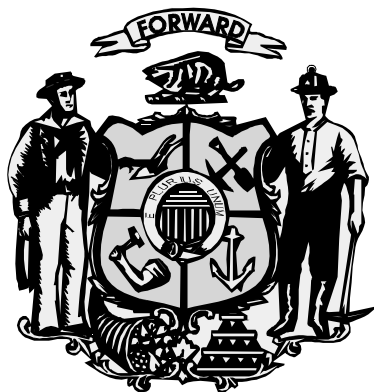


2017 Annual Report of the **Wisconsin Elections Commission**



Wisconsin Elections Commission

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Performance Report

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INTERIM ADMINISTRATOR MEAGAN WOLFE

DATE: March 13, 2018

TO: The Honorable Scott Walker, Governor of Wisconsin

CC: Chief Clerk, Wisconsin State Senate
Chief Clerk, Wisconsin State Assembly

FROM: Wisconsin Elections Commission

SUBJECT: 2017 Annual Report

A. Introduction

The Wisconsin Elections Commission is pleased to submit its 2017 annual report to the Governor and the chief clerk of each house of the legislature, in accordance with Wis. Stat. §§ [15.04\(1\)\(d\)](#) and [5.05\(5e\)](#). This report provides information on the performance and operations of the Commission during its first fiscal year of existence, as well as projects, goals, and objectives as developed for the agency budget. This report also includes information required specifically of the Elections Commission, as well as information provided at the Commission's discretion. Finally, the report also includes information on matters within the Commission's jurisdiction and recommendations for legislation.

B. Information All Agencies Are Required to Report under [Wis. Stat. §15.04\(1\)\(d\)](#)

Mission

The mission of the Commission is to enhance representative democracy by ensuring the integrity of Wisconsin's electoral process through the administration of Wisconsin's elections laws and the dissemination of information, guidance and services to local election officials, candidates, policymakers, voters and the public, utilizing both staff expertise and technology solutions.

Agency Description

The Elections Commission is comprised of six members, who serve five-year terms. One member is appointed by the senate majority leader; one appointed by the senate minority leader; one appointed by the speaker of the assembly; one appointed by the assembly minority leader; and two are members who formerly served as county or municipal clerks and who are nominated by the governor with the advice and consent of a majority of the members of the senate. A detailed description of the appointment of Commissioners is provided in Wis. Stat. §15.61. The transition plan from the Government Accountability Board to the Elections Commission put forth by the

Department of Administration established a rotational term schedule of the Commissioners. The Commission elects a chair and vice-chair from its members by a majority vote.

The Commission Administrator serves as the agency head and the chief election officer of the state. The Commission staff is required to be non-partisan. The agency has a staff of 9.75 GPR and 22.00 PRF full-time employees. The 22 federally-funded permanent positions were approved in the 2015-17 biennial budget. Sixteen of the 22 federal positions were converted to permanent GPR positions in the 2017-2019 Biennial Budget.

The Commission administers and enforces Wisconsin law pertaining to elections (Wisconsin Chapters 5 to 10 and 12). Commission activities fit into four general functions: general administration; education, training and assistance to local election officials, candidates, and officeholders; voter education and outreach; and complaint resolution. Within these functional areas, the Commission implements legislative changes and initiatives, develops policy, issues formal opinions and guidance, promulgates administrative rules, prescribes procedures and forms, carries out investigations, responds to inquiries from local election officials, candidates and the public, and completes related activities.

The Commission's four functional activities are further described below:

1. Election Administration

The agency ensures compliance with federal and state election laws. Commission staff evaluates nomination papers and other documents to recommend to the Commission as to whether state and federal candidates qualify for ballot access. Agency staff completes testing of electronic voting systems and makes recommendations regarding Commission approval of such systems, conducts accessibility audits of polling places, and certifies state and federal election results in Wisconsin. Commission staff also develops and maintains the statewide voter registration system (WisVote) as well as other election management IT systems and applications. Staff also prepares reports and documentation to assist the Commission in making decisions related to election administration at its regular meetings, and works with the Legislature in its development of election-related legislation.

2. Support for Local Election Officials

Elections in Wisconsin are conducted by 1,925 local clerks at the town, village, city and county levels. Commission staff provides education, training, and administrative and technical support to local election officials, on both a cyclical and daily basis. Courses and classes for election officials on both election administration responsibilities and tasks involving the statewide voter registration system are available on the Internet through an extensive webinar series. The agency also offers in-person presentations to various professional associations and other groups. The agency prepares detailed manuals to assist local election officials in carrying out their election-related responsibilities. Ongoing support to local clerks includes review of ballot formats, providing election forms, and answering inquiries regarding voting equipment and election procedures, as well as completing tasks in WisVote such as printing poll books, tracking ballot issuance and voter participation, updating voter registration records; maintaining candidate lists and polling place locations, and producing various reports for clerks. Local election officials rely on the WisVote

application and agency staff support to conduct all federal, state and local elections. In 2017, agency staff began development of an electronic poll book system to be tested during the Spring 2018 elections and made available to all clerks who wish to adopt them for Fall 2018 elections.

3. Voter Information and Service

Agency staff conducts extensive voter outreach regarding election procedures, voter registration and voting requirements. Agency staff maintains and updates the MyVote Wisconsin website (<https://myvote.wi.gov>), which is linked to the agency website (<http://elections.wi.gov>), which enables voters to check their voter registration status, and locate polling place and ballot information. Data available on the MyVote Wisconsin site is drawn from the statewide voter registration system, WisVote. On January 9, 2017, online voter registration as authorized by 2015 Wisconsin Act 261 became available on MyVote. Voters who do not possess a Wisconsin driver license or state ID card are able to complete and print a voter registration application and mail it to their municipal clerk. The information completed by the voter is saved in the WisVote system to expedite the voter's registration. The site also provides a secure method for military and overseas voters to apply for an absentee ballot and have it delivered to them electronically. Additional resources are available to voters and the public on the agency's website. The agency also assists members of the public with obtaining valid photo identification for voting. Finally, electors can learn about Wisconsin's voter photo ID law requirement at the Bring It to the Ballot website (<https://bringit.wi.gov>).

4. Voter and Election Data

Through maintenance of WisVote, the agency's Election Data Collection System and the Canvass Reporting System, agency staff collects and analyzes election data, and compiles information for required reports to the federal government and state policymakers. Agency staff also makes the data available to the general public and research organizations through its BADGER Voters website as well as on the agency's main website. Agency staff creates reports to comply with federal statutes and federal grant requirements.

Programs, Goals, Objectives and Activities

Program 1: Administration of Elections

Goal: Ensure open, fair and transparent elections, by cultivating public confidence in the integrity of the electoral process.

Objective/Activity: Administer state-level election responsibilities and provide educational, training and customer service resources to local elections officials, candidates, voters and the general public.

Performance Measures, Goals, and Performance

Prog. No.	Performance Measure	Goal 2015	Actual 2015	Goal 2016	Actual 2016
1.	Monitor the number of contacts the public makes to WEC	750,000	974,729	750,000	1,227,783
1.	Monitor public satisfaction with agency and local election officials through the agency's complaint system.	550	139	250	215
1.	Maintain data and records on the number of educational outreach activities, training and technical assistance provided to local elections partners and the general public.	90	116	75	127

The Wisconsin Elections Commission was required to report on goals established by the G.A.B. for fiscal years 2015 and 2016 as a part of its budget request. The table below includes the new performance measures established by the Wisconsin Elections Commission that were used beginning with fiscal year 2017 and moving forward.

Prog. No.	Performance Measure	Goal FY 2017	Actual 2017	Goal FY 2018	Goal FY 2019
1.	Monitor the number of contacts the public makes to WEC.	1,300,000		1,300,000	1,300,000
1.	Monitor public satisfaction with agency and local election officials through the agency's complaint system.	225		175	200
1.	Maintain data and records on the number of educational outreach activities, training and technical assistance provided to local elections partners and the general public.	130		130	130

Statutory Duties of the Elections Commission and the Agency's Compliance

The table in appendix A outlines the statutory duties of the Wisconsin Elections Commission, as well as provides a summary of the agency's compliance with those requirements or any unresolved issues related to those duties.

A summary of significant achievements and tasks completed by the staff of the Wisconsin Elections Commission from July 1, 2016 to June 30, 2017 is attached in appendix B.

C. Information the Elections Commission is required to Report under [Wis. Stat. § 5.05\(5e\)](#)

Names and Duties of All Individuals Employed by the Commission

Wisconsin Elections Commission staff members are required to be non-partisan, in accordance with [Wis. Stat. §5.05\(4\)](#).

Administrator – Michael Haas

Under the general policy direction of the Elections Commission, the Administrator is responsible for providing the administrative leadership and support necessary to enable the commission to carry out its statutory functions with respect to the administration and enforcement of election laws. The duties and responsibilities of this position are diverse in nature and include such activities as implementation of Commission policies and directives; law and rule interpretations; program planning; staff supervision; public and legislative contacts; and the development and improvement of record keeping and procedural systems.

The Administrator serves as a representative of the Commission and provides administrative leadership and support to the Commission in such areas as processing of complaints; development of formal and informal opinions; administrative rule development; drafting and review of proposed legislation; implementation of federal and state legislation and court rulings; data collection, analysis and dissemination; identification of problems which may require investigation or interpretation; preparation of special reports; administration of contracts and federal grants; preparation for Commission meetings; and any other areas the Commission may assign.

Please see appendix C for a full list of the Administrator's duties.

Assistant Administrator – Meagan McCord Wolfe

Under the general supervision the Administrator, the Assistant Administrator provides an array of executive-level policy, administrative and professional services for the Wisconsin Elections Commission and to the Administrator. This position serves as the second-in-command in the absence of the Administrator. This position develops policy and procedures, and goals and objectives for information technology support for the agency. This position supervises personnel responsible for information technology and related functions and manages the coordination and

portfolios of outsourced information technology services with vendor partners. This position develops policy and procedures, sets goals and performance objectives, and develops and implements program assessment tools for the Commission staff. Ms. Wolfe was appointed to this new position in April 2017.

Legal Counsel – Nathan Judnic

Under the general supervision of the Administrator of the Wisconsin Elections Commission, this position is responsible for providing legal advice to the Commission and its staff on the application of election administration laws to the Commission and its staff. This position is responsible for preparing legal opinions, enforcement orders, and administrative rules to implement agency policy and authority.

Elections Supervisor – Ross Hein and Richard Rydecki

Under general supervision of the Administrator, the Elections Supervisor provides an array of executive-level policy, administrative and professional services for the Wisconsin Elections Commission and the Administrator. During this fiscal year, the Elections Supervisor oversaw personnel responsible for information technology and related functions and manages the coordination and portfolios of outsourced information technology services with vendor partners. After Mr. Hein accepted a position at the Department of Workforce Development, the Elections Supervisor position became responsible for overseeing the election administration and training staff. This position now develops and coordinates policies and procedures, sets goals and performance objectives, and develops and implements program assessment tools for the election administration staff, and is held by Richard Rydecki.

Chief Administrative Officer – Sharrie Hauge

Under the general supervision of the Administrator, this position is responsible for the development and implementation of the biennial and annual operating budgets, manages financial and office operations, procurement, facilities management, human resources, the agency's Help Desk, Continuity of Operations and Continuity of Government Planning (COOP/COG), coordinates federal grant programs; and prepares special reports and analyses for the Administrator.

Webmaster/Public Information Officer – Reid Magney

Under the general supervision of the Administrator, this position provides a wide variety of support for Commission operations. This position serves as the agency's webmaster, media spokesperson and public records officer. This position also provides confidential support services to the Commission, including taking meeting minutes and planning meetings.

Training Coordinator – Allison Coakley

Under the supervision of the Elections Supervisor, the Training Coordinator is responsible for creating and managing the Elections Commission's training program for local election officials. This position coordinates the preparation of training materials and events, including Manual

updates, written communications, webinars, and in-person presentations. This position also monitors local election officials' compliance with training requirements.

Elections Specialists — multiple incumbents

Seven positions under the Elections Commission were classified as Elections Specialists during this fiscal year. Elections Specialists' responsibilities are mostly related to election administration. Staff in this classification during this fiscal year were: Diane Lowe, Lead Elections Specialist; Meagan Wolfe, Voter Services Elections Specialist; Richard Rydecki, Accessibility and Electronic Voting Equipment Elections Specialist; Jennifer Webb, Elections Specialist; and Robert A. Williams, Elections Specialist. There were five vacant Elections Specialist positions at the end of the fiscal year.

Under the general supervision of the Administrator (and now the Elections Supervisor), these positions provide operational execution of the Wisconsin Elections Commission's statutory responsibilities and ensure compliance with Wisconsin's elections laws. The individuals in these positions must be able to respond to questions involving complex application of statutes and administrative code and assist local election officials. The individuals in these positions conduct policy and legal analysis related to the administration of Wisconsin's elections laws and review applicable court decisions for potential impact on the Commission's responsibilities. These positions report to the Administrator and the Commissioners regularly about the success of programs, policies and procedures, and develop and implement more effective, efficient ways to achieve program goals.

WisVote Specialists — multiple incumbents

Eleven positions under the Elections Commission were classified as WisVote Specialists or had responsibilities for supporting Wisconsin's statewide voter registration system, known as WisVote. This support includes IT development and WisVote user support and training to local election officials who use the system. Staff in this category during the fiscal year included Sarah Whitt, IT Lead; Ann Oberle, UAT Lead; Christopher Doffing, Juanita Borton and Michael Nelson, Training Officers; Patrick Brennan, Tony Bridges, Gregory Grube, Jodi Kitts, Sara K. Linski, and Mai Choua Thao, WisVote Elections Specialists.

Help Desk Support — multiple incumbents

Two positions under the Elections Commission are classified as Help Desk support positions. Under the supervision of the Assistant Administrator, these positions provide a wide variety of technical services to the Commission and its staff and to local election officials and the public. Staff in this category are Steve Rossman, Help Desk Lead, and John Hoeth, Help Desk Support.

Office Operations Associates — multiple incumbents

Three positions under the Elections Commission are classified as Office Operations Associate positions. Under the supervision of the Chief Administrative Officer, these positions provide

operational support by staffing the front desk, answering telephones, and providing additional support. Staff in this category were Tiffany Schwoerer, Marni Martinson and Jennifer Johnson.

Accountant – Gamze Ligler

Under the general supervision of the Chief Administrative Officer, this position creates and maintains the financial statements and general ledger through the use of the Statewide PeopleSoft STAR ERP system, manages expenditures to biennial and annual operating budgets, manages GPR and Federal Grants reporting, implements procurement activities and prepares financial reporting and audits.

Paralegal – Vacant

The Wisconsin Elections Commission was authorized during the fiscal year to employ a Paralegal to support the Legal Counsel in promulgation of administrative rules and other legal duties. This position was not filled during the fiscal year due to the priority of election preparations and a request of the Department of Administration to delay filling the position until finalization of the biennial budget, which ultimately eliminated the position.

D. Summary of Determinations and Advisory Opinions Issued Under [Wis. Stat. § 5.05\(6a\)](#)

The Elections Commission did not issue any formal or informal advisory opinions, nor did it authorize the Administrator or his designee to issue informal written advisory opinions or transmit an informal advisory opinion electronically on its behalf during its first year of operations beginning June 30, 2016.

E. Summary of Investigations Conducted

The Elections Commission did not authorize any investigations during its first year of operations.

F. Recommendations for Legislation

The Commission's Legislative Agenda, approval by the Commission at its March 14, 2017 meeting, is attached as appendix D.

Appendix A

Statutory Duties of the Wisconsin Elections Commission

Subject	Statutory Reference	Duties
General Statutory Authority	5.05(1)	The elections commission shall have the responsibility for the administration of chs. 5 to 10 and 12, and other laws relating to elections and election campaigns, other than laws relating to campaign financing. Wis. Stat. § 5.05(1).
Administrative Rules	5.05(1)(f)	Promulgate rules under ch. 227 applicable to all jurisdictions for the purpose of interpreting or implementing the laws regulating the conduct of elections or election campaigns, other than laws regulating campaign financing, or ensuring their proper administration. Wis. Stat. § 5.05(1)(f).
Investigations & Enforcement	5.05(2m)(a)	The commission shall investigate violations of laws administered by the commission. Wis. Stat. § 5.05(2m)(a).
Elections Commission Statutory Authority	5.05(2w)	The elections commission has the responsibility for the administration of chs. 5 to 10 and 12. Wis. Stat. § 5.05(2w).
Chief Election Officer	5.05(3g)	The commission administrator shall serve as the chief election officer of this state. Wis. Stat. § 5.05(3g).
Nonpartisan Employees	5.05(4)	All employees of the commission shall be nonpartisan. Wis. Stat. § 5.05(4).
Annual Report	5.05(5e)	The commission shall submit an annual report under s. 15.04(1) (d) and shall include in its annual report the names and duties of all individuals employed by the commission and a summary of its determinations and advisory opinions. Wis. Stat. § 5.05(5e).
Election Officials	5.05(7)	The commission shall conduct regular information and training meetings at various locations in the state for county and municipal clerks and other election officials. Wis. Stat. § 5.05(7).
Education & Information	5.05(10)	The commission shall adopt and modify as necessary a state plan that meets the requirements of P.L. 107-252 to enable participation by this state in federal financial assistance programs authorized under that law. Wis. Stat. § 5.05(10).
Education & Information	5.05(12)	The commission shall conduct an educational program for the purpose of educating electors who cast paper ballots, ballots that are counted at a central counting location, and absentee ballots of the effect of casting excess votes for a single office. Wis. Stat. § 5.05(12).
Education & Information	5.05(13)(a)	The commission shall maintain one or more toll-free telephone lines for electors to report possible voting fraud and voting rights violations, to obtain general election information, and to access information concerning their registration status, current polling place locations, and other information relevant to voting in elections. Wis. Stat. § 5.05(13)(a).
Overseas / Absent Military Voting	5.05(13)(c)	The commission shall maintain a free access system under which a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s. 6.34 (1) (b), who casts an absentee ballot may ascertain whether the ballot has been received by the appropriate municipal clerk. Wis. Stat. § 5.05(13)(c).

Subject	Statutory Reference	Duties
Overseas / Absent Military Voting	5.05(13)(d)	The commission shall designate and maintain at least one freely accessible means of electronic communication which shall be used for the following purposes: 1. To permit a military elector or an overseas elector to request a voter registration application or an application for an absentee ballot at any election at which the elector is qualified to vote in this state. 2. To permit a military elector or an overseas elector to designate whether the elector wishes to receive the applications electronically or by mail. 3. To permit a municipal clerk to transmit to a military elector or an overseas elector a registration application or absentee ballot application electronically or by mail, as directed by the elector together with related voting, balloting, and election information. Wis. Stat. § 5.05(13)(d).
Subscription Service	5.05(14)(b)	The commission shall establish a subscription service whereby a person may electronically access the absentee ballot information provided under s. 6.33(5)(a), including semiweekly updates of such information. Wis. Stat. § 5.05(14)(b).
Reporting	5.05(14)(c)	On election night the commission shall provide a link on its Internet site to the posting of each county's election returns on each county's Internet site. Wis. Stat. § 5.05(14)(c).
Registration	5.05(15)	The commission is responsible for the design and maintenance of the official registration list under s. 6.36. Wis. Stat. § 5.05(15).
Registration	5.05(15)	The commission shall require all municipalities to use the list in every election and may require any municipality to adhere to procedures established by the commission for proper maintenance of the list. Wis. Stat. § 5.05 (15).
Poll Lists	5.05(18)	The commission may facilitate the creation and maintenance of electronic poll lists for purposes of s. 6.79 including entering into contracts with vendors and establishing programs for development and testing. Wis. Stat. § 5.05(18).
Elections Division Administrator	5.055	The commission administrator shall, in consultation with the commission, appoint an individual to represent this state as a member of the federal election assistance commission standards board. Wis. Stat. § 5.055.
Elections Division Administrator	5.055	The administrator shall also conduct and supervise a process for the selection of an election official by county and municipal clerks and boards of election commissioners to represent local election officials of this state as a member of the federal election assistance commission standards board. Wis. Stat. § 5.055.
Elections Division Administrator	5.056	The commission administrator shall enter into the agreement with the secretary of transportation specified under s. 85.61 (1) to match personally identifiable information on the official registration list maintained by the commission under s. 6.36 (1) and the information specified in s. 6.34 (2m) with personally identifiable information maintained by the department of transportation. Wis. Stat. § 5.056.

Subject	Statutory Reference	Duties
Complaints	5.06	The commission may conduct a hearing on the matter in the manner prescribed for treatment of contested cases under ch. 227 if it believes such action to be appropriate. Wis. Stat. § 5.06(1).
HAVA Compliance	5.061	The commission shall make a final determination with respect to the merits of the complaint and issue a decision within 89 days of the time that the complaint or the earliest of any complaints was filed. Wis. Stat. § 5.061.
Voting Rights/Impediments	5.25(4)	The commission shall ensure that the voting system used at each polling place will permit all individuals with disabilities to vote without the need for assistance and with the same degree of privacy that is accorded to nondisabled electors voting at the same polling place. Wis. Stat. § 5.25(4).
Voting Rights/Impediments	5.25(4)(b)	In any jurisdiction that is subject to the requirement under 42 USC 1973aa-1a to provide voting materials in any language other than English, the commission shall ensure that the voting system used at each polling place in that jurisdiction is in compliance with 42 USC 1973aa-1a.
Voting Rights/Impediments	5.25(4)(d)	No later than June 30 of each odd-numbered year, the commission shall submit a report on impediments to voting faced by elderly and handicapped individuals to the appropriate standing committees of the legislature under s. 13.172(3). In preparing its report the commission shall consult with appropriate advocacy groups representing the elderly and handicapped populations. Wis. Stat. § 5.25(4)(d).
Voting Rights/Impediments	5.35(6)(a)4a.	The commission shall prescribe instructions for electors for whom proof of identification is required under s. 6.79 (2) or for whom proof of residence under s. 6.34 is required under s. 6.55 (2). Wis. Stat. § 5.35(6)(a)4a.
Voting Rights/Impediments	5.35(6)(a)4b.	The commission shall prescribe general information concerning voting rights under applicable state and federal laws, including the method of redress for any alleged violations of those rights. Wis. Stat. § 5.35(6)(a)4b.
Ballots	5.60(1)(b)	The elections commission shall certify the candidates' names and designate the official ballot arrangement for candidates for state superintendent, justice, court of appeals judge, circuit judge and for metropolitan sewerage commission commissioners elected under s. 200.09 (11) (am). Wis. Stat. § 5.60(1)(b).
Ballots	5.62(3)	The commission shall designate the official primary ballot arrangement for statewide offices and district attorney within each prosecutorial district by using the same procedure provided in s. 5.60 (1) (b). Wis. Stat. § 5.62(3).
Ballots	5.655(3)	The commission shall prescribe notices and instructions to be given to electors who use a consolidated ballot. Wis. Stat. § 5.655(3).
Ballots	5.72(2)	The commission shall review ballots and proof copies and shall notify the county and municipal clerk of any error as soon as possible but in no event later than 7 days after submission. Wis. Stat. § 5.72(2).

Subject	Statutory Reference	Duties
Electronic Voting Systems	5.87(2)	The commission shall, by rule, prescribe uniform standards for determining the validity of votes cast or attempted to be cast with each electronic voting system approved for use in this state under s. 5.91. Wis. Stat. § 5.87(2).
Electronic Voting Systems	5.905(2)	The commission shall determine which software components of an electronic voting system it considers to be necessary to enable review and verification of the accuracy of the automatic tabulating equipment used to record and tally the votes cast with the system. Wis. Stat. § 5.905(2).
Electronic Voting Systems	5.905(2)	The commission shall require each vendor of an electronic voting system that is approved under s. 5.91 to place those software components in escrow with the commission within 90 days of the date of approval of the system and within 10 days of the date of any subsequent change in the components. Wis. Stat. § 5.905(2).
Electronic Voting Systems	5.905(2)	The commission shall secure and maintain those software components in strict confidence except as authorized in this section. Wis. Stat. § 5.905(2).
Electronic Voting Systems	5.905(3)	The commission shall promulgate rules to ensure the security, review and verification of software components used with each electronic voting system approved by the commission. Wis. Stat. § 5.905(3).
Electronic Voting Systems	5.91(intro)	The commission shall certify any ballot, voting device, automatic tabulating equipment or related equipment and materials to be used in an electronic voting system. Wis. Stat. § 5.91(intro).
Electronic Voting Systems	5.93	The commission may promulgate reasonable rules for the administration of electronic voting systems. Wis. Stat. § 5.93.
Electronic Voting Systems	5.95	The commission shall prescribe information to electors in municipalities and counties using various types of electronic voting systems to be published in lieu of the information specified in s. 10.02 (3) in type B notices whenever the type B notice information is inapplicable. Wis. Stat. § 5.95.
Overseas / Absent Military Voting	6.06	The commission is the agency designated by the state of Wisconsin under 42 USC 1973ff-1 to provide information regarding voter registration and absentee balloting procedures to absent members of the uniformed services and overseas voters with respect to elections for national office. Wis. Stat. § 6.06.
Overseas / Absent Military Voting	6.22(4)(d)	For military absentee ballots, the commission shall prescribe the instructions for marking and returning ballots and the municipal clerk shall enclose instructions with each ballot, including supplemental instructions for local elections. Wis. Stat. § 6.22(4)(d).
Overseas / Absent Military Voting	6.24(3)	The commission shall design a form to ascertain the qualifications of overseas electors. The commission shall ensure that the form is substantially similar to the original form under s. 6.33 (1), insofar as applicable. Wis. Stat. § 6.24(3).

Subject	Statutory Reference	Duties
Overseas / Absent Military Voting	6.24(4)(d)	The commission shall prescribe a special certificate form for the envelope in which the absentee ballot for overseas electors is contained, which shall be substantially similar to the certificate used for absentee voters domiciled in Wisconsin as provided under s. 6.87(2). Wis. Stat. § 6.24(4)(d).
Overseas / Absent Military Voting	6.24(5)	The commission shall prescribe a special ballot for use by overseas/military voters whenever necessary, limited to national offices and designed to comply with the requirements under ss. 5.60(8), 5.62, and 5.64(1) insofar as applicable. Wis. Stat. § 6.24(5).
Overseas / Absent Military Voting	6.24(6)	For overseas ballots, the commission shall prescribe the instructions for marking and returning ballots and the municipal clerk shall enclose instructions with each ballot, including supplemental instructions for local elections. Wis. Stat. § 6.24(6).
Registration	6.275(2)	The commission shall publish registration and voting statistics on its website within 7 days of receipt from local election officials and update this information on a monthly basis. Wis. Stat. § 6.275(2).
Overseas / Absent Military Voting	6.276(2)	Within 30 days after each general election, each municipal clerk shall transmit to the commission a report of the number of absentee ballots transmitted to absent military and overseas electors and the combined number of those ballots that were cast by those electors in that election. Wis. Stat. § 6.276(2).
Overseas / Absent Military Voting	6.276(3)	Within 90 days after each general election, the commission shall compile the information contained in the municipal clerks' reports and transmit the information to the federal Election Assistance Commission. Wis. Stat. § 6.276(3).
Registration	6.29(2)(am)	The commission shall provide to each municipal clerk a list prepared for use at each municipal clerk's office showing the name and address of each person whose name appears on the list provided by the department of corrections under s. 301.03 (20m) as ineligible to vote on the date of the election, whose address is located in the municipality, and whose name does not appear on the registration list for that municipality. Wis. Stat. § 6.29(2)(am).

Subject	Statutory Reference	Duties
Electronic Registration	6.30(5)	The commission shall maintain on the Internet a secure registration form that enables the elector to enter the information required under s. 6.33 (10) electronically. The commission shall include on the registration form a place for the elector to give this authorization. Upon submittal of the electronic application, the commission shall obtain from the department of transportation a copy of the electronic signature of the elector. The commission shall maintain the application on file and shall notify the municipal clerk or board of election commissioners of the municipality where the elector resides of its receipt of each completed application. The commission shall also permit any elector who has a current and valid operator's license issued to the elector under ch. 342 or a current and valid identification card issued under s. 342.50 to make changes in his or her registration at the same Internet site that is used by electors for original registration under this subsection. Wis. Stat. § 6.30(5).
Registration	6.33(1)	The commission shall prescribe the format, size, shape and content of registration forms consistent with statutory requirements. Wis. Stat. § 6.33(1).
Registration	6.33(5)(a)	Municipal clerks may update changes to registrations within 45 days after the date of a general election. The commission administrator may, upon request of a municipal clerk, permit the clerk to update registration entries that change on the date of a general election within 60 days after that election. The municipal clerk shall also provide to the commission information that is confidential under s.6.47(2) in such manner as the commission prescribes. Wis. Stat. § 6.33(5)(a).
Absentee Vote Tracking	6.33(5)(a)2	The commission shall maintain a list under s. 6.36 (1) that allows municipal clerks to enter information regarding tracking absentee ballots. Wis. Stat. § 6.33(5)(a)2.
Electronic System	6.34(4)	The commission shall maintain a system that electronically verifies, on an instant basis, information specified under sub. (3) (b) from the information submitted in lieu of proof of residence under sub. (2m), using the information maintained by the department of transportation pursuant to the commission's agreement with the secretary of transportation under s. 85.61 (1). Wis. Stat. § 6.34(4).
Registration List	6.35(2)	The commission shall prescribe, by rule, the procedure and methods by which municipal clerks and boards of election commissioners shall maintain records of registrations that are entered electronically under s. 6.30 (5). Wis. Stat. § 6.35(2).
Registration	6.36(1)(a)	The commission shall compile and maintain electronically an official registration list consistent with statutory requirements. Wis. Stat. § 6.36 (1)(a).
Registration	6.36(2)(a)	The commission shall, by rule, prescribe the space and location for entry of each elector's signature on the poll list which shall provide for entry of the signature without changing the orientation of the poll list from the orientation used by the election officials. Wis. Stat. § 6.36(2)(a)

Subject	Statutory Reference	Duties
Registration	6.36(6)	The commission shall establish by rule the fee for obtaining a copy of the official registration list, or a portion of the list, including access to the subscription service established under s. 5.05 (14)(b). The amount of the fee shall be set, after consultation with county and municipal election officials, at an amount estimated to cover both the cost of reproduction and the cost of maintaining the list at the state and local level. The rules shall require that revenues from fees received be shared between the state and municipalities or their designees under s. 6.33(5)(b), and shall specify a method for such allocation. Wis. Stat. § 6.36(6).
Registration	6.50(1)	No later than June 15 following each general election the commission shall identify each elector who has not voted within the previous 4 years and mail a suspension notice. Wis. Stat. § 6.50(1)
Registration	6.50(2)	The commission shall change the registration status of an elector receiving a notice of suspension who does not apply for continuation of registration within 30 days of the date of mailing the suspension notice. Wis. Stat. § 6.50(2)
Registration	6.50(2g)	The commission may delegate to a municipal clerk or board of election commissioners of a municipality the responsibility to change the registration status of voter suspended under s. 6.50(2). Wis. Stat. § 6.50(2g)
Registration	6.50(2r)	No later than August 1 of an odd-numbered year the commission shall publish on its website specified statistics related to the suspension notice mailing. Wis. Stat. § 6.50(2r).
Registration	6.55(2)(cs)	The commission shall provide to each municipal clerk a list prepared for use at each polling place showing the name and address of each person whose name appears on the list provided by the department of corrections under s. 301.03(20m) as ineligible to vote on the date of the election, whose address is located in the area served by that polling place, and whose name does not appear on the poll list for that polling place. Wis. Stat. § 6.55(2)(cs).
Registration	6.56(3m)	As soon as possible after all information relating to registrations after the close of registration for an election is entered on the registration list following the election under s.6.33 (5) (a), the commission shall compare the list of new registrants whose names do not appear on the poll lists for the election because the names were added after the commission certified the poll lists for use at the election with the list containing the names transmitted to the board by the department of corrections under s. 301.03(20m) as of election day. If the commission finds that the name of any person whose name appears on the list transmitted under s. 301.03(20m) has been added to the registration list, the commission shall enter on the list the information transmitted to the commission under s. 301.03(20m) and shall notify the district attorney for the county where the polling place is located that the person appears to have voted illegally at the election. Wis. Stat. § 6.56(3m).

Subject	Statutory Reference	Duties
Registration	6.56(7)	The commission may elect to perform audits of all electors registering to vote at the polling place and all electors registering by agent on election day. Wis. Stat. § 6.56(7).
Absentee Voters	6.869	The commission shall prescribe uniform instructions for municipalities to provide to absentee electors. Wis. Stat. § 6.869.
Special Registration Deputies	6.875(5)	The commission shall prescribe an oath that special registration deputies in nursing homes and care facilities must file as required by s. 7.30(5). Wis. Stat. § 6.875(5).
Registration	6.92; 6.925	The commission may prescribe by rule questions that inspectors or other electors may use to test a person's qualifications in a challenge. Wis. Stats. §§ 6.92, 6.925.
Election Officials	7.03(2)	The commission shall fix the amount to be paid any person employed to perform duties for the state. If the commission employs an individual to perform duties which are the responsibility of a county or municipality, the commission shall charge the expense to the county or municipality. Wis. Stat. § 7.03(2).
Ballots	7.08(1)(a)	In addition to its duties for ballot arrangement under ch. 5 and date and notice requirements under ch. 10, the commission shall prescribe all official ballot forms and revise them to harmonize with legislation and the current official status of the political parties whenever necessary. Wis. Stat. § 7.08(1)(a).
Ballots	7.08(1)(a)	The commission shall include on each ballot form in the endorsement section space for identifying overvoted or damaged ballots as original or duplicate with an identifying serial number. Wis. Stat. § 7.08(1)(a).
Ballots	7.08(1)(b)	The commission shall also prescribe the necessary sample forms and ballot containers to make the canvass, returns, statements and tally sheet statements for all elections the results of which are reportable to the commission under s. 7.60(4)(a), and all other materials as it deems necessary to conduct the elections. Wis. Stat. § 7.08(1)(b).
Registration	7.08(1)(c)	The commission shall prescribe the format, size, and shape of registration forms required by ss. 6.24(3) and (4), 6.30(4) and (5), 6.33(1), 6.47 (1)(am)2. and (3), 6.55(2), and 6.86 (2) to (3). All such forms shall contain a statement of the penalty applicable to false or fraudulent registration or voting through use of the form. Forms are not required to be furnished by the commission. Wis. Stat. § 7.08(1)(c).
Electronic Voting Systems	7.08(1)(d)	The commission shall promulgate rules for the administration of the statutory requirements for voting machines and electronic voting systems and any other voting apparatus which may be introduced in this state for use at elections. Pursuant to such responsibility, the commission may obtain assistance from competent persons to check the machines, systems and apparatus and approve for use those types meeting the statutory requirements and shall establish reasonable compensation for persons performing duties under this paragraph. Wis. Stat. § 7.08(1)(d).

Subject	Statutory Reference	Duties
Candidates	7.08(2)(a)	The commission shall transmit to each county clerk a certified list of all candidates on file in its office for which electors in that county may vote. Wis. Stat. § 7.08(2)(a).
Publications	7.08(3)	The commission shall prepare and publish separate from the election laws an election manual written so as to be easily understood by the general public explaining the duties of the election officials. Wis. Stat. § 7.08(3).
Publications	7.08(4)	The commission shall publish the election laws and shall sell or distribute or arrange for the sale or distribution of copies of the election laws to county and municipal clerks and boards of election commissioners and members of the public. Wis. Stat. § 7.08(4).
Publications	7.08(5)	The commission shall distribute, upon request and free of charge, to any candidate for representative in Congress, state senator, or representative to the assembly a copy of the map or maps received under s. 16.96(3)(b) showing district boundaries. Wis. Stat. § 7.08(5).
Electronic Voting Systems	7.08(6)	Following each general election, audit the performance of each voting system used in this state to determine the error rate of the system in counting ballots that are validly cast by electors. If the error rate exceeds the rate permitted under standards of the federal election commission in effect on October 29, 2002, the commission shall take remedial action and order remedial action to be taken by affected counties and municipalities to ensure compliance with the standards. Wis. Stat. § 7.08(6).
Election Officials	7.08(11)	The commission shall allocate and assign sufficient members of its staff to coordinate their activities with local election officials and maintain their availability to respond to inquiries from local election officials for each statewide election and each recount in progress. Wis. Stat. § 7.08(11).
Voting Rights/Impediments	7.08(12)	The commission shall engage in outreach to identify and contact groups of electors who may need assistance in obtaining or renewing a document that constitutes proof of identification for voting and provide assistance to the electors in obtaining or renewing that document. Wis. Stat. § 7.08(12).
Voter Fraud	7.15(1)(g)	Report summary of suspected election frauds, irregularities and violations received from municipal clerks annually to the legislature under s 13.72. Wis. Stat. § 7.15(1)(g).
Election Officials	7.31(1)	The commission shall establish requirements for certification of individuals to serve as chief inspectors. The requirements shall include a requirement to attend at least one training session held under sub. (5) before beginning service. Wis. Stat. § 7.31(1).
Election Officials	7.31(3)	The commission shall, upon application, issue certificates to qualified individuals who meet the requirements to be certified as chief inspectors. Each certificate shall carry an expiration date. Wis. Stat. § 7.31(3).

Subject	Statutory Reference	Duties
Election Officials	7.31(4)	The commission shall require each individual to whom a certificate is issued under this section to meet requirements to maintain that certification. Wis. Stat. § 7.31(4).
Election Officials	7.31(5)	The commission shall conduct regular training programs to ensure that individuals who are certified by the commission as chief election inspectors are knowledgeable concerning their authority and responsibilities. The commission shall pay all costs required to conduct the training programs from the appropriation under s. 20.510(1)(bm). Wis. Stat. § 7.31(5).
Election Officials	7.315	The commission shall, by rule, prescribe the contents of the training that municipal clerks must provide to inspectors, other than chief inspectors, and to special voting deputies appointed under s. 6.875. Wis. Stat. § 7.315.
Election Observers	7.41(5)	The commission may promulgate rules that are consistent with the requirements of the public's right to access to the polling place regarding the proper conduct of individuals exercising the right, including the interaction of those individuals with inspectors and other election officials. Wis. Stat. § 7.41(5).
Canvass	7.60(5)(b)	If the board of canvassers becomes aware of a material mistake in the canvass of an election for state or national office or a statewide or technical college district referendum prior to the close of business on the day the elections commission receives returns from the last county board of canvassers with respect to that canvass, the board of canvassers may petition the elections commission to reopen and correct the canvass. The elections commission shall direct the canvass to be reopened and corrected if it determines that the public interest so requires. Wis. Stat. § 7.60(5)(b).
Canvass	7.70(1)	Upon receipt of the certified statements from the county clerks, the commission shall record the election results by counties and file and carefully preserve the statements. Wis. Stat. § 7.70(1).
Canvass	7.70(3)	The chairperson of the commission or a designee of the chairperson appointed by the chairperson to canvass a specific election shall publicly canvass the returns and make his or her certifications and determinations on or before the 2nd Tuesday following a spring primary, the 15th day of May following a spring election, the 3rd Wednesday following a partisan primary, the first day of December following a general election, the 2nd Thursday following a special primary, or within 18 days after any special election. Wis. Stat. § 7.70(3).

Subject	Statutory Reference	Duties
Canvass	7.70(5)	The commission shall record in its office each certified statement and determination made by the commission chairperson or the chairperson's designee. Immediately after the expiration of the time allowed to file a petition for recount, the commission shall make and transmit to each person declared elected a certificate of election under the seal of the commission. For presidential electors, the commission shall prepare a certificate showing the determination of the results of the canvass and the names of the persons elected, and the governor shall sign, affix the great seal of the state, and transmit the certificate by registered mail to the U.S. administrator of general services. Wis. Stat. § 7.70(5).
Nomination Papers	8.07	The commission shall promulgate rules under this chapter for use by election officials in determining the validity of nomination papers and signatures thereon. Wis. Stat. § 8.07.
Nomination Papers	8.12(1)(d)	The commission shall forthwith contact each person whose name has been placed in nomination under par. (b) and notify him or her that his or her name will appear on the Wisconsin presidential preference ballot unless he or she files, no later than 5 p.m. on the last Tuesday in January of such year, with the commission, a disclaimer stating without qualification that he or she is not and does not intend to become a candidate for the office of president of the United States at the forthcoming presidential election. Wis. Stat. § 8.12(1)(d).
Ballots	8.12(2)	The form of the official ballots (Presidential Preference Vote) shall be prescribed by the commission. Wis. Stat. § 8.12(2).
Reporting	8.12(3)	No later than May 15 following the presidential preference primary, the commission shall notify each state party organization chairperson under sub. (1) (b) of the results of the presidential preference primary within the state and within each congressional district. Wis. Stat. § 8.12(3).
Candidates	8.185(2)	The commission may waive the requirement of 8.185(2) but only if the results of the general election indicate that a write-in candidate for the office of president is eligible to receive the electoral votes of this state except for noncompliance with this subsection. In such event, the write-in candidate shall have until 4:30 p.m. on the Friday following the general election to comply with the filing requirements of this subsection. Wis. Stat. § 8.185 (2).
Nomination Papers	8.19(3)	The commission shall not certify nor the county clerk print the name of any person whose nomination papers indicate a party name comprising a combination of existing party names, qualifying words, phrases, prefixes or suffixes in connection with any existing party name. Wis. Stat. § 8.19(3).
Nomination Papers	8.40(3)	The commission shall, by rule, prescribe standards consistent with this chapter and s. 9.10 (2) to be used by all election officials and governing bodies in determining the validity of petitions for elections and signatures thereon. Wis. Stat. § 8.40(3).

Subject	Statutory Reference	Duties
Special Elections	8.50(1)(b)	If [a] special election concerns a national or state office, the commission shall give notice as soon as possible to the county clerks. Wis. Stat. § 8.50(1)(b).
Special Elections	8.50(1)(d)	When the election concerns a national office or a special election for state office is held concurrently with the general election, the commission shall transmit to each county clerk a certified list of all persons for whom nomination papers have been filed in its office at least 62 days before the special primary, and in other cases the commission shall transmit the list to each county clerk at least 22 days before the special primary. If no primary is required, the list shall be transmitted at least 42 days prior to the day of the special election unless the special election concerns a national office or is held concurrently with the general election, in which case the list shall be transmitted at least 62 days prior to the day of the special election. Wis. Stat. § 8.50(1)(d).
Recount	9.01(1)(ag)4.	The commission shall deposit all moneys (recount fees) received by it into the account under s. 20.511 (1) (g), and shall pay the fees required for each recount to the county clerks of the counties in which the recount is to be held. Wis. Stat. § 9.01(1)(ag)4.
Recount	9.01(1)(ar)3.	Whenever the commission receives a valid (recount) petition and any payment under par. (ag) 3., the commission shall promptly by certified mail or other expeditious means order the proper county boards of canvassers to commence the recount. Wis. Stat. § 9.01(1)(ar)3.
Recount	9.01(1)(ar)3.	The commission chairperson or the chairperson's designee may not make a determination in any election if a recount is pending before any county board of canvassers in that election. Wis. Stat. § 9.01(1)(ag)3.
Recount	9.01(1)(ar)3.	The commission chairperson or the chairperson's designee need not recount actual ballots, but shall verify the returns of the county boards of canvassers in making his or her determinations. Wis. Stat. § 9.01(1)(ar)3.
Recount	9.01(2)	When the recount concerns an election for a state or federal office, the commission shall promptly prepare a copy of the petition for delivery to each opposing candidate for the same office whose name appears on the ballot. In a recount proceeding for a partisan primary, the commission shall prepare a copy of the petition for delivery to each opposing candidate for the same party nomination for the same office, to each opposing candidate for the party nomination of each other party for the same office and to each independent candidate qualifying to have his or her name placed on the ballot for the succeeding election. Wis. Stat. § 9.01(2).

Subject	Statutory Reference	Duties
Recount	9.01(5)(c)	If the commission chairperson or the chairperson's designee receives the recount results, the chairperson or designee shall publicly examine the returns and determine the results not later than 9 a.m. on the 3rd business day following receipt, but if that day is earlier than the latest day permitted for that election under s. 7.70(3)(a), the commission chairperson or designee may examine the returns and determine the results not later than the day specified in s. 7.70(3)(a). Wis. Stat. § 9.01(5)(c).
Recount	9.01(10)	The commission shall prescribe standard forms and procedures for the making of recounts under this section. Wis. Stat. § 9.01(10).
Recount	9.01(10)	The procedures prescribed by the commission shall require the boards of canvassers in recounts involving more than one board of canvassers to consult with the commission staff prior to beginning any recount in order to ensure that uniform procedures are used, to the extent practicable, in such recounts. Wis. Stat. § 9.01(10).
Recall	9.10(3)(b)	Within 31 days after the petition is offered for filing, the commission with whom the petition is offered for filing shall determine by careful examination whether the petition on its face is sufficient and so state in a certificate attached to the petition. Wis. Stat. § 9.10(3)(b).
Recall	9.10(3)(b)	If the commission finds that the amended petition is sufficient, the commission shall file the petition and call a recall election to be held on the Tuesday of the 6th week commencing after the date of filing of the petition. Wis. Stat. § 9.10(3)(b).
Election Notices	10.01(1)	The form of the various election notices shall be prescribed by the commission to standardize election notices. To accomplish this purpose, the commission shall make rules and draft whatever forms it considers necessary. The commission shall also prescribe the provisions for municipal notices which shall be sent to each county clerk who shall immediately forward them to each municipal clerk. Wis. Stat. § 10.01(1).
Election Notices	10.01(1)	Notification or certification lists of candidates or referenda questions sent to the county clerks shall prescribe the form in which the county clerks shall publish the relevant portions of the notice and any additional county offices and referenda questions. Wis. Stat. § 10.01(1).
Election Notices	10.06(1)(a)	On or before November 15 preceding a spring election the commission shall send a type A notice to each county clerk. Wis. Stat. § 10.06(1)(a).
Election Notices	10.06(1)(c)	As soon as possible after the deadline for filing nomination papers for the spring election, but no later than the 2nd Tuesday in January, the commission shall send a type B notice certifying the list of candidates to each county clerk if a primary is required. Wis. Stat. § 10.06 (1)(c).

Subject	Statutory Reference	Duties
Election Notices	10.06(1)(e)	As soon as possible following the state canvass of the spring primary vote, but no later than the first Tuesday in March, the commission shall send a type B notice certifying to each county clerk the list of candidates for the spring election. Wis. Stat. § 10.06 (1)(e).
Election Notices	10.06(1)(e)	When there is a referendum, the commission shall send type A and C notices certifying each question to the county clerks as soon as possible, but no later than the first Tuesday in March. Wis. Stat. § 10.06 (1)(e).
Election Notices	10.06(1)(f)	On or before the 3rd Tuesday in March preceding a partisan primary and general election the commission shall send a type A notice to each county clerk. Wis. Stat. § 10.06 (1)(f).
Election Notices	10.06(1)(h)	As soon as possible after the deadline for determining ballot arrangement for the partisan primary on June 10, the commission shall send a type B notice to each county clerk certifying the list of candidates for the partisan primary. Wis. Stat. § 10.06 (1)(h).
Election Notices	10.06(1)(i)	As soon as possible after the state canvass, but no later than the 4th Tuesday in August, the commission shall send a type B notice certifying the list of candidates and type A and C notices certifying each question for any referendum to each county clerk for the general election. Wis. Stat. § 10.06 (1)(i).
Advisory Opinions	5.05(5t)	Within 2 months following the publication of a decision of a state or federal court that is binding on the commission and this state, the commission shall issue updated guidance or formal advisory opinions, commence the rule-making procedure to revise administrative rules promulgated by the commission, or request an opinion from the attorney general on the applicability of the court decision. Wis. Stat. § 5.05(5t).
Advisory Opinions	5.06(6a)	The commission shall review a request for an advisory opinion and may issue a formal or informal written or electronic advisory opinion to the person making the request. Wis. Stat. § 5.05(6a).
Advisory Opinions	5.05(6a)(a)1.	Any individual. Either personally or on behalf of an organization or governmental body, may make a request of the commission in writing, electronically, or by telephone for a formal or informal advisory opinion regarding the propriety under chs. 5 to 10 or 12 of any matter to which the person is or may become a party. Wis. Stat. § 5.05(6a)(a)1.
Advisory Opinions	5.05(6a)(a)2.	To have legal force and effect, each formal and informal advisory opinion issued by the commission must be supported by specific legal authority under a statute or other law, or by specific case or common law authority. Wis. Stat. § 5.05(6a)(a)2.
Advisory Opinions	5.05(6a)(a)4.	At each regular meeting of the commission, the administrator shall review informal advisory opinions requested of and issued by the administrator and that relate to recurring issues or issues of first impression for which no formal advisory opinion has been issued. Wis. Stat. § 5.05(6a)(a)4.

Subject	Statutory Reference	Duties
Advisory Opinions	5.05(6a)(b)4.	The commission may authorize the commission administrator or his or her designee to issue an informal written advisory opinion or transmit an informal advisory opinion electronically on behalf of the commission. Wis. Stat. § 5.05(6a)(b)4.
Advisory Opinions	5.05(6a)(c)3.	Promptly upon issuance of each formal advisory opinion, the commission shall publish the opinion together with the information specified under sub. (5s) (f) on the commission's Internet site. Wis. Stat. § 5.05(6a)(c)3.

Appendix B

2017 Accomplishments of the Wisconsin Elections Commission

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FY 2016-2017 Election Commission Major Achievements

1. Transition from the Government Accountability Board (G.A.B.) to the Wisconsin Elections Commission: Senior G.A.B. staff worked with the Department Administration in early 2016 to complete a transition plan from the G.A.B. to the new Wisconsin Elections Commission and Wisconsin Ethics Commission, which was approved by the Joint Committee on Finance. Staff worked to orient new Commissioners as they were appointed and served as ex-officio members of the G.A.B. during the Spring of 2016, prior to the start of the two new commissions on June 30, 2016.

Staff also developed draft memoranda of understanding for shared office space and shared services between the two new commissions prior to the transition date, after which those MOUs were refined and approved by the two Commissions. In preparation for the changeover, staff developed new separate websites and new letterheads for each commission, and made many changes to rename and reformat standard forms and manuals to reflect the new structure and names. Financial staff also worked with DOA to create separate financial accounts for the two new agencies and allocate resources to each according to the transition plan.

2. Administration of Four Successful Statewide Elections and Other Election Events: Agency staff worked in conjunction with more than 1,850 municipal clerks, 72 county clerks, and tens of thousands of other local election officials to successfully conduct the 2016 Partisan Primary, 2016 General Election, 2017 Spring Primary, and 2017 Spring Election. Also, during 2016-2017 staff provided administrative guidance to local election officials for 7 special elections in five municipalities and two school districts. There were no special elections required to fill vacancies for legislative or other state offices.

In addition to training and support of local election officials, staff worked with numerous candidates and other organizations to prepare for the elections. Following elections for state and federal offices, staff assembled and reviewed official results from the counties, prepared the official canvass for certification and issued Certificates of Election to the winners. Staff also provided guidance and assistance to municipalities and districts concerning the recall and special election process.

- 2017 Spring Ballot Access Procedures: The Spring Primary and Spring Election included nonpartisan elections and staff assisted state judicial candidates with the filing of ballot access documents. Staff completed the review of nomination papers submitted by 71 candidates for Superintendent of Public Instruction and judicial offices and made recommendations regarding the certification of candidates or denial of ballot access. Staff

also processed and evaluated challenges to nomination papers as well as appeals regarding decisions of local filing officers.

- Ballot Design: Agency staff continued efforts to improve and standardize the design of ballots to be used in Wisconsin elections. Staff developed proposed ballot designs for both statewide elections and solicited input from clerks, political parties, and legislators. The Wisconsin Elections Commission continued the practice of approving proposed ballot designs for the regularly-scheduled Fall 2016 elections and for the Spring 2017 elections.
 - Extended Office Hours: Agency staff members were available to assist local election officials before and after regular business hours in the days leading up to and after regular elections, as well as during the conduct of recounts. Staff was available for 16 hours on the day of the 2017 Spring Primary and 17 hours on the days of the 2017 Spring Election, 2016 Partisan Primary, and 2016 General Election to assist with issues ranging from the opening of polling places to the reporting of unofficial results on Election Night. Staff also logged every telephone call received during the weeks surrounding each election to track the type of issues which arose and the resolution of those issues.
3. WisVote Maintenance: The WisVote system launched on January 11, 2016. WisVote is used by Wisconsin's municipal clerks, county clerks, and thousands of staff in clerks' offices to register voters and administer elections. The WisVote system addressed several critical deficiencies of the former Statewide Voter Registration System, most notably improving ease of use, reducing maintenance and hosting costs, and improving stability, security and supportability.
- WisVote Learning Center: Agency staff developed and maintained the WisVote Learning Center website to deliver WisVote training to those using the system. The WisVote Learning Center is a completely on-line training platform. All users of the former SVRS system were set up with accounts in the Learning Center and were sent instructions to access the Learning Center and complete the required training for WisVote. The Learning Center contains interactive tutorial videos created by agency staff covering all aspects of the WisVote system. It includes a complete training manual written by staff that can be printed by clerks. It includes links to the many WisVote webinars prepared and recorded by staff both before and after the WisVote launch. The website received more than 92,000 page views during 12,081 sessions from 3,709 unique users in fiscal year 2017.
 - Rapid Felon Updates: The process used to interface with the Wisconsin Department of Corrections (DOC) was completely redeveloped for WisVote. Instead of the monthly batch files delivered to SVRS, agency staff worked with DOC to create a nightly web service process so that new felon records and any updates to existing felon records are now processed in WisVote every night. This upgraded process has tremendously improved the accuracy of the matching process in WisVote which compares felon records to voter records, and of the Ineligible Voter Lists that clerks print from WisVote to prevent felons on probation or parole from registering and voting while they are still serving a felony sentence.

- Ongoing Maintenance: WisVote staff continued to make improvements to the functionality of the WisVote system. Some of the more notable improvements include:
 - Improvements to the system to allow WEC staff to approve and track clerk training records.
 - The addition of an automated feature that alerts a voter's previous state if the voter has registered to vote in Wisconsin.
 - Enhancements to the reports and views available in WisVote that allow clerks to monitor data quality and accuracy of post-election tasks.
 - Development of a letters and mailings entity in WisVote that allows clerks to generate consistent mailings and track voter responses to ongoing list maintenance mailings.
 - Ongoing security updates, system and server patches and routine bug fixes.

4. MyVote Wisconsin Website: WEC staff continued to make enhancements to the MyVote.wi.gov website in 2017. Voters now have the option to email a PDF of their registration form to themselves. This allows voters the flexibility to print their by-mail registration applications at a later time when they have access to a printer. Staff also made changes to how the MyVote site collects voters' previous, out-of-state address information and the changes allow the previous addresses to be stored in the WisVote system. The previous address information is then used to create a report that the WEC sends to the voter's former state. The voter's former state may then use the previous address information to inactivate the records of voters who have moved.

- Launch and Training for the Redesigned MyVote: Following the June 2016 launch of the redesigned MyVote Wisconsin website, there were no major problems or issues reported. In FY 2016-17, the site successfully handled 1.12 million sessions from 591,208 unique users. Users access their voter information more than 185,000 times, looked at a sample ballot more than 178,000 times, viewed their polling place more than 160,000 times. More than 12,000 voters used the site to request an absentee ballot. There were 2,241 Military or Permanent Overseas voters who used the site to download an absentee ballot.

The launch of the MyVote 2.0 website was a significant change for both Wisconsin clerks and voters. To prepare clerks and voters for the change, WEC staff developed numerous training resources. Training materials included a 60-page user manual. Agency staff also published a pre-recorded webinar for clerks in anticipation of the site's launch. After the launch, agency staff continued to develop and publish MyVote training materials for clerks and voter groups.

- Online Voter Registration: After several months of development and testing in conjunction with the Division of Motor Vehicles, on January 9, 2017 WEC staff launched an Online Voter Registration (OVR) system through the existing MyVote.wi.gov website. The OVR system was developed and implemented in accordance with 2015 Wisconsin Act 261. Wisconsin's OVR system is available to eligible Wisconsin voters who have a current and valid Wisconsin Driver License or State ID card.

Eligible voters are able to utilize online registration through MyVote at any time up to the 20th day before an election. After that time online registration becomes unavailable, pursuant to 2015 Wisconsin Act 261. During the time that OVR is unavailable, the MyVote system allows voters to complete a voter registration form using a manual registration process. Allowing voters to utilize the manual registration process during “closed registration” offers a number of benefits to both clerks and voters. At the November 8, 2016 General Election nearly 30,000 voter registration applications were entered into WisVote through the MyVote website.

- MyVote/WisVote Address Services: One of the most critical components of both the MyVote website and the WisVote database is the address validation system. The address validation system is key to ensuring that voters receive the correct ballot, are assigned to the correct polling place and appear on the correct poll book. The WEC’s former address software service was discontinued in July of 2016. WEC staff researched and implemented a new address service provider in June of 2016. Agency IT developers then linked the new address service to the MyVote website and the WisVote database. The new service has greatly increased the accuracy and the positive address return rate for all agency systems.

Staff focused on voter address information to help ensure data accuracy in the 2017 elections. Data quality checks were in place to flag address issues so that WEC staff could follow-up with municipal clerks in order to address specific issues. Staff reached out to clerks who had voters with address problems, voters who may have had matches to death or felon records, and voters who may have duplicate voter registration records.

Staff also worked on new and updated district maps that reflect an effort to more accurately display parcel and school district lines, as well as include newer annexations that have occurred throughout the state. The new district maps utilized new official wards and tax parcel maps that counties are now required to submit to the state.

5. Electronic Poll Books: On June 20, 2017 the commission approved staff to design and develop an e-poll book specifically tailored to Wisconsin elections. Staff also researched and spoke with vendors to determine the costs and benefits of inviting vendors to apply for certification and sell e-poll book software in Wisconsin. Staff believed the benefits of being able to tailor the e-poll book to Wisconsin statutes and having control over software updates as laws change to be compelling arguments to keep development in house. Ultimately, the commission accepted the staff recommendation to create the e-poll book with an in-house development team and to pilot the e-poll book in the Spring of 2018.

The e-poll book will serve as a tool to guide poll workers through the process of registering and checking in voters. Clerks will be able to import electronically captured data into WisVote. This process upgrade will result in both time and costs savings for clerks after each election. The e-poll book will be able to scan WI State IDs and licenses to find the correct voter in the poll book, which should reduce wait times for voters.

6. Four-Year Voter Record Maintenance: In June 2017, the Commission mailed notices to 381,495 registered voters who had not voted in any election after December 31, 2012. To

remain active in the statewide voter registration system, the voters had one month to contact their municipal clerk and request continuation of their registration. Voters who either did not respond to the postcard or whose postcard was returned to the municipal clerk as undeliverable had their status changed to inactive in WisVote. Approximately 92% of voters who were mailed a notice had their registration status changed from eligible to ineligible as a result of the 2017 process, which was consistent with previous cycles, and slightly lower than the rate in three of the last four years in which the maintenance process was completed.

7. Voter Photo Identification: Larger-than-expected turnout for the Presidential Preference Primary in April 2016 highlighted the need for additional photo ID education. The former G.A.B. directed staff to request \$250,000 in § 13.10 funding from the Joint Committee on Finance for a paid photo ID Informational Campaign in advance of the 2016 Partisan Primary and 2016 General Election. After the request was approved, staff worked with the Wisconsin Broadcasters Association and the KW2 ad agency to place television, radio and online advertising for the Bring it to the Ballot photo ID informational campaign. Following the District Court decision in *One Wisconsin Now Institute v. Thomsen*, staff worked with the Wisconsin Department of Justice and the Department of Transportation to promote the Photo ID Petition Process (IDPP) by developing new informational materials for voters.
8. Recount: There were three recounts ordered for the 2016 General Election that WEC staff was required to coordinate: Iron County District Attorney, State Senate District 32, and President of the United States. For all offices, the recount confirmed that the candidate who appeared to receive the most votes on Election Day was the winner. Although all recount efforts require significant preparations and coordination, the Presidential recount certainly required the most, given the abbreviated timeframe to complete the recount by the federal safe harbor date.

The hard work of many individuals contributed to the success of the first statewide recount for President in Wisconsin. Election officials completed the statewide recount of almost 3 million ballots in roughly 12 days. The very small number of changes in totals, given the overall number of ballots cast, confirms that Wisconsin's Presidential Election was fair, accurate and transparent, and should promote public confidence in the election results as well as our election administration system and procedures.

Recounts can serve as a good roadmap for additional training of local elections officials, and staff incorporated lessons learned into 2017 training efforts. In addition to the hard work and dedication of the county clerks, county boards of canvass, county and city elections commissions, municipal clerks, deputies, tabulators and other election workers to ensure the recount was completed accurately and by the established deadline, the Commission staff also dedicated significant time, effort and resources to ensure the recount went as smoothly as possible and finished on time.

The 2017 Spring Election did not result in any contests where WEC staff was required to coordinate a recount. Staff did provide guidance and assistance to twelve different local jurisdictions and districts who received petitions to recount election results.

9. Electronic Registration Information Center: 2015 Wisconsin Act 261 required the agency to enter into an agreement with ERIC, a consortium of states which share data from their voter registration and motor vehicle agencies. ERIC has two goals: to identify voters who may be eligible to vote but are not registered, and to identify voters who are registered but whose registrations are inaccurate or out of date.

The ERIC Membership Agreement requires that participating states reach out to voters who may be eligible but are unregistered once every two years, ahead of the fall General Election, no later than October 1. To meet this requirement, WEC staff designed a postcard mailer and coordinated the printing and mailing of the ERIC notification. The postcard directed recipients to register to vote using the MyVote website or to contact the WEC for more information. In September 2016, the commission mailed 1,238,538 postcards, and approximately 209,102 voters who received them registered to vote for the 2016 General Election. As required by the ERIC Membership Agreement, WEC staff also certified to ERIC on November 28, 2016 that the mailings occurred, and that at least 95% of the voters on the Eligible but Unregistered lists provided by ERIC were contacted.

Agency staff anticipated that the mailing of the ERIC postcards would significantly increase email and phone inquiries from voters. To prepare for the increased volume of calls, the WEC contracted with the Beyond Vision call center in Milwaukee. Agency staff trained Beyond Vision representatives to answer questions about voter registration and voter eligibility. Overall, the Beyond Vision call center answered 2,388 ERIC related phone calls. The WEC also hired and trained eight temporary employees through a staffing agency to assist with the influx of calls and emails resulting from the ERIC mailing. The temporary employees answered more than 5,000 ERIC related email and phone inquiries between September 23 and November 8, 2016.

10. Election Security and Contingency Planning: In 2016 and 2017, agency staff took unprecedented actions to ensure all elections were safeguarded from malicious attacks. Wisconsin Elections Commission staff partnered with the U.S. Department of Homeland Security (DHS) and the Wisconsin Department of Administration's Division of Enterprise Technology (DET) to ensure that Wisconsin's election-related IT systems were prepared for the 2016 Presidential and General Election. Wisconsin was one of several states to work with DHS National Cybersecurity and Communications Integration Center to perform a Cyber Hygiene Assessment. Through this program, DHS performed continuous security and vulnerability scans of Election Commission IT infrastructure and systems to assess their vulnerability to cyber-attacks.

Elections Commission staff partnered with Wisconsin Emergency Management, DET and Wisconsin's Adjutant General to help ensure that Wisconsin was prepared for the heightened security required to ensure a smooth election process. DET issued an enterprise-wide change freeze from October 25 to November 11, barring any IT system changes across all of state government without prior approval from the agency-head and the state CIO's office. Commission staff also hosted a joint meeting with the Federal Bureau of Investigation, the U.S. Department of Justice, the Wisconsin Department of Justice, Wisconsin Emergency Management, and representatives of the Milwaukee and Dane County district attorney offices

to discuss election day preparedness and to designate emergency points of contact in their respective offices for emergencies that may occur on Election Day.

Staff updated the Election System Security and Emergency Preparedness manual to be used as a resource for election officials in preparation for the Presidential Election. The manual describes various emergency situations and is intended to help election officials identify and respond to a wide array of unplanned occurrences that can take place leading up to Election Day.

In response to the anticipated additional traffic to WEC IT applications, primarily WisVote and MyVote, the server capacity was increased. The capacity was doubled for the MyVote website as well as for the WisVote database that powers the site. Capacity for the agency's main website was also enhanced.

Election security planning continued in 2017 as staff collected and analyzed existing cyber and election security resources into a comprehensive report. The report contains three sections which focus on protection efforts, outline a security event response plan and provide an overview of a communication plan in the event a security event occurs that requires communication to federal and state agency partners, local election officials and the public.

11. Training and Guidance: The agency provides training to local election officials, including county and municipal clerks, chief inspectors, regular election inspectors, special voting deputies, election registration officials, special registration deputies and local boards of canvassers.

- Webinars/Videos: Agency staff continued to produce timely election administration training sessions on rapidly changing legislative requirements and procedures, WisVote computer application training, teleconferences and training modules using webinar and Storyline software. Staff has produced 28 educational videos relating to election administration and WisVote topics and processes, including the implementation of the voter photo ID law and other court decisions, the development and use of Online Voter Registration and an introduction to WisVote for new users of the system. The webcasts and related materials are posted on the WEC website for clerks and other local election officials to use at their convenience.
- In-person and Online Trainings: Agency staff continued to provide initial training classes for new municipal clerks and new chief inspectors using a combination of live webinars conducted by staff and in-person training classes conducted by certified clerk-trainers. Staff and clerk-trainers delivered 25 Baseline Chief Inspector training classes and trained more than 840 new and current chief inspectors and municipal clerks (current chief inspectors and municipal clerks are allowed to take the course once per two-year term as a refresher). Trainers also conducted six Municipal Clerk Core training classes and trained 130 new municipal clerks and current clerks seeking refresher training. Training for the statewide voter registration system is available in the WisVote Learning Center via interactive tutorials and webinar overviews.

- Training Manual Updates: Agency staff updated the Election Day and Election Administration Manuals to reflect new laws approved by the state legislature, including 2015 Wisconsin Act 261, and recent court decisions. Staff also updated the Recount Manual prior to the statewide Presidential Election Recount, and the MyVote Wisconsin and WisVote Manuals to reflect the redesigned websites.
 - Clerk Association Presentations: Agency staff continued its successful practice of attending the annual and district conferences of the Wisconsin County Clerks Association, Wisconsin Municipal Clerks Association, Wisconsin Towns Association, Wisconsin League of Wisconsin Municipalities and Wisconsin Municipal Clerks and Treasurers Institute to provide legislative updates, education and training on clerk and local election official duties and to solicit input on pending legislative proposals and other procedures.
 - Clerk Communications: Agency staff continued a commitment to effective and timely communication to local election officials through a series of “Clerk Communications” which are posted to the agency website and categorized according to their priority. In FY 2016-17, staff prepared and posted 120 such communications (compared to 97 in FY 2015-2016) on a variety of topics including legislative changes, election preparations, the status of the Voter Photo ID law and required tasks to be completed in WisVote. Complete and accurate communications typically require the drafting and editing work of several staff members.
 - Answering Questions: Agency staff also responded to specific requests for information from local election officials, ranging from the thousands of phone calls the agency receives every year to formal requests for guidance. In addition to addressing these questions as they arise, staff notes what questions arise with the greatest frequency and incorporates them into future training webinars, manual updates and clerk conference presentations.
 - Election Calendar: Agency staff created and published the annual, comprehensive Calendar of Election Events that includes all election-related tasks and deadlines for Election Administration and WisVote. It is a key tool used by local clerks and staff and is available publicly on the WEC website.
12. WisVote Checklists: WisVote staff provided two checklists to clerks for each of the four statewide elections in fiscal 2017.

Checklist I assisted in preparation of the election, including guidance for contest, candidate and reporting unit setup in WisVote, as well as completing voter and address data quality tasks review, absentee ballots tracking (which became a statutory requirement in 2016) and printing poll books and felon Ineligible Lists.

Checklist II provided instructions for post-election activities, including Election Night tasks, such as entering provisional ballots into WisVote and posting unofficial Election Night results. Checklist II also provided other post-election guidance for recording voter participation and entering Election Day Registrations in WisVote and reconciling and reporting election statistics using the EL-190 form.

Election Readiness: In conjunction with the Checklists, beginning six weeks prior to each of the statewide elections held in the 2017 fiscal year, staff used a series of daily quality check reports designed to identify counties or municipalities that had not yet completed a step in their election preparation or had an error in their data. Staff conducted outreach by telephone and email to assist clerks in meeting election readiness deadlines in WisVote. Clerk completion of WisVote election setup is critical to the voter experience on the MyVote website because until the setup is complete, voters cannot find their polling places, review sample ballots, or, in the case of military and overseas voters, download their ballots online.

Municipalities whose voter rolls had potential data quality issues were also identified. Prior to mailing absentee ballots and again prior to Election Day, staff alerted clerks to potential problems with voters registered in their municipality. The alerts identified voters who may be deceased or may have a felony conviction and voters who may have duplicate voting records. Staff also provided notice and guidance for ensuring voters would vote in the correct ward and receive the correct ballot by identifying potential problems with the voters' address. Identifying and clearing up these potential problems resulted in more accurate poll books.

In addition to providing the checklists and other clerk notifications, WisVote staff answered clerk questions, both those generated by these communications, as well as general questions regarding election-related tasks in WisVote. It was a common occurrence for individual staff members to respond to several dozen calls and emails daily. Questions typically range from very basic and simple questions about how an action might be completed in WisVote to specific questions that might require investigation by a team of staff.

After the elections, WisVote staff followed up on post-election data quality issues such as provisional ballots that were issued but did not show if they were counted or rejected, and reviewing voters who had more than one election participation record in an election. For the duplicate participation check, the goal was to determine whether the duplicate participation was in error and, if so, to correct it on the voter record and determine if such an occurrence can be prevented in the future. Consequently, if no error was found, the voter may have committed voter fraud by casting more than one ballot in an election. A team reviewed the data, categorized each instance for follow-up, and provided instructions for clerks, who then completed the investigation.

13. General Customer Service: Agency staff answered phone calls and in-person questions from clerks, candidates, incumbents, media and members of the general public on a variety of election-related subjects. In FY 2016-17, the front desk answered 11,677 phone calls and the Help Desk answered 18,505 phone calls and processed thousands of email inquiries and requests for technical assistants. The agency maintains a general website and specific program

websites for the public, which continue to provide a great deal of information to customers, especially near elections:

- Main Agency websites: The elections.wi.gov website received 4.7 million page views from more than 1.1 million unique users.
- MyVote website: The myvote.wi.gov website received 3.4 million page views from nearly 600,000 unique users.
- Voter ID microsite: BringIt.wi.gov received nearly 174,000 page views from more than 83,000 unique users.

14. Voter Outreach: Agency staff completed the following tasks to ensure voters received the information they needed to participate in the fall 2016 and spring 2017 elections:

- Social Media: The agency increased its social media presence ahead of the fall 2016 and spring 2017 elections. The agency's following on Twitter increased to more than 3,500 and agency Twitter posts generated more than 3.8 million user impressions. The agency's following on Facebook also increased to more than 2,000, and agency Facebook posts generated around 200,000 total impressions, including some paid and targeted Facebook posts.

Agency staff developed and used a pre-set social media plan for the fall 2016 and spring 2017 elections. The social media plan outlined Facebook and Twitter content and images in relation to important deadlines and events in the 2017 election cycle. A suggested social media plan for 2017 was also provided to clerks and voter groups to use on their own social media pages.

- Voter Materials: Agency staff created and updated more than 40 voter handouts, guides and other materials on a variety of voting topics. In addition to voter handouts, agency staff also developed video presentations on voter topics. Each handout and video was updated at least three times throughout the fall 2016 and spring 2017 elections to reflect changes made by the courts, new legislation and as a result of the agency transition.
- Voter Outreach Kits: In 2017, agency staff developed a voter outreach kit for the use of clerks and voter groups. The outreach kit included news releases, voter guides, presentation materials, a social media plan and links to agency resources. Each component of the kit was updated at least twice in 2017 to reflect changes made by the courts, new legislation and as a result of the agency transition.
- Voter Outreach Presentations: Agency staff made in-person presentations to organizations and audiences about election laws and procedures, especially focusing on the Voter Photo ID Law. In assessing speaking opportunities, staff developed an approach that relies on the assistance of local election officials and community organizations to train organization staff and volunteers to disseminate information regarding the ID requirement. Public presentations were made throughout the year, including several events sponsored by organizations serving persons with disabilities.

- Services to Military and Overseas Voters: In fiscal year 2017, agency staff continued its commitment to assisting Military and Overseas voters (UOCAVA voters). In the fall of 2016 there were two federal elections that required agency staff to monitor the transmission of each UOCAVA ballot and report the transmissions to the U.S. Department of Justice. To ensure each ballot was sent on time, agency staff monitored each ballot request and sent thousands of emails and made hundreds of calls to clerks. For the August 9, 2016 Primary, 2,565 UOCAVA ballots were requested by the Federal deadline. Of those ballots, 98.6 percent were reported to U.S. DOJ as sent timely. For the November 8, 2016 Election, 5,129 UOCAVA ballots were requested by the Federal deadline. Of those ballots, 99.94 percent were reported to U.S. DOJ as sent timely. No federal offices were on the ballot for the 2017 election cycle.

To further assist UOCAVA voters, agency staff sent regular email reminders to inform them of upcoming deadlines. Agency staff also created three clerk guidance documents that outlined the procedure for fulfilling voter requests made using federal forms such as the Federal Write In Absentee Ballot, Federal Postcard Application and the National Voter Registration Application. Agency staff also presented information about UOCAVA voters and deadlines at each of the clerk conferences in the fall of 2016 and during multiple clerk webinars. Agency staff was also involved in the Council for State Governments' (CSG) Overseas Voting initiative and was active in creating the Policy Recommendations document that outlined best practices for communicating with UOCAVA voters. The CSG report was distributed nationally to state election officials and legislators.

15. Voting Equipment Testing and Approval: Agency staff evaluated two applications for approval of voting equipment during the 2017 reporting period. One application was for a next generation upgrade of previously approved, federally certified voting equipment from Election Systems and Software. The remaining application was from Hart Intercivic, a company that had not previously applied for equipment approval with Wisconsin Elections Commission.

On March 3, 2017, WEC staff received an Application for Approval of EVS 5.2.2.0 and EVS 5.3.2.0 from Election Systems and Software. WEC staff conducted the voting system testing campaign for EVS 5.2.2.0 May 8-10, 2017 in the WEC office. WEC Commissioners voted to approve the ES&S application at their June 2017 meeting.

During the reporting period WEC staff also received an application for voting equipment approval from Hart Intercivic. However, after it was discovered that the equipment to be tested could not accommodate Wisconsin statute §5.91(6), the application was withdrawn.

Addressing the need to replace aging electronic voting systems, WEC Commissioners decertified one piece of voting equipment during 2017. Commissioners voted to decertify the Optech Eagle tabulator as of December 31, 2018, after which it will no longer be used by any Wisconsin municipality. WEC staff contacted all affected counties and municipalities to inform them of the Commission's decision. Staff also worked with clerks to help them plan for replacing their Optech Eagle tabulators.

16. National Election and Voting System Standards: WEC staff actively participated in national efforts to define standards for future voting systems and IT systems used to administer elections in the United States.
 - Technical Guidelines Development Committee (TGDC): The TGDC was chartered by the U.S. Election Assistance Commission (EAC) to provide recommendations on voluntary standards and guidelines related to voting equipment and technologies. It is composed of 14 members selected from various standards boards and for their technical and scientific expertise related to voting systems and equipment. The National Association of State Election Directors (NASD) selected a WEC staff member as its nominee on the TGDC and he served in that capacity until his departure from the WEC in March 2017.
 - TGDC Interoperability Working Group: The Technical Guidelines Development Committee (TGDC) chartered by the US Election Assistance Commission instituted an Interoperability Public Working Group to work on common data formats that allow the varied technical components used for administering elections to be able to exchange data and interoperate more effectively. WisVote IT Lead Sarah Whitt is a member of the Interoperability Public Working Group and is involved with several of the common data format projects including Election Business Process Modeling, Voter Records Interchange and Ballot Definition.
 - U.S. EAC Standards Board: Interim Administrator Michael Haas served on the EAC's Standards Board, composed of state and local election official representatives from each State and Territory. The Standards Board is charged with reviewing and providing input to the EAC related to the guidelines under which the EAC certifies voting systems as well as its guidance and best practices recommendations to local election officials.
17. Voting Equipment Audit: After each General Election, the WEC is statutorily required to audit the performance of each type of electronic voting equipment used in Wisconsin and determine the equipment's error rate in counting valid ballots. On November 11, 2016 a random draw of reporting units to be audited was conducted by staff and all municipalities selected to participate in the audit were notified on November 14, 2016. As part of the recount planning special teleconference meeting of the WEC, Commission members voted unanimously to postpone the audit until the completion of the statewide recount. At its December 14, 2016 meeting, the Commission approved a motion to exempt municipalities which conducted the Presidential recount by hand from having to complete the 2016 voting equipment audit as well as a motion to change the audit deadline to January 31, 2017.

Accessible voting equipment as well as tabulation equipment that was audited after the 2016 Presidential Election recorded and tabulated votes as expected and according to certification standards. The audit results indicated there were no identifiable bugs, errors, or failures of the tabulation voting equipment and discrepancies identified during the audit were the result of human error when conducting the audit. The issues identified with the Optech Eagle, which resulted from absentee voters using incorrect ballot marking devices, were due to the limitations of a legacy voting system and its inability to register non-carbon-based marks.

Despite these limitations, the equipment functioned as designed in all other instances during the audit.

18. Polling Place Accessibility Compliance:

- Polling Place Audits: Over the course of two statewide elections in 2016, accessibility auditors completed audits of 386 polling places in approximately 340 municipalities in 39 counties. Agency staff hired and trained temporary workers to conduct onsite accessibility compliance audits, a program that is unique in the nation.

Following each audit, staff reviewed the responses submitted by municipal clerks and helped to ensure that accessibility problems identified by the audits are resolved as quickly and cost-effectively as possible. In support of clerks' efforts to make polling places more accessible to voters with disabilities, agency staff distributed signs, page magnifiers, and other grant-funded accessibility supplies to municipalities.

Commission staff partnered with a member organization of the Accessibility Advisory Committee, Disability Rights Wisconsin (DRW), to staff the project for the Presidential Election. Seventeen teams, representing the three DRW field offices and consisting of 22 volunteers, participated in the project. In total, the teams from DRW completed 80 audits in 55 municipalities.

- Accessibility Advisory Committee: Agency staff organized and facilitated a meeting of the Accessibility Advisory Committee. This meeting was held in advance of the 2016 General Election in order to provide updates regarding preparations for the election, solicit input from representatives of disability advocacy organizations, and discuss how the agency can partner with those organizations to communicate with the public. Committee members heard presentations and discussed topics such as the polling place audit program, voting equipment testing, the Photo ID Law, accessibility components of the MyVote Wisconsin website and public outreach and education efforts.

19. Voter Felon Audit: The Voter Felon Audit is a State mandated post-election comparison of voters who cast a ballot at an election with the list of persons who were under Department of Corrections (DOC) supervision for a felony conviction at the time the vote was cast. It is the final check in identifying potential felon participation in an election, should such activity not be caught through other statutory required processes, such as the felon list check by election officials at the polls.

The Voter Felon Audit for the November 8, 2016 General Election began on January 26, 2017. After running the matching process, the final comparison identified 111 potential matches. After DOC, clerks, and WEC staff completed their review, 79 matches were referred to county district attorney offices for further action. The Voter Felon Audit for the 2017 Spring Primary and Spring Election began after the current reporting period.

20. Voter Registrations and Cancellations: The WEC continued to receive a significant number of misdirected voter registration applications in FY 2016-17. The EL-131 Voter Registration form is processed at the local level by municipal clerks. However, some sources, including some national voter registration drives, list the WEC as the recipient. Individuals also find the WEC office address online or at the bottom of the form and sometimes send their registration applications into the agency. Processing these forms involves determining what municipality the voter resides in and forwarding the form to that clerk for processing. Agency staff received and processed approximately 5,100 of these forms in FY 2016-17, requiring an investment of staff time.

Staff also received notices from election officials in other states of voters who have moved from Wisconsin into their state and who have registered to vote there. These voter registrations are then cancelled in WisVote and their municipal clerks are notified. In FY 2016-17, staff received 6,347 cancellation notices.

21. BADGER Voters: Agency staff continued to process requests for WisVote data throughout FY 2016-17. The BADGER Voters website processed 746 initial data request quotes, of which 452 were purchased, generating \$275,859 in revenues. IT staff also implemented several improvements to the data request system to improve security and enhance the user experience. 2015 Wisconsin Act 261 required the WEC to implement a subscription service to provide electronic access to absentee ballot data entered in WisVote. Specifically, Wis. Stat. § 5.05(14)(b) mandates the subscription service to include updated absentee ballot data that must include the date on which an elector applied to vote by in-person absentee ballot, the date on which the clerk mailed an absentee ballot to the elector, and the date on which the elector returned the absentee ballot to the municipal clerk.
22. Wisconsin Elections Data Collection System (WEDCS): In fiscal 2017, municipal clerks completed EL-190 statistics reports for the 2016 Partisan Primary and General Election and the Spring Primary and Spring Election. Municipal and county clerks submitted the EL-191 election-specific cost report for those elections as well as the Annual Election Costs Report for 2017.

All of the data reports are conveyed electronically through WEDCS. The Wisconsin Election Data Collection System (WEDCS) is where local election officials provide a large variety of election-related statistics such as the number of registered voters in their municipality, the number of absentee ballots issued/returned/counted/rejected, etc. This data is used to respond to a number of local inquiries as well as national surveys like the US EAC's Election Administration and Voting Survey. Agency staff has begun design and development of the successor to WEDCS and will integrate election data collection into WisVote, the state voter registration system. Agency staff intend for the successor system to improve election statistics survey response rates, reduce submission errors, and ease data reporting for national surveys. Local election officials also submitted election cost data through WEDCS.

23. Canvass Reporting System: The Canvass Reporting System was used to certify election results in the two statewide elections and three special elections for state legislative office that occurred during the reporting period. County clerks must report election results for State and Federal offices to the State for certification. Twenty counties directly upload a file from their

tabulation systems into Canvass and the remaining counties hand-enter election results to be certified by the state. As of 2016 county clerks are required on election night to post all returns, by ward or reporting unit, on an Internet site maintained by the county no later than two hours after receiving the returns. Thirty counties use the Canvass Reporting System on election night to produce reports for the election night reporting requirements.

In 2017 the Commission began development the replacement system for reporting election results. The new system will be part of the WisVote election management functionality. In 2018 the Canvass Reporting System will be retired, and clerks will new election results functionality within the WisVote system.

24. Promulgation of Administrative Rules: Legal Counsel continued with the promulgation of administrative rules related to election administration in fiscal 2017. Legal Counsel continued to work on proposed administrative rules at various stages in the promulgation process. Significant progress on the promulgation of administrative rules, or proposed legislation in lieu of promulgation of administrative rules in certain topic areas is anticipated in 2018.
25. Assistance to Legislature: Agency staff provided information and answered questions from legislators and legislative staff regarding legislative proposals as well as specific inquiries from legislators and constituents regarding application of election laws. Staff assisted in preparing testimony for legislative hearings, and submitted fiscal estimates at the request of the Legislative Fiscal Bureau.
26. Legislative Agenda: Commission staff maintains an ongoing list of recommended changes to current laws identified by legislators, municipal and county clerks, and the public. Staff also regularly reviews and analyzes current statutes, administrative code, and Commission policies in order to identify potential changes that may improve efficiency, cost-effectiveness, public comprehension, and general policy administration. This list of recommendations is organized into three different categories: Major policy initiatives, minor policy initiatives, and technical changes.

In 2017, Commission staff identified two major policy initiatives. The first is related to voting equipment statutes in chapter 5, subchapter III. This subchapter of the statutes refers to antiquated voting equipment that utilizes levers or punch cards. These types of voting systems have been entirely replaced by electronic voting systems. Staff recommended that the legislature could revise this subchapter to remove references to antiquated technology.

The second major policy initiative relates to §6.86(1)(b). This provision sets forth the deadlines for requesting an absentee ballot. Under existing law there are three different deadlines for requesting an absentee ballot that depend on both the type of absent elector and the method by which the application is received. This multitude of deadlines has proven confusing for voters and election officials alike. Staff proposed that the Legislature could consider revising these deadlines by changing the deadline to 5:00 p.m. on the Thursday prior to Election Day for all mailed, emailed, or faxed requests and 5:00 p.m. or close of business on Friday for all in-person requests regardless of the type of absent elector.

27. Litigation: The WEC was involved in six major cases, three of which originated with the Government Accountability Board:

- *Enku Edgar Lin v. GAB and Kevin Kennedy*: Ballot access challenge on the issue of maximum number of signatures allowed to be submitted
- *Jill Stein v. WEC, et al.*: The case sought an order to hand count all ballots during the statewide recount of the vote for President of the United States
- *Great America PAC, Stop Hillary PAC, and Ronald Johnson v. WEC and Michael Haas*: This case sought to enjoin the statewide recount of the vote for President of the United States.
- *Frank v. Walker*: Challenges to various aspects of Wisconsin's Voter Photo ID Law. This case is ongoing.
- *One Wisconsin Institute v. Thomsen*: This case challenges almost all election law legislation passed in the State of Wisconsin since 2005. The case touches on many aspects of election administration such as absentee voting, in-person absentee voting, election observers, voter registration requirements and voter photo ID. This case is ongoing.
- *Gill v. Whitford*: This case challenges the district maps put into place by the Wisconsin Legislature in 2012, and alleges that they constitute an unconstitutional gerrymander, based in part on a theory of a disparate impact on voters in certain demographic and racial categories. This case is awaiting a decision from the United States Supreme Court.

Litigation filings, discovery requests and hearings required significant effort and attention from Legal Counsel and agency staff, as well as consultations with the Department of Justice.

28. Biennial Budget Preparation: Staff prepared and submitted the 2017-2019 Biennial Budget Request on September 15, 2016 based on instructions to assume there will be zero growth in overall General Purpose Revenue appropriations in each fiscal year of the biennium and a five-percent reduction over all state operations appropriations. However, the agency also faces the end of its federal HAVA funding during the next biennium which supports 22 full time employees, four IT contractors and other program initiatives. At its August 2016 meeting, the Commission directed staff to submit a budget request which sustains current agency operations and services to local election officials, voters, candidates and the public. The Commission Chair, Administrator and Chief Administrative Officer held numerous meetings with key legislators, state budget officials and the Governor's office regarding the budget in late 2016 to and in 2017 to explain the agency's budget request.
29. STAR Project: Agency financial staff spent countless hours in fiscal 2017 creating new accounting structures in preparation for the State Transforming Agency Resources (STAR) Project which consolidated multiple outdated human resource, procurement and financial business IT systems into one efficient, transparent and modern enterprise-wide system. As with all new computer systems, there have been some significant challenges that the financial

staff continues to work through with the State Controller's Office, the State Budget Office and the STAR experts.

Appendix C

Wisconsin Elections Commission Administrator Position Description

Elections Commission Administrator

(Position # 049511)

POSITION SUMMARY

Under the general policy direction of the Elections Commission, this individual is responsible for providing the administrative leadership and support necessary to enable the Commission to carry out its statutory functions with respect to the administration and enforcement of elections. The duties and responsibilities of this position are diverse in nature and include such activities as: implementation of Board policies and directives; law and rule interpretations; program planning; staff supervision; public and legislative contacts; and the development and improvement of record keeping and procedural systems.

This individual serves as a representative of the Commission and provides administrative leadership and support to the Commission in such areas as conduct of investigations; development of formal and informal opinions; administrative rule development; drafting and review of proposed legislation; data collection, analysis and dissemination; identification of problems which may require investigation or interpretation; preparation of special reports; preparation for Commission meetings; and in any other areas the Commission may assign.

Duties and Responsibilities

A. Election Administration - Plan, organize and supervise the operation of the election administration responsibilities of the agency.

1. This individual is responsible for the day-to-day administration of elections for the agency carrying out the agency responsibilities described in Chapters 5–10, and 12, Wisconsin Statutes.
2. This individual is responsible for the carrying out agency responsibilities and ensuring agency compliance under the following federal programs:
 - a. The Help America Vote Act of 2002 (42 U.S.C.15301 et seq.)
 - b. The Voting Rights Act of 1965 (42 U.S.C.1973 et seq.)
 - c. The Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee et seq.)
 - d. The Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.)
 - e. The National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.)
 - f. The Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.)
 - g. The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.)
3. This individual establishes, administers and supervises the internal operating procedures for implementing the state and federal election-related responsibilities of the agency.

4. This individual is responsible for developing and maintaining the Election Administration Plan required by the Help America Vote Act of 2002 and Section 5.05 (10), Wisconsin Statutes to enable participation in federal financial assistance programs.
5. In consultation with the Commission, this individual shall appoint an individual to represent the state as a member of the federal Election Assistance Commission Standards Board. This individual shall also conduct and supervise a process for the selection of an election official by county and municipal clerks and boards of election commissioners to represent local election officials of the state as a member of the federal Election Assistance Commission Standards Board.
6. This individual is responsible for directing the conduct of investigations of citizen complaints filed pursuant to Sections 5.06, 5.061, Wisconsin Statutes. This individual shall prepare a report and recommendations for the resolution of the complaints by the Commission.
7. This individual is responsible for planning, organizing and supervising the preparation and revision of standard forms including ballot forms and forms specifically required pursuant to Section 7.08 Wisconsin Statutes.
8. This individual is responsible for the receipt and review of reports from municipal clerks related to suspected fraud pursuant to Section 7.15 (1)(g), Wisconsin Statutes. This individual shall prepare a report and recommendations for the resolution of the complaints by the Commission.
9. This individual is responsible for planning, organizing and supervising the administration of recounts for state and federal office pursuant to Section 9.01, Wisconsin Statutes. This individual also plans, organizes and supervises agency support for local election officials with respect to recount of local elections. This individual is responsible for the development of standard forms and procedures for the conduct of recounts pursuant to Section 9.01 (11), Wisconsin Statutes.
10. This individual is responsible for planning, organizing and supervising the administration of agency responsibilities with respect to recall efforts of state and federal elective officials pursuant to Section 9.10, Wisconsin Statutes. This individual also plans, organizes and supervises agency support for local election officials with respect to recall of local elective officials.
11. This individual is responsible for making public advisory opinions and records obtained in connection with requests for advisory opinions relating to matters under the jurisdiction of the Elections Commission. Section 5.05 (5s)(f)2.c., Wisconsin Statutes.

B. Interpretation of Election Laws.

1. Plan, organize and supervise the preparation of guidance, informal and formal advisory opinions by the on behalf of the Commission. Each advisory opinion shall include a citation to each statute or other law and each case or common law authority upon which the opinion is based, and shall specifically articulate or explain which parts of the cited authority are relevant to the Commission's conclusion and why they are relevant.
2. Upon authorization of the Board, this individual may issue an informal written advisory opinion or transmit an informal advisory opinion electronically on behalf of the Board, subject to such limitations as the Board deems appropriate. Every informal advisory opinion shall be consistent with applicable formal advisory opinions issued by the Board.
3. Plan, organize and supervise the preparation of administrative rules by the agency Legal Team required for promulgation by the agency pursuant to Sections 5.05 (1)(f), (2m)(c)12.; 5.905 (3); 5.93; 6.25 (3); 6.36 (6); 7.08 (1)(d); 7.31 (1); 7.315 (1), (2); 8.07; and 8.40 (3); Wisconsin Statutes.

C. Investigation and Enforcement of Election Laws.

1. Plan, organize, supervise and direct the conduct of investigations into possible violations of election laws under the jurisdiction of the Commission pursuant to Section 5.05 (2m)(a), Wisconsin Statutes including:
 - a. Complaints filed by persons alleging a violation of Chapters 5 to 10, 12 Wisconsin Statutes.
2. Pursuant to the conduct of investigations into possible violations election and other e requirements under the jurisdiction of the Commission:
 - a. Require any person to submit in writing such reports and answers to questions relevant to the proceedings as the Commission may prescribe, such submission to be made within such period and under oath or otherwise as the Commission may determine.
 - b. Order testimony be taken by deposition before any individual who is designated by the Commission and has the power to administer oaths, and, in such instances, to compel testimony and the production of evidence in the same manner as authorized by Section 5.05 (1)(b), Wisconsin Statutes
 - c. Pay witnesses the same fees and mileage as are paid in like circumstances by the courts.
3. Review reports of investigators hired on behalf of the Commission and provide advice with respect to:

- a. Continuation of an investigation.
 - b. Use of subpoena power in furtherance of an investigation.
 - c. Expansion of an investigation.
 - d. Referral of an investigation.
4. Provide the Commission with advice concerning findings of frivolous complaints, reasonable suspicion to proceed with an investigation and probable cause to believe a violation of Chapters 5 to 10, 12 Wisconsin Statutes has occurred.
5. Supervise and direct the preparation of preliminary written findings of fact and conclusions based on investigations conducted on behalf of the Commission, make a determination of whether or not probable cause exists to believe that a violation has occurred or is occurring. If no probable cause exists, recommend dismissal of the complaint.
6. Plan, organize, supervise and direct the prosecution of civil enforcement actions for violations of election and other requirements under the jurisdiction of the Commission pursuant to Section 5.05 (2m)(a), Wisconsin Statutes.
 - a. Advise the Commission on the selection and employment of special counsel.
 - b. Provide assistance to the special counsel as may be required by the counsel to carry out his or her responsibilities.
 - c. Provide advice to the Commission with respect to referrals to the appropriate district attorney to prosecute a civil complaint or pursue criminal enforcement for violations of election and other requirements under the jurisdiction of the Commission.
 - d. Review and provide advice to the Commission with respect to reports of special counsel, a district attorney or the attorney general concerning any action taken regarding the referral of a matter by the Commission.
7. Develop administrative rules prescribing categories of civil offenses which the Commission will agree to compromise and settle without a formal investigation upon payment of specified amounts by the alleged offender.

C. Training - Plan, organize and supervise the operation of the election-related training responsibilities of the agency.

1. This individual is responsible for planning, organizing and supervising the implementation of the agency information and training responsibilities to explain

the election laws and the forms and rules of the Commission, to promote uniform procedures and to assure that clerks and other election officials are made aware of the integrity and importance of the vote of each citizen set out in Sections 5.05 (7), 7.31, 7.315, Wisconsin Statutes.

2. This individual is responsible for planning, organizing and supervising the implementation of voter information and education programs on behalf of the agency to inform electors about voting procedures, voting rights, and voting technology and educating electors who cast paper ballots, ballots that are counted at a central counting location, and absentee ballots of the effect of casting excess votes for a single office pursuant to Section 5.05 (12), Wisconsin Statutes.

C. Voter Registration - Plan, organize and supervise the operation of the voter registration responsibilities of the agency.

1. This individual is responsible for planning, organizing and supervising the design and maintenance of the official statewide voter registration list pursuant to Section 5.05 (15), Wisconsin Statutes.
2. This individual is responsible for planning, organizing and supervising the implementation of the official statewide voter registration list and ensuring all municipalities use the list in every election and adhere to procedures established by the Commission for proper maintenance of the list pursuant to Section 5.05 (15), Wisconsin Statutes.
3. This individual is responsible for the appointment and training of special voter registration deputies pursuant to Sections 6.26 (2)(b), 7.315 (1), Wisconsin Statutes.
4. This individual shall enter into the agreement with the Secretary of Transportation specified under Section 85.61 (1) Wisconsin Statutes to match personally identifiable information on the official registration list maintained by the Commission under Section 6.36 (1), Wisconsin Statutes with personally identifiable information maintained by the Department of Transportation.
5. This individual is responsible for certifying the poll list for each election pursuant to Section 6.36 (2)(a), Wisconsin Statutes.
6. This individual is responsible for planning, organizing and supervising the implementation of the Department of Corrections list comparison pursuant to Section 6.56 (3m), Wisconsin Statutes.

D. Ballot Access - Plan, organize and supervise the operation of the ballot access responsibilities of the agency.

1. This individual is responsible for planning, organizing and supervising the ballot access responsibilities of the agency pursuant to Sections 8.10, 8.15, 8.18, 8.20, 8.50, Wisconsin Statutes.
2. This individual is responsible for establishing internal operating procedures to ensure timely and thorough review of candidate ballot access documents.
3. This individual is responsible for establishing internal operating procedures to ensure timely certification of candidates for state and federal office along with state referenda questions including proposed amendments to the Wisconsin Constitution.
4. This individual shall prepare a report and recommendations for the resolution of any ballot access challenges by the Commission.

E. Certification - Plan, organize and supervise the certification of election results on behalf of the agency.

1. This individual is responsible for planning, organizing and supervising the conduct of the canvass of state and federal election results pursuant to Sections 7.60, 7.70, Wisconsin Statutes.
2. This individual is responsible for establishing internal operating procedures to ensure timely and thorough review of county canvass reports along with accurate and timely preparation of the official state canvass of election results.
3. This individual is responsible for planning, organizing and supervising the preparation, signing and distribution of certificates of election for state and federal office to candidates and the appropriate federal officials pursuant to Section 7.70, Wisconsin Statutes.
4. This individual is responsible for planning, organizing and supervising the preparation of reports summarizing election statistics gathered pursuant to Sections 6.275, 6.276, Wisconsin Statutes and the Help America Vote Act of 2002.

E. Legislation. At the direction of and in consultation with the Commission:

1. Review legislation and legislative action.
2. Suggest changes in law for remedial legislation.
3. Develop fiscal and technical notes for legislation and bill analysis as required.
4. Appear before legislative committees as required.

F. Voting Equipment - Plan, organize and supervise agency responsibilities for the approval and security of electronic voting equipment.

1. This individual is responsible for planning, organizing and supervising the approval of electronic voting equipment used in the state pursuant to Sections 5.40 (7), 5.91. 5.93, Wisconsin Statutes.
2. This individual is responsible for establishing internal operating procedures to ensure timely and thorough testing and review of electronic voting equipment submitted for approval for use in the state.
3. This individual shall prepare a report and recommendations to the Commission for the approval of electronic voting equipment submitted for approval for use in the state.
4. This individual is responsible for the establishment and maintenance of electronic voting equipment software component escrows pursuant to Section 5.905, Wisconsin Statutes.

G. Disability Access - Plan, organize and supervise agency responsibilities to promote access to the electoral process for individuals with disabilities.

1. This individual is responsible for planning, organizing and supervising the resources of the Election Commission to ensure access to the electoral process for individuals with disabilities.
2. This individual is responsible for applying for federal funds pursuant to Section 261 of the Help America Vote Act to obtain and utilize financial resources to ensure access to the electoral process for individuals with disabilities.
3. This individual shall prepare a report and recommendations to the Legislature on the impediments to voting faced by the elderly and individuals with disabilities pursuant to Section 5.25 (4)(d), Wisconsin Statutes.

H. Commission Finances and Operations - Plan, organize and supervise the financial responsibilities and obligations of the Election Commission.

1. This individual is responsible for planning, organizing and supervising the financial responsibilities of the Election Division to ensure compliance with state and federal budget and procurement requirements.
2. This individual is responsible for establishing internal operating procedures to ensure the proper tracking and recording of all purchases, receipts and other financial transactions of the Election Division in the following budget accounts:
 - a. General program operations, General purpose revenue [20.510 (1)(a)]

- b. Training of chief inspectors, General purpose revenue [20.510 (1)(bm)]
 - c. Voting system transitional assistance, General purpose revenue [20.510 (1)(c)]
 - d. Election administration transfer, General purpose revenue [20.510 (1)(d)]
 - e. Recount fees, Program revenue [20.510 (1)(g)]
 - f. Materials and services, Program revenue [20.510 (1)(h)]
 - g. Election administration, Segregated fund [20.510 (1)(t)]
 - h. Federal aid, Segregated fund- Federal [20.510 (1)(x)]
3. This individual shall prepare the biennial operating budget for the Elections Commission for approval by the Commission.

I. Staff Supervision and Support - Plan, organize and supervise the activities and responsibilities of the permanent and temporary staff of the Elections Commission.

- 1. Hire, supervise training, set goals and objectives, evaluate performance, and manage personnel matters of the Election Commission staff
- 2. Provide leadership for the effectiveness and improvement of the health and safety program by developing a proper attitude toward health and safety in self and those supervised, and participating in all aspects of the health and safety program.
 - a. Furnish the safeguards and resources required to ensure a healthy and safe workplace.
 - b. Ensure all operations are performed with the utmost regard for the health and safety of all personnel involved.
 - c. Comply with all rules and regulations and continuously practice safety while performing all duties.
- 3. Advance equal employment opportunity and affirmative action principles in the program operations of the agency and the management of the employees.
 - a. Uphold federal and state equal opportunity laws by recognizing and taking active steps to eliminate work unit discrimination based on an employee's protected status (e.g., race, religion, gender, marital status, sexual orientation, arrest or conviction record, age, political affiliation, national origin or ancestry, creed, disability, or membership in the national guard, state defense force or any other reserve component of the military of the United States or this state).

(January, 2016)

Appendix D

Recommendations for Legislation of the Wisconsin Elections Commission

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MARK L. THOMSEN, CHAIR

MEMORANDUM

DATE: March 22, 2017

TO: Members, Wisconsin Legislature

FROM: Michael Haas
Interim Administrator

SUBJECT: March 14, 2017 Approved WEC Legislative Agenda

Background

This memo outlines legislative items which the Wisconsin Elections Commission (WEC) adopted as part of its legislative agenda for 2017 – 2018. The WEC directed Commission staff to communicate these recommendations to the Legislature and to include these items in the Commission's annual report.

Introduction

Commission staff maintains an ongoing list of recommended changes to current laws identified by legislators, municipal and county clerks, and the public. Staff also regularly reviews and analyzes current statutes, administrative code, and Commission policies in order to identify potential changes that may improve efficiency, cost-effectiveness, public comprehension, and general policy administration. The recommended changes below are those which staff believes would improve administrative processes, provide clarity or simplification to existing policies and procedures, or update policies to reflect modern practices. The Commission approved the following recommendations at its meeting of March 14, 2017, and may consider additional recommendations at future meetings.

The recommendations are organized into three categories:

Major Policy Initiatives are changes the Commission highly recommends because they would likely significantly improve election administration and have a substantially positive impact on those affected by the policy, or policies for which the Government Accountability Board previously demonstrated strong support.

Minor Policy Initiatives include the changes that would improve election administration and represent minimal policy decisions, such as improving efficiency or providing clarity.

Technical Changes are recommendations that address issues of inconsistency in the laws or drafting oversights.

MAJOR POLICY INITIATIVES

1. Provisions related to electronic poll lists. The Commission has identified several provisions which could be created or amended to facilitate the implementation of electronic poll lists. These include the following:
 - A. § 5.02: Add definitions of “electronic poll book” and “electronic poll list” to the statutory definitions.
 - B. § 7.23(1)(e): Add language permitting electronic poll books to be cleared or erased after the deadline for filing a recount petition has passed but requiring the transfer of all data required to reproduce the voter list to a disk or other recording medium which may be destroyed 22 months after the election, consistent with other retention requirements.
2. §§ 8.15(1) and 10.06(1)(h). These provisions establish the window for circulation of nomination papers and the deadline for the Commission to certify the candidates to appear on the Partisan Primary ballot. Wisconsin Administrative Code EL 2.07 provides for challenges to nomination papers to be filed up to three calendar days following the nomination paper deadline. Depending on the year, this means the Commission has between four and six business days to review and decide challenges to ballot access. The Government Accountability Board previously directed staff at its June 2014 meeting to request the Legislature allow for more time between the candidate filing deadline and the deadline to certify ballot arrangement so as to allow for more thoughtful consideration of ballot access challenges. As there is not sufficient time in the calendar to move the candidate certification deadline later without changing the ultimate date of the election, the only practical option is to move the circulation period up. Commission staff recommends changing the first day to circulate nomination papers from April 15 to April 10, which would keep the first day to circulate nomination papers still after the spring election, and moving the filing deadline from June 1 to the last Tuesday in May.

MINOR POLICY INITIATIVES

Chapter 6

3. §§ 6.22(5), 6.24(7). These provisions provide that military and permanent overseas voters obtain the signature of a U.S. citizen witness when voting their absentee

ballot. This commonly causes complaints from voters who do not have a US citizen easily available. The Government Accountability Board previously recommended retaining the witness signature, but removing the requirement that the witness be a U.S. citizen. According to a 2012 study by the PEW Center for the States, only four states required any sort of witness signature for military and overseas absentee ballots (Alabama, Alaska, Virginia, and Wisconsin), and Wisconsin may be the only state which requires the witness to be a U.S. citizen. The Legislature could consider modifying or removing the witness requirement to ensure that military and permanent overseas absentee voters can vote their ballots without needing to find another U.S. citizen.

4. §§ 6.275 and 6.33(5). These provisions provide deadlines for reporting certain statistics, and recording voter participation and registration following an election, respectively. In practice, and particularly in larger municipalities, clerks complete entering voter registrations and recording voter participation in WisVote in order to provide accurate statistics. The 30-day deadline to report statistics and the 45-day deadline (60 days with an approved waiver) to enter voter registrations and record voter participation after general elections is inconsistent with current practices by many clerks. Clerks have 30 days to enter voter registrations and record participation after spring primaries, spring elections, partisan primaries, and special elections. Virtually all clerks are able to comply with both deadlines for elections other than general elections; however, many clerks struggle to meet the 60-day deadline after general elections. The Legislature could address this issue by clarifying that the deadline for reporting statistics coincides with the deadline to enter voter registrations and record voter participation in WisVote, as defined in Wis. Stat. § 6.33(5).
5. § 6.34(3). This provision outlines the types of acceptable documents for proof of residence (POR) for the purpose of voter registration. In recognition of the broad move to replace paper documents with electronic documents, the Government Accountability Board previously authorized the acceptance of electronic versions of each acceptable proof of residence document. The Legislature could specifically authorize electronic proof of residence to be consistent with current practices and Board policy, as well as clarify the types of authorized POR to include other modern and common types of documents such as a cellphone bill, or internet service bill, or document from a financial institution.
6. § 6.36(1)(b)1.a. This provision establishes information related to a voter record that must remain confidential. This list includes a voter's date of birth, operator license number, social security number, and any accommodation required for the individual to voter. The address of a confidential voter is also confidential. The voter registration application also includes a place for a voter to list a phone number and email address. However, these fields are not required for a clerk to process a voter registration application. The Legislature could consider revising this provision in order to add phone number and email address to the list of confidential information that is not available for release through public record requests. The

Legislature may also wish to clarify that a state-issued identification card number is also confidential by replacing *operator license number* with *driver license or state-issued identification card number*.

Chapter 7

7. § 7.41. This section provides for the public's right to be present at the clerk's office, alternate absentee voting sites, and polling places in Wisconsin to observe all public aspects of the election process. A growing concern among voters and observers is the ability of observers to take photos or record video of what occurs at these sites. Agency policy and draft administrative rules currently prohibit observers from photographing or recording video at these locations. The Legislature could consider explicitly setting forth the Legislature's position on photography and video recording in these places in this section.

Chapter 12

8. § 12.13(1)(f). This provision prohibits an elector from showing any person his or her marked ballot. Recent court cases have called into question the constitutionality of such a prohibition, particularly in the context of publicly sharing photos of a voted ballot via social media. The Legislature could consider revising or repealing this provision to avoid unnecessary litigation.

TECHNICAL CHANGES

Chapter 6

9. § 6.50(2r)(b). This provision lists the information the Commission must provide regarding the four-year voter list maintenance process. Specifically, this item is the number of postcards returned to the Commission as undeliverable. While the Commission would be sending out the postcards, the undeliverable mailings go to the municipal clerk. The Legislature could correct this issue by either striking the words "to the commission" or replacing that phrase with "to the (municipal) clerk."
10. § 6.96. This provision relates to the voting procedure for electors voting pursuant to a federal court order. The Legislature could revise this provision to require that the same notation shall appear resulting from an extension of voting hours by a circuit court as currently required after a federal court extension.

Chapter 7

11. § 7.52(3)(b). This section lists the reasons for which an absentee ballot may be rejected by the board of absentee ballot canvassers. 2015 Act 261 recently added the lack of the witness' address to the list of reasons an absentee ballot may be rejected at the polls, but did not make a similar adjustment to this section. For

consistency of administration, the Legislature could consider modifying 7.52(3)(b) to include this additional reason for rejection of the absentee ballot.

Chapters Not Administered by the Wisconsin Elections Commission

12. § 59.23(2)(s). This provision requires county clerks to provide a list of local officials to the Secretary of State. This information would help the Commission maintain accurate information on current office holders and election administration. The Legislature could revise this provision by requiring county clerks to also provide this list to the Commission, or require the Secretary of State to forward a compiled report to the Commission.
13. § 66.0217(9). This provision requires a municipality that annexes territory to file a copy of the related ordinance with the Secretary of State. The Secretary of State is required to forward copies of that ordinance within 10 days of receipt to the Departments of Administration, Revenue, Public Instruction, Natural Resources, Transportation, Agriculture, and Trade and Consumer Protection. The Legislature could add Commission to the list of agencies that receive a copy of the ordinance, certificate, and plat from the Secretary of State in order to ensure accurate and current district boundaries recorded in the statewide voter registration system. The G.A.B. previously approved this recommendation.