

FAQs: Election Duties & the Voter Photo ID Law

Q: So to be clear, indefinitely confined absentee certificate envelopes do NOT need initials or "ID Exempt"?

A: Incorrect. For indefinitely confined voters, the certificate envelope should be marked either "ID Exempt" or with the clerk's initials indicating the voter is exempt from the proof of identification requirement.

Q: Does that hold true for those people who have no ID with them at the polling place on Election Day?

A: A voter who is unable or unwilling to provide proof of identification at the polls on Election Day should be offered the opportunity to vote a provisional ballot.

Q: If a voter refuses to present photo ID, is he refused a ballot?

A: A voter who is unable or unwilling to provide proof of identification at the polls on Election Day should be offered the opportunity to vote a provisional ballot.

Q: We are a small resort community. Several residents are registered in our township in Wisconsin, but officially live in Illinois. I am just double checking that their Illinois Photo ID is sufficient to vote in WI.

A: No, an out-of-state driver license cannot be used as proof of identification.

Q: You have now made it more confusing. Again as of Sept, 25, 2014 any Photo ID we have on file cannot be used?

A: As of September 25, 2014, any proof of residence that you have on file can't be applied to someone's absentee ballot request to satisfy proof of identification, unless the voter registration application and absentee ballot request were made at the same time.

Q: Please repeat when an absentee ballot voter needs to resubmit a copy of their voter photo ID - change in name Okay, change in address why? When we don't have to look at the address on the voter photo ID when it is not used as the proof of residence too. And, should the voter photo ID be resubmitted when the voter photo ID has had to be renewed and the expiration date is different?

A: Once the voter has submitted proof of identification when voting absentee by mail, the identification does not have to be resubmitted when it expires unless the voter changes his or her name or address.

Q: New question: Because of the concern of retaining copies of driver's licenses in the files of our little rural town hall, when DL copies were submitted for whatever reason, the info was verified and noted but the hard copy was not retained. For example, those absentee voters permanent and nonpermanent for the Feb. 2012 election. I did not retain those hard copies. I don't like the idea of retaining photo copies of DL. What do you think?

A: For absentee ballots requested by mail, you have to retain copies of the proof of identification while the voter record is active and then for four more years if the voter record is made inactive. This is true for proof of residence submitted with by-mail applications as well.

Q: Request: Proof of identification is a term that is confusing. Would you all consider using the term voter photo ID for this proof of identification and proof of residence for the address/municipality documentation? For example, voters have presented to me a proof of identification used for some other event/organization but it did not meet the voter photo ID requirement. What do you think?

A: Not all forms of proof of identification have a photo, so calling it photo ID could be misleading.

Q: Could you further explain who needs to sign as witnesses on the GAB-122. Example: If a municipal clerk goes to the facility, who needs to sign?

A: Is the clerk acting as an SVD? If so, the signatures of both SVDs satisfy the proof of identification requirement. The clerk cannot administer absentee voting at a residential care facility by his or herself.

Q: Is there somewhere on the website to get the materials for this webinar? I didn't see any link in the email reminders, and I can't find it on the website?

A: In Recent Clerk Communications, it's posted as an attachment with the webinar access information. See: <http://gab.wi.gov/node/3384>

Q: Are we still required to be open until 5 p.m. on the Friday before the election?

A: Yes, the clerk must be available until 5 pm the Friday before an election because this is also a deadline for indefinitely confined voters to request a ballot as well as the deadline for anyone to submit an in-person voter registration.

Q: You stated that the ID name has to "conform" to the name on the voter registration list. So, if the voter's ID has a name of Smith, and they registered as Smith-Johnson, doesn't that imply a name change, that they should have re-registered for?

A: Technically, yes. But the name "Smith" appears on the ID and also on the poll list, so it conforms. The voter is known by both names. Our policy is that a voter should be required to re-register with their new name once they have received the necessary documentation to re-register with the new name.

Q: What is the process for those indefinitely confined voters in RCF not visited by SVDs who had ballots sent out using old certificate envelopes?

A: The clerk should contact the voter and find out if the voter planned to provide proof of identification or needs the signature of the care facility administrator. If they need the signature of the administrator, the clerk should send the voter a new certificate envelope with that section on it (print from our website) or can send a separate care facility administrator certification that the voter can put in the certificate envelop with the ballot.

Q: Do we need to track the expiration date of Photo ID. If it is one and done, but the doc expires?

A: You do not need to track the expiration date on the proof of identification document.

Q: To verify, POR can be shown electronically (on a smart phone) but Photo ID must be original document, correct?

A: Correct with one exception, students can show their enrollment verification document electronically.

Q: In-person voting requires us to see original photo, not a copy? We don't need to make a copy for in-person?

A: No, in-person absentee voters need to show proof of identification every time they vote.

Q: We had a permanent overseas voter come into our office to vote in the past. Would they need ID?

A: Yes, and they only get a federal-only ballot.

Q: Hello - if I received an email request for an Absentee ballot, do I send them the Absentee Ballot request form along with notice that photo ID is required? Or do I take their email as their request? Thank you!

A: The email request is sufficient if it contains the information needed to make an absentee ballot request. A voter may also attach a copy of their proof of identification to the email to meet the proof of identification requirement.

Q: As an address on a bank statement or other billing.

A: A P.O. Box is not sufficient for proof of residence, but would be sufficient for proof of identification.

Q: Shouldn't the Type E notice state that you are open until 5pm on the Friday before the election? The example notice you gave did not list hours until 5 p.m.

A: The Type E Notice identifies your absentee voting hours. If you are conducting in-person absentee voting until 5 pm the Friday before the election it should be listed in your Type E Notice. But clerks are required to be available until 5 pm the Friday before the election due to other deadlines, such as voter registration.

Q: What if a clerk fails to initial the certificate envelope? How is this handled at the polls on Election Day?

A: Clerks should initial the envelope and record on the absentee ballot log that the person either met the proof of identification requirement or was exempt to ensure that there is evidence of whether proof of identification has been provided in the event that one or the other is not recorded properly.

Q: Are jurors or hospitalized electors required to provide photo ID?

A: Yes, they are not exempt from the proof of identification requirement. However, a hospitalized elector or sequestered juror may also be indefinitely confined or a resident of a care facility not visited by SVDs, and therefore eligible to have their witness verify their identity.

Q: Just wondering if you have updated the GAB-124 to include the photo ID check box?

A: We have not, but will update the log.

Q: When someone submits absentee request via My Vote site, is it explaining that they need to mail to the Clerk with the valid Photo ID?

A: Yes, we are working on putting information about proof of identification on the MyVote site.

Q: You indicated that the elector can provide the Photo ID for absentee voting through Election Day. However, as for the request to receive an absentee ballot by mail, they still need to submit the written request by Thursday, October 30th, correct? Please clarify.

A: Correct. However, in the event that an absentee request was submitted without photo ID before photo ID was reinstated and the voter was told to provide proof of identification before their ballot could be sent, that voter has until Election Day to submit a copy of their proof of identification. In that case, it is possible for absentee ballots to be mailed out as late as Election Day (for whatever good that will likely do the voter as they would need to receive it, mark it, and place it back in the mail that day).

Q: What about old style envelopes do we need to initial and place a sticker that states “ID provided”?

A: Old envelopes can be used except for those in care facilities not visited by SVDs. Mark ID required or ID provided in the upper right corner.

Q: Does last name on ID have to match - Ex., Smith on ID, but absentee app is written Smith-Jones?

A: The last name must reasonably conform as in this example.

Q: Please repeat new registrants in a nursing home being visited BY Special Deputies... What must they provide for both registering and absentee applications?

A: They must provide proof of residence to register to vote. Registration must occur before the open registration cut off. Voters in qualified care facilities visited by SVDs do not have to provide proof of identification in order to cast a ballot. The signature of both SVDs on the certificate envelope satisfies the proof of identification requirement.

Q: Is the photo ID required when someone is “registering” to vote, or is it only required to receive a ballot? For instance, someone may register ahead of time but they are not requesting an absentee ballot.

A: Proof of residence is required for registering; proof of identification is required for voting.

Q: He just said proof of ID is required when re-registering due to name change or address change?

A: When re-registering due to name or address change, the voter must provide proof of residence. Before receiving an absentee ballot, the voter will have to provide ID. If they've already provided ID, they need to provide it again. If the reregistration is due to a name change, the ID must reflect the name change.

Q: Does a PERM voter have to be in a licensed care facility or can they be confined at home?

A: An indefinitely confined voter can be in a care facility or in their own home.

Q: I just wanted to clarify that from now on, proof of identification and proof of residence needs to be two separate documents, right?

A: They can be the same document if the voter registration application and request for an absentee ballot is made at the same time, otherwise that's correct.

Q: A temporary overseas voter needs to send their voter registration and absentee application with ID and POR by mail, right? What is there is not enough time to send the ballot overseas?

A: Yes. Time can be a problem, but the request must be honored.

Q: Sorry - I was not able to hear the beginning of the session. I am still using the absentee envelope going back to Feb. 2012 - I'm assuming I can use these for this election. It has the place to initial that Photo ID received as well as Certification of Care Facility Auth Rep paragraph. ??

A: Yes, but please be aware that the "Municipal Clerk Marks This Section If Required" section is slightly different because of a change to the law between 2012 and now.

Q: Keeping copy of photo ID in voter file, does that mean with the original application for absentee ballot or in a separate binder just for photo IDs going forward?

A: Photo ID is kept with the voter registration application.

Q: So is the only time you need a new Photo ID is when they are re registering for absentees, does that also hold true for in person voters or do the need to submit that at every election?

A: Anyone voting in-person absentee or at the polls on Election Day must provide proof of identification every time they vote.

Q: Should the clerk redact the DOB, etc. type information? At one time that was suggested with the thought that public records requests would make that info available to everyone if it wasn't redacted?

A: If you get a public records request, then yes.

Q: Is the confidential elector exempt from signing the poll list?

A: No.

Q: As an FYI and I bet this is statutory, but the certificate of naturalization cannot expire and unless there are extenuating circumstances, individuals can only receive one copy. Ostensibly then only new citizens can use the naturalization certificate and anyone who has obtained citizenship two years before an election must obtain another form of ID.

A: Thanks.

Q: If two SVDs visit and sign the certification of witness, there is no need to have a certification of care facility completed, correct?

A: Correct.

Q: So if a voter emails me an absentee request on Friday evening after my office has already closed, I would need to mail a ballot by the following day - Saturday? My office is only open Monday - Friday from 8:30-4:30 and I don't always check my email over the weekend.

A: The law requires you to do so.

Q: FYI, unless something has changed recently, the driver license receipt issued by the WI DOT does not indicate an expiration date on the receipt. We ran into that when people used it as POR when registering to vote.

A: They do, it's in small print at the bottom. Regardless, they are only valid for 45 days after issuance.

Q: When using labels for 'ID Exempt' or 'ID Provided' on the old stock envelopes, must the Clerk or Deputy ALSO initial that area?

A: No.

Q: Can we tape or staple the new certificate on the old envelopes?

A: Yes.

Q: If an absentee voter decides to vote at the polls for one election, will their photo ID on file still be valid if they go back to voting absentee.

A: Yes, if they vote absentee by mail, unless they change their name or address.

Q: What is the alternative/option the SVDs have if they do not use the new Absentee Certificate Envelope with the Cert of Care Facility section?

A: The signature of both SVDs satisfies the requirement in care facilities visited by SVDs. It's only in facilities not visited by SVDs, and only in the case of a voter who has not applied for absentee ballots as indefinitely confined that need the Care Facility Authorization paragraph. You need to send that certificate envelope to those voters.

Q: Are any of the forms or manuals on the website going to be changed? If so, after what date is it safe for us to start making copies for our office/supply bags, knowing there will not be further changes?

A: Forms are being updated. We are also working on updates to the manuals. Sorry, I can't say for certain right now when they will be completed.

Q: Will the absentee ballot log print a ""Photo ID not required"" message for indefinitely confined voters? (They are not checked ""Photo ID Exempt"" in the voter record).

A: No, it will not. No Photo ID indicator will print on the absentee labels/Ballot Log printed from SVRS. However, the PERM application type is on the label, as well as on the Absentee Ballot Log. This is the application type for indefinitely confined voters and can be relied upon as an indication that photo ID was not required from these voters.

Q: So we can't use photo ID submitted in Feb 2012?

A: Yes, you can if you kept a hardcopy on file.

Q: Can the "old style" absentee envelope be used for indefinitely confined voters who live in residential care facilities not visited by SVDs, who would be providing a witness signature to meet the photo ID requirement?

A: Yes, because the witness signature satisfies the proof of identification requirement for indefinitely confined voters. However, voters who are not indefinitely confined residing in care facilities not visited by SVDs must either provide ID or the signature of a Care Facility Auth. Rep.

Q: We are being deluged with voter registration applications without POR. It would great if there were a publicity campaign to raise awareness about this.

A: We did issue a press release not that long ago about voter registration drives by third parties and we did stress the requirement to provide POR- <http://www.gab.wi.gov/node/3369> . We will certainly continue to stress this in future media communications on the same subject, but is highly unlikely that there will be any further publicity campaign due to timing and resource restrictions.

Q: So the witness signature would not suffice for SVD facility voters that are mailed their ballots who are indefinitely confined?

A: Indefinitely confined voters, regardless of where they reside, only need the signature of the witness to satisfy the proof of identification requirement.

Q: So the witness signature would not suffice for SVD facility voters that are mailed their ballots who are indefinitely confined? Meaning after 2 unsuccessful SVD attempts?

A: Indefinitely confined voters only need a witness signature on the certificate envelope. If the voter is not indefinitely confined, the voter must either include a copy of the photo ID with the ballot or provide it separately, or may satisfy the photo ID requirement by having the facility administrator sign the certificate envelope in addition to a witness

Q: If an absentee voter received their ballot in the mail but for whatever reason comes to the Clerk's office and says they need to vote their ballot and wants a member of the Clerk's Office to sign as their witness, can a member of the Clerk's Office do so if prior to in-person voting?

A: They can't vote absentee in-person in the clerk's office before it starts on October 20, 2014. If the voter is simply looking for a witness and intends to mail the ballot, the municipal clerk could witness the ballot.

Q: Is photo ID acceptable if it expired on November 6, 2012? Or not?

A: Wisconsin driver license, state ID card, military ID or U.S. passport or card must be unexpired or expired since the last general election, which is currently November 6, 2012. So those forms that expired on November 6, 2012 cannot be used to provide proof of identification. The proof of ID must expire on November 7, 2012 or after.

Q: What if the photo ID submitted for a by mail absentee request has a picture that is very dark? Is it still OK if we can see it's a valid form of photo ID and read the name?

A: If you can't reasonably see the picture of the voter, they have not provided acceptable proof of identification and you should request a new copy.

Q: Can a clerk designee initial as well?

A: Clerk, deputy clerk or any staff "deputized" to do so.

Q: Are the SVD's signatures on the absentee certificate sufficient for voters voting in care facilities? They do not need photo ID, correct?

A: Correct.

Q: When voting on Election Day, does a voter need to bring the actual DL card, passport, etc... or can it be a copy on a piece of paper?

A: The actual document.

Q: On the page with the samples of acceptable photo IDs, there is a sample of a WI driver's license without a photo that says "valid without photo." This is acceptable?

A: If the voter has an objection to being photographed.

Q: If the photo ID is mailed in, how is that verified?

A: You can't compare it to the voter, but that's what the law requires.

Q: Is it possible to modify the template letter so that it applies only to the new absentee requests, because the letter is confusing otherwise. The letter talks about the ballot as if they already have it. It would also be good if it told them how they can submit the proof and that the clerk needs to keep a copy on file.

A: Thanks for the feedback.

Q: We have some people living in our county that have state issued driver's license or IDs but are not US citizens. How do poll workers verify that the person is a US citizen and that they can vote?

A: The poll worker can't. The voter is certifying he or she is a U.S. citizen when they sign the GAB-131. They can be prosecuted if they are not and lied on the application.

Q: Can voters bring just a copy (not the original) of their Photo ID to the polls on Election Day?

A: No, It must be the actual document.

Q: Are residents in nursing homes and facilities visited by SVDs required to show photo ID?

A: The signatures of both SVDs satisfy the proof of identification requirement.

Q: Just to clarify, if a care facility not visited by SVDs, residents who have requested to be a permanent absentee do not have to have the certification of care facility completed. Correct?

A: Correct, voters who have requested ballots as indefinitely confined just need a witness signature.

Q: On the poll list, do we need to signify which absentee voters provided ID and which are exempt??

A: No, that information should already be recorded on your absentee ballot log. If proof of identification is submitted with the absentee ballot, it should be recorded on the absentee ballot log.

Q: Are we talking about documents on file for POR or documents on file for Photo ID or both?

A: He's talking about forms of proof of residence on file that may or may not be used for proof of identification.

Q: If we get a registration tomorrow in the mail with their DL can we use that for Photo ID in the future?

A: If you receive both a voter registration application and an absentee ballot request and the document qualifies for both, yes. Otherwise, no.

Q: What about a separate binder that you do not destroy that is stored with the voter records.

A: That's fine as long as you follow retention policy. GAB recommends keeping the proof of identification with the voter registrations as they will have the same retention schedule, but you may use another filing system if you prefer.

Q: FYI-Bear Graphics is backordered until October 10.

A: Thanks.

Q: Does the student ID have to be from Wisconsin?

A: Yes.

Q: Do they have to give up their out of state ID if they are getting the free ID?

A: Yes, they can't get a free ID if they have a WI driver license or even out-of-state license.

Q: I know we discussed being required to show a Photo ID again if they register an address change, though the address on the ID does not matter, why would they have to show it again? The DMV does not issue a new ID if you change your address, we are not required to look at it and the DL is probably not expired. So why ask for a copy of something we have? Couldn't we just verify the document with them?

A: While we understand this reasoning, state law is clear that if a person moves they must provide a new copy of their proof of identification when voting absentee by mail.

Q: Can you refuse someone outside of the posted hours?

A: Yes, you are not allowed to conduct in-person absentee voting outside of the hours posted in the Type E Notice.

Q: Proof of Residence: A priest lives at the church address, the church mail goes to another church office, and his driver's license is an old address in a township. Any suggestions how he can prove his residence?

A: Does he have a bank account? Also, if he submits a voter registration application to you without POR, you should send him a letter stating he needs to submit POR. If he can provide nothing else, the letter you sent could serve as POR (document from a unit of government).

Q: Absentee Ballot Request from a Regular Voter - does the 24 hour law apply; for example 5 pm Friday required to be mailed by 5 pm Saturday or can it be mailed on Monday Morning?

A: Absentee ballot requests must be turned around within 24 hours, so 5pm Saturday would be the deadline for getting the ballot out.

Q: If a person registers at the polling place on Election Day, do we need to make a copy of their photo ID?

A: The election inspector verifies the information on the POR and documents it on the GAB-131. ID shown at the polling place is not copied.

Q: So, on Election Day, a voter with no Photo ID can vote but it is a provisional ballot? If they don't receive their voter ID from DMV by the Friday following the election, that ballot is not counted?

A: A voter without proof of identification on Election Day should be offered the opportunity to vote a provisional ballot. If the voter does not present the clerk an acceptable proof of identification by 4pm on the Friday following the election, the provisional ballot is not counted. Note that the receipt issued at the DMV after applying for a license/state ID is an acceptable proof of identification.

Q: I have SRDs registering students at UW-Stout and the question was asked if a copy of the referendum questions could be on the tables so that they can be viewed during the registration process?

A: Yes it can be displayed.

Q: Answer AFTER Webinar: If we receive a new Wisconsin Voter Registration Application through the mail, the elector includes a copy of their current Wisconsin Driver's License as POR, can we retain this on file for any future requests for an absentee ballot in 2015, 2016, etc. or do they need to include photo I.D. again if they decide next year to request an absentee ballot? This may have been covered in the webinar, but I was interrupted, my apologies, sorry!

A: If the voter registration and absentee ballot request were made at the same time, a current and valid WI driver license can serve as proof of residence and proof of identification. Once they have submitted proof of identification the clerk keeps a copy on file and the voter does not have to include a copy with future absentee ballot requests unless there is a name or address change. You can't record POR as having fulfilled the ID requirement in anticipation of a request for absentee ballot.

Q: If voter signs a fictional name or profanity and refuses to sign their name, can they still vote or do you refuse them?

A: They are not issued a ballot.

Q: What is SVRS?

A: The Statewide Voter Registration System.

Q: Will you be offering the Start to Finish presentation? When?

A: No, I'm sorry; we do not have the time to do it. We had a start to finish webinar last year that is posted on our website you can reference.

Q: Do I need to make a hard of the photo ID during the weeks of early voting October 20 - October 31 and keep it on file?

A: For in-person absentee voting? No, you have to see it every time they vote in-person absentee.

Q: Does a technical college ID count as photo ID if includes everything on this list (photo, signature, issuance date, etc.)?

A: Yes, if accompanied by proof of enrollment.

Q: I understood you to say if a voter files a registration form only with a driver's license as POR that we may not mark in SVRS that Photo ID was provided?

A: That is correct starting September 25, 2014. Except that if they send you a voter registration form and absentee ballot request and the document at the same time, a current and valid WI driver license can provide both proof of residence and proof of identification.

Q: For the enrollment verification letter that accompanies a student ID for Photo ID, may the letter be from a private university?

A: Yes.

Q: What is definition of Care Facility or where can I find it?

A: There are definitions in the Absentee Voting in Nursing Homes manual on our website. The updated manual will be posted soon.

Q: What if I already sent some absentee ballots to residents of a care facility with the old envelope which didn't have the care facility signature part?

A: If the voter has not applied for absentee ballots as an indefinitely confined voter, contact the voter and if they are not providing a copy of proof of identification and need the signature of the care facility, they can print it off or you could send them one.

Q: Why is UW issuing "Voter ID" cards and will these be acceptable as proof of ID?

A: To give their students a document to use as proof of identification and yes, they are acceptable.

Q: If using old stock of envelopes and indicate ID provided on right top of envelope, does it still need our initials?

A: No, one or the other.

Q: For checking photo IDs, does the address have to match the voter registration?

A: No, the address on the Proof of ID does not need to be current.

Q: Does the 3rd option, does "between the hours" need to be included? I.e., for appt. each day 9 a.m. to 1 p.m. (the paper wants to shorten the notice with the info eliminated)?

A: The hours that appointments will be scheduled must be included.

Q: Can the new version of absentee and provisional ballot envelopes be printed and taped to the "old" envelopes?

A: Yes.

Q: What if your post office closes at noon on Saturday? What proof do you have that you "mailed" the ballot at, for example, 2:00 p.m.?

A: You would need to mail the ballot as soon as your post office will allow for it, but you must also check your email and fax for absentee ballot requests as well and act on them within 24 hours.

Q: Do we need to have our clerk's office open until 5 p.m. on Friday October 31st for absentee voting?

A: No, but the clerk must be available for other deadlines at 5 pm the Friday before an election, for example, in-person voter registration, so it may make sense to schedule your in-person absentee hours to match.

Q: Are we still able to accept absentee requests via e-mail, providing they supply us with the appropriate information/proof of ID?

A: Yes.

Q: Just to clarify, if applications received via e-mail/fax after our office is closed on Friday and we're supposed to send it out within 24 hours, does this mean that applications received on a Saturday must be sent out within 24 hours?

A: Yes, weekends are not excluded.

Q: As an addendum to the previous question, if ballots are not supposed to be issued on a weekend, how do you propose we have ballots issued within 24 hours after the close of our office on a Friday?

A: That's for in-person absentee voting, not by-mail absentee voting.

Q: Just to clarify, when people come to apply for absentee in-person or to participate in the in-person voting process, do all forms of ID have to be provided in hardcopy or can we accept paper copies of ID?

A: They have to present the actual ID.

Q: Can you recap the instances where a Provisional Ballot may be issued to a voter?

A: 3 situations, (1) voter marked POR REQ on poll list, (2) election day registrant unable or unwilling provide DL number of state-issued ID card number, or (3) voter unable or unwilling to provide proof of identification. For this coming November election only, there will also be a 4th provisional situation: when a voter was issued an absentee ballot before the proof of identification requirement was in effect, if the voter does not provide proof of identification by

Election Day, the ballot will be treated as a provisional ballot and the voter will have until 4pm on the Friday following election day to present acceptable proof of identification to the clerk.

Q: I know it is allowable, however doesn't receiving Photo ID via mail make it impossible to determine that the photo reasonably resembles the elector? If Sally Smith mails me her absentee request along with her Photo ID and I have never met her, how would I know that that Photo ID is adequate?

A: While we understand your point about not having a person to compare the ID to, the law clearly requires an absent elector to submit a copy of their proof of identification with their absentee request (unless exempt).

Q: This document does not appear to be in the packet. Please send this out as a communication.

A: Now available at: <http://gab.wi.gov/publications/video/election-duties-voter-photo-id-law>, it is entitled "Using Documents Already on File for Proof of Identification".

Q: Could you please post for uniform ballot instructions, the certificate of an assistor as a separate document as that is not on the older GAB-122's. Thank you.

A: The uniform instructions are on the G.A.B. website. <http://www.gab.wi.gov/forms/voters-uniform-military>. The assistor certificate is not required by statute.

Q: Will there be any specific instructions re. Photo ID anomalies and either the Board of Canvass review and/or recounts?

A: We have a webinar scheduled for October 8, "Preparing for the November Election" that may cover these topics. I'll make a note.

Q: Do you want provisional ballots kept in separate ballot containers from late-arriving absentee ballots? I don't think that was answered at the Fall WCCA meeting.

A: Yes, provisional ballots are sealed in the GAB-108 and then sealed in a separate ballot container at the polling place with a tamper-evident seal or tag.

Q: If we don't have a Photo ID with the Absentee ballot request, do we still send the ballot within 24 hours??

A: No, send a letter to the voter using the missing proof of identification letter we provided requesting the required documentation.

Q: What constitutes a "voter's file"?

A: It's the voter's registration form and any other documentation that requires retention by the clerk.

Q: Could you please revisit "receipt of absentee ballot application". You must respond in 24 hours of receipt - if you do not check email outside of office hours (after the close of office on Friday), then receipt would be when you return to the office Monday and open email, correct?

A: No, state law requires you to respond within 24 hours of when the request was received (timestamp on the email) regardless of your office hours.

Q: Going by your example of contacting the clerk for appointment between the hours of 9 a.m. and 1 p.m. - the voter must then come in only those hours for the actual appointment?

A: Yes.

Q: When issuing an absentee ballot in person at the clerk's office, do you make a copy of their Photo ID?

A: No, they have to show it every time they vote.

Q: If the individual votes absentee by mail and I have a hard copy of his ID, and then at the next election votes in-person, he has to show ID at the election in which he is voting in person?

A: Yes.

Q: Can a passport be used for Proof of Residency?

A: To our knowledge, passports do not include a residential address, so no.

Q: Is a new hard copy necessary every year a request for absentee ballot is made?

A: No, once an absentee voter by mail has submitted proof of ID, they do need to resubmit the document until they move or change their name.

Q: Why November 7, 2012 and not November 4th 2014 for expiration date?

A: Some forms can be accepted if they are expired after the last general election.

Q: Can they also use the expired forms of photo ID at the polls...not just for absentee voting?

A: If being presented as POR, no, the WI driver license or state-issued IDs must be current and valid to be used as POR. If being presented as proof of identification, maybe, only the driver license, state identification card, military ID, and passport can be expired and still be acceptable as proof of identification (as long as they expired on or after November 7, 2012).

Q: What if they have joint citizenship?

A: A voter can have joint citizenship, as long as one is as a U.S. citizen.

Q: But MyVote allows you to print off your request for an absentee ballot... does MyVote talk about Voter ID on that portion of the application? They are not receiving their ballot via MyVote... just printing off their request.

A: We are adding information about proof of identification to the MyVote site. However, the link does take the voter to the most recent version of the GAB-121, which indicates they need to submit proof of identification with the application.

Q: Could you send the last paper with the information we need to use for Absentee Photo ID? It's not part of the webinar handouts.

A: It will be posted with the webcast.

Q: Just to clarify the change in procedure. If we have someone who had previously supplied ID for the one election it was required for, we should still require them to submit ID again?

A: Not if it was proof of identification submitted for the February 2012 primary, you have a copy on file, and the voter has not changed their name or address.

Q: Is the 24 hour turn-around just for UOCAVA or any voter requesting an absentee ballot?

A: All absentee ballot requests need to be turned around within 24 hours.

Q: What if you didn't initial the absentee ballot certificate envelope, but noted ID provided or ID Exempt on the certificate envelope and log. Are the initials required then?

A: No.

Q: On Election Day the photo ID must be there in its original form, correct? It is only with absentee voting by mail that copies of photo id are acceptable, correct?

A: Correct.

Q: Why wouldn't the DL work for a mail in voter registration POR?

A: It would work for proof of residence if current and valid. However, you cannot "look back" to a previously supplied POR to satisfy the proof of identification requirement if the voter subsequently submits an absentee ballot application without proof of identification.

Q: What if the Care facility is visited by SVD but because the voter failed to vote the 2 times the SVD came to the facility and the ballot has now been mailed as a result?

A: If the voter has applied as indefinitely confined, the signature of a witness suffices. If the voter is not indefinitely confined, the signature of the care facility administrator and a witness on the certificate envelope will satisfy the proof of ID requirement.

Q: Can the care facility signature be the same as the witness? Or would have to be an entirely different person?

A: Yes, they can be the same person if the care facility representative also witnessed the resident voting the ballot.

Q: What is the reasoning behind not allowing the use of POR for the Photo ID requirement?

A: State law requires the voter to provide proof of identification with the absentee ballot request. Also, not all POR meets the ID requirements.

Q: What about Photo ID cards issued to civilian federal government workers? Which are considered valid DL ID cards as well?

A: They cannot be used as proof of identification, but may be used as proof of residence (assuming a current name and residential address) because they are a document issued by a unit of government.

Q: Will the GAB provide a handout of sorts that show examples of valid IDs for Poll Workers to use for reference?

A: It's in the packet.

Q: What happens if the voter was born in a different state and cannot locate a birth certificate?

A: They can work with the DMV. The department has set up a special website and has staff available to work with voters who do not have the needed documentation.

Q: How are the SVD confirming their identification?

A: The SVDs will get a list of voters who have absentee ballot requests on file from the clerk. If they need to verify that any other voters who are not on the list want to vote and indicate they are registered, they should contact the clerk to verify this information. As for the proof of identification requirement, state law provides that instead of presenting physical proof of identification, the SVDs may verify the person's name and address are correct as shown. State law does not specify what steps the SVDs are required to take to verify that information. To meet this requirement without providing a separate document, the last sentence of the Certification of Witness has been changed to include the language: "I further certify that the name and address of the voter is correct as shown."

Q: What hours are clerks required to be available on the Friday before the election for registration and/or absentee in-person voting?

A: Clerks must be available until 5 pm the Friday before the election for registration. The clerk indicates which hours he or she is available for in-person absentee voting on the Type E Notice.

Q: Looking at our guidance from 2012, Photo ID was to be retained for absentee voters so that they would not have to resubmit unless they re-registered. It sounds like that has changed to now the requirement is to send ID for every absentee application going forward. Please clarify. Thank you.

A: Once a by-mail absentee voter has submitted a copy of proof of identification, they do not have to resubmit it to vote absentee by mail as long as the voter has not moved or changed their name.

Q: Is it still 45 hours for absentee voting in force?

A: No, there is no total number of hours requirement, but it's limited to Monday through Friday, 8 am – 7 pm during in-person absentee voting in the clerk's office.

Q: Can you be an indefinitely confined in your own home?

A: Yes.

Q: We received a MyVote email for an overseas absentee vote request. The email stated the MyVote Wisconsin site will automatically email them when their absentee ballots are available. Do I need to mail it or should I let my vote do it?

A: If the voter requested it from MyVote, the system will send it out and send you an email notification that it has been sent to the voter.

Q: What does a poll worker do with a bride if she hasn't yet changed her name on her photo ID; perhaps she used a bank statement to register?

A: The name on the document used to provide proof of identification must reasonable conform to the name on the poll list. When a person changes their name we will allow them to continue

to vote under the old name until they receive sufficient documentation to change their voter registration, but once that documentation is received, they should be directed to re-register with the new name.

Q: On pg. 2 of the template letter re: sending photo ID for those who did not include it for a mailed absentee, should it not state October 30 for the deadline in order for us to mail the ballot? It states November 4, which would be too late to mail a ballot to regular voters requesting a ballot by mail.

A: Normally yes, but this is a special situation.

Q: How do we know what tribes are federally recognized? Is it listed on the ID or will the G.A.B. provide a list to us?

A:

- Bad River Band of the Lake Superior Tribe of Chippewa Indians
- Forest County Potawatomi Community
- Fond du Lac Band of Lake Superior Chippewa*
- Ho-Chunk Nation of Wisconsin
- Lac Courte Oreilles Band of Ojibwe
- Lac du Flambeau Band of Lake Superior Chippewa
- Menominee Indian Tribe
- Oneida Tribe of Indians
- Red Cliff Band of Lake Superior Chippewa Indians
- Sokaogon Chippewa Community
- Stockbridge Munsee Community
- St. Croix Chippewa Indians

* Band from the Minnesota Chippewa Tribe living in Wisconsin

Q: Is it correct to say "The Photo ID must accompany each absentee ballot request. If the request is for a calendar year, they only need to provide it with that request. That also means they would have to RESUBMIT their Photo ID in the following year with a new request." I think that's what is trying to be said, but it's not coming out that way.

A: They do not have to resubmit proof of identification with a new by-mail absentee ballot request once they have submitted the document with an absentee ballot request, unless the voter changes their name/address.

Q: I am very confused. You said earlier that a PHOTO ID must accompany each request.

A: Proof of identification must be provided with the first absentee by mail request. The clerk keeps the copy on file. The voter does not have to resubmit a new proof of identification with subsequent by-mail absentee requests as long as the voter does not move or change their name. However, proof of identification must be presented each time a voter votes in-person absentee or at the polling place regardless of whether they have previously provided ID.

Q: Regular voter Bob Jones requests a ballot for November 4 and provides ID. Next March, he requests a ballot for the April 2015 election. Does he need to include photo ID with the April 2015 request?

A: If he requested an absentee ballot by mail for November 4 and provides proof of identification, he does not have to provide it again with subsequent by-mail absentee ballot requests unless he moves or changes his name.

Q: What if a voter faxes over his photo ID and includes a note that says "I'll be in on October 20 to vote in person." The copy wouldn't be good, right? He'd need to show the original in person?

A: Yes.

Q: Will provisional voting info be updated regarding photo ID?

A: Yes, we will touch on it at the end.

Q: Please clarify; I work in an office that closes at 4:00 p.m. Friday. I have no access to my work email. Will I need to come in on Saturdays and Sundays to check my emails for military/perm overseas requests and send out ballots within 24 hours?

A: Yes, you or someone in your office. This applies to all absentee ballot requests by mail, email or fax.

Q: The GAB-122 does not have a place for in-person in the clerk's office. What are clerks supposed to mark during that time?

A: Actually it does: <http://gab.wi.gov/forms/gab-122> If you are using an old version of the GAB-122 that doesn't have the box for "voted in clerk's office" that's fine, just note it on the absentee ballot log.

Q: You told us to keep the photo ID with the registration and not the absentee request. Therefore, if they vote absentee and submitted their photo ID and then if future elections they vote at the polls and then submit a request again later for an absentee ballot. How do you know when you look at the registration when the photo ID was submitted to know if you need another copy of the photo ID or not?

A: You will keep a copy of the original proof of identification with the voter's registration application and will need to check it. There is also a box in SVRS to check when a voter has previously provided proof of identification.

Q: Third sample indicates Mon-Fri instead of "each day"

A: Good point.

Q: I have hours from 8 a.m. to 4 p.m. in the Type E notice - does that mean I cannot issue absentee ballots after 4 p.m.?

A: Yes.

Q: I think I missed this or misheard. However, if someone submits their Photo ID as POR with a voter registration form, should we go ahead and mark that they provided Photo ID in SVRS in case they subsequently apply for an absentee ballot?

A: No, they must provide proof of identification with their absentee ballot request.

Q: If they are mailing in an absentee ballot request with a copy of their photo ID, how is that actually proving their ID? I thought that we are supposed to be making sure the ID resembles the person; you can't do that if they are not physically there.

A: We know there is no person to compare the ID to, but that's what the law requires.

Q: Do you know if the DMV issues the receipt for a state identification if the resident is not able to present their birth certificate to confirm their U.S. citizenship and the DMV is conducting the confirmation?

A: Answered live.

Q: Do you anticipate any other changes - voter ID related or unrelated - to GAB forms (e.g. GAB-104, etc.), polling place signs, etc. prior to November 4?

A: We are updating several form and the manuals in advance of the November election.

Q: It may be worthwhile to confirm that a registered voter must still state their name and address to receive a ballot AND present their ID. What is the recourse if they refuse to state their name and address and instead want the election workers refer to their ID?

A: The election inspector should announce the name and address if the voter is unable or unwilling to do so. If the voter appears at the polling place and refuses to communicate their name and address, they would not be offered a ballot because we cannot verify they are registered to vote. Confidential voters are not required to announce their name and address, but instead will present a confidential voter card issued to them by the municipal clerk.

Q: If clerk has regular absentee request on file for this year but when they send the letter stating voter needs to provide ID the voter says they are indefinitely confined, does the clerk just take their word for it and change them to exempt?

A: The request needs to be in writing. The only persons in marked in SVRS as "exempt" are military, permanent overseas and confidential.

Q: Will the G.A.B. be providing any "canned" press releases for clerks to use to get the word out in the media?

A: Yes, it is posted on our website at: <http://gab.wi.gov/node/3403>

Q: On Election Day, do we have to ask for photo ID, and what happens if they don't provide an ID?

A: They should be offered an opportunity to vote a provisional ballot.

Q: You stated earlier that we are not allowed to send out ballots during the weekend or Holidays?

A: You are not allowed to conduct in-person absentee voting during the weekend or holidays. You must respond to any absentee by-mail request within 24 hours, even on weekends.

Q: Please clarify if my special voting deputies need to see residents' ID when they handle voting at the nursing home?

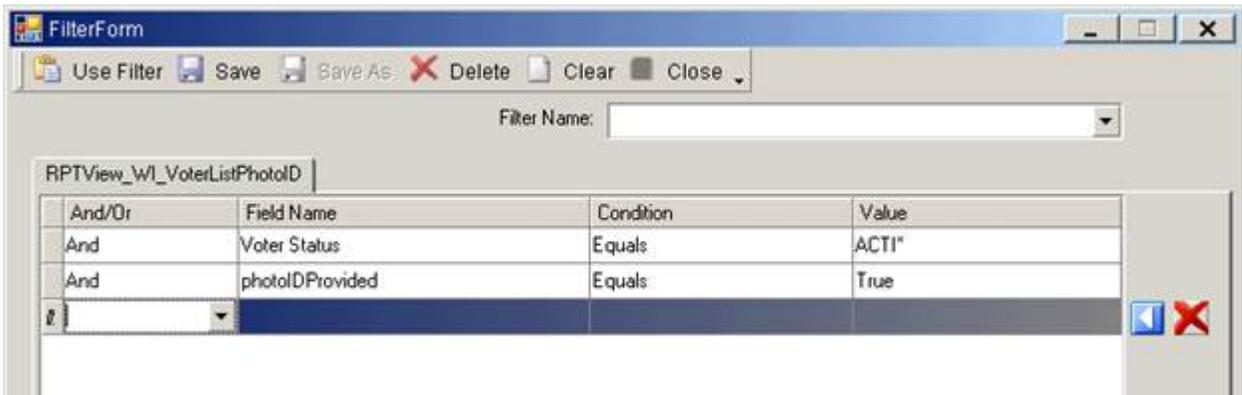
A: SVDs are not required to see photo ID. They may verify the voter's name and address through any available means.

Q: It would be much easier if the DMV record could be updated into SVRS showing the voter's photo and expiration date. Does this seem possible?

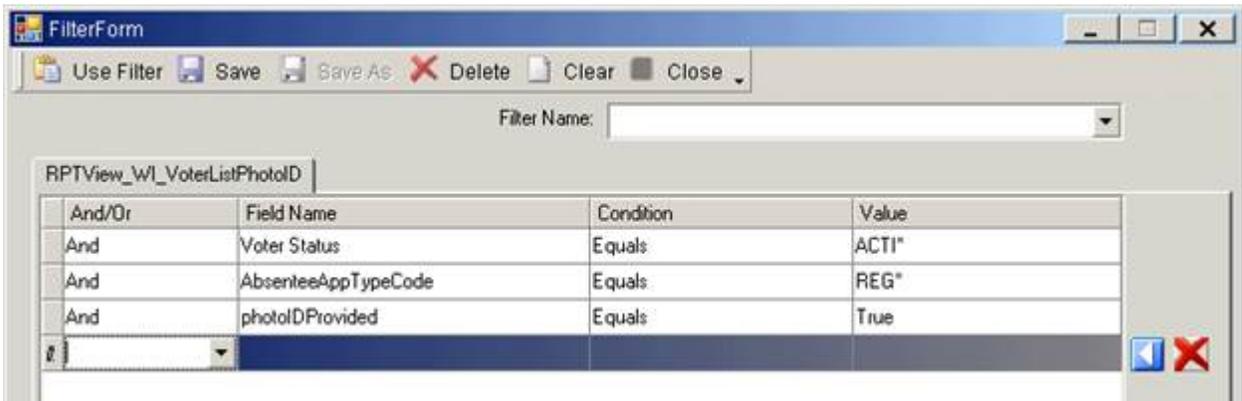
A: Our current data release agreement with DOT does not allow sharing of DMV photos.

Q: Will SVRS generate a report of those voters who have photo ID on file for the absentee requests?

A: The Voter Listing with Photo ID Indicators will show all voters in the municipality and whether they have provided photo ID. The report may be filtered to show all active voters who have provided photo ID using the following parameters:



It may be further filtered by Absentee Type to only show Regular Absentee Voters (as Regular is the only Absentee Type that requires the Photo ID) by adding an additional filter, as shown here:



Q: For military absentee requests that request an email ballot, do you print out a label or print to a regular printer for the official absentee ballot certificate?

A: You may print either. However, since you will not be mailing the ballot, the Official Absentee Ballot Certificate is probably the better option. The certificate prints on an 8x11 page and contains all of the information that is also shown on both the label and the certificate side of the absentee envelope (GAB-122). The certificate can be exported as a PDF or scanned and sent via email (and also will work well with requests to have the ballot faxed). The uniform instructions need to be emailed/faxed to the voter as well. This is what the top portion of the certificate looks like:

OFFICIAL ABSENTEE BALLOT APPLICATION/CERTIFICATION

Voter has met photo ID requirements. Municipal or Deputy Clerk initial here: _____

Voter: Complete the information below and sign the certification in the presence of a witness who must also sign.

Municipal Clerk: Address label may be affixed below.

Date of Election: Apr 07, 2015 County: DUNN COUNTY TOWN OF MENOMONIE WARD:WD1 JANE B JONES E4299 COUNTY ROAD D MENOMONIE, WI 54751-5445
CERTIFICATION OF VOTER



618942
NP-1
Military
Voter Reg. Num: 0700007000
Email: JJB@SVRS.COM