only ONE party’s primary.
- You may vote only ONCE.
- If you vote more than once, your choices will not be counted.

Instructions for Presidential Preference Vote

Mark this ballot in one space only. You have one of 3 choices:

1. Vote for a person whose name is printed on this ballot by making an “X” or other mark in the square next to the name, like this: , **or**
2. Vote for an uninstructed delegation from Wisconsin to the national convention of the _____ Party by making an “X” or other mark in the square next to “Uninstructed Delegation,” like this: , **or**
3. Write in the name of another person to become the presidential candidate of the _____ Party by writing the name on the line marked “write-in.”

_____ Party Primary	
<input type="checkbox"/>	Candidate
<input type="checkbox"/>	Uninstructed Delegation
write-in: _____	

Official Primary Ballot

Partisan Office

August 9, 2016

Notice to voters: If you are voting on Election Day, your ballot must be initialed by two election inspectors. If you are voting absentee, your ballot must be initialed by the municipal clerk or deputy clerk. Your ballot may not be counted without initials. (See end of ballot for initials.)

General Instructions	Republican Party Primary (Cont.)	Democratic Party Primary (Cont.)
<p>If you make a mistake on your ballot or have a question, ask an election inspector for help. (Absentee voters: Contact your municipal clerk.)</p> <p>To vote for a name on the ballot, complete the arrow next to the name like this: </p> <p>To vote for a name that is not on the ballot, write the name on the line marked "write-in" and complete the arrow next to the name like this: </p>	Legislative and State	Legislative and State
	State Senator Vote for 1	State Senator Vote for 1
	Candidate	Candidate
	Candidate	Candidate
	Candidate	Candidate
	write-in:	write-in:
	Representative to the Assembly District _ Vote for 1	Representative to the Assembly District _ Vote for 1
	Candidate	Candidate
	write-in:	write-in:
Special Instructions for Voting in a Partisan Primary	District Attorney Vote for 1	District Attorney Vote for 1
<p>In the Partisan Primary:</p> <ul style="list-style-type: none"> You may vote in only ONE party's primary. If you choose a party, votes cast in that party will be counted. Votes cast in any other party will not be counted. If you do not choose a party, and you vote in more than one party, no votes will be counted. 	Candidate	Candidate
	write-in:	write-in:
	County	County
Choose a Party Primary	County Clerk Vote for 1	County Clerk Vote for 1
Complete the arrow next to your party choice, like this . Choose only ONE.	Candidate	Candidate
Republican	Candidate	Candidate
Democratic	write-in:	write-in:
Constitution	County Treasurer Vote for 1	County Treasurer Vote for 1
Libertarian	write-in:	write-in:
Wisconsin Green	County Treasurer Vote for 1	County Treasurer Vote for 1
Republican Party Primary	write-in:	write-in:
If you vote in this party's primary, you may not vote in any other party's primary.	Surveyor Vote for 1	Surveyor Vote for 1
Congressional	Candidate	Candidate
United States Senator Vote for 1	write-in:	write-in:
Candidate	End Republican Party Primary	End Democratic Party Primary
Candidate	Democratic Party Primary	Constitution Party Primary
write-in:	If you vote in this party's primary, you may not vote in any other party's primary.	If you vote in this party's primary, you may not vote in any other party's primary.
Representative in Congress, District _ Vote for 1	Congressional	Congressional
Candidate	United States Senator Vote for 1	United States Senator Vote for 1
Candidate	Candidate	Candidate
write-in:	Candidate	Candidate
Republican Party Primary continues at top of next column.	write-in:	write-in:
	Representative in Congress, District _ Vote for 1	Representative in Congress, District _ Vote for 1
	Candidate	Candidate
	Candidate	Candidate
	write-in:	write-in:
	Democratic Party Primary continues at top of next column.	Constitution Party Primary continues on back of ballot.

Constitution Party Primary (Cont.)	Libertarian Party Primary (Cont.)	Wisconsin Green Party (Cont.)
Legislative and State	Legislative and State (Cont.)	Legislative and State (Cont.)
State Senator Vote for 1	Representative to the Assembly District _ Vote for 1	District Attorney Vote for 1
Candidate ← █	Candidate ← █	Candidate ← █
Candidate ← █	write-in: ← █	write-in: ← █
write-in: ← █	County	County
Representative to the Assembly District _ Vote for 1	District Attorney Vote for 1	County Clerk Vote for 1
Candidate ← █	Candidate ← █	Candidate ← █
write-in: ← █	write-in: ← █	write-in: ← █
District Attorney Vote for 1	County Clerk Vote for 1	County Treasurer Vote for 1
Candidate ← █	Candidate ← █	write-in: ← █
write-in: ← █	Candidate ← █	Register of Deeds Vote for 1
County	write-in: ← █	Candidate ← █
County Clerk Vote for 1	County Treasurer Vote for 1	write-in: ← █
Candidate ← █	write-in: ← █	Surveyor Vote for 1
Candidate ← █	Surveyor Vote for 1	write-in: ← █
write-in: ← █	Candidate ← █	End Wisconsin Green Party Primary
County Treasurer Vote for 1	write-in: ← █	Official Ballot Partisan Primary August 9, 2016 for
write-in: ← █	End Libertarian Party Primary	_____
Surveyor Vote for 1	Wisconsin Green Party Primary	Municipality and ward number(s)
Candidate ← █	If you vote in this party's primary, you may not vote in any other party's primary.	Ballot issued by
write-in: ← █	Congressional	_____
End Constitution Party Primary	United States Senator Vote for 1	Initials of election inspectors
Libertarian Party Primary	Candidate ← █	Absentee ballot issued by
If you vote in this party's primary, you may not vote in any other party's primary.	Candidate ← █	_____
Congressional	write-in: ← █	Initials of municipal clerk or deputy clerk (If issued by SVDs, both SVDs must initial.)
United States Senator Vote for 1	Representative in Congress, District _ Vote for 1	Certification of Voter Assistance I certify that I marked this ballot at the request and direction of a voter, who is authorized under the law to receive assistance.
Candidate ← █	Candidate ← █	_____
Candidate ← █	Candidate ← █	Signature of assistor
write-in: ← █	write-in: ← █	For Official Use Only
Representative in Congress, District _ Vote for 1	Legislative and State	Inspectors: Identify ballots required to be remade.
Candidate ← █	State Senator Vote for 1	Reason for remaking ballot
Candidate ← █	Candidate ← █	<input type="checkbox"/> Overvoted
write-in: ← █	write-in: ← █	<input type="checkbox"/> Damaged
Legislative and State	Representative to the Assembly District _ Vote for 1	<input type="checkbox"/> Other
State Senator Vote for 1	Candidate ← █	Original Ballot No. or Duplicate Ballot No.
Candidate ← █	write-in: ← █	_____
Candidate ← █	Wisconsin Green Party Primary continues at top of next column.	_____
write-in: ← █		Initials of inspectors who remade ballot
Libertarian Party Primary continues at top of next column.		

Official Primary Ballot

Partisan Office

_____ Party

August 9, 2016

Notice to Voters: If you are voting on Election Day, your ballot must be initialed by two election inspectors. If you are voting absentee, your ballot must be initialed by the municipal clerk or deputy clerk. Your ballot may not be counted without initials. (See back of ballot for initials.)

Instructions to voters:

If you make a mistake on your ballot or have a question, ask an election inspector for help.

(Absentee Voters: Contact your municipal clerk.)

To vote for a name on the ballot, make an "X" or other mark in the square next to the name, like this:

To vote for a name that is not on the ballot, write the name on the line marked "write-in."

If you vote on this party ballot, you may not vote on any other party ballot.

Congressional	Legislative and State	County
United States Senator Vote for 1	State Senator, District_ Vote for 1	County Clerk Vote for 1
<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate
<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate
<input type="checkbox"/> Candidate	write-in: _____	write-in: _____
write-in: _____	Representative to the Assembly District_ Vote for 1	County Treasurer Vote for 1
Representative in Congress District_ Vote for 1	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate
<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	write-in: _____
<input type="checkbox"/> Candidate	write-in: _____	Register of Deeds Vote for 1
<input type="checkbox"/> Candidate	District Attorney Vote for 1	<input type="checkbox"/> Candidate
write-in: _____	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate
	<input type="checkbox"/> Candidate	write-in: _____
	<input type="checkbox"/> Candidate	Surveyor Vote for 1
	write-in: _____	write-in: _____
Attention Clerks: This is a <u>sample</u> ballot. Add or eliminate offices as required. Party ballots are bundled together and secured at the bottom. The instruction cover sheet is on top, followed by the ballots in descending party order (REP, DEM, CON, LIB, WGR).		When you finish voting: Place your VOTED ballot in the ballot box . Place your UNVOTED ballots in the discard box.

Official Ballot

Partisan Office and Referendum

November 8, 2016

Notice to voters: If you are voting on Election Day, your ballot must be initialed by two election inspectors. If you are voting absentee, your ballot must be initialed by the municipal clerk or deputy clerk. Your ballot may not be counted without initials. (See end of ballot for initials.)

General Instructions	Congressional	Legislative and State (Cont.)
<p>If you make a mistake on your ballot or have a question, ask an election inspector for help. (Absentee voters: Contact your municipal clerk.)</p> <p>To vote for a name on the ballot, complete the arrow next to the name like this: </p> <p>To vote for a name that is not on the ballot, write the name on the line marked "write in" and complete the arrow next to the name like this: </p>	<p style="background-color: #e0e0e0;">United States Senator</p> <p>Vote for 1</p> <p style="text-align: center;">Candidate </p> <p style="text-align: center;">(Republican)</p> <p style="text-align: center;">Candidate </p> <p style="text-align: center;">(Democratic)</p> <p style="text-align: center;">Candidate </p> <p style="text-align: center;">(Libertarian)</p> <p>write-in: </p>	<p style="background-color: #e0e0e0;">District Attorney</p> <p>Vote for 1</p> <p style="text-align: center;">Candidate </p> <p style="text-align: center;">(Democratic)</p> <p>write-in: </p> <p style="background-color: #e0e0e0; text-align: center;">County</p> <p style="background-color: #e0e0e0;">County Clerk</p> <p style="background-color: #e0e0e0;">Vote for 1</p> <p style="text-align: center;">Candidate </p> <p style="text-align: center;">(Republican)</p> <p style="text-align: center;">Candidate </p> <p style="text-align: center;">(Libertarian)</p> <p>write-in: </p>
<p style="background-color: #e0e0e0; text-align: center;">Federal</p> <p>When voting for President and Vice President, you have one of two choices:</p> <ol style="list-style-type: none"> Vote for candidates on one ticket, or Write in names of persons on both write-in lines. <p>A write-in vote for only a vice presidential candidate will not be counted.</p>	<p style="background-color: #e0e0e0;">Representative in Congress</p> <p style="background-color: #e0e0e0;">District _</p> <p style="background-color: #e0e0e0;">Vote for 1</p> <p style="text-align: center;">Candidate </p> <p style="text-align: center;">(Republican)</p> <p style="text-align: center;">Candidate </p> <p style="text-align: center;">(Democratic)</p> <p style="text-align: center;">Candidate </p> <p style="text-align: center;">(Constitution)</p> <p>write-in: </p>	<p style="background-color: #e0e0e0;">County Treasurer</p> <p style="background-color: #e0e0e0;">Vote for 1</p> <p style="text-align: center;">Candidate </p> <p style="text-align: center;">(Democratic)</p> <p style="text-align: center;">Candidate </p> <p style="text-align: center;">(Constitution)</p> <p>write-in: </p>
<p style="background-color: #e0e0e0;">President/ Vice President</p> <p style="background-color: #e0e0e0;">Vote for 1</p> <p style="text-align: center;">Candidate/ Candidate </p> <p style="text-align: center;">(Republican)</p> <p style="text-align: center;">Candidate/ Candidate </p> <p style="text-align: center;">(Democratic)</p> <p style="text-align: center;">Candidate/ Candidate </p> <p style="text-align: center;">(Constitution)</p> <p style="text-align: center;">Candidate/ Candidate </p> <p style="text-align: center;">(Libertarian)</p> <p style="text-align: center;">Candidate/ Candidate </p> <p style="text-align: center;">(Wisconsin Green)</p> <p style="text-align: center;">Candidate/ Candidate </p> <p style="text-align: center;">(Independent)</p> <p>write-in (President) </p> <p>write-in (Vice President) </p>	<p style="background-color: #e0e0e0;">Legislative and State</p> <p style="background-color: #e0e0e0;">State Senator, District _</p> <p style="background-color: #e0e0e0;">Vote for 1</p> <p style="text-align: center;">Candidate </p> <p style="text-align: center;">(Republican)</p> <p style="text-align: center;">Candidate </p> <p style="text-align: center;">(Wisconsin Green)</p> <p style="text-align: center;">Candidate </p> <p style="text-align: center;">(5-word statement of principle)</p> <p>write-in: </p>	<p style="background-color: #e0e0e0;">Register of Deeds</p> <p style="background-color: #e0e0e0;">Vote for 1</p> <p style="text-align: center;">Candidate </p> <p style="text-align: center;">(Libertarian)</p> <p style="text-align: center;">Candidate </p> <p style="text-align: center;">(Wisconsin Green)</p> <p style="text-align: center;">Candidate </p> <p style="text-align: center;">(5-word statement of principle)</p> <p>write-in: </p>
<p style="background-color: #e0e0e0;">Continue voting at top of next column.</p>	<p style="background-color: #e0e0e0;">Representative to the Assembly</p> <p style="background-color: #e0e0e0;">District _</p> <p style="background-color: #e0e0e0;">Vote for 1</p> <p style="text-align: center;">Candidate </p> <p style="text-align: center;">(Republican)</p> <p>write-in: </p> <p style="background-color: #e0e0e0;">Continue voting at top of next column.</p>	<p style="background-color: #e0e0e0;">Surveyor</p> <p style="background-color: #e0e0e0;">Vote for 1</p> <p style="text-align: center;">Candidate </p> <p style="text-align: center;">(Democratic)</p> <p>write-in: </p> <p style="background-color: #e0e0e0;">Turn ballot over to continue voting.</p>
<p>Page 1 of 2-sided ballot. Ballot continues on other side </p>		

Referendum

To vote in favor of a question, complete the arrow next to "Yes," like this: 

To vote against a question, complete the arrow next to "No," like this: 

Level of government conducting referendum (State, County, Municipal, School District...)

QUESTION 1: Shall the...?

Yes  

No  

**Official Ballot
Partisan Office
and Referendum**

November 8, 2016

for

Municipality and ward number(s)

Ballot issued by

Initials of election inspectors

Absentee ballot issued by

Initials of municipal clerk or deputy clerk
(If issued by SVDs, both SVDs must initial.)

Certification of Voter Assistance

I certify that I marked this ballot at the request and direction of a voter who is authorized under the law to receive assistance.

Signature of assistor

For Official Use Only

Inspectors: Identify ballots required to be remade.

Reason for remaking ballot:

- Overvoted
- Damaged
- Other

Original Ballot No. or Duplicate Ballot No.

Initials of inspectors who remade ballot.

Page 2 of 2-sided ballot

Ballot begins on other side.



Official Ballot

Partisan Office and Referendum

November 8, 2016

Notice to Voters: If you are voting on Election Day, your ballot must be initialed by two election inspectors. If you are voting absentee, your ballot must be initialed by the municipal clerk or deputy clerk. Your ballot may not be counted without initials. (See back of ballot for initials.)

Instructions to Voters	Congressional	Legislative and State (Cont.)
<p>If you make a mistake on your ballot or have a question, ask an election inspector for help. (Absentee voters: Contact your municipal clerk.)</p> <p>To vote for a name on the ballot, make an "X" or other mark in the square next to the name like this: <input checked="" type="checkbox"/></p> <p>To vote for a name that is not on the ballot, write the name on the line marked "write-in."</p>	<p>United States Senator Vote for 1</p> <p><input type="checkbox"/> Candidate (Republican)</p> <p><input type="checkbox"/> Candidate (Democratic)</p> <p>write-in: _____</p>	<p>District Attorney Vote for 1</p> <p><input type="checkbox"/> Candidate (Democratic)</p> <p><input type="checkbox"/> Candidate (5-word statement of principle)</p> <p>write-in: _____</p>
Federal	Representative in Congress District – Vote for 1	County
<p>When voting for President and Vice President, you have one of two choices:</p> <ol style="list-style-type: none"> Vote for candidates on one ticket, or Write in names of persons on both write-in lines. <p>A write-in vote for only a vice presidential candidate will not be counted.</p>	<p><input type="checkbox"/> Candidate (Republican)</p> <p><input type="checkbox"/> Candidate (Democratic)</p> <p><input type="checkbox"/> Candidate (Libertarian)</p> <p>write-in: _____</p>	<p>County Clerk Vote for 1</p> <p><input type="checkbox"/> Candidate (Republican)</p> <p><input type="checkbox"/> Candidate (Democratic)</p> <p><input type="checkbox"/> Candidate (Libertarian)</p> <p>write-in: _____</p>
President/ Vice President Vote for 1	Legislative and State	County Treasurer Vote for 1
<p><input type="checkbox"/> Candidate Candidate/ (Republican)</p> <p><input type="checkbox"/> Candidate/ Candidate (Democratic)</p> <p><input type="checkbox"/> Candidate/ Candidate (Constitution)</p> <p><input type="checkbox"/> Candidate/ Candidate (Libertarian)</p> <p><input type="checkbox"/> Candidate/ Candidate (Wisconsin Green)</p> <p><input type="checkbox"/> Candidate Candidate (5-word statement of principle)</p> <p>_____/ write-in (President)</p> <p>_____ write-in (Vice President)</p>	<p>State Senator, District _ Vote for 1</p> <p><input type="checkbox"/> Candidate (Republican)</p> <p><input type="checkbox"/> Candidate (Democratic)</p> <p><input type="checkbox"/> Candidate (Constitution)</p> <p>write-in: _____</p> <p>Representative to the Assembly District _ Vote for 1</p> <p><input type="checkbox"/> Candidate (Republican)</p> <p><input type="checkbox"/> Candidate (Wisconsin Green)</p> <p><input type="checkbox"/> Candidate (Independent)</p> <p>write-in: _____</p>	<p><input type="checkbox"/> Candidate (Republican)</p> <p><input type="checkbox"/> Candidate (Democratic)</p> <p><input type="checkbox"/> Candidate (Wisconsin Green)</p> <p>write-in: _____</p> <p>Register of Deeds Vote for 1</p> <p><input type="checkbox"/> Candidate (Republican)</p> <p><input type="checkbox"/> Candidate (Democratic)</p> <p><input type="checkbox"/> Candidate (Constitution)</p> <p>write-in: _____</p> <p>Surveyor Vote for 1</p> <p><input type="checkbox"/> Candidate (Democratic)</p> <p><input type="checkbox"/> Candidate (Independent)</p> <p>write-in: _____</p>
Continue voting at top of next column.	Continue voting at top of next column.	

Sample reverse side of official paper ballot

(Insert title from front of ballot)
(If partisan primary, do not include party name.)

(Insert date of election)

For

Insert name of municipality: city, town or village, and ward number(s)

Ballot issued by

Initials of election inspectors

Absentee ballot issued by

Initials of municipal clerk or deputy clerk
(If issued by SVDs, both SVDs must initial.)

Certification of Voter Assistance

I certify that I marked this ballot at the request and direction of a voter who is authorized under the law to receive assistance.

Signature of assistor

State of Wisconsin\Government Accountability Board

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JUDGE GERALD C. NICHOL
Chairperson

KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: For the October 20, 2015 Meeting

TO: Members, Wisconsin Government Accountability Board

FROM: Michael Haas
Elections Division Administrator
Wisconsin Government Accountability Board

Prepared by Elections Division Staff:

Allison Coakley
Elections Division Training Coordinator

Meagan McCord-Wolfe
Elections Voter Services Specialist

SUBJECT: Election Administration Training and Voter Outreach Overview

Wisconsin's election partners – county and municipal clerks, poll workers, special registration deputies, greeters and canvass board members to name a few – are entrusted with the responsibility of conducting open, fair and transparent elections. Training, ongoing education, technical and outreach services conducted by the Government Accountability Board, Elections Division, are key to supporting these partners and ensuring that they acquire the knowledge necessary to perform their election duties accurately and problem-free.

The G.A.B. has developed and already implemented an education and training plan in preparation for the 2016 spring and fall elections, focusing on the the fundamentals of election administration and the changes in election law procedures as part of Wisconsin's Photo ID Law.

Staff plans to continue to utilize technology through online webinars to increase training opportunities and to reach and provide local election officials with timely information and election law updates. The 2015-2016 webinar series started with the topic of *New Clerk Orientation*. This webinar introduced new county and municipal clerks to the G.A.B., outlined training requirements and resources, and provided website information together with an overview of the agency's communications protocol. Seasoned clerks also attended the webinar for nomination paper review tips and information on appointing election officials for the 2016-2017 term.

Based on input received from county and municipal clerks regarding previous webinars, each webinar will attempt to focus on a particular topic and last approximately one hour. This structure will allow staff to cover the topic in greater depth and maximize the time local election officials have available to spend on training. For example, *Proof of Residence & Proof of Identification* on

November 4, 2015 and *Photo ID Law Implementation* on January 6, 2016 are webinars designed to provide election officials with a thorough review of the law and a forum to address any questions they may have. Election officials can attend these sessions while they are being conducted live, or access and watch them on-demand on the G.A.B. website for no charge. A disc of the webcasts may also be ordered for a small fee to cover processing costs. Attached is a schedule of planned webinars for the rest of 2015 and leading up to the Spring Primary and Presidential Preference Primary in April. Additional webinars will be scheduled in advance of the 2016 fall elections.

For the last five years, G.A.B. staff has trained and certified qualified and experienced county and municipal clerks to conduct Baseline Chief Inspector and Municipal Clerk Core training classes around the state. The reinstatement of the clerk-trainer program has generated a positive response from clerks and their election inspectors as training can be delivered locally and at a lower cost. Some clerks were even willing to travel to other municipalities and counties to provide these initial training certification classes. Board staff handles all of the logistics for the classes and supplies the materials. Staff has recently recruited additional clerks to conduct Baseline Chief Inspector training for new chief inspectors and will be conducting a day-long training session in the Madison office on October 15, 2016.

G.A.B. staff has also updated the general use manuals to reflect the provisions of the Photo ID Law. The June 2015 versions of the Election Day Manual and Election Administration Manual provide detailed step-by-step instructions on its application before, during and after Election Day, both at the polls and in the clerk's office. Additional updates may be necessary this year if legislative changes dictate.

Board staff regularly attends a variety of clerk conferences and district meetings throughout the year and is scheduled to give presentations on the Photo ID Law, election administration updates and SVRS/WisVote status reports this fall. Conference attendance and district meeting attendance can range from 50 for a district meeting to 300 for an annual conference. Board staff has attended or is scheduled to attend the following meetings this fall:

- Wisconsin County Clerks Association Fall Conference, September 21, 2015, La Crosse, 50 attendees;
- Wisconsin Municipal Clerks Association District 2 Meeting, October 2, 2015, Cumberland, attendees;
- Wisconsin Municipal Clerks Association District 4 Meeting, October 6, 2015, Cumberland, 130 attendees;
- Wisconsin Towns Association Annual Convention, October 27, 2015, Wisconsin Dells, 300 possible attendees;
- Wisconsin Municipal Clerks Association District 8 Meeting, November 5, 2015, Eagle River, 75 possible attendees;
- Wisconsin Municipal Clerks Association District 5 Meeting, November 12, 2015, Oconomowoc, 200 possible attendees;
- Wisconsin Municipal Clerks Association District 6 Meeting, November 13, 2015, Fond du Lac, 100 possible attendees

In addition to training clerks on the photo ID requirement, the G.A.B. encourages clerks to educate their voters about the new requirement prior to Election Day by utilizing the tools and resources developed by staff. Efforts to educate voters on the Photo ID requirement rely on municipal and

county clerks reaching out to their voters by using G.A.B. resources. Earlier this year, staff issued a clerk communication to all county and municipal clerks encouraging them to make use of G.A.B. resources to educate voters in their area and pointing them to the many outreach resources which are available (see attached Clerk Communication). Among the resources provided are informational packets, brochures, posters, PowerPoints, draft news releases, video presentations, and much more.

Staff routinely collects clerk feedback in order to refine training resources and will continue to develop outreach tools that clerks have suggested. Many clerks around the state have sent mailings to their voters utilizing G.A.B. materials or have given Photo ID talks and trainings at local events. Later this year, staff will send out an additional communication reminding clerks of available outreach resources.

Staff will continue to reach out to clerks and voter groups to provide them with opportunities to host photo ID learning sessions. The goal of the sessions is to provide training to clerks and community organizers who will, in turn, provide training to voters. The following photo ID events have been conducted or are scheduled:

- Milwaukee, WI, June 3, 2015, community volunteer training meeting, about 30 attendees;
- Madison, WI, August 7, 2015, community volunteer training meeting, about 30 attendees;
- Minocqua, WI, August 12, 2015, community volunteer training meeting, about 60 attendees;
- Madison, WI, September 23, 2015, community volunteer training meeting, about 10 attendees;
- Whitewater, WI, October 15, 2015, community volunteer training meeting and information session at the high school. 100 possible attendees;
- Madison, WI, October 17, 2015, community volunteer training meeting, 50 possible attendees;
- Milwaukee, WI, November 12, 2015, community volunteer training meeting, 30 possible attendees;
- Stevens Point, WI, November 18, 2015, community volunteer training meeting, 50 possible attendees;

Staff will continue to actively pursue methods for improving training and education programming and look for new means of delivering effective, quality training to county and municipal clerks, chief election inspectors, other election partners, and the public.

This summary is provided for the Board's information and no action is required.

State of Wisconsin \ Government Accountability Board

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JUDGE GERALD C. NICHOL
Chairperson

KEVIN J. KENNEDY
Director and General Counsel

DATE: September 2, 2015

TO: Wisconsin Municipal Clerks
City of Milwaukee Election Commission
Wisconsin County Clerks
Milwaukee County Election Commission

FROM: Michael Haas
Elections Division Administrator

Allison Coakley
Elections Training Coordinator

SUBJECT: Elections Administration Training webinar series
(September 2015 – March 2016)

In 2012, in an effort to serve our election partners more effectively, the Government Accountability Board launched the “Back to Basics” Elections Administration Training webinar series in lieu of WisLine program teleconferences. The following year, we introduced “Building on the Basics.” a series designed to augment our core election administration training. Webinar training has generated a positive response from county and municipal clerks and their election inspectors.

Our new webinar series continues our efforts to provide clerks and election inspectors with the timely information and election law updates you need to perform your job duties effectively. Based on input we received from county and municipal clerks, each webinar will generally focus on a particular topic and will be about one hour in length. We hope this structure will allow us to cover the topic in greater depth and allow enough time to answer any questions you may have during the webcast. The live or recorded webinars count toward the hours clerks and chief inspectors need for recertification where indicated.

The programs and materials are free for you to download from our website for your own education and for training your election inspectors. A disc of the webcasts may also be ordered for a small fee to cover processing costs using the order form found on our website: <http://gab.wi.gov/node/2622>.

Webinar access information and related materials will be posted under “Recent Clerk Communications” on the Monday prior to each webinar. You must be able to view videos on your computer, using a media application such as Windows Media Player and will be connected to audio using your computer’s speakers. The webinar recording, related materials and a list of frequently asked questions will be posted shortly after the webcast.

Please send any questions or comments you have to Allison Coakley: allison.coakley@wi.gov or (608) 261-2033.

2015-2016 Election Administration Training Webinar Series

New Clerk Orientation

September 30, 2015, 10:00 a.m. – 11:00 a.m.

County and Municipal Clerks

Are you a new clerk looking for guidance on navigating elections, resources available to help you perform your job duties effectively and a bit more information on the Government Accountability Board? If so, this is the webinar for you! Seasoned clerks may find the webinar of interest as well as we will give you some nomination paper review tips and take a look at the appointment of election inspectors for the 2016-2017 term.

Election Training for School District Clerks

October 21, 2015, 10:00 a.m. – 11:00 a.m.

County, Municipal and School District Clerks

School district clerks don't have to "breathe" elections like county and municipal clerks do every election cycle. So this webinar will provide school district clerks facing their first election or experienced school district clerks some critical guidance about their clerk duties during an election and offer some pointers for conducting a successful election.

Proof of Residence & Proof of Identification

November 4, 2015, 10:00 a.m. – 11:15 a.m.

Clerks, Chief Inspectors and Poll Workers

What can and can't be used as proof of residence? Does the address on a voter's proof of identification need to be current? These questions and many others will be answered in this webinar offering an in-depth review of proof of residence and proof of identification statutory requirements.

A Review of 2015 – and What's Ahead in 2016

December 2, 2015, 10:00 a.m. – 11:00 a.m.

Clerks, Chief Inspectors and Poll Workers

Have there been any legislative or administrative changes in election laws and procedures? Join us and learn about any changes, how they may impact you and your municipality or county, and what may be ahead for us in 2016. Bring your questions!

Photo ID Law Implementation

January 6, 2016, 10:00 a.m. – 11:15 a.m.

Clerks, Chief Inspectors and Poll Workers

In March 2015, the U.S. Supreme Court affirmed the photo ID provisions of Wisconsin's 2011 Voter ID Law. This webinar will detail photo ID requirements as they impact the clerk's duties and the Election Day duties of chief inspectors and poll workers.

Special Voting Deputies

January 13, 2016, 10:00 a.m. – 11:00 a.m.

Clerks and Special Voting Deputies

The Legislature has recognized that it may be difficult for some voters to get to their polling place on Election Day. This webinar will review absentee voting procedures for voters who are occupants of residential care facilities and retirement homes that are required by law or designated by the municipal clerk to be served by Special Voting Deputies.

Absentee Voting

January 20, 2016, 10:00 a.m. – 11:00 a.m.

Clerks, Chief Inspectors and Poll Workers

This webinar will review general absentee voting procedures – such as the Type E Notice of absentee voting hours in the clerks’ office - and a take a closer look at absentee voting and processing absentee ballots at the polls on Election Day.

Provisional Voting

February 3, 2016, 10:00 a.m. – 11:00 a.m.

Clerks, Chief Inspectors and Poll Workers

Many election inspectors have never had to issue a provision ballot to a voter. With Photo ID in place for the 2016 elections, that may change. If you are wondering how to handle a provisional ballot situation, this webinar will provide an overview of the process and offer some procedural advice.

Election Observers

March 2, 2016, 10:00 a.m. – 11:00 a.m.

Clerks, Chief Inspectors and Poll Workers

Anyone, other than a candidate up for election, has the right to be present to observe the conduct of the election. Election inspectors must ensure that the voting process is transparent and open to the public. This webinar will discuss rules for observers at the polling place or other locations where votes are being cast or counted.

Canvass Process

March 9, 2016, 10:00 a.m. – 11:00 a.m.

Clerks, Chief Inspectors and Poll Workers

This webinar will provide clerks and election inspectors with suggested procedures for their Municipal Board of Canvassers from the chief inspector’s delivery of election materials to the municipal clerks to the processing of any late-arriving absentee ballots and/or provisional ballots that are returned by 4 p.m. the Friday after the election.

GAB-190 & GAB-191 Reports

March 23, 2016, 10:00 a.m. – 11:00 a.m.

County and Municipal Clerks

When do clerks need to complete the GAB-190 and GAB-190F statistics reports? What do clerks need to list on the GAB-191 cost reports? When are they due? These are common questions that we receive each election about the reports. Tune in and get the answers!

State of Wisconsin\Government Accountability Board

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JUDGE GERALD C. NICHOL
Chairperson

KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

TO: Wisconsin Municipal Clerks
City of Milwaukee Election Commission
Wisconsin County Clerks
Milwaukee County Election Commission

FROM: Michael Haas
Elections Division Administrator

Meagan McCord Wolfe
Voter Services Specialist

DATE: May 1, 2015

SUBJECT: Voter Outreach Materials Available for Clerk Use

Thank you for all you are doing to educate voters in your municipality about the Photo ID requirement. In order to aid you in your continuing outreach efforts, the G.A.B. has put together a number of voter outreach documents and resources.

The following voter documents and resources are now available on the G.A.B. website for your use:

News Release Template: If you are looking for a short article to put in your local publications, the G.A.B. has a template photo ID news release that you can customize for your municipality. You will find the template news release as an attachment to this communication.

Voter Outreach Handouts: The G.A.B. has created an array of voter handouts that you can use to help educate your voters. There are about 20 handouts available that range in topic from Acceptable Photo IDs to Voter Registration and Absentee Voting. You will find the voter handouts on the G.A.B.'s website at <http://gab.wi.gov/elections-voting/photo-id> then look under "Quick Reference Topics for Photo ID" on the right side of the page.

Information Packet: There is also a comprehensive information packet titled "A Complete Guide to Voting in Wisconsin and the Photo Identification Law" that can be found as an attachment to this communication and on the G.A.B. website under "Quick Reference Topics for Photo ID."

Recorded PowerPoint Presentation: We have recorded a complete PowerPoint presentation titled "Voting in Wisconsin and the Photo Identification Law." You can use this recording to educate your voters by presenting it yourself or by making it available to local organizations or on your public access station. The presentation follows along with the packet "A Complete Guide to Voting in Wisconsin and the Photo Identification Law" referenced above. You will find the recorded presentation on the G.A.B.'s website at <http://gab.wi.gov/elections-voting/photo-id> then look under

“Quick Reference Topics for Photo ID” on the left side of the page.

Bring it to the Ballot website: The G.A.B.’s photo ID website, <http://BringIt.wi.gov> is also a great reference for photo ID materials geared towards voters. On the Bring It website look under “Downloads” on the gray menu bar to find videos, posters, brochures and more. You will also find materials available in Spanish. You may wish to provide links on your municipal website directly to the Bring it to the Ballot website, which was created in 2011 and has recently been updated to reflect changes in the statutes and the procedures of the Department of Motor Vehicles. Many clerks have asked us specifically about a photo ID brochure. You will find the brochure as an attachment to this communication, or you can find it on the G.A.B.’s website at <http://gab.wi.gov/elections-voting/photo-id> then look under “Quick Reference Topics for Photo ID” on the left side of the page or at <http://bringit.wi.gov/downloads> . It is an excellent single-piece overview of the Voter Photo ID Law.

Public Service Announcements: At this point it is not known whether the G.A.B. will receive funding to broadcast the Bring it to the Ballot Public Service Announcements (PSA) on television or radio as the 2016 election cycle approaches. If your municipality would like to broadcast a Bring it to the Ballot PSA on your local public access stations, please contact the G.A.B. for information about where to download the files in the format you need.

We hope that you will use these tools to educate voters in your municipality about photo ID and other voting requirements. It is also our hope that you will share these materials with community organizations and groups that work with voters in your community. If you have any questions about the voter outreach materials, please contact Meagan McCord Wolfe at Meagan.Wolfe@wi.gov.

State of Wisconsin \ Government Accountability Board

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JUDGE GERALD C. NICHOL
Chairperson

KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: For the October 20, 2015 Board Meeting

TO: Members, Wisconsin Government Accountability Board

FROM: Kevin J. Kennedy, Director and General Counsel

Prepared and Presented by:
Diane Lowe, Lead Elections Specialist

SUBJECT: Nomination and Appointment of Election Inspectors

Section 7.30(4) of the Wisconsin Statutes governs the appointment of election inspectors by municipal governing bodies (and the City of Milwaukee Election Commission) to staff polling places for two-year terms. That provision contemplates a role for the two dominant political parties to nominate individuals to serve as election inspectors as representatives of the respective political party. In general, municipalities must appoint individuals from the lists provided by the political parties if the individuals qualify to serve. If sufficient names are not submitted by either or both of the political parties to fill the positions required, the municipality may appoint individuals who are not affiliated with either party.

In many parts of the state the political parties often have not taken advantage of the opportunity to nominate individuals to serve as election inspectors, but they have become more active in this process in recent elections and the parties and local election officials have paid more attention to the details of the process and the statutory requirements. As a result of this continuing trend as well as specific inquiries of clerks and the political parties, Board staff has again disseminated more specific guidance related to the nomination of election inspectors. The issue is timely because the deadline for political parties to submit nominations is November 30 and municipalities must appoint election inspectors in December. A copy of the guidance which Board staff posted on the agency website is attached to this memorandum.

In addition to this guidance which was similar to a communication issued to clerks in 2013, Board staff has developed a Frequently Asked Questions document based upon inquiries it has received about the nomination and appointment process. A copy of the FAQ document is also attached. Staff has made this a point of emphasis in its recent New Clerk Orientation webinar and at regional in-person training for municipal clerks.

Finally, attached is an email communication requesting that the Board emphasize particular points to municipal clerks regarding appointment of election inspectors, along with the agency's response.

This summary is provided for the Board's information and no action is required.

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JUDGE GERALD C. NICHOL
Chair

KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

TO: Wisconsin Municipal Clerks
City of Milwaukee Election Commission
Wisconsin County Clerks
Milwaukee County Election Commission

FROM: Michael Haas
Elections Division Administrator

Diane Lowe
Lead Elections Specialist

DATE: September 15, 2015

SUBJECT: Appointment of Election Inspectors from Lists Submitted by Political Parties

December 31, 2015 marks the end of the current term of election inspectors (poll workers). At a meeting in December, but not later than December 31, 2015, the municipal governing body shall appoint election inspectors for a two-year term which begins January 1, 2016 and ends December 31, 2017.

Submission of Inspector Nominee Lists by Political Parties

No later than November 30, 2015, the two major political parties whose candidates for governor or president at the last general election received the largest number of votes at an *individual polling place* (generally, the Republican and Democratic parties) may submit a certified list of election inspector nominees to the municipal governing body. The party which received the largest number of votes at each polling place is entitled to one more inspector than the party receiving the next largest number of votes. For inspector appointments made this December, the election used to determine the two dominant parties and which party is entitled to the extra poll worker at each polling place is the November 4, 2014 Gubernatorial Election.

Example: Five election inspectors are to be placed at a polling place. Scott Walker received the most votes at the polling place in November 2014. The Republican Party may nominate three people and the Democratic Party may nominate two people. The parties are entitled to 3 and 2 inspectors respectively. Each party may submit the names of nominees equal to at least the number of inspectors to which each party is entitled.

In addition to being a qualified elector of the county in which the municipality in which they serve is located, being able to read and write the English language, and otherwise being capable and of good understanding, each party may establish additional criteria that a prospective nominee must meet in order to be included on the list submitted by the party. This may include a requirement to be a member of the party or to belong to an organization affiliated with the party.

Currently, the Republican and Democratic Parties are actively working to assemble and submit lists of election inspector nominees to as many municipalities as possible. You may receive an open records request from one or both parties asking you to provide the names of your current inspectors and their party affiliations. Your list of current inspectors is an open record and subject to open records law. However, **unless your current inspectors were appointed from party lists, the response to the question of party affiliation is that your inspectors are “unaffiliated.”**

Delivery/Transmission of Lists

Wis. Stat. § 7.30(4), provides that the lists are to be submitted to the Mayor, Village President or Town Board Chairperson. (In the City of Milwaukee, the lists are to be submitted to the City of Milwaukee Board of Election Commissioners.) Though not required, the parties have been advised to also provide a copy to the municipal clerk in order to facilitate the process. Letters have been sent to the Republican and Democratic state parties reminding them of the local parties' responsibility to submit lists of poll worker nominees. Copies of the letters accompany this correspondence.

The deadline for submission of lists by the Parties is November 30, 2015. Lists of inspector nominees may be submitted by personal delivery or electronically (by fax or email) no later than close of business on the deadline. If the list is submitted electronically, the list containing the original signature(s) of the appropriate party affiliate must follow, postmarked no later than the November 30th deadline. Wis. Admin. Code GAB § 6.04.

If Lists are Received from One or Both Parties

When lists of election inspector nominees are submitted by one or both Parties, appointments must be made from the lists submitted by the Party for as long as election inspector positions are available.¹ If party lists have been timely received, positions must be filled from the lists until the names on those lists have been depleted. The lists may also designate individuals as "first-choice" nominees, who must be appointed if they qualify and so long as positions are available. If the governing body has good cause not to appoint an individual whose name is submitted as a "first-choice" nominee, it may request the G.A.B. authorize non-appointment.

If Lists are Received but are Insufficient

If a Party's list is insufficient to fill the positions available for that party's nominees, the remaining positions are filled without regard to party affiliation.¹

Example: Seven inspectors are to be placed at a polling place. Mary Burke received the most votes at the polling place in November 2014. If sufficient lists from both parties were submitted, four names would be appointed from the Democratic list and three names would be appointed from the Republican list. In this example however, there are only three names on the Democratic list and no Republican list was submitted. The governing body appoints the three Democratic names and the Mayor, Village President or Town Board Chairperson nominates other qualified individuals, regardless of party affiliation, and submits the names to the governing body for appointment to the remaining four "unaffiliated" positions. If the Republican Party submitted a list with two names in this example, then only two unaffiliated positions would be appointed.

If No Lists are Received

If no lists are submitted, the Mayor, Village President or Town Board Chairperson nominates other qualified individuals, regardless of party affiliation, and submits the names to the governing body for appointment. All appointments are made without regard to party affiliation.

Please refer to the Election Official section of the [Election Administration Manual](#) for additional information. If you have questions, please contact the G.A.B. Help Desk at (608) 261-2028, or gabhelpdes@wi.gov. Thank you.

¹All inspector appointments end on December 31, 2015. At the time your governing body makes inspector appointments for the coming term, all current inspector positions are considered vacant and available for appointment. Current inspectors may not be reappointed unless their name appears on a party list, the party list is insufficient or if no party list is received.

Guide to Political Party Submission of Election Inspector and MB-ABC Nominees

Key

MB-ABC=Municipal Board of Absentee Ballot Canvassers (Wis. Stat. § 7.52(1)(b))
 PCM/W=Party Committeeman/Committeewoman
 AD=Aldermanic District
 PP=Polling Place

Milwaukee County Cities and Villages -- Wis. Stat. § 7.30(4)(b), 1. & 2.b.

City of Milwaukee		Other Milwaukee Co. Cities				Milwaukee Co. Villages			
Variables	City has AD PCM/Ws		City does not have AD. PCM/Ws		Village has PCM/W			Village does not have PCM/W	
Officials	Inspectors	MB-ABC	Inspectors	MB-ABC	Inspectors	MB-ABC	Inspectors	MB-ABC	
Submitted by:	AD PCM/W For each AD.	AD PCM/Ws Jointly	AD PCM/W for AD where PP is located	AD. PCM/Ws Jointly	Chair of Co. or Leg. Dist. Committee	Chair of Co. or Leg. Dist. Committee	Village PCM/W where PP is located.	Chair of Co. or Leg. Dist. Committee	Chair of Co. or Leg. Dist. Committ ee
Signed by:	If no PCM/Ws, the Chair of the County Party.*		Appropriate AD PCM/Ws Chair of County Party*	Appropriate AD PCM/Ws	Chair of Submitting Committee			Chair of Submitting Committee	
Submitted to:	Milw. City Election Comm.		Mayor			Village President			

Municipalities Outside of Milwaukee County -- Wis. Stat. § 7.30(4)(b), 2.a.

Cities		Villages		Towns		
Variables	Co. Party Organized in Subdivisions of City		Co. Party <u>not</u> Organized in Subdivisions of City			
Officials	Inspectors	MB-ABC	Inspectors	MB-ABC	Inspectors	MB-ABC
Submitted by:	Chair of County party, through the Chair of the City Committee	Chair of County party, Leg. Committee	Chair of Co. Party or Leg. Committee	Chair of Co. Party or Leg. Committee	Chair of Co. Party or Leg. Committee	Chair of Co. Party or Leg. Committee
Signed by:	Chair and Secretary of County Party.	Chair and Secretary of Submitting Committee	Chair and Secretary of Submitting Committee	Chair and Secretary of Submitting Committee	Chair and Secretary of Submitting Committee	Chair and Secretary of Submitting Committee
Submitted to:	Mayor	Mayor	Village President	Village President	Town Board Chairperson	Town Board Chairperson

*At its October 22, 2013 meeting the Government Accountability Board upheld staff opinion that lists of election inspector nominees may be submitted to the Milwaukee City Election Commission by the chairs of the county political parties when the county party is not structured as provided in Wis. Stat. 8.17.

From: Haas, Michael R - GAB

Sent: Wednesday, October 14, 2015 5:13 PM

To:

Cc: Kennedy, Kevin - GAB; Hein, Ross D - GAB; Magney, Reid - GAB; Lowe, Diane - GAB; Buerger, David - GAB; Griffin, Marianne - GAB; Webb, Jennifer - GAB; Coakley, Allison - GAB

Subject: Message to the GAB/Election Inspectors

Dear Chris,

Thank you for your email. The appointment of new election inspectors is a process we are highlighting in our current regional training events with municipal clerks around the state. Last month we posted a memo on our Clerk Communication page to remind clerks of the process outlined in the Statutes, including the points you mentioned in your email, which you can find at this link: <http://www.gab.wi.gov/node/3705>. This week we will also be posting on the Clerk Communication page an FAQ document which was prompted by the questions which Ms. Morin submitted to us and which is attached. Next Tuesday, October 20th, we will also discuss this topic with our Board at its meeting.

We hope that this combination of events and information helps to educate municipal clerks regarding the nomination and appointment of election inspectors. If there is a particular clerk that you believe is not using the proper procedures, please feel free to contact us and we can help to further educate the clerk and resolve the matter.

Michael Haas
Elections Division Administrator
Wisconsin Government Accountability Board
P.O. Box 7984
212 E. Washington Ave. Third Floor
Madison, WI 53707-7984
608-266-0136
michael.haas@wi.gov

From:

Sent: Wednesday, October 14, 2015 1:21 PM

To: GAB HelpDesk

Cc: Debbie Morin;

Subject: Message to the GAB/Election Inspectors

To the Members of the Board, and Mr. Michael Haas,

I am requesting the GAB issue a state wide directive to all Municipal Clerks and Governmental Heads informing them that by law they must accept the nominees for Election Inspector / Poll Worker from the 2 major Parties.

Please inform the clerks that they must accept the nominees, if there is no cause, and they are to train and use those nominees even if it means bumping a long time not named current Election Inspector.

Some Clerks have responded that they have enough Election Inspectors and don't need any more. When those already appointed have not been nominated by either Party.

If you would like to discuss further, I am unable to attend the October 20th hearing but feel free to call for any clarification(s).

Respectfully,
Chris Goebel

State of Wisconsin \ Government Accountability Board

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JUDGE GERALD C. NICHOL
Chair

KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: For the October 20, 2015 Board meeting

TO: Members, Wisconsin Government Accountability Board

FROM: Jonathan Becker
Ethics and Accountability Division Administrator

Prepared by: Adam Harvell, Ethics Specialist

SUBJECT: Statement of Economic Interests Waiver Request for John Horning

Background:

During the September 1 meeting, the Board reviewed Mr. Horning's request for a waiver on section #3 of his statement of economic interests.

During discussion of Mr. Horning's waiver request, the Board had concerns that since Mr. Horning's business involves mortgages, real estate, and title services, his clients were likely to have business before WHEDA as well. The board directed staff to research the matter further.

Jonathan Becker received an opinion from Mick Conrad, staff counsel for WHEDA, recommending that Mr. Horning not be granted a waiver. Because of Mr. Horning's involvement with residential and commercial real estate and title insurance, Mr. Conrad felt that from the agency's perspective, it would be better to make full disclosure.

Staff contacted Mr. Horning on September 30 and informed him of the Board's concerns, and he asked for the clarification of the list of clients required. He filed a list of clients on October 9, so the question of waiver is moot.

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JUDGE GERALD C. NICHOL
Chair

KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: For the October 20, 2015 Board Meeting

TO: Members, Wisconsin Government Accountability Board

FROM: Kevin J. Kennedy
Director and General Counsel
Government Accountability Board

Prepared and Presented by:
Nathan W. Judnic
Staff Counsel

SUBJECT: Promulgation of Administrative Rules

I. Status of Promulgation Progress:

The Government Accountability Board (“G.A.B.” or “Board”) has authorized staff to promulgate 18 various rules (or sets of rules) and to remove rules from the administrative code that are no longer in effect. A table summarizing the status of promulgation of these rules follows this memorandum as “Attachment 1.”

In addition to Attachment 1, the following summarizes recent noteworthy progress regarding certain administrative rules for the Board’s information and consideration:

A. Technical College ID Emergency Rule Extension

On October 6, 2015, Board staff sought a formal extension of the Technical College ID emergency rule (WIS. ADMIN. CODE GAB §§10.01 and 10.02), which has been in effect since May 15, 2015. The extension sought the maximum allowed time period of an additional 60 days. Staff admittedly lost track of the expiration date of the emergency rule, partially due to the loss of staff counsel that was shepherding the promulgation of all of the agency’s rules and partially due to the competing priorities facing current staff. Additionally, staff originally believed the permanent rule, which has taken a parallel track, would have ideally been in place prior to any expiration of the emergency rule. The permanent rule (as discussed below) has been submitted to the Legislature for their review so it is obviously not yet in place. Therefore, to keep the rule in place without any lapse, staff sought the emergency rule extension, albeit late. Despite the tardiness of the extension request (5 days prior to expiration), the Joint Committee for the Review of Administrative Rules

was able to schedule a public hearing and hold an executive session. The Committee approved the extension of the emergency rule for an additional 60 days. Internal steps have been taken by staff to ensure that all future requests for extensions of emergency rules will be submitted in a timely manner.

B. Technical College ID Permanent Rule Submitted to the Governor

The proposed permanent rule, along with the required notices and report to the Legislature was provided to the Chief Clerks of both houses on October 6, 2015. Staff also provided the Legislative Reference Bureau the required notice of submission to the Legislature for posting in the Administrative Register. The next step is for the rule to be referred to the appropriate standing committee of each house for their review and modifications if necessary. Once the standing committees complete their review, it is forwarded to the Joint Committee for the Review of Administrative Rules for their review. Staff will continue to respond to any questions from legislators and their staff on this rule, and will monitor its progress through the final stages of promulgation.

II. Continued Progress:

The Board's legal intern, James Radcliffe, has been asked to assist staff in finalizing statements of scope on various rules (see Attachment 1) that have been drafted and are ready for submission to the Governor's Office. Conversations with the Governor's staff have also continued regarding statements of scope that have been submitted but not yet acted upon for a variety of reasons. As always, updates on this process will be provided to the Board on a regular basis.

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JUDGE GERALD C. NICHOL
 Chair

KEVIN J. KENNEDY
 Director and General Counsel

ATTACHMENT 1: Status of Administrative Rules

#	Proposed Rule:	Board Directive to Promulgate:	Status:
1	Use of Technical College IDs for Voting Purposes	November – December 2011	<ul style="list-style-type: none"> • Statement of Scope drafted • Statement of Scope submitted to the Governor (3/30/15) • Statement of Scope published in the Administrative Register (4/13/15) • Board approved Statement of Scope (4/29/15) • Judge Nichol approved language and analysis of proposed emergency rule (5/6/15) • Staff submitted language and analysis of proposed emergency rule to the Governor (5/7/15) • The Governor provided written approval of language and analysis of emergency rule (5/12/15) • Staff submitted emergency rule to <i>Wisconsin State Journal</i> for publication (5/12/15) • Emergency rule published in <i>Wisconsin State Journal</i> (5/15/15); emergency rule in effect with publication • Staff submitted certified copy of emergency rule to Legislative Reference Bureau for publication in Administrative Register (5/13/15) • Staff submitted emergency rule to Assembly and Senate chief clerks for distribution to the Legislature (5/13/15) • Emergency rule published in Administrative Register (5/18/15); <i>available at</i> https://docs.legis.wisconsin.gov/code/register/2015/713A3/register#emr_effect • Draft of permanent rule submitted to Judge Nichol June 4, 2015 • Judge Nichol approved rule on June 6, 2015 • Staff submitted proposed rulemaking order to Legislative Council Rules Clearinghouse on June 8, 2015 • Staff submitted Fiscal Estimate & Economic Impact Analysis to Legislative Council Rules Clearinghouse on June 9, 2015 • Rules to Clearinghouse submitted Report to G.A.B. staff • Staff reviewed Report and incorporated suggested changes into draft rule • Governor approved draft of final rule (8/19/15) • Staff prepared reports for Legislature and notices of

			<p>submission of the reports to the Chief Clerks of each house</p> <ul style="list-style-type: none"> • Staff submitted notices, reports and permanent rule draft to Legislature (10/6/15) • Staff submitted notices, reports and permanent rule draft to the Legislative Reference Bureau to publish in the Administrative Register • Emergency rule extension request submitted to Joint Committee on Review of Administrative Rules (10/6/15) • Public hearing and executive session held by Joint Committee on Review of Administrative Rules on request for extension of emergency rule (10/8/15) • 60 day emergency rule extension granted (10/8/15)
2	Contents of Training that Municipal Clerks Must Provide to Election Inspectors and Special Voting Deputies	January 13, 2015	<ul style="list-style-type: none"> • Statement of Scope drafted • Statement of Scope submitted to the Governor (4/14/15) • Statement of Scope published in Administrative Register (5/11/15); <i>available at</i> https://docs.legis.wisconsin.gov/code/register/2015/713A2/register • Board approved State of Scope (6/18/15) • Staff has commenced drafting the rule
3	Standards for Determining Validity of Votes Cast with Electronic Voting Equipment	January 13, 2015	<ul style="list-style-type: none"> • Staff completed first draft of Statement of Scope in 2013 • Staff has commenced drafting an updated Statement of Scope
4	Approval of Electronic Voting Equipment in Accordance with WIS. STAT. §§5.40(2), 5.76, 5.77, 5.905, 7.23(1)(g) (Electronic Voting Systems, GAB Ch. 7)	January 13, 2015	<ul style="list-style-type: none"> • Statement of Scope drafted • Statement of Scope submitted to the Governor (4/9/2015) • Statement of Scope published in Administrative Register (5/11/15); <i>available at</i> https://docs.legis.wisconsin.gov/code/register/2015/713A2/register • Board approved Statement of Scope (6/18/15) • Staff has commenced drafting the rule
5	Ballot Security and Interpreting WIS. STAT. §§5.84, 5.86, 5.87, 5.905, 5.91, 7.23, 7.51, and 9.01 (Ballot and Voting System Security, GAB Ch. 5)	January 13, 2015	<ul style="list-style-type: none"> • Staff completed first draft of Statement of Scope in 2013 • Staff has completed the new draft of the Statement of Scope to submit to the Governor
6	Administer Statutory Requirements for	January 13, 2015	<ul style="list-style-type: none"> • Staff has commenced drafting other Statements of Scope that cover these requirements

	Electronic Voting Systems		
7	Election Notices that Clerks Must Use to Inform Public About Elections	January 13, 2015	<ul style="list-style-type: none"> Staff has completed the first draft of the Statement of Scope
8	Responsibilities of Clerks for Maintaining Records in the Statewide Voter Registration System	January 13, 2015	<ul style="list-style-type: none"> Staff has completed the first draft of the Statement of Scope
9	Conduct and Regulation of Election Observers to Monitor Compliance with Election Laws by Local Officials	January 13, 2015	<ul style="list-style-type: none"> Scope statement drafted Scope statement submitted to the Governor (5/18/15)
10	Procedures for Ethics and Elections Complaints	April 29, 2015	<ul style="list-style-type: none"> Staff has commenced drafting the Statement of Scope
11	Acceptable Proofs of Residence (Including Electronic)	April 29, 2015	<ul style="list-style-type: none"> Statement of Scope drafted Scope statement submitted to the Governor (6/2/15)
12	U.S. Citizen as Witness for Overseas Voter	April 29, 2015	<ul style="list-style-type: none"> Staff has commenced drafting the Statement of Scope
13	Procedures for Curbside Voting	April 29, 2015	<ul style="list-style-type: none"> Staff has commenced drafting the Statement of Scope
14	Definition of "Same Grounds" for Voting Purposes in WIS. STAT. §6.875(3)(b)	April 29, 2015	<ul style="list-style-type: none"> Staff has commenced drafting the Statement of Scope
15	Synchronization of Certification Terms for Municipal Clerks, Special Registration Deputies, and Election Inspectors	April 29, 2015	<ul style="list-style-type: none"> Statement of Scope drafted Scope statement submitted to the Governor (6/2/15) Senator Lazich contacted staff to discuss a possible statutory change as an alternative to the proposed rule (7/3/15)

16	Applications for Approval of Modification to Voting Systems Previously Approved for Use in Wisconsin	April 29, 2015	<ul style="list-style-type: none"> • Staff has commenced drafting the Statement of Scope
17	Removal of Rules No Longer In Effect	January 13, 2015	<ul style="list-style-type: none"> • Staff correspondence sent to Legislative Reference Bureau to remove rules no longer in effect pursuant to 2007 Wisconsin Act 1 (6/29/15) • Legislative Reference Bureau informed staff that it will work to remove rules no longer in effect (6/30/15) • Legislative Reference Bureau approved proposed proofs of changes to the GAB sections of the Code, removing sections as required by 2007 Wisconsin Act I (7/8/15) • COMPLETE: Wisconsin Administrative Code updated to remove sections no longer in effect. (8/15/15)
18	Deadline for Receipt of Documents Filed by Fax	June 18, 2015	<ul style="list-style-type: none"> • Staff has commenced drafting the Statement of Scope
19	Amend GAB §3.04(2) to comply with WIS. STAT. §6.97(3)(b)	June 18, 2015	<ul style="list-style-type: none"> • Staff has drafted the Statement of Scope

State of Wisconsin \ Government Accountability Board

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JUDGE GERALD C. NICHOL
Chairperson

KEVIN J. KENNEDY
Director and General Counsel

DATE: For the October 20, 2015 Board Meeting
TO: Members, Government Accountability Board
FROM: Kevin J. Kennedy – Director and General Counsel
SUBJECT: Legislative Status Report

NEW LEGISLATION

1. Assembly Joint Resolution 67 & Senate Joint Resolution 56: Wisconsin Legislative Resolution to Restore Free and Fair Elections in the United States.

Sponsors: Minority. This resolution supports a national constitutional convention to address campaign finance issues related to *Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010)

2. Assembly Bill 342: reporting travel expenses for elected state officials seeking national office and providing a penalty.

Sponsors: Minority. This bill requires an elected state official who is considering running for, or pursuing the nomination or election to, a national office to submit monthly statements to the Government Accountability Board identifying the official's travel expenses from the previous month. The bill also requires the official to reimburse the state for any state funds that the official used to pay for travel expenses used to consider or pursue the nomination or election to a national office.

3. Assembly Bill 379: voter registration; proving residence for registration and voting purposes; reviewing certain expenditures of the Government Accountability Board by the Joint Committee on Finance; and granting rule-making authority.

Sponsors: Minority. This bill makes it the responsibility of the Government Accountability Board (GAB) to use all feasible means to facilitate the registration of all eligible electors of this state who are subject to a registration requirement and to maintain the registration of all eligible electors for so long as they remain eligible, except as the law specifically requires electors to take some action to continue their registrations.

In addition, the bill permits a qualified elector who has a current and valid driver's license or identification card issued by DOT to register to vote at an election electronically on a secure Internet site maintained by GAB. The bill requires an

electronic registration to be completed no later than the 20th day before an election in order to be valid for that election.

4. ***Assembly Bill 382: creating a legislative office of inspector general and making appropriations.***

Sponsors: Majority. This bill creates a nonpartisan, legislative service agency known as the "Legislative Office of Inspector General," consisting of 13 inspectors general and their staff who are assigned to and housed at the headquarters of certain state agencies including the Government Accountability Board. The Joint Committee on Legislative

Organization appoints each inspector general for a six-year term expiring March 1 of the odd-numbered year. The bill outlines the proposed responsibilities of the inspectors general.

5. ***Assembly Bill 343 and Senate Bill 258: issuance of motor vehicle operator's licenses and identification cards by the Department of Transportation.***

Sponsors: Minority. This bill makes various changes to the laws relating to the issues of REAL ID non-compliant products issued by the Department of Transportation, for using the product as photo identification for voting purposes.

6. ***Assembly Bill 387 and Senate Bill 292: campaign finance.***

Sponsors: Majority. This bill restructures chapter 11 of the Wisconsin statutes, the campaign finance law. The bill follows the recommendation of the Board to strike the existing statutes and provide a complete redraft of the chapter.

Assembly: The Assembly Committee on Campaigns and Elections and the Senate Committee on Elections and Local Government held a joint public hearing on October 13, 2015.

Senate: The Assembly Committee on Campaigns and Elections and the Senate Committee on Elections and Local Government held a joint public hearing on October 13, 2015.

7. ***Assembly Bill 388 and Senate Bill 294: reorganizing the Government Accountability Board, requiring the exercise of rule-making authority, and making appropriations.***

Sponsors: Majority. This bill eliminates the GAB and replaces it with an Elections Commission, which administers and supervises elections, and an Ethics Commission, which administers and supervises ethics, campaign financing, and lobbying regulation. The bill eliminates the position of General Counsel, and creates Commissioners and Deputy Commissioners to manage each new commission. The bill also provides for a process of the appointment of the membership of each commission.

Assembly: The Assembly Committee on Campaigns and Elections and the Senate Committee on Elections and Local Government held a joint public hearing on October 13, 2015.

Senate: The Assembly Committee on Campaigns and Elections and the Senate Committee on Elections and Local Government held a joint public hearing on October 13, 2015.

8. *Assembly Bill 389 and Senate Bill 295: voter registration, verification of certain registrations, proof of residence for voting in an election, authorizing Wisconsin to enter into agreements to share information related to the registration and voting of electors.*

Sponsors: Majority. This bill permits a qualified elector to register to vote electronically, eliminates the position and responsibilities of special registration deputies, and requires the Government Accountability Board (GAB) to enter into agreements with other state election administrators to share information related to the registration and voting of qualified electors. The bill also makes several other minor changes to Wisconsin's election laws.

Assembly: A joint public hearing was held on October 13, 2015.

Senate: A joint public hearing was held on October 13, 2015.

9. *Senate Bill 245: the return of federal funds to the federal government.*

Sponsors: Minority. Current law permits the governor, as well as other executive branch agencies, to accept federal funds on behalf of the state and its political subdivisions. This bill provides that no moneys made available to, and accepted by, the state from the federal government, the expenditure of which may increase employment in this state, may be returned to the federal government without the approval of the legislature by law.

PREVIOUS LEGISLATION – CHANGE IN STATUS

10. *Assembly Bill 199 and Senate Bill 137: publication of certain legal notices on an Internet site maintained by a municipality.*

Sponsors: Majority. Under this bill, a municipality that opts to post a legal notice in lieu of publication may, instead of posting the notice in three public places, post the notice in one public place and publish the notice on the municipality's Internet site.

Assembly: Public hearing held by June 16, 2015 by the Assembly Committee on Urban and Local Affairs. **The Assembly Committee on Urban and Local Affairs held an executive session on AB-199 on September 22, 2015. The Assembly passed Senate Bill 137 by a voice vote on September 24, 2015.**

Senate: Public hearing held on May 28, 2015. Executive Session held on June 3, 2015. The Senate Committee on Elections and Local Government recommended passage by a vote of 3-2. The Senate passed Senate Bill 137 by a voice vote on June 9, 2015.

11. Assembly Bill 328 and Senate Bill 58: legislative and congressional redistricting.

Sponsors: Minority. This bill creates a new procedure for the preparation of legislative and congressional redistricting plans. The bill directs the Legislative Reference Bureau (LRB) to draw redistricting plans based upon standards specified in the bill and establishes a Redistricting Advisory Commission to perform certain tasks in the redistricting process. The bill also makes various other changes to the laws governing redistricting.

PREVIOUS LEGISLATION – NO STATUS CHANGE

12. Assembly Joint Resolution 1 and Senate Joint Resolution 2: Election of chief justice (second consideration).

Sponsors: Majority. This constitutional amendment, to be given second consideration by the 2015 Legislature for submittal to the voters in a statewide constitutional referendum in April 2015, was first considered by the 2013 legislature in 2013 Senate Joint Resolution 57, which became 2013 Enrolled Joint Resolution 16. The amendment directs the Supreme Court to elect a chief justice for a term of two years.

Senate Joint Resolution 2: Passed by the Senate by a vote of 17-14; passed by the Assembly by a vote of 62-34-2-1 (Aye – Nay – Paired – Not voting). Enrolled as 2015 Senate Joint Resolution 2. This referendum question was approved on the 2015 Spring Election ballot statewide.

13. Assembly Joint Resolution 8 and Senate Joint Resolution 12: An advisory referendum on an amendment to the U.S. Constitution.

Sponsors: Minority. This resolution places a question on the November 2016 ballot to ask the people if Congress should propose an amendment to overturn *Citizens United v. FEC*.

14. Assembly Joint Resolution 48: establishing competitive election criteria for redistricting the legislature (first consideration).

Sponsors: Minority. This proposed constitutional amendment, proposed to the 2015 legislature on first consideration, defines demographic and political standards for the drawing of legislative districts and establishes criteria for the drawing of legislative districts. Following the canvass of the general election in each year that is divisible by ten, the amendment requires the superintendent of public instruction to determine the mean percentage of the vote received by candidates of the two major political parties for certain statewide offices in the prior decade and to certify those mean percentages to the legislature.

15. *Assembly Joint Resolution 55 and Senate Joint Resolution 47: providing for an advisory referendum on the question of adopting a nonpartisan system for redistricting.*

Sponsors: Minority. These joint resolutions call for an advisory referendum on the question of whether the legislature should adopt a nonpartisan system for redistricting of legislative and congressional districts in this state. The referendum would be held at the 2016 general election.

16. *Senate Joint Resolution 32 and Assembly Joint Resolution 38: the right to vote (first consideration).*

Sponsors: Minority. This constitutional amendment, proposed to the 2015 legislature on first consideration, provides that every qualified elector of this state shall have the fundamental right to vote in any public election held in the election district in which the elector resides.

17. *Assembly Bill 9 and Senate Bill 6: Legislative Audit Bureau access to documents maintained by state agencies and authorizing the Government Accountability Board to provide investigatory records to the Legislative Audit Bureau.*

Sponsors: Bipartisan. These bills clarify LAB authority to have access to all state agency documents by providing that LAB also has specific access to state agency documents that relate to agency expenditures, revenues, operations, and structure that are confidential by law. In addition, the bill requires GAB to provide investigatory records to LAB to the extent necessary for LAB to carry out its duties.

Joint Legislative Audit Committee: Public hearing held on January 21, 2015. Executive session held on January 22, 2015. The committee recommended passage of both bills unanimously.

Senate Bill 6: Passed by the Senate by voice vote; passed by the Assembly by voice vote. The Governor signed Senate Bill 6 into law as 2015 Wisconsin Act 2.

18. *Assembly Bill 21 and Senate Bill 21: state finances and appropriations constituting the executive budget act of the 2015 legislature.*

Sponsors: Majority. This bill is the "executive budget bill" under section 16.47 (1) of the statutes. It contains the governor's recommendations for appropriations for the 2015-2017 fiscal biennium. The bill was passed by the Legislature and signed into law by the Governor as 2015 Act 55 on July 13, 2015.

19. *Assembly Bill 55 and Senate Bill 27: shareholder objections to corporate political expenditures.*

Sponsors: Minority. Current law defines "disbursement," for purposes relating to campaign financing, to include a purchase, payment, loan, or gift made for political purposes; an authorized expenditure from a campaign depository account; and a payment for a broadcast or print communication to the general public for a political purpose.

This bill requires corporations to give written notice to their shareholders before making disbursements, as defined under current campaign finance law. The corporation is required to give only one notice for each corporate fiscal year. The notice must include a form that the shareholder may complete and return to the corporation to object to any disbursement during the applicable fiscal year.

The bill requires a corporation, within three months after the end of its fiscal year, to calculate the total value of its expenditures for disbursements made during the fiscal year. If an objecting shareholder returns the objection form to the corporation (opts out) within 30 days after the date stated on the corporation's notice, the corporation must, within four months after the end of its fiscal year, do all of the following: 1) pay the objecting shareholder an amount determined by multiplying the total value of corporate expenditures for disbursements by the objecting shareholder's percentage of ownership in the corporation; and 2) provide the objecting shareholder with the corporation's calculation of the total value of its expenditures for disbursements made during the fiscal year, along with information related to the calculation.

20. Assembly Bill 58 and Senate Bill 47: responding to a request for an absentee ballot.

Sponsors: Bipartisan. Under this bill, a municipal clerk who receives a request for an absentee ballot by mail, electronic mail, or facsimile transmission must respond to the request no later than one business day after receiving the request.

Assembly: Assembly Substitute Amendment 1 to AB 58 offered by Representative Horlacher. The amendment addresses the relationship between Wis. Stats. §§6.86 and 7.15. Executive session held on May 19, 2015. The Assembly Committee on Campaigns and Elections adopted Assembly Substitute Amendment 1 by a vote of 7-0. The committee recommended passage as amended by a vote of 8-0. The Committee held a public hearing and executive session regarding on August 19, 2015.

Senate: Senate Substitute Amendment 1 to Senate Bill 47 offered by Senator Harsdorf. The amendment addresses the relationship between Wis. Stats. §§6.86 and 7.15. The Senate Committee on Elections and Local Government held a public hearing on April 9, 2015. The committee held an executive session on April 16, 2015. The committee approved Senate Substitute Amendment 1 by a vote of 5-0. The committee recommended passage as amended by a vote of 5-0. The Senate adopted Senate Substitute Amendment 1 and passed the bill as amended by a voice vote.

21. Senate Bill 63: the presidential preference date.

Sponsors: Minority. This bill would move the date of the Presidential Preference Election from the Spring Election to coincide with the Spring Primary.

22. Assembly Bill 68 and Senate Bill 43: John Doe proceedings and providing a penalty.

Sponsors: Majority. This bill imposes a six-month time limit on a John Doe proceeding. This limit may be extended for additional six-month periods if a majority of judicial administrative district chief judges find good cause for each extension. This bill also provides that the same finding is required to add specified crimes to the original complaint. The vote of each judge must be available to the public. Finally, under this bill, records reflecting the costs of John Doe investigations and proceedings are a matter of public record, temporary or permanent reserve judges are excluded from presiding over John Doe proceedings, and special prosecutors may be appointed to assist the district attorney in a John Doe proceeding only under certain conditions.

Assembly: A public hearing was held on May 14 and an executive session held on August 19 by the Assembly Committee on Judiciary. The committee recommended passage by a vote of 5-3.

Senate: A public hearing was held on March 11 and an executive session held on March 12 by the Senate Committee on Judiciary and Public Safety. The committee recommended passage by the committee by a vote of 3-2.

23. *Assembly Bill 79 and Senate Bill 71: allowing municipal clerks to register voters on Election Day.*

Sponsors: Bipartisan. Under current law, election inspectors may register electors to vote at a polling place on Election Day. In addition, a municipality may provide, by adopting a resolution, that an inspector's registration duties may be performed by special registration deputies appointed by the municipal clerk or board of election commissioners.

Under this bill, an inspector's registration duties may be performed by the municipal clerk, if the clerk is not a candidate listed on the ballot, or by special registration deputies appointed by the municipal clerk or board of election commissioners, without the municipality first adopting a resolution to allow the procedure.

Assembly: Senate Bill 71 passed by a voice vote by the Assembly on June 9, 2015.

Senate: Public hearing held on April 9, 2015 by the Committee on Elections and Local Government. Senate Amendment 1 offered by Senator Gudex. Adoption of Senate Amendment 1 and passage as amended recommended by the Committee. Passed by a voice vote on June 9, 2015. Enacted as 2015 Wisconsin Act 39.

24. *Assembly Bill 80: review by state agencies of administrative rules and enactments and an expedited process for repealing rules an agency no longer has the authority to promulgate.*

Sponsors: Majority. This bill would require state agencies to file a report by March 31 of each odd-numbered year to the Joint Committee for Review of Administrative Rules identifying the following:

- Rules for which the authority to promulgate has been eliminated or restricted.
- Rules that are obsolete or that have been rendered unnecessary.

- Rules that are duplicative of superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a court ruling.

The report must also include 1) a description of the agency's actions, if any, to address each rule listed in the report and, if the agency has not taken any action to address a rule listed in the report, an explanation for not taking action; 2) a description of the status of each rule listed in the previous year's report not otherwise listed; and 3) if the agency determines that there are no such rules to list, a statement of that determination.

Assembly: Report passage recommended by the Committee on State Affairs and Government Operations by a vote of 8-5. Report passage recommended by the Committee on Judiciary by a vote of 5-3.

Senate: Public hearing held on June 2, 2015.

25. *Assembly Bill 124 and Senate Bill 96: fees for election recounts.*

Sponsors: Bipartisan. This bill provides that, if the difference between the votes cast for the leading candidate and those cast for the petitioner, or the difference between the affirmative and negative votes cast on the referendum question, is less than 10 if 4,000 or fewer votes are cast or not more than 0.25 percent of the total votes cast for the office or on the question if more than 4,000 votes are cast, the petitioner does not pay for the recount.

Under any other circumstance, the petitioner pays the actual cost of performing the recount. However, if the recount overturns the result of the election or referendum, the petitioner receives a refund of the recount fees. No recount in Wisconsin history has changed the outcome of a contest when the original margin was more than 0.125 percent. Therefore, the 0.25 percent threshold for a free recount is double the largest original margin in Wisconsin history of a successful recount.

Assembly: Executive session held on May 19, 2015. The committee recommended passage by a vote of 5-3. The Assembly passed Senate Bill 96 by a voice vote on June 9, 2015.

Senate: the Senate Committee on Elections and Local Government held a public hearing on April 9, 2015. The committee held an executive session on April 16, 2015. The committee recommended passage by a vote of 3-2. Senate Substitute Amendment 1 offered by Senator Miller. Senate Amendment 1 introduced by Senator Miller. Senate Substitute Amendment tabled by a vote of 19-14. Senate Amendment 1 tabled by voice vote. The Senate passed Senate Bill 96 as amended by a voice vote on May 6, 2015. Enacted as 2015 Wisconsin Act 36.

26. *Assembly Bill 130: tribal identification cards.*

Sponsors: Bipartisan. This bill provides that identification cards issued by an American Indian tribe or band must be accepted as sufficient proof of identity for the purpose of any law that requires a person to present identification. This bill was prepared for the Joint Legislative Council's Special Committee on State-Tribal Relations.

Assembly: Public hearing held on May 27, 2015.

27. *Assembly Bill 164 and Senate Bill 121*: various election law changes.

Sponsors: Bipartisan. This bill makes several changes to election laws and addresses several concerns identified by the Wisconsin County Clerks Association in their 2015-2016 Legislative Objectives:

- The bill requires that a write-in candidate must file a registration statement no later than noon on the Friday before the election to be a registered write-in candidate.
- The bill provides that the governing body of a town or village may hold a caucus between January 2 and January 21.
- The bill provides that the board of canvassers need not reconvene if the municipal clerk certifies that he or she has received no provisional or absentee ballots from the time that the board of canvassers completed the initial canvass and 4 p.m. on the Friday after the election.
- The bill would require electors to submit a petition to pass an ordinance or resolution (direct legislation) at least 70 days from the date on which the council or board must act.
- The bill removes language related to an elector affixing a sticker to a ballot.
- Under current law, if a school board election is held in conjunction with a state, county, municipal, or judicial election, the school board election must take place at the same polling place, and the municipal election hours apply. This bill provides that a school board referendum held in conjunction with a state, county, municipal, or judicial election is subject to the same procedures.

Assembly: Assembly Amendment 1 offered by Representative Bernier. Executive session held on May 19, 2015. Assembly Amendment 1 offered by Representative Bernier. The committee recommended adoption of Assembly Amendment 1 by a vote of 8-0. The committee recommended passage as amended by a vote of 7-0. Senate Bill 121 passed by the Assembly by a voice vote on June 9, 2015.

Senate: Senate Amendment 1 offered by Senator LeMahieu. Executive Session held on June 3, 2015. Senate Amendment 1 was approved by a vote of 5-0. The Senate Committee on Elections and Local Government recommended passage as amended by a vote of 5-0. Senate Amendment 1 adopted and passed as amended by a voice vote on June 9, 2015. Enacted as 2015 Wisconsin Act 37.

28. *Assembly Bill 175 and Senate Bill 151*: communications by members of the Legislature.

Sponsors: Bipartisan. Currently, with certain exceptions, no person who is elected to state or local office and who becomes a candidate for national, state, or local office may use public funds for the cost of materials or distribution of 50 or more pieces of substantially identical material distributed during the period beginning on the first day for circulation of nomination papers as a candidate (or certain other dates for candidates who do not file nomination papers) and ending on the date of the election at which the person's name appears on the

ballot, or on the date of the primary election at which the person's name so appears if the person is not nominated at the primary.

This bill provides that this prohibition does not apply to the cost of materials or distribution of a communication made by a member of the legislature to an address located within the legislative district represented by that member during the 45-day period following declaration of a state of emergency by the governor affecting any county in which the district is located if the communication relates solely to the subject of the emergency.

Assembly: The Committee on Campaigns and Elections held a public hearing on May 19, 2015. Assembly Amendment 1 offered by Representative Vorpapel, which would apply the exception to all state and local elected officials.

29. *Assembly Bill 176*: reporting of the principal place of employment of certain individuals who make political contributions.

Sponsors: Majority. Currently, with limited exceptions, each registrant under the campaign finance law must file periodic reports with the appropriate filing officer or agency specified by law. The reports must contain specified information, including the occupation and the name and address of the principal place of employment of each individual contributor whose cumulative contributions for the calendar year exceed \$100 in amount or value. Under this bill, the report must indicate the occupation of each individual contributor whose cumulative contributions for the biennium are in excess of \$500.

30. *Assembly Bill 189*: authorizing Wisconsin to enter into agreements to share information related to the registration and voting of electors.

Sponsors: Majority. This bill requires the chief election officer to enter into the Interstate Voter Registration Data Crosscheck Program, an agreement with a group of states to share data and information related to the registration and voting of electors in this state and the other participating states for the purpose of maintaining this state's statewide voter registration list.

Assembly: Public hearing held on May 19, 2015.

31. *Assembly Bill 230*: requiring a municipal judge to be a licensed Wisconsin attorney.

Sponsors: Bipartisan. Beginning on January 1, 2016, this bill requires a person seeking to be elected or appointed as a municipal judge to be an attorney licensed to practice in this state and a member in good standing of the State Bar of Wisconsin.

32. *Assembly Bill 240 and Senate Bill 161*: electioneering at a retirement home or residential care facility.

Sponsors: Majority. Under current law, no person may engage in electioneering in or near a retirement home or residential care facility while special voting deputies are present at the home or facility. Under this bill, no candidate or candidate's agent may engage in

electioneering within 100 feet of a retirement home or residential care facility during any day on which a municipality schedules special voting deputies to be present at the home or facility.

Assembly: Public hearing for AB 240 held on August 19, 2015.

Senate: Public hearing for SB 161 held on May 28, 2015. Public hearing held on AB 240 on August 25, 2015.

33. Assembly Bill 251: various changes regarding administrative rules and rule-making procedures; time limits for emergency rules; and making an appropriation.

Sponsors: Majority. The bill makes various changes regarding the rule-making procedures established under current law. Significant changes regarding those procedures are described below.

Role of Office of Business Development and Small Business Regulatory Review Board; impacts on small businesses

The bill requires scope statements for proposed rules, and proposed rules in final draft form, to be submitted to OBD instead of to the governor. Following either submission, the bill requires the OBD to make a determination as to the agency's authority to promulgate the proposed rule and report its determination to the governor, who may then approve or reject the statement of scope or proposed rule as under current law.

The bill also requires proposed rules that under current law must be submitted to the SBRRB to instead be submitted to the OBD. Following the submission, the OBD must make a determination as to whether the proposed rule may have an economic impact on small businesses, and if the OBD so determines, the OBD must submit the proposed rule to the SBRRB for an assessment of the extent of the economic impact.

The bill makes changes regarding the duties of the SBRRB, including requiring the SBRRB to determine whether a proposed rule will have any economic impact on small businesses. The bill requires any determination, notice, or report that the SBRRB is required to submit to an agency to be submitted within 45 days after receipt of the proposed rule from the OBD, except that the bill allows the SBRRB and the agency to extend that time by mutual agreement. The bill also makes other changes regarding the requirements for agencies to complete initial and final regulatory flexibility analyses for proposed rules.

Scope statements; preliminary public hearing and comment period on scope statements

Current law prohibits an agency head from approving a scope statement until at least ten days after publication of the scope statement in the register. The bill eliminates that prohibition.

The bill requires an agency, following approval of a scope statement by the governor, to submit to the LRB a notice of a preliminary public hearing and comment period to allow for public comment and feedback on the scope statement. The agency must hold the preliminary

public hearing no sooner than the third day after publication of the notice in the register. The preliminary public hearing and comment period under the bill is in addition to the public hearing required under current law for certain rules.

Passage of bill required for certain rules

The bill provides that if an economic impact analysis, a revised economic impact analysis, or an independent economic impact analysis for a proposed rule indicates that \$10 million or more in implementation and compliance costs are reasonably expected to be incurred by or passed along to businesses, local governmental units, and individuals over any two-year period as a result of the proposed rule, the agency proposing the rule must stop work on the proposed rule and do one of the following:

1. Submit a request for JCRAR to introduce a bill authorizing promulgation of the proposed rule, which JCRAR may introduce in its discretion. The agency may resume the rule-making procedure for the proposed rule upon enactment of such a bill.
2. Modify the proposed rule to address the implementation and compliance costs of the proposed rule. If a revised economic impact analysis, as approved by the secretary of revenue, prepared following the modification indicates that \$10 million or more in implementation and compliance costs are not reasonably expected to be incurred by or passed along to businesses, local governmental units, and individuals over a two-year period as a result of the proposed rule, the agency may then resume the rule-making procedure for the proposed rule.
3. Withdraw the proposed rule.

Independent economic impact analyses; duties of secretary of revenue

The bill allows the secretary of revenue, or his or her designee (secretary), or a co-chairperson of JCRAR, after an agency submits a copy of an economic impact analysis for a proposed rule to the legislature, but before the proposed rule is submitted to the OBD for final approval, to request that an independent economic impact analysis be prepared for the proposed rule. If the secretary requests an independent economic impact analysis, the request must be submitted to the Department of Administration (DOA), which must then contract for the preparation of the independent economic impact analysis. If a co-chairperson of JCRAR requests an independent economic impact analysis, the co-chairperson must contract for the preparation of the independent economic impact analysis. The person preparing the independent economic impact analysis must complete the independent economic impact analysis within 60 days after contracting with DOA or the co-chairperson and must include most of the same information and analysis that is required for an economic impact analysis prepared by an agency. If an independent economic impact analysis is requested for a proposed rule, an agency may not submit the proposed rule to the OBD for final approval until the agency receives the completed independent economic impact analysis.

Upon completion of an independent economic impact analysis, the person preparing the analysis may submit a request to DOA or JCRAR, whichever is applicable, for reimbursement of its actual and necessary costs of completing the analysis. DOA must assess the agency that is promulgating the proposed rule, in the case of a request by the secretary, for the costs of the independent economic impact analysis. In the case of a request by a co-chairperson of JCRAR, the legislature must pay the costs of the independent economic impact analysis.

In addition, the bill allows JCRAR, when a proposed rule is before JCRAR for final review, to request an independent economic impact analysis for the proposed rule. If JCRAR requests an independent economic impact analysis at that time, the analysis must similarly be completed within 60 days after JCRAR contracts for the analysis, and JCRAR's review period is extended to the 10th working day following receipt by JCRAR of the completed analysis.

The bill also requires the secretary to do all of the following:

1. Review and approve each initial economic impact analysis prepared by an agency, including by reviewing the economic data and analyses used by the agency in preparing the analysis. If the secretary determines that the agency's analysis does not accurately gauge the economic impact of a proposed rule, the secretary must recommend any modifications to the economic impact analysis that the secretary considers necessary and direct the agency to prepare a revised economic impact analysis for the proposed rule. An agency may not submit a proposed rule to the OBD for final approval unless the secretary has approved the agency's initial or revised economic impact analysis. The secretary may approve an economic impact analysis only upon determining that the economic impact analysis accurately gauges the economic impact of the proposed rule.
2. Provide training to agencies on appropriate data collection and methods of analysis for purposes of preparing economic impact analyses of proposed rules.
3. Attend JCRAR hearings and present testimony on proposed rules that he or she determines will have an economic impact on specific businesses, business sectors, public utility ratepayers, local governmental units, regulated individuals and entities, or the state's economy as a whole.

Approval of germane modifications to proposed rules

Current law permits an agency to make a germane modification to a proposed rule at certain points during the legislative review process. Under the bill, if an agency makes a germane modification to a proposed rule at any time during the legislative review process, the agency must also submit that modification to the governor for approval. The governor, in his or her discretion, may approve or reject the modification. If the governor does not approve the modification, the agency may not promulgate the proposed rule, except that the agency may resubmit the proposed rule to the legislature without the modification.

Statements of policy and interpretations

Under current law, if JCRAR determines that a statement of policy or an interpretation of a statute meets the definition of a rule, it may direct the agency to promulgate the statement or interpretation as an emergency rule within 30 days after JCRAR's action.

Under the bill:

1. The OBD has the same power as JCRAR to direct an agency to promulgate a statement of policy or interpretation of a statute as an emergency rule.
2. JCRAR or the OBD must, if requiring the agency to promulgate the statement or interpretation as an emergency rule, also require the agency to promulgate the statement or interpretation as a permanent rule, using the permanent rule-making procedure.
3. JCRAR or the OBD may, in addition to, or instead of, requiring the agency to promulgate the statement or interpretation as a permanent or emergency rule, prohibit the agency from implementing or enforcing the statement of policy or interpretation until the statement or interpretation is promulgated as a rule or until any such prohibition is rescinded.

Emergency rules

Finally, the bill modifies JCRAR's authority under current law to extend the effective period of an emergency rule so that JCRAR may grant only a single extension of up to 120 days and only before the last floor period of the biennial legislative session. The bill also permits JCRAR, within 30 days before the last floor period of the biennial legislative session, to extend the effective period of an emergency rule for a period not to extend beyond March 31 of the following year. JCRAR may, if applicable, grant both types of extensions for a particular emergency rule.

34. *Assembly Bill 265: public financing of campaigns for the office of justice of the supreme court, making appropriations, and providing penalties.*

Sponsors: Minority. This bill creates a democracy trust fund under which eligible candidates for the office of justice of the Supreme Court may receive public grants derived from general-purpose revenues to finance their campaigns. Candidates who meet the requirements outlined in the bill are eligible to receive "seed money" funded through a tax refund check-off. Public financing benefits for eligible candidates are \$100,000 in the spring primary and \$300,000 in the spring election. The benefits are subject to a biennial cost of living adjustment. The bill also imposes several limitations and penalties for various violations.

35. *Assembly Bill 288: authorizing electors to vote in the primary of more than one political party.*

Sponsors: Minority. This bill permits a voter in a partisan primary to "split tickets," designating the candidate of his or her choice for each office, including the offices of governor and lieutenant governor, regardless of party affiliation. The bill also allows a voter

to vote for independent candidates for one or more state offices in a partisan primary, in addition to party candidates for one or more state or county offices. Under the bill, a voter may still vote for only one candidate for each office. The voting procedure at the general election and other partisan elections is unaffected by the bill. The bill initially applies to voting at the 2016 partisan primary election.

36. Assembly Bill 293: political disbursements and obligations by corporations, cooperative associations, and labor organizations and the scope of regulated activity and reporting of certain activity under the campaign finance law.

Sponsors: Minority. With certain exceptions, this bill imposes additional registration and reporting requirements on any person who, within 60 days of an election, makes any mass communication, including an electronic communication, a mass distribution, or a mass telephoning, that includes a reference to a clearly identified candidate at that election. In addition, the bill requires a person who becomes subject to a registration requirement by making such a communication to report, upon registration, the information that would have been required to be reported if the person had been registered with respect to any obligation incurred or disbursement made for the purpose of making such a communication prior to registration. The bill, however, does not require registration and reporting if the communication is made by a corporation, cooperative, or nonpolitical voluntary association and is limited to the corporation's, cooperative's, or association's members, shareholders, or subscribers.

The change in the scope of reportable activity under the bill also applies to contribution and disbursement (spending) limitations and restrictions by causing reportable "contributions," "obligations," and "disbursements" to include the cost of all reportable communications. The bill also requires a special report by any campaign finance registrant who makes or incurs an obligation to make a mass communication that becomes reportable under the bill within 60 days of a primary or other election in an amount greater than \$500 cumulatively since the date of the registrant's last report. The special report must be made within 24 hours after the date that disbursements or obligations that exceed \$500 cumulatively are made or incurred and must include the information that would otherwise be reported on the registrant's next regular report in the form prescribed by Government Accountability Board.

Under current law, violators of registration and reporting requirements are subject to a forfeiture (civil penalty) of not more than \$500 for each violation. In addition, any person who is delinquent in filing a report is subject to a forfeiture of not more than \$50 or 1 percent of the annual salary of the office for which a candidate is being supported or opposed, whichever is greater, for each day of delinquency. Intentional violators of the registration requirements and persons who intentionally file false reports or statements may be fined not more than \$1,000 or imprisoned for not more than six months, or both, if the violation involves less than \$100 in amount or value, and may be fined not more than \$10,000 or imprisoned for not more than three years and six months, or both, if the violation involves more than \$100 in amount or value.

37. Assembly Bill 316 and Senate Bill 220: allowing 16- and 17-year olds to preregister to vote.

Sponsors: Minority. This bill allows a person age 16 or 17 to preregister to vote. Under this bill, a person who is age 16 or 17 but is otherwise a qualified elector may reregister to vote. A person who preregistered to vote may not vote in any election unless they are age 18 or older on election day. A person who preregistered may vote by absentee ballot if they will be age 18 or older on election day.

Under current law, the Government Accountability Board must maintain electronically the official registration list. Each registration list prepared for use as a poll list at a polling place must contain the full name and address of each registered elector. Under this bill, for purposes of the official registration list, "elector" means any U.S. citizen age 16 or older who has registered or preregistered and will be eligible to vote on or before the date of the next election. However, a registration list prepared for use as a poll list may not contain the name of any person who preregistered to vote unless the person will be age 18 or older on election day.

38. *Senate Bill 201: political disbursements and obligations by corporations, cooperative associations, and labor organizations and the scope of regulated activity and reporting of certain activity under the campaign finance law.*

Sponsors: Minority. With certain exceptions, this bill imposes additional registration and reporting requirements on any person who, within 60 days of an election, makes any mass communication, including an electronic communication, a mass distribution, or a mass telephoning, that includes a reference to a clearly identified candidate at that election. In addition, the bill requires a person who becomes subject to a registration requirement by making such a communication to report, upon registration, the information that would have been required to be reported if the person had been registered with respect to any obligation incurred or disbursement made for the purpose of making such a communication prior to registration. The bill however, does not require registration and reporting if the communication is made by a corporation, cooperative, or nonpolitical voluntary association and is limited to the corporation's, cooperative's, or association's members, shareholders, or subscribers. The change in the scope of reportable activity under the bill also applies to contribution and disbursement (spending) limitations and restrictions by causing reportable "contributions," "obligations," and "disbursements" to include the cost of all reportable communications.

The bill also requires a special report by any campaign finance registrant who makes or incurs an obligation to make a mass communication that becomes reportable under the bill within 60 days of a primary or other election in an amount greater than \$500 cumulatively since the date of the registrant's last report. The special report must be made within 24 hours after the date that disbursements or obligations that exceed \$500 cumulatively are made or incurred and must include the information that would otherwise be reported on the registrant's next regular report in the form prescribed by Government Accountability Board. The bill also increases several penalties for violations of registration and reporting requirements.

39. Senate Bill 208: authorization for electors to vote in the primary of more than one political party.

Sponsors: Minority. This bill permits a voter in a partisan primary to "split tickets," designating the candidate of his or her choice for each office, including the offices of governor and lieutenant governor, regardless of party affiliation. The bill also allows a voter to vote for independent candidates for one or more state offices in a partisan primary, in addition to party candidates for one or more state or county offices. Under the bill, a voter may still vote for only one candidate for each office. The voting procedure at the general election and other partisan elections is unaffected by the bill. The bill initially applies to voting at the 2016 partisan primary election.

Proposals		Assembly		Senate		Relating Clause	
Proposal (LRB#)	Sponsors	Assembly	Senate	Relating Clause	Relating Clause	Relating Clause	Relating Clause
AJR-01 (1001)	Majority			election of chief justice (second consideration)			
SJR-02 (0644)	Majority	Enrolled SJR2	Enrolled SJR2	election of chief justice (second consideration)			
AJR-08 (1145)	Minority			An advisory referendum on an amendment to the U.S. Constitution			
SJR-12 (1420)	Minority			An advisory referendum on an amendment to the U.S. Constitution			
AB-09 (1157)	Bipartisan	Passed by Committee		Legislative Audit Bureau access to documents maintained by state agencies and authorizing the Government Accountability Board to provide investigatory records to the Legislative Audit Bureau			
SB-06 (0937)	Bipartisan	2015 WI Act 2	2015 WI Act 2	Legislative Audit Bureau access to documents maintained by state agencies and authorizing the Government Accountability Board to provide investigatory records to the Legislative Audit Bureau			
AB-21 (1474)	Majority			state finances and appropriations, constituting the executive budget act of the 2015 legislature			
SB-21 (1576)	Majority	2015 WI Act 55	2015 WI Act 55	state finances and appropriations, constituting the executive budget act of the 2015 legislature			
AB-55 (1515)	Minority			Shareholder objections to corporate political expenditures			
SB-27 (0977)	Minority			Shareholder objections to corporate political expenditures			
AB-58 (1593)	Bipartisan	Passed by Committee		Responding to a request for an absentee ballot			
SB-47 (0341)	Bipartisan	Passed by Committee	Passed by Senate	Responding to a request for an absentee ballot			
AB-63 (1516)	Minority			the presidential preference primary date			
AB-68 (0524)	Majority	Passed by Committee		John Doe proceedings and providing a penalty			
SB-43 (1716)	Majority		Passed by Committee	John Doe proceedings and providing a penalty			
AB-79 (0828)	Bipartisan			allowing municipal clerks to register voters on election day			
SB-71 (1696)	Bipartisan	2015 WI Act 39	2015 WI Act 39	allowing municipal clerks to register voters on election day			
AB-80 (1270)	Majority	Passed by Assembly		review by state agencies of administrative rules and enactments and an expedited process for repealing rules an agency no longer has the authority to promulgate.			
SB-58 (0889)	Minority			legislative and congressional redistricting			
AB-124 (1151)	Bipartisan	Passed by Committee		fees for election recounts			
SB-96 (1873)	Bipartisan	2015 WI Act 36	2015 WI Act 36	fees for election recounts			
AB-130 (0927)	Bipartisan			tribal identification cards			
AB-164 (2071)	Bipartisan	Passed by Committee		various election law changes			
SB-121 (1578)	Bipartisan	2015 WI Act 37	2015 WI Act 37	various election law changes			
AB-175 (1879)	Bipartisan			communications by members of the legislature			
SB-151 (2171)	Bipartisan			communications by members of the legislature			

Proposal (LRB#)	Sponsors	Assembly	Senate	Relating Clause
AB-176 (2055)	Majority			reporting of the principal place of employment of certain individuals who make political contributions
AB-189 (1711)	Majority			authorizing Wisconsin to enter into agreements to share information related to the registration and voting of electors
AB-199 (1852)	Majority	Passed by Committee		publication of certain legal notices on an Internet site maintained by a municipality
SB-137 (2070)	Majority	Passed by Assembly	Passed by Senate	publication of certain legal notices on an Internet site maintained by a municipality
SJR-32 (0870)	Minority			the right to vote (first consideration)
AJR-38 (2134)	Minority			the right to vote (first consideration)
AB-240 (2334)	Majority			electioneering at a retirement home or residential care facility
SB-161 (1810)	Majority			electioneering at a retirement home or residential care facility
AB-230 (2137)	Bipartisan			requiring a municipal judge to be a licensed Wisconsin attorney
AB-251 (1046)	Majority			various changes regarding administrative rules and rule-making proceedings; time limits for emergency rules; and making an appropriation
AB-265 (1267)	Minority			public financing of campaigns for the office of justice of the supreme court, making appropriations, and providing penalties
SB-201 (1146)	Minority			political disbursements and obligations by corporations, cooperative associations, and labor organizations and the scope of regulated activity and reporting of certain activity under the campaign finance law
AJR-48 (2145)	Minority			establishing competitive election criteria for redistricting the legislature (first consideration)
SB-208 (0011)	Minority			authorization for electors to vote in the primary of more than one political party
AB-288 (0707)	Minority			authorizing electors to vote in the primary of more than one political party
AB-316(2393)	Minority			allowing 16- and 17-year-olds to preregister to vote
SB-220 (2652)	Minority			allowing 16- and 17-year-olds to preregister to vote
AB-293 (2661)	Minority			political disbursements and obligations by corporations, cooperative associations, and labor organizations and the scope of regulated activity and reporting of certain activity under the campaign finance law
AB-47 (2848)	Minority			providing for an advisory referendum on the question of adopting a nonpartisan system for redistricting
AJR-55 (0826)	Minority			providing for an advisory referendum on the question of adopting a nonpartisan system for redistricting

Proposal (LRB#)	Sponsors	Assembly	Senate	Relating Clause
SB-245 (1428)	Minority			the return of federal funds to the federal government
AB-328 (1569)	Minority			legislative and congressional redistricting
AB-343 (1006)	Minority			issuance of motor vehicle operator's licenses and identification cards by the Department of Transportation
SB-258 (2864)	Minority			issuance of motor vehicle operator's licenses and identification cards by the Department of Transportation
AB-342 (2487)	Minority			reporting travel expenses for elected state officials seeking national office and providing a penalty
AJR-67 (3207)	Minority			Wisconsin Legislative Resolution to Restore Free and Fair Elections in the United States
SJR-56 (3205)	Minority			Wisconsin Legislative Resolution to Restore Free and Fair Elections in the United States
SB-281 (3354)	Minority			Relating to: voter registration; proving residence for registration and voting purposes; reviewing certain expenditures of the Government Accountability Board by the Joint Committee on Finance; and granting rule-making authority.
AB-382 (2497)	Majority			creating a legislative office of inspector general and making appropriations.
AB-379 (0179)	Minority			voter registration; proving residence for registration and voting purposes; reviewing certain expenditures of the Government Accountability Board by the Joint Committee on Finance; and granting rule-making authority.

State of Wisconsin \ Government Accountability Board

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JUDGE GERALD C. NICHOL
Chair

KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: For the October 20, 2015 Board Meeting

TO: Members, Wisconsin Government Accountability Board

FROM: Kevin J. Kennedy, Director and General Counsel
Wisconsin Government Accountability Board

Prepared by: Jonathan Becker, Brian Bell, Richard Bohringer, Adam Harvell,
Kyle Kundert and Molly Nagappala
Ethics and Accountability Division

SUBJECT: Ethics and Accountability Division Program Activity

Campaign Finance Update

Richard Bohringer, Adam Harvell, Kyle Kundert, Molly Nagappala and Brian Bell
Campaign Finance Auditors

July Continuing 2015 Campaign Finance Reports

All active, non-exempt committees were required to file the July 2015 report by July 20, 2015. As of October 9, 1422 reports have been filed. Only one committee, the Alverno College Republicans, has not filed a report as required. Staff continues to follow up with that committee.

All registered, non-exempt committees will have a 2016 January Continuing Report, covering the last half of 2015, due on 1/31/2016.

Campaign Finance Audits

Besides following up on late reports and late filing fees, staff has been working on the following audits during 2015:

- Cash Balance Audit – In May and June, staff examined all committees' 2014 reports, and sent letters to 117 committees with cash balance discrepancies of \$100 or more. As of October 9, 94 committees have resolved their cash balance issues with no penalty. Nine committees have paid settlements totaling \$2,671.45. Three committees have had their penalty waived. Eleven committees are still outstanding.

- Lobbyist Contribution Audit – In June, staff evaluated all committees’ 2014 reports, and identified 34 lobbyists who had potentially contributed to partisan candidates outside of the statutory window. As of October 9, only one individual had not resolved his case. Ten individuals have paid forfeitures totaling \$2088.00.
- In September, staff sent out letters of inquiry to committees who had reported contributions from individuals over the legal limit in the 2014 election cycle. 44 committees received initial letters. 5 committees received warnings for violations of \$50 or less.
- In September, staff sent out letters of inquiry to committees who had reported contributions from committees over the legal limit in the 2014 election cycle. 34 committees received initial letters.
- Also in September, staff sent out letters of inquiry to committees who had reported possible corporate contributions in 2014. 17 committees received initial letters.

Lobbying Update
 Molly Nagappala and Brian Bell
 Ethics and Accountability Specialists

New State Agency Legislative Liaison Reporting System

In mid-June, staff began a project to modernize state agency legislative liaison reporting. Currently, these liaisons use paper to report their activities on January 31 and July 31 every year for the preceding six-month period. Staff is nearly complete with this process. All agencies’ data has been transferred to the Eye on Lobbying website, and is up to date as of the agencies’ last reports filed in July. Staff will complete training materials and launch to agency users in October and November, and users will complete their first legislative liaison reports in the new system by January 31, 2016.

Statements of Lobbying Activities and Expenditures (SLAEs): January 2015 – June 2015

These filings were due on Friday, July 31, 2015. As of October 9, 2015, one (1) principal SLAE remains outstanding, and its status will be disclosed during closed session. To the best of our knowledge, the outstanding principal represents a relatively small amount of lobbying, both in dollars and in hours. Overall, staff is pleased with the level of timely SLAE filing for this reporting period.

Filing Date	Reports Filed	Number of Days Late
Filed On-Time (or within 2-day grace period)	690	N/A
08/03/2015	11	3 Days Late
08/04/2015	3	4 Days Late
08/05/2015	4	5 Days Late
08/06/2015	2	6 Days Late
08/10/2015	1	10 Days Late
8/12/2015	1	12 Days Late

15-Day Reporting Audit

Another audit that lobbying staff complete after the filing of SLAEs is the 15-day reporting audit. Registered principals are required to report to the G.A.B. within 15 days of their first communication on any bill, budget bill subject, administrative rule, or topic. Unfortunately, staff recognized a marked increase in tardy 15-day reporting for the January 2015 – June 2015 period. A total of thirty (30) principals were assessed forfeitures for late 15-day reports, with a total amount of \$1,800 in penalties recovered. Since completing the audit, staff has attempted to stress the importance of timely 15-day reporting by sending an email to all principals reminding them of the requirement, of the procedure to complete it on the Eye On Lobbying website, and of the training resources available to them on the G.A.B. website.

Staff continues to assist the public, lobbying principals and lobbyists regarding access to public information on the website as well as policy and reporting requirement questions from the lobbying community.

2015-2016 Legislative Session Registration and Licensing Continues

On December 1, 2014, the Eye on Lobbying website enabled the start of principal registration, lobbyist licensing, and lobbyist authorization for the upcoming 2015-2016 legislative session. While we anticipate additional registrations and licensing applications to be filed throughout the session, we have observed a continuation of the trend of decline in the number of principal registrations, lobbyist licenses (both single and multiple), and lobbyist authorizations. Both economic austerity measures by past lobbying principals, and wider margins between the majority and minority in each house of the State Legislature, are likely contributing factors.

The following tables provide a summary of licensure, registration, and authorization applications and revenue for the current and previous legislative sessions as of October 9, 2015.

2015-2016 Legislative Session

Fee Type	Fees Paid	Fee Amount	Total Paid
Limited Lobbying Principal Registration Fee	14	\$20.00	\$280.00
Limited Lobbying to Full Lobbying Principal Amendment	5	\$355.00	\$1,775.00
Principal Registration Fee	729	\$375.00	\$273,375.00
Lobbyist Authorization Fee	1,553	\$125.00	\$194,125.00
Lobbyist License (Single Principal)	523	\$250.00	\$130,750.00
Single to Multiple Principal Lobbying License Amendment	4	\$150.00	\$600.00
Lobbyist License (Multiple Principals)	109	\$400.00	\$43,600.00
Focus Subscription	83	\$100.00	\$8,300.00
		Total	\$652,805.00

2013-2014 Legislative Session

Fee Type	Fees Paid	Fee Amount	Total Paid
Limited Lobbying Principal Registration Fee	29	\$20.00	\$580.00
Limited Lobbying to Full Lobbying Principal Amendment	15	\$355.00	\$5,325.00
Principal Registration Fee	718	\$375.00	\$269,250.00
Lobbyist Authorization Fee	1,587	\$125.00	\$198,375.00
Lobbyist License (Single Principal)	571	\$350.00	\$199,850.00
Single to Multiple Principal Lobbying License Amendment	11	\$300.00	\$3,300.00
Lobbyist License (Multiple Principals)	105	\$650.00	\$68,250.00
		Total	\$744,930.00

Financial Disclosure Update

Adam Harvell
 Campaign Finance Auditor and Ethics Specialist

Statements of Economic Interests

As of October 9, 2,485 statements have been filed for calendar year 2015. All data entry is up to date.

Staff is in the process of performing data quality checks and contacting state agencies for updates before preparing the annual SEI mailing to over 2,300 state officials in November.

State of Wisconsin Investment Board Quarterly Transaction Reports

Staff sent out 58 quarterly financial disclosure reports to State Investment Board members and employees at the end of September. They are due by October 31.

Gubernatorial Appointments

New appointments continue to be processed on an ongoing basis, to include securing statements of economic interests from all appointees and referring copies of their statements to the Senate for future confirmation hearings.

Ethics, Complaints and Investigations Update

Jonathan Becker, Division Administrator

Division staff continues to answer questions from legislators, legislative staff, and the public on various provisions of the State Ethics Code. Division staff intake numerous complaints from various parties and deal with them appropriately according to the Division's standard procedures. Division staff continues to devote time to assist on investigations and the resolution of complaints when called upon by the Division Administrator and/or the Director and General Counsel. An update on active complaints is included in a separate report.

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JUDGE GERALD C. NICHOL
Chairperson

KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: For the October 20, 2015 Board Meeting

TO: Members, Wisconsin Government Accountability Board

FROM: Kevin J. Kennedy
Director and General Counsel
Wisconsin Government Accountability Board

Prepared by Elections Division Staff and Presented by:

Michael Haas
Elections Division Administrator

SUBJECT: Elections Division Update

Since its last Update (September 1, 2015), the Elections Division staff has focused on the following tasks:

1. General Activities of Election Administration Staff

A. Special Primary and Election – Assembly District 99

The Special Primary in Assembly District 99 was held on Tuesday, September 1, 2015. Four Republican candidates registered and qualified for the ballot. No other party candidates registered for the Special Election. Judge Nichol certified the results of the Special Primary on September 11.

The Special Primary elicited one candidate for the Special Election, conducted on Tuesday, September 29, 2015. One write-in candidate representing the Democratic Party registered for the Special Election. Judge Nichol certified the results of the Special Election on October 9, 2015.

Staff was available by phone until 8 p.m. on Monday and until 10 p.m. on Tuesday for the Special Primary. Staff was available until 10 p.m. on the day of the election.

C. Local Special Elections

October 13, 2015	City of Oconomowoc Alderperson Special Primary Randall Joint 1 School District Referendum
November 3, 2015	Boscobel School District Referendum

Peshtigo School District Referendum
 Potosi School District Referendum
 Tigerton School District Referendum
 Tomorrow River School District Referendum
 Shawano School District Referendum
 Unity School District Referendum
 City of Hudson Municipal Alderperson Election
 Town of Polk Referendum
 Town of Greenville Referendum
 Town of Windsor Incorporation Referendum
 Village of Germantown Referendum
 City of Oconomoc Alderperson Special Election

November 10, 2015

2. Voter Registration Statistics

The following statistics summarize statewide voter registration activity year-to-date as of October 8, 2015:

Category	Voters
Active Voter Registrations	3,379,030
Inactive Voter Registrations	1,241,644
Cancelled Voter Registrations	462,182
HAVA Checks Processed In 2015	37,091
Merged Voter Registrations Processed In 2015	24,537

3. Voter Data Requests

The following statistics summarize voter data requests as of October 12, 2015:

Fiscal Year	Total Number of Requests	Requested Files Purchased	Percentage of Requests Purchased	Total Revenue
FY2016 to date	63	31	49.21%	\$53,280.00
FY2015	679	418	61.56%	\$242,801.25
FY2014	371	249	67.12%	\$125,921.25
FY2013	356	259	72.75%	\$254,840.00
FY2012	428	354	78.04%	\$127,835.00

Since the launch of **BADGER Voters** (<http://BADGERVoters.gab.wi.gov>) in April 2014, the site has processed about 845 requests and 510 purchased data files, generating approximately \$327,206 of revenue and reducing agency costs by over \$182,765. Staff continues to study potential enhancements to the website that could result in improved customer service and greater efficiencies. As of October 12, 2015, the BADGER Voters site has resulted in a net benefit of approximately \$461,852 for the G.A.B. The initial development costs were less than \$50,000.

4. WEDCS and SVRS Data Quality

A. WEDCS Reporting

Board staff concluded efforts to seek municipal and county clerk compliance with several reporting requirements following the Special Primary and Special Election for State Assembly District 99. Staff made numerous and repeated contacts with clerks, their providers (if relier municipalities), and county clerks to attempt to get all reports completed.

The GAB-190NF Election Administration and Voting Statistics Report for the 2015 Special Primary State Assembly 99 was due to be entered into the Wisconsin Elections Data Collection System (WEDCS) by October 1, 2015. All municipalities have completed these reports. The GAB-190NF Election Administration and Voting Statistics Report for the 2015 Special Election State Assembly 99 is due to be entered into WEDCS by October 29, 2015.

Once all reports were complete for the primary election, Board staff began reconciling data between the total votes recorded in SVRS, the total voters reported in WEDCS, and the Canvass Reporting System. Staff then followed up with clerks to resolve any discrepancy of three or more votes or a difference of one percent or more within any reporting unit. After this reconciliation is complete, the WEDCS statistics will be posted on the G.A.B. website.

B. SVRS and Special Elections

Individual checklists are not created for special elections nor do the G.A.B. staff run data quality maintenance queries for special elections. Board staff does monitor SVRS activity of municipalities affected by special elections to track the status of SVRS election-related tasks.

5. Electronic Voting Systems and Equipment

A. Status of Voting Equipment Program

Following the departure of Electronic Voting Equipment Specialist Matthew Kitzman, staff member Richard Rydecki will oversee the voting equipment program and handle any voting equipment-related issues that arise.

There are currently no electronic voting equipment applications for approval pending before the Board. Staff will continue to monitor potential voting equipment purchases and work with counties and municipalities to address questions or concerns about the purchasing process.

6. The AccessElections! Accessibility Compliance Program

A. Ongoing Accessibility Compliance Efforts

Staff continues to coordinate with municipal clerks to ensure that accessibility problems uncovered during previous audits are resolved as quickly and cost-effectively as possible. The new reporting system has been used to transmit 278 audit reports to local election

officials. Staff has received and reviewed 59 plans of action designed to correct problems identified during site visits since the last report to the Board. Deadlines for submitting plans of action are set at 60 days from receipt of the report, and staff works with local election officials to ensure that problems are addressed in a timely manner.

In addition, staff arranged for the shipment of 142 grant-funded accessibility supplies to 29 municipalities in response to documented needs. Several accessibility-related items, such as page magnifiers and signature guides, have been restocked due to continued demand, while the polling place signage inventory will continue to be liquidated.

B. Photo ID Law Public Outreach Meeting

On September 23, 2015, Board staff held a public outreach meeting concerning the photo ID law for members of the Accessibility Advisory Committee and other advocacy groups for elderly voters and people with disabilities. The meeting consisted of three main segments: an overview of the law, a question and answer session and a workshop designed to explain all of the public outreach materials that are available for groups to use for public education purposes.

Overall, representatives from twelve different disability and aging groups participated in the meeting. These groups represent thousands of Wisconsin voters and are able to assist with agency public outreach efforts. Each attendee was given a voter outreach kit that contained the full photo ID outreach packet, a poster, a brochure, an information sheet explaining the impact of the law on older voters and voters with disabilities and a CD containing public outreach materials from the G.A.B.'s Bring it to the Ballot campaign (videos, radio ads, posters, Spanish language materials, etc.).

7. Education/Training/Outreach/Technical Assistance

Following this memorandum as Attachment 1 is a summary of information on core and special election administration training recently conducted by G.A.B. staff. Following the Spring Election, the training team and elections specialists are currently focusing on updating and distributing information related to the implementation of the photo identification requirement for special elections which will occur during the remainder of the year. Staff is also developing plans for training of local election officials for the 2016 election cycle. On October 15, 2016, Board staff conducted a day-long workshop for a new class of six Clerk-Trainers, municipal and county clerks who provide election administration training to other clerks and election inspectors.

8. GIS (Geographic Information Systems) Update

Board staff continued to process changes to ward, school, supervisory, sanitary, or municipal boundaries that take place throughout the State of Wisconsin, as well as acquiring any of these data types directly from local municipal or county land information departments.

Board staff continues to work with the State Agency Geospatial Information Committee (SAGIC) as well as with the Wisconsin Land Information Association to assist in state agency acquisition of local land information data. Continued involvement with SAGIC as well as

other land information groups throughout Wisconsin helps to facilitate and develop partnerships and more efficient data acquisition of spatial information. Accurate GIS data is essential to ensuring accurate ballot assignment within SVRS.

9. IT Projects

Several IT projects are in progress for the Elections Division:

A. Statewide Voter Registration System (SVRS) Updates (SW)

On Saturday, October 3, SVRS began experiencing a database error that was preventing changes from being made to voter records in SVRS. The error was caused by an audit log table that had run out of space. On Monday, October 5, a new audit log was created and the previous audit log was archived, which corrected the error.

B. SVRS Modernization

Design and development continue on the SVRS Modernization project. Board staff and IT staff have made significant progress with business requirements and software builds. Board staff has conducted several rounds of Module-Specific testing, Integrated testing, and Quality Assurance testing. Staff also conducted a series of webinars with a group of municipal and county clerks to demonstrate the new system and solicit feedback regarding it and suggestions for future development. The updated SVRS will be known as WisVote.

From October 5, 2015 to October 16, 2015, a group of 44 county and municipal clerks participated in user acceptance testing of the new WisVote voter registration and election management system. In addition to identifying potential problems, user acceptance testing used to assess how well a program will support the day to day business and meet users' needs in a "real world" setting. This was the first time that clerk users have been able to view and work with Wisvote.

C. Voter Felon Audit

As determined at the June Board meeting, staff is now conducting the Voter Felon Audit for any special elections for which the Board certifies election results. With this in mind, on October 8, 2015 board staff performed the post-election felon audit for the 2015 99th Assembly District Special Primary that was held on September 1, 2015. No potential matches were identified.

D. Canvass Reporting System

Board staff provided support for the September 1, 2015 Special Primary and the September 29, 2015 Special Election for the 99th Assembly District. Assembly District 99 is entirely within Waukesha County. Waukesha County used the G.A.B. Canvass Reporting System reports to post unofficial election night results.

E. Four-Year Voter Record Maintenance

Final statistics for the 2015 Four-Year Voter Record Maintenance process were posted to the agency website on July 31, 2015. These statistics were included in Elections Division Update for the September 1, 2015 board meeting. The posting of the final statistics completes the board’s statutory requirements for the 2015 Four-Year Voter Record Maintenance process.

10. G.A.B. Customer Service Center

The Help Desk staff is supporting over 2,000 active SVRS users, the public, and election officials. The Help Desk is maintaining the two training environments utilized in the field to facilitate remote SVRS training and accessibility tablets utilized in polling place surveys. Staff is monitoring state enterprise network and data center changes and status, assisting with processing data requests, and processing voter verification postcards. Help Desk staff have been serving on various project teams such as the STAR project, MyVote Wisconsin and WisVote development and deployment teams and continue to maintain and update G.A.B. clerk contact and Listserve lists. Staff are processing lists of voters that registered in other states and notifying clerks of the cancelation.

Staff assisted with testing WisVote, setting up the UAT and Prod environments, coordinating and assisting with upgrade projects instituted by the Department of Administration (DOA), and administering G.A.B. Exchange email system. Staff is assisting DOA with security updates in the G.A.B. environment at the datacenter.

Help Desk staff assisted clerks with configuring and installing SVRS and WEDCS (GAB-190) on new computers. Staff also assisted clerks with the installation of the new SVRS security certificates that expired on June 7, 2015. The Help Desk continued to field a variety of calls from voters and the public, candidates and political committees, lobbyists, and public officials.

	<u>G.A.B. SVRS Help Desk Call Volume</u> (608-261-2028)	<u>Front Desk Call Volume</u> (608-266-8005)
August 2015	294	262
September 2015	314	281
Total Calls for Reporting Period	608	543

11. Voter Outreach Services

As part of the G.A.B.’s photo ID outreach efforts to voters, staff continues to make presentations to voter groups in Wisconsin. The approach is to talk primarily with audiences comprised of representatives from community organizations that work with voters. G.A.B. staff has found that it is most effective to focus outreach efforts on training representatives of voter organizations. The representatives then bring the information back to their organizations where they can train organization staff and volunteers who will be conducting outreach to voters. G.A.B. staff will be communicating directly with voter groups across the state later this year to inform them of our voter outreach efforts and our training opportunities.

In coming weeks, the G.A.B. has the following training events scheduled:

Whitewater, WI. On October 15, G.A.B. staff presented at a two photo ID events in the City of Whitewater. The first event was held at the Whtiewater High School as part of their American Government course. Then, in the evening, an event was held at UW-Whitewater sponsored by the League of Women Voters, The UW-Whitewater Student Government, and many other community organizations.

Madison, WI. On October 17 G.A.B. staff presented to the county chairs of the Democratic Party on the Photo ID law. The panel discussion included a presentation on photo ID and other voter laws and featured materials from the G.A.B. intended to help explain some of those changes.

Stevens Point, WI. On November 18 G.A.B. staff will be presenting to a group of community volunteers on the photo ID law and on what voters need to know for the 2016 elections. The event is co-sponsored the League of Woman voters and other community organizations.

Milwaukee, WI. On November 12 G.A.B. staff will be presenting to a group of community leader at an event hosted by the Milwaukee Department on Aging. The presentation will cover the photo ID law and will focus on topics that are important to elderly voters and voters with disabilities.

Staff has also been working with vendors to update the Bring It to the Ballot public education and outreach campaign. As of late August, all the videos, TV and radio ads, and printed materials had been updated with new information about how to get a free state ID card for voting. Additionally, the mobile version of the BringIt.wi.gov website for mobile devices was in final testing.

12. EAC Standards Board Appointment

Division Administrator Haas initiated the process for appointing a Wisconsin local election official representative to the U.S. Elections Assistance Commission's Standards Board, consistent with the Board's March 4, 2015 directive. A communication was sent to the Wisconsin Municipal Clerks Association, Wisconsin County Clerks Association, Wisconsin Towns Association, and League of Wisconsin Municipalities. The communication requested that each organization designate a representative to serve on a committee to select the local representative to the Standards Board. Each organization has responded and the next steps will be to issue an invitation to members of those organizations soliciting nominations, and then for the appointment committee to make a selection. The process is expected to be complete in November.

13. Complaint Processing and Tracking

Elections Division staff has continued to process and resolve complaints related to the actions of local election. A status report regarding pending and resolved complaints will be included in the Board Members' meeting folders.

ATTACHMENT #1

GAB Election Division's Training Initiatives
9/2/2015 – 10/19/2015

Training Type	Description	Class Duration	Target Audience	Number of Classes	Number of Students
Election Administration & SVRS Training Webinar Series	Series of 8 - 12 programs designed to keep local government officers up to date on the administration of elections in Wisconsin.	45 – 120 minute webinar conference hosted by Elections Division staff.	County and municipal clerks, chief inspectors, poll workers, special registration deputies and school district clerks.	9/30/15: New Clerk Orientation	50 – 400 per webinar; posted to website for clerks to use on-demand.
Other	<p>Board staff presented Voter ID Law, election administration and SVRS/WisVote status information to county and municipal clerks attending the following conferences:</p> <ul style="list-style-type: none"> • Wisconsin County Clerks Association fall conference on 9/21/2015 in La Crosse; • Wisconsin Municipal Clerks Association District 2 meeting on October 2, 2015 in Cumberland; • Wisconsin Municipal Clerks District 4 meeting on October 6, 2015 in Dodgeville 				

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JUDGE GERALD C. NICHOL
Chairperson

KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: For the October 20, 2015 Meeting

TO: Members, Wisconsin Government Accountability Board

FROM: Kevin J. Kennedy, Director and General Counsel
Wisconsin Government Accountability Board

Prepared by: Kevin J. Kennedy, Director and General Counsel
Sharrie Hauge, Chief Administrative Officer
Reid Magney, Public Information Officer

SUBJECT: Administrative Activities

Agency Operations

Introduction

The primary administrative focus for this reporting period has been STAR Project preparations, financial services activity, procuring goods and services, contract sunshine administration, recruiting staff, communicating with agency customers and developing legislative and media presentations.

Noteworthy Activities

1. STAR Project

The State Transforming Agency Resources (STAR) Project is a statewide project that will consolidate multiple outdated human resource, procurement and financial business IT systems into one efficient, transparent and modern enterprise-wide system.

Release 1 of the STAR project which includes financial and procurement went live on October 1, 2015. In August and September, the financial and administrative services staff worked between 20 to 30 hours a week on STAR-related tasks in preparation for Release 1. Now that the new system is up and running, there have been several challenges that agency staff has had to overcome to use the system. Originally, the financial team (Julie and Mike) was role mapped to set up the agency's operating budget, to process payments and to create purchase requisitions, however, with their departure, I have had to train and temporarily assign these roles to two of our office support staff (Tony Bridges and Tiffany Schwoerer).

As with all new computer systems, there have been some difficulties in transitioning to the new accounting structures and format, but we are working through those issues with the State Controller's Office, the State Budget Office and the STAR experts.

In addition to learning the new accounting system staff is preparing for Release 2, the Budget and Human Resources component of the system. Staff has been validating employee information and conversion data in preparation for Release 2 in January 2016.

The STAR Project continues to be very labor intensive and will continue to require dedicated G.A.B. staff resources to ensure a successful transition to the new enterprise-wide system. Staff will continue to keep the Board apprised as the STAR project moves forward.

2. Financial Services Activity

- The conversion of FY-15 closing balances, and the July and August period ending detail is being converted by STAR and SCO.
- Staff is working on setting up the FY-16 operating budgets in the new STAR system.
- Staff is working on writing new FY-16 purchase orders using the STAR system and deleting the FY-16 purchase orders previously written in WiSMART the legacy accounting system.
- Staff is working on calculating the first fiscal quarter payroll adjusting entries, to properly allocate salaries and fringe benefits between federal and state programs. During the first fiscal quarter ended September 30, the GAB has incurred \$322,895 of both employee labor and IT contractor costs for SVRS maintenance and modernization projects.
- Staff claimed reimbursements of \$2,828.08 for August Federal Voting Assistance Program (FVAP) grant expenditures, then coordinated the accounting for incoming wire transfers with Department of Administration Treasury staff, and prepared journal entries to record revenues receivable. Financial staff timely filed the quarterly SF 425 Report with the U.S. Department of Defense, due Sept. 30 for this federal aid grant, reporting \$1,181,979 (62 percent) of the \$1,919,864 grant expended since its inception in March 2012.
- Program staff has been attending PeopleSoft workshops and webinars along with reviewing job aids to assist in learning how to use the new accounting software system.
- Cumulative labor and ancillary costs of \$8,340.42 was billed to Elections System & Software for the most recent round of equipment testing on Unity versions 3410, 3411 and ECO 1822. Both ES&S and Dominion have previously reimbursed the G.A.B. for all equipment testing costs, per the cost recovery agreement. These cash receipts are then accounted for as refunds of expenditure and allocated amongst several ledger accounts.

3. Procurements

In preparation of the end of Mohideen Kader's current IT Services assignment, procurement staff worked with the Elections division to post the Request for Service to extend through June 30, 2016 to ensure uninterrupted work. Other miscellaneous office supplies were purchased to maintain operations.

4. Contract Sunshine

Since the September Board meeting, the certification process for the July to September 2015 period was complete. Of the 38 agencies required to report qualified purchases, 19 returned the certification as of October 12, 2015. Additional reminders will be sent leading up to the October 15 deadline. A job aid is now available to assist STAR project program staff in uploading data to Contract Sunshine from PeopleSoft. Previously, select state agencies uploaded files generated with Purchase Plus, which is an application that was eliminated with the implementation of the STAR project.

5. Staffing

Currently, we are recruiting for two financial staff vacancies, which have presented significant challenges for the Administrative Services section. I tried to expedite the recruitment and training process by requesting a transfer list for the vacancies; however, that process was unsuccessful. We will re-post the Accountant and Financial Specialist positions. At present, we have one vacant Elections Specialist position posted.

In addition to the three-vacancies above, another Elections Specialist (Brian Bell) resigned from his position effective Friday, October 16. We will begin recruitment efforts for this vacancy soon.

6. Communications Report

Since the September 1, 2015, Board meeting, the Public Information Officer (PIO) has engaged in the following communications activities in furtherance of the G.A.B.'s mission:

Voter ID Public Information Campaign: The PIO has continued to oversee efforts to update the Bring It to the Ballot public information campaign and re-launch our public outreach efforts. Additionally, the toll-free number/automated menu and the mobile version of the BringIt.wi.gov website for mobile devices are in final testing.

Online: As the agency's webmaster, the PIO managed regular updates to the website, worked closely with vendors on the mobile version of the BringIt website, and has continued efforts to upgrade the Elections Division's training website for clerks and poll workers.

Media: Media inquiries and interview requests have remained steady due to interest in voter ID, proposed changes to the Board, special elections, lobbying activity reports, the latest Legislative Audit Bureau report and other issues. Between September 22 and October 13, the PIO logged 47 media and general public phone calls and 156 media email contacts.

Public Records: The G.A.B. continues to process several public records requests received in recent months.

Other: The PIO spent significant time in September and October assisting the Director and General Counsel in preparing the agency's testimony in response to legislative changes.

7. Meetings and Presentations

During the time since the September 1, 2015, Board meeting, Director Kennedy has been participating in a series of agency related meetings and working with agency staff on several projects. The primary focus of the staff meetings has been on litigation and legislative activities.

There have been numerous telephone and email communications with our Department of Justice attorneys as well as outside counsel on agency related litigation. This includes several court hearings which will be discussed in closed session. There were also numerous briefings on the status of the WisVote implementation.

On September 10 and 11, 2015, Sarah Whitt, our SVRS/WisVote Technical Lead and Director Kennedy participated in a meeting of the Voter Information Project sponsored by the Pew Charitable Trusts in Seattle, Washington. The Voter Information Project is a nationwide partnership of states and leading technology companies to bring essential voter information to the public in the period right before an election. Wisconsin was one of seven states recognized by Google for its extraordinary efforts to ensure voters had access to information to enable them to fully participate in the electoral process.

On September 16, 2015, Director Kennedy, Chief Administrative Officer Sharrie Hauge and Elections Division Administrator Michael Haas participated in a briefing for top state agency management on the STAR Project. They also met with representatives of the Legislative Fiscal Bureau that day to review agency personnel practices designed to ensure the nonpartisan role of agency staff. On October 1, 2015, Director Kennedy and Ms. Hauge were part of a briefing by the Department of Administration and the Bureau of Personnel Management on the impact of recently introduced legislation making changes to the state civil service system.

On September 21, 2015, Director Kennedy led a team of Elections Division staff to a presentation in La Crosse for the Wisconsin County Clerks Association. Elections Supervisor Ross Hein, SVRS/WisVote Technical Lead Sarah Whitt, Elections Specialist Marianne Griffin and SVRS/WisVote Trainer Michael Nelson also participated in the county clerk meeting.

On September 30, 2015 Director Kennedy, Staff Counsel Nate Judnic and Division Administrators Jon Becker and Mike Haas met with the head of the Madison office of the FBI to discuss agency jurisdictional issues and responsibilities.

Director Kennedy participated in a series of media interviews on the future structure of the Government Accountability Board. These included an interview for *Up Front with Mike Gousha* which aired on October 11, 2015. The interview can be viewed at this link: <http://www.wisn.com/politics/upfront/kennedy-wrong-time-to-change-gab/35768634>.

Judge Nichol did an interview for the Wisconsin Public television program *Here and Now* which aired on September 9 and 11, 2015.

On October 10, 2015, Director Kennedy participated in a panel discussion on *the Future of the Government Accountability Board* before the Madison Institute. Former State Senator Dale Schultz, University of Wisconsin Political Science Professor David Cannon and Mike McCabe of Blue Jean Nation also participated on the panel. Judge Nichol was in attendance and shared some thoughts with the audience as well. The discussion can be viewed at this link: <https://vimeo.com/142018659>

On October 13, 2015 the agency leadership presented testimony at a joint legislative hearing of the Assembly Committee on Campaigns and Elections and the Senate Committee on Elections and Local Government on three very complex bills related to agency operations. The hearing lasted 12 hours, beginning at 9:00 a.m. and ending at 9:00 p.m.

2015 Assembly Bill 388/2015 Senate Bill 294 relates to reorganizing the Government Accountability Board into two separate bipartisan commissions effective June 30, 2016. Both Judge Nichol and Director Kennedy testified in opposition to the legislation. A copy of my prepared remarks can be found here: <http://www.gab.wi.gov/publications/testimony/gab-reform-bill>.

2015 Assembly Bill 389/2015 Senate Bill 295 relates to electronic voter registration, verification of certain registrations, proof of residence for voting in an election, authorizing Wisconsin to enter into agreements to share information related to the registration and voting of electors; election registration officials; testing election officials after training; electronic poll lists; election equipment approval; over voted ballots; voter registration proof of residency for an individual in a residential care facility; counting of absentee ballots; witness address required for valid absentee ballot; and granting rule-making authority.

Mike Haas testified on behalf of the agency in support of online voter registration and authorizing Wisconsin to enter into agreements to share information related to the registration and voting of electors and for information on the other items. The Board had endorsed these initiatives in its 2015 legislative agenda. A copy of Mike's testimony can be found here: <http://www.gab.wi.gov/publications/testimony/ab389-sb295>.

2015 Assembly Bill 387/2015 Senate Bill 292 relates to a complete revision of Chapter 11 on campaign finance. Jonathan Becker provided testimony on administrative and drafting concerns staff had identified in its review of the legislation.

All three bills are scheduled for executive action by the Assembly Committee on Campaigns and Elections on October 15, 2015 and a vote on the floor on October 20.

On October 15, 2015 Director Kennedy and Chairperson Nichol appeared before the Joint Legislative Audit Committee to address the Legislative Audit Bureau's August 2015 report: *Complaints Considered by the Government Accountability Board*, LAB 15-13.

Personnel

The agency has had significant staff turnover in the past 60 days. In addition to staff counsel Matt Giesfeldt leaving for a position with the State Public Defender, the agency administration team lost its accountant Mike Lauth, financial specialist Julie Nischik and most recently Elections and Ethics Specialist Brian Bell. Brian has been a very valuable member of the agency team serving in both the Elections Division and the Ethics and Accountability Division during his tenure. His calm, professional demeanor and along with his incredible data skills will be sorely missed by the agency.

Delegated Authority

No action was taken by the Director and General Counsel in this area since the September 1, 2015 Board Meeting.

Looking Ahead

The next Board meeting is scheduled for Tuesday, December 15, 2015. The meeting will be held in the agency offices, beginning at 9:00 a.m.