

Millis Amendment 1 – Communication Media

Section EL 4.02(5) is amended to read:

- (5) “Communications media member” means an individual ~~individuals~~-who reports ~~identify themselves~~ to the designated election official as seeking to record or report information at observable locations outside of the voting area. ~~Communications media individuals are not observers under this chapter.~~

Section EL 4.07(1) is amended to read:

- (1) Communications media members ~~individuals~~ shall identify themselves and any organization they represent to the designated election official upon arriving at the observable location. At the discretion of the designated election official, communications media may use video and still cameras outside of the voting area provided the cameras are not used in a manner that allows the recording any confidential information and provided the cameras do not disrupt or interfere with voting or disrupt the orderly conduct of the election and provided the communications media member does not record than voted ballots. The designated election official may limit the amount of time any communication media member use video and still cameras. Any limitations, rules and regulations imposed on communications media members shall be uniformly applied. Communications media members may not enter the voting area unless they are voting, assisting a voter, or observing under this chapter. A communications media members may act as an observer, but when so doing is subject to the provisions of this rule.

Millis Amendment 2 – Confidential Information

Section EL 4.02(6) is amended to read:

- (6) “Confidential information” means information that is not part of the public aspects of the voting process including but not limited to operator’s license or identification card numbers issued by the Wisconsin Department of Transportation, birth dates, social security numbers or any portion thereof, accommodation information on a voter registration form, information on photo IDs identifications as defined by s. 5.02(6m) Stats., information on proof of residency documents as defined by s. 6.34(3) Stats., information concerning confidential electors, guardianship information, voted ballots, and communications by a voter to a person rendering voting assistance under ss. 6.82, 6.87(5), or 6.875(6)(c)1., Stats. “Confidential information” does not include the type of document that is offered as photo identification and/or proof of residency.

Millis Amendment 3 – Rejected Absentee Envelopes

Section EL 4.03(10) is amended to read:

- (10) ~~As time permits, election~~ Election officials shall allow observers to observe absentee ballot certificate envelopes that have been set aside to be rejected in a manner established by the designated election official.

Millis Amendment 4 – Equal Access

Section EL 4.05(1)a is amended to read:

- (a) An observer shall be allowed to observe beginning at 7 a.m. or whenever machines are zeroed out on Election Day, whichever is earlier, and ending at 8 p.m. or when the last voter who was in line to vote at or before 8 p.m. has finished voting. After 8 p.m., an observer may remain at the polling place to observe canvassing under Wisconsin's open meetings law. If any observer is allowed access outside of the time frame provided herein, all observers shall be allowed the same access.

Millis Amendment 5 – Observing the Return of Voted Absentee Ballots

Section EL 4.05(2)b is deleted; section EL 4.05(2)c is renumbered to EL 4.05(2)b and section EL 4.05(2)d is renumbered to EL 4.05(2)c.

Millis Amendment 6 – Allowing Recording at Absentee Ballot Canvass

Section EL 4.05(3)b is deleted and section EL 4.05(3)c is renumbered to EL 4.05(3)b.

Millis Amendment 7 – Observing in Resident’s Room

Section EL 4.05(4)e is amended to read:

- d. An observer shall be permitted to observe the process of absentee ballot distribution in the common areas of the home or facility. ~~Observers shall not be permitted to observe a voter or the special voting deputies providing assistance to a voter, filling out a ballot or expressing which candidates or referenda the voter selects.~~ When voting occurs in a resident’s room, if space permits, an observer shall be allowed inside the resident’s room, and in an observation area from 3 to 8 feet where the voting occurs, as determined by the special voting deputies. If space constraints prevent accommodating an observation area within that distance, the deputies shall document the actual location of the observation area and the reasons why it could not be located within the 3 to 8 feet distance.
Notwithstanding the 3 to 8 feet distance requirement, the observation area shall not be situated to permit observers to hear any conversation between the elector and an individual who is assisting the elector in marking the ballot, whether the individual assisting the elector is a deputy or another individual. As an election official, deputies must enforce the voter’s constitutional right to cast a secret ballot, just as the individual is entitled to in other absentee or polling place settings.

Millis Amendment 8 – Recounts

Section EL 4.05(5)b is amended to read:

- b. The petitioner, all opposing candidates, and interested persons and their associated counsel as described in 9.01(3), Stats., are not subject to the limitations in this rule shall ~~be allowed to observe and may not be limited in number under Sec. 4.03(1).~~

-OR-

Section EL 4.05(5) is deleted and section EL 4.05(6) is renumbered as EL 4.05(5).

Millis Amendment 9 – Allowing Recording at Central Count

Section EL 4.05(6)b is deleted and section EL 4.05(6)c is renumbered to EL 4.05(6)b.