

WISCONSIN ELECTIONS COMMISSION

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DATE: December 22, 2016

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

FROM: Michael Haas
Interim Administrator

SUBJECT: 2016 General Election Wrap-Up and 2017 Preview

It has been another busy election year in Wisconsin and I would like to thank all of you for your hard work throughout 2016. As we entered the year we knew some of the challenges that were in store, such as the launch of the WisVote system (formerly SVRS), the implementation of the Photo ID law for the first time at major elections, the transition from the Government Accountability Board to the Wisconsin Elections Commission, the re-launch of the MyVote Wisconsin system, and the administration of the Presidential Election. Other challenges were not so obvious at the beginning of the year, such as the unprecedented turnout for the Presidential Preference Primary in April, the implementation of more legislative changes as well as federal court orders related to significant voting rules, and of course a recount of the Presidential contest which was not aimed at altering the ultimate results.

We know that these events put a strain on the workloads of you and your staffs, and we appreciate that we could work in partnership with you to succeed in meeting those challenges. Thank you for your diligence and attention to detail throughout the year which inspires confidence in the integrity of Wisconsin elections. While I know that the spring election cycle is already upon us and that you have other end-of-year duties, I sincerely hope that you are able to relax and enjoy some down time during the holidays.

Before we can put the 2016 General Election behind us, I wanted to provide the following reminders:

1. Please remember to update the status of provisional ballots in WisVote. We need to account for the outcome of outstanding provisional ballots and there is a strong interest in attempting to evaluate the impact of the photo ID requirement on the number of provisional ballots and whether they were ultimately counted.
2. For counties which have not already done so, please submit your minutes as well as your actual costs for the Presidential recount. We cannot provide reimbursement before January 3, 2017 because the Joint Committee on Finance must provide approval to spend the funds deposited by the Jill Stein campaign, and that is the end of the Committee's passive review period. We also need to provide the Stein campaign some time to review

the actual costs submitted by counties. As we communicated previously, reimbursement will not be made to a county until we receive its minutes. We will make reimbursement payments as soon as possible after January 3, 2017.

3. We have received a number of questions regarding retention of the memory devices used for the General Election and the Presidential recount. The deadline for a court appeal of the recount has passed. Pursuant to Wis. Stat. § 7.23(1)(g) and (2), the original memory devices may now be cleared or erased, if the data on the memory devices for both the General Election and the recount is transferred to a disk or other recording medium which must be retained for 22 months after the General Election. See further guidance here on retention requirements: <http://elections.wi.gov/node/1126>

Also, I want to offer the following thoughts as we look towards 2017. Hopefully it will be a less chaotic election year where we can make some progress on significant projects.

1. As you know, the filing deadline for the Spring Election is January 3, 2017. Coming right after a State holiday, we expect that many candidates may not file nomination papers until the deadline. If your office is not open on January 3, 2017, you must ensure that you are available to receive nomination papers by 5 p.m. on that date.
2. WEC staff is working with the Division of Motor Vehicles to complete the development of the online voter registration system which was mandated by the Legislature. We plan to launch the online registration system on January 9, 2017, and it will be housed on the MyVote Wisconsin website. We will post more information about online registration, including training resources, by the end of next week. Please note that the position of special registration deputy is terminated upon the implementation of the online registration system.
3. Another project that is on our priority list for 2017 is the development of electronic poll books. We will seek further direction from our Commission, hopefully at its March meeting. We know that option is a priority for some municipalities, and we will be seeking your input throughout the process.
4. WisVote staff will begin preparations for phase 2 of the WisVote modernization project. This project involves modernizing the following applications to make them more usable and intuitive and to have them housed directly in WisVote: the Canvass Reporting System, WEDCS, Access Elections and the Felon Audit. Staff anticipates implementing phase 2 in about a year.
5. The Wisconsin Elections Commission is scheduled to meet on the following days, and we invite you to attend or provide any input in advance of the meetings regarding items on the agenda or other election issues:

Tuesday, January 10, 2017 (teleconference meeting focused on ballot access issues for the Spring Election; public comment is limited to ballot access items)

Tuesday, March 14, 2017

Tuesday, June 20, 2017

Tuesday, September 26, 2017

Tuesday, December 12, 2017

6. We expect continuing legislative interest in election laws and new legislation in 2017, especially given the federal court decision which altered some voting and registration rules this fall. WEC staff will present a proposed legislative agenda to the Commission at the March 14, 2017 meeting. This would be an appropriate time for local election officials to present additional items for the Commission to consider adopting as part of its legislative agenda. We expect that the Commission may continue the practice of focusing on technical and administrative improvements to the election laws, and not endorsing significant policy decisions, such as a transition to true early voting or processing absentee ballots in advance of Election Day. WEC staff can certainly act as a resource for the Legislature if such policy changes are considered.

7. As we have communicated previously, the key decisions for the Governor and Legislature related to the administration of Wisconsin elections will be the Elections Commission's budget for July 1, 2017 – June 30, 2019. The agency's budget request includes State funding to replace federal HAVA funds which are projected to expire by midyear in 2018. Those federal funds currently make up approximately 60 percent of the agency's annual budget. Please contact your elected State officials if you wish to provide input regarding the WEC's future budget.

Thank you again for your election work throughout 2016. You have made this year rewarding and successful for candidates, voters and the public. I want to personally thank you for your assistance to our staff and to me. We look forward to continuing our strong partnership with you in 2017. I hope you enjoy the holidays and are able to enjoy some well-earned relaxation time.