

# Government Accountability Board

## State of Wisconsin

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## Lessons Learned from Tuesday's Election about the New Voter ID Law

MADISON, WI – Wisconsin's new Voter Photo ID law was put to its first real-world test at Tuesday's election, and the Government Accountability Board has identified several common questions that arose.

"Overall, the recall and special primary elections went relatively smoothly," said Elections Division Administrator Nathaniel E. Robinson. "There are, however, helpful lessons to be learned from the 'soft implementation' of the photo ID law."

Under soft implementation, voters must be asked to show a photo ID, but are not required to do so to receive a ballot until February 2012. However, one element of the law that took effect immediately is the requirement for voters to sign the poll list. "If you do not sign the poll list, you will not receive a ballot," Robinson said.

Here are some of the top issues that arose during Tuesday's election:

- **Questions about whether photo ID is required.** The Board received a few reports of voters waiting in line to vote who left the polling place when they heard from others in line that they needed a photo ID to vote. A photo ID is not required to vote until February 2012, but the law requires voters to be asked to show an ID for the 2011 Recall and Special Elections.
- **Questions about the handout.** Voters who do not have a photo ID must be offered the "Wisconsin New Voter Photo ID Law" handout, but they are not required to take the handout to receive a ballot. The handout is available at <http://gab.wi.gov/publications/brochures/voter-id-handout>.
- **Questions about who must be asked for an ID.** While voters are not required to show a photo ID to obtain a ballot in 2011 elections, election workers must ask every voter for an ID. That is now the law. They may not be selective by asking only certain voters for an ID while issuing a ballot to other voters without making the request. Even if they know the voter, election workers must still ask for ID.
- **Questions about the address on a photo ID.** An acceptable photo ID is not required to contain a current residential address, and is not required to match the address on the voter list. This is because the Wisconsin Department of Transportation does not issue new driver licenses and state ID cards when someone moves. State law only requires election workers to verify that the photo ID reasonably resembles the voter and the name conforms to the name on the voter list (name variations are allowed).

- **Questions about signing the poll list.** Voters are now required to sign the poll list. This provision of the new law is in effect for the 2011 recall and special elections. However, a voter is only required to sign one of the two poll lists, and should do so using his or her normal signature. Election workers are not required to compare the voter's signature to any other documents.
- **Questions about length of residency.** The new law requires 28 consecutive days of residency in a district, a change from 10 days in the old law. The voter's sworn statement on the registration form that he or she meets the 28-day requirement shall be presumed to be true unless the inspector or a challenger has first-hand knowledge sufficient to question the certification.
- **Questions about proof of residency.** Proof of residency is different than proof of identification (photo ID). A proof of residency document is required to establish the voter's address for voter registration, and must be current and valid. A Photo ID – not proof of one's residency – is required before a ballot is issued to voters.
- **Questions about in-person absentee voting.** Municipal clerks must make themselves available at least until 5 p.m. on the Friday before the election for both in-person absentee voting and registration. The photo ID law provides a more condensed window for in-person absentee voting, which begins the third Monday before the election. Voters have the opportunity to vote an absentee ballot in the municipal clerk's office at least until 5 p.m. on the Friday before the election. If the municipal clerk does not have established office hours on Friday, contact information such as the phone number or email address of the municipal clerk must be provided so voters can make contact with the municipal clerk immediately.
- **Questions about free state ID cards.** Voters are reminded that in order to get a free state ID card from the Division of Motor Vehicles, they must indicate on the application form that they want the free ID for voting purposes. We also encourage voters to tell the DMV counter attendant they want a free state ID for voting purpose. For more information about getting a free ID, visit <http://www.dot.wisconsin.gov/drivers/drivers/apply/idcard.htm>

Robinson urged voters who have a complaint or question about whether election workers are following the law to submit them through the G.A.B.'s website: <http://gab.wi.gov/complaints>.

Information sheets explaining the new law are available at every polling place. Voters who want to educate themselves about the new law should regularly visit the G.A.B.'s website: <http://gab.wi.gov/elections-voting/photo-id>.

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The Government Accountability Board (G.A.B.) is responsible for administration and enforcement of campaign finance, elections, ethics and lobbying laws in Wisconsin. The G.A.B. is made up of six non-partisan, former judges and is supported by an agency of non-partisan staff members.