



From: Redell, Carol <Carol.Redell@legis.wisconsin.gov>
Sent: Friday, March 13, 2020 8:07 PM
To: AO Records <records@americanoversight.org>
Cc: Rep.Vos <Rep.Vos@legis.wisconsin.gov>
Subject: [Ext]Open Records Request - Rep. Vos

<https://send.firefox.com/download/9f5e7b5e9db026b4/#0LVbCljxuewvivuCNwA3g>

Vibha Kannan
American Oversight
records@americanoversight.org

Dear Vibha:

Open records requests are processed through the Assembly Chief Clerk's office for billing purposes only. You submitted an open records request to Representative Vos. The records are being provided in electronic format and, thus, there is no charge for any location or reproduction costs. Accordingly, all records that are responsive to your request are attached to this email.

Carol Redell
Office of the Assembly Chief Clerk
17 West Main Street, Suite 401
Madison, Wisconsin 53703
608.266.1501
carol.redell@legis.wi.gov

From: Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>
Sent: Friday, March 13, 2020 3:01 PM
To: records@americanoversight.org
Cc: Fuller, Patrick E. <Patrick.Fuller@legis.wisconsin.gov>; Redell, Carol <Carol.Redell@legis.wisconsin.gov>
Subject: RE: Open Records Request (WI-20-0345)

Dear Vibha:

This is in response to your public records request dated 2/26.

Responsive records have been delivered to the Office of the Assembly Chief Clerk. The Assembly Chief Clerk will be in contact with you with instructions on how to retrieve those records. We now consider this matter closed. Thank you.

Sincerely,

Steve Fawcett
Office of Speaker Robin Vos
211 West, State Capitol
Phone - 608.237.9163

From: AO Records <records@americanoversight.org>
Sent: Wednesday, February 26, 2020 4:53 PM
To: Rep.Vos <Rep.Vos@legis.wisconsin.gov>
Subject: Open Records Request (WI-20-0345)

Dear Open Records Officer:

Please find attached a request for records under Wisconsin's open records laws.

Sincerely,

Vibha Kannan
Paralegal
American Oversight
records@americanoversight.org
www.americanoversight.org | @weareoversight

ORR: WI-20-0345



Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873
Email: fiscal.bureau@legis.wisconsin.gov • Website: <http://legis.wisconsin.gov/lfb>

May, 2019

Joint Committee on Finance

Paper #280

Electronic Registration Information Center (Elections Commission)

[LFB 2019-21 Budget Summary: Page 118, #4]

CURRENT LAW

Under current law, the Elections Commission is required to become a member of the Electronic Registration Information Center (ERIC), an inter-state consortium formed to improve the accuracy of voter registration data and to assist voters with the registration process. Further, the Commission is required to comply with the terms of the ERIC membership agreement, signed on May 17, 2016. Base funding for the Commission does not include amounts for ERIC membership or participation.

GOVERNOR

Provide \$81,300 GPR and \$196,900 FED in 2019-20 and \$174,400 FED in 2020-21 for: (a) ERIC membership dues (\$33,100 FED annually); (b) mailings to potential eligible voters and voters who may no longer reside at their registered address, which is required by ERIC (\$81,300 GPR in 2019-20 and \$141,300 FED annually); and (c) one-time funding of \$22,500 FED in 2019-20 for WisVote election administration system modifications.

DISCUSSION POINTS

1. The Electronic Registration Information Center is a consortium of 26 states that uses data matching to identify electors who may be eligible to vote but are not registered, voters who may have moved, and voters who may no longer be eligible and should be removed from the registration list. According to the Commission, the goal of ERIC is to encourage electors to register or update their information ahead of an election to manage the volume of registration activity near Election Day. Long-term participation is aimed at reducing costs, increasing accuracy, and improving efficiency in the registration process.

2. Under 2015 Act 261, the Elections Commission is required to enter into a membership agreement with ERIC. The agreement must: (a) safeguard the confidentiality of information or data in the registration list; (b) prohibit the sale or distribution of the information or data in the registration list to a third-party vendor and prohibit any other action not associated with administration of or compliance with the agreement; and (c) allow the state to make contact with electors by electronic mail, whenever possible. The agreement must not affect the exemption for Wisconsin under the National Voter Registration Act. Further, the Commission is required to comply with the terms of the membership agreement, including the transmission of information related to the registration of electors to ERIC for processing and sharing with other member states. Act 261 did not provide funding for ERIC membership or participation. The Commission signed a membership agreement with ERIC on May 17, 2016.

3. Upon execution of the membership agreement, the Commission was required to pay a one-time membership fee of \$25,000, which the Commission paid by reallocating existing funds. After joining the consortium, each member state must pay annual dues between \$25,000 and \$50,000 per year, depending on the state's population. Current annual dues for Wisconsin are \$33,100.

4. Under the membership agreement, Wisconsin is required to provide data every 60 days for all current driver's license and state identification card holders from the Division of Motor Vehicles (DMV) and all currently registered voters. The Center compares the data to similar files from participating states and national sources, such as the U.S. Postal Service's (USPS) National Change of Address service and death records from the Social Security Administration. After comparing the data, ERIC provides the state: (a) a list of electors who may be eligible to register to vote but are not currently registered; and (b) a list of currently registered electors who may no longer be eligible at their registered address because they may have moved or become deceased.

5. The agreement requires that the Commission attempt to contact individuals identified as eligible but unregistered once every two years. In June, 2018, the Commission mailed 383,703 postcards to these individuals with instructions on how to register to vote. As of November, 2018, a total of 46,406 individuals from the report had registered to vote (12.1%). The total cost of the 2018 mailing was \$102,400 (\$21,100 for printing and \$81,300 for postage and Department of Administration distribution service fees). The next mailing to potentially eligible but unregistered voters is scheduled for 2020. The Commission indicates that the Governor's recommendation is based on postage and distribution service costs incurred during the 2018 mailing.

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indicates that the Governor's recommendation is based on costs incurred during the 2017 mailing.

7. The Commission indicates that it needs to modify the WisVote election administration system in order to receive reports from ERIC and update the records of electors identified through ERIC reports. For example, modifications would allow clerks to distinguish the records of voters identified by ERIC as having potentially moved from those identified by clerks as having moved and remove the records of deceased voters. The cost of one-time system updates is estimated to total \$22,500 in 2019-20.

8. The administration recommends that ERIC expenses be partially funded by federal Help America Vote Act (HAVA) election security grant funds. In March, 2018, the Commission was awarded \$6,978,300 FED for elections security. Under the grant agreement, which constitutes the audit standard for the award, the Commission is required to utilize the federal elections security grant to address security concerns.

9. On March 20, 2019, the U.S. Election Assistance Commission (EAC) issued a letter regarding the potential use of the HAVA security grant for ERIC requirements. The letter indicates that federal funds must be used in accordance with the 2018 grant agreement, which did not include an allocation of funds to fulfill ERIC requirements. To utilize the grant for ERIC, the Commission "would need to submit a new plan and budget for review and an amended grant award would need to be issued." The Commission would be required to demonstrate what "factors or other resources have been identified to ameliorate the security challenges" outlined in the original grant agreement. Further, the letter indicates that HAVA security funds must be utilized to "improve the administration of federal elections."

10. According to the EAC, the reallocation of funds to support ERIC requirements could be questioned in the next federal Inspector General audit. If the Commission were unable to demonstrate that "the switch from state to federal payment for ERIC membership and mailings would materially improve the administration of federal elections," the funds would have to be repaid to the federal government or restored to the state election fund.

11. In its 2019-21 agency budget request, the Commission requested \$278,200 GPR in 2019-20 and \$174,400 GPR in 2020-21 for ERIC-related expenses. Given that current law requires the Commission to participate in ERIC and that funding for this purpose has not yet been provided, the Committee could approve the agency's request to utilize GPR funds for ERIC requirements. [Alternative 1]

12. Alternatively, the Commission indicates that, if statutes regarding the use of revenues from voter data sales were modified, revenues could be used to cover a portion of ERIC-related expenses. The Commission currently sells voter registration data to various individuals and organizations and, under state statute, is required to use fee revenue to "cover both the cost of reproduction and the cost of maintaining the list." The Commission currently charges a \$25 base fee plus \$5 for up to 1,000 records, \$5 for each additional 1,000 records, and a maximum of \$12,500 for the sale of voter registration data. The Commission estimates that the sale of voter data will generate annual revenues of \$182,200 during the 2019-21 biennium. Revenues are currently deposited to the Commission's federal appropriation for election administration and are therefore also subject to federal restrictions. However, the Commission estimates that its original, non-security federal HAVA

funding under the appropriation will be fully expended during 2018-19, after which federal restrictions relating to voter data sales will no longer apply.

13. To utilize PR funds for ERIC-related expenses, the Committee could: (a) modify statute to specify that revenue from voter data sales may be used for ERIC requirements; (b) create a biennial PR appropriation for voter data sales revenue receipts and authorized expenses of such revenue; (c) provide expenditure authority of \$182,200 PR annually under the created appropriation; and (d) provide \$88,200 GPR in 2019-20 to the Commission's general program operations appropriation (the difference between available PR funds over the biennium and total ERIC-related expenses). Creating a biennial PR appropriation, funded at \$182,200 annually, would establish base funding in the second year in an amount equal to estimated annual revenue, and would permit the Commission to manage expenses between years. [Alternative 2] However, given that voter data sales revenue is currently used to offset the cost to maintain the voter registration system, the Commission cautions that this alternative could cause a shortfall in the funds necessary to maintain the voter registration system.

14. In a separate provision, the Governor recommends modifying expenditure authority for the Commission's materials and services appropriation from \$1,700 PR to \$1,000 PR annually due to declining activity under the appropriation. Revenues are from the sale of publications and copies of records, and are used to recover printing costs. The Commission indicates that requests for printed materials have decreased as publications have been made available online. Further, as a PR appropriation that receives deposits of revenue, unused funds remain in the appropriation and can be utilized in subsequent years, subject to expenditure authority and the available balance. Annual expenditures are not expected to exceed the proposed expenditure authority.

15. As of April 1, 2019, the balance of the materials and services appropriation is \$11,300, due in part to a one-time transfer of accrued revenue from the Government Accountability Board. The opening balance for 2019-20 is estimated to be \$10,700. It could be argued that the balance of the appropriation, less the amount budgeted for expenditures, could be transferred to the general fund so it can be utilized to offset election-related expenses. Therefore, the Committee could transfer the appropriation's balance, less the recommended expenditure limit of \$1,000, to the general fund for the purpose of offsetting a portion of ERIC expenses. This alternative, to transfer \$9,700 PR on a one-time basis, may be selected in addition to any other alternative. [Alternative 3]

16. If no funding is provided, the Commission would be required to reallocate existing resources to fund participation in ERIC. [Alternative 4] Under this alternative, the Commission indicates that it would pay for ERIC expenses in part by leaving vacant GPR positions unfilled (although, as of April 1, 2019, the Commission does not have any vacant GPR positions). Such a reallocation could have a limiting effect on the Commission's operations.

ALTERNATIVES

1. Provide \$278,200 GPR in 2019-20 and \$174,400 GPR in 2020-21 for: (a) ERIC membership dues (\$33,100 GPR annually); (b) mailings to potential eligible voters and voters who may no longer reside at their registered address, which is required by ERIC (\$222,600 GPR in 2019-20 and \$141,300 GPR in 2020-21); and (c) one-time funding of \$22,500 GPR in 2019-20 for WisVote election administration system modifications. This would be identical to the amounts and fund

sources designated in the Commission's 2019-21 budget request.

ALT 1	Change to	
	Base	Bill
GPR	\$452,600	\$371,300
FED	<u>0</u>	<u>- 371,300</u>
Total	\$452,600	\$0

2. Modify statute to specify that revenue from voter data sales may be utilized for ERIC requirements. Create a biennial PR appropriation for voter data sales revenue receipts and authorized expenses and provide expenditure authority of \$182,200 PR annually. Further, provide \$88,200 GPR to the Commission's general program operations appropriation in 2019-20 for ERIC expenses. Funds would be allocated to supplies and services in both appropriations for: (a) ERIC membership dues; (b) mailings to potential eligible voters and voters who may no longer reside at their registered address, which is required by ERIC; and (c) WisVote election administration system modifications.

ALT 2	Change to	
	Base	Bill
GPR	\$88,200	\$6,900
FED	0	- 371,300
PR	<u>364,400</u>	<u>364,400</u>
Total	\$452,600	\$0

3. Transfer \$9,700 PR in 2019-20 from the Commission's materials and services appropriation to the general fund for the purpose of offsetting a portion of ERIC expenses. [This alternative may be selected in addition to any other alternative.]

ALT 3	Change to	
	Base	Bill
GPR-REV	\$9,700	\$9,700

4. Take no action on funding for ERIC requirements.

ALT 4	Change to	
	Base	Bill
GPR	\$0	- \$81,300
FED	<u>0</u>	<u>- 371,300</u>
Total	\$0	-\$452,600

Prepared by: Angela Miller



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May, 2019

Joint Committee on Finance

Paper #280

Electronic Registration Information Center (Elections Commission)

[LFB 2019-21 Budget Summary: Page 118, #4]

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1. The Electronic Registration Information Center is a consortium of 26 states that uses data matching to identify electors who may be eligible to vote but are not registered, voters who may have moved, and voters who may no longer be eligible and should be removed from the registration list. According to the Commission, the goal of ERIC is to encourage electors to register or update their information ahead of an election to manage the volume of registration activity near Election Day. Long-term participation is aimed at reducing costs, increasing accuracy, and improving efficiency in the registration process.

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ALTERNATIVES

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ALT 1	Change to	
	Base	Bill
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FED	<u>0</u>	<u>- 371,300</u>
Total	\$452,600	\$0

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ALT 2	Change to	
	Base	Bill
GPR	\$88,200	\$6,900
FED	0	- 371,300
PR	<u>364,400</u>	<u>364,400</u>
Total	\$452,600	\$0

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ALT 3	Change to	
	Base	Bill
GPR-REV	\$9,700	\$9,700

4. Take no action on funding for ERIC requirements.

ALT 4	Change to	
	Base	Bill
GPR	\$0	- \$81,300
FED	<u>0</u>	<u>- 371,300</u>
Total	\$0	-\$452,600

Prepared by: Angela Miller



Legislative Fiscal Bureau

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May, 2019

Joint Committee on Finance

Paper #280

Electronic Registration Information Center (Elections Commission)

[LFB 2019-21 Budget Summary: Page 118, #4]

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DISCUSSION POINTS

1. The Electronic Registration Information Center is a consortium of 26 states that uses data matching to identify electors who may be eligible to vote but are not registered, voters who may have moved, and voters who may no longer be eligible and should be removed from the registration list. According to the Commission, the goal of ERIC is to encourage electors to register or update their information ahead of an election to manage the volume of registration activity near Election Day. Long-term participation is aimed at reducing costs, increasing accuracy, and improving efficiency in the registration process.

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4. Under the membership agreement, Wisconsin is required to provide data every 60 days for all current driver's license and state identification card holders from the Division of Motor Vehicles (DMV) and all currently registered voters. The Center compares the data to similar files from participating states and national sources, such as the U.S. Postal Service's (USPS) National Change of Address service and death records from the Social Security Administration. After comparing the data, ERIC provides the state: (a) a list of electors who may be eligible to register to vote but are not currently registered; and (b) a list of currently registered electors who may no longer be eligible at their registered address because they may have moved or become deceased.

5. The agreement requires that the Commission attempt to contact individuals identified as eligible but unregistered once every two years. In June, 2018, the Commission mailed 383,703 postcards to these individuals with instructions on how to register to vote. As of November, 2018, a total of 46,406 individuals from the report had registered to vote (12.1%). The total cost of the 2018 mailing was \$102,400 (\$21,100 for printing and \$81,300 for postage and Department of Administration distribution service fees). The next mailing to potentially eligible but unregistered voters is scheduled for 2020. The Commission indicates that the Governor's recommendation is based on postage and distribution service costs incurred during the 2018 mailing.

6. The agreement requires that the Commission attempt once per year to contact individuals identified as having moved. The Commission mails electors a notice asking if they wish to remain registered at their current address. The notice directs electors to re-register if they have moved or to return a pre-paid postcard to keep their registration current. The notices are forwardable, so if the voter had provided a new address to USPS, the card would be forwarded to the new address. The Commission is only required to attempt to contact each elector once at the same address. In November, 2017, the Commission mailed postcards to 341,855 registered electors identified as having moved. By March, 2019, 160,863 electors had updated their registrations to reflect new addresses, 134,517 registrations were deactivated, and 46,475 registrations remained active at the original address. The total cost of the 2017 mailing was \$141,300 (approximately \$0.41 per person). The Commission plans to mail notices to voters identified as having moved in 2020 and 2021 and

indicates that the Governor's recommendation is based on costs incurred during the 2017 mailing.

7. The Commission indicates that it needs to modify the WisVote election administration system in order to receive reports from ERIC and update the records of electors identified through ERIC reports. For example, modifications would allow clerks to distinguish the records of voters identified by ERIC as having potentially moved from those identified by clerks as having moved and remove the records of deceased voters. The cost of one-time system updates is estimated to total \$22,500 in 2019-20.

8. The administration recommends that ERIC expenses be partially funded by federal Help America Vote Act (HAVA) election security grant funds. In March, 2018, the Commission was awarded \$6,978,300 FED for elections security. Under the grant agreement, which constitutes the audit standard for the award, the Commission is required to utilize the federal elections security grant to address security concerns.

9. On March 20, 2019, the U.S. Election Assistance Commission (EAC) issued a letter regarding the potential use of the HAVA security grant for ERIC requirements. The letter indicates that federal funds must be used in accordance with the 2018 grant agreement, which did not include an allocation of funds to fulfill ERIC requirements. To utilize the grant for ERIC, the Commission "would need to submit a new plan and budget for review and an amended grant award would need to be issued." The Commission would be required to demonstrate what "factors or other resources have been identified to ameliorate the security challenges" outlined in the original grant agreement. Further, the letter indicates that HAVA security funds must be utilized to "improve the administration of federal elections."

10. According to the EAC, the reallocation of funds to support ERIC requirements could be questioned in the next federal Inspector General audit. If the Commission were unable to demonstrate that "the switch from state to federal payment for ERIC membership and mailings would materially improve the administration of federal elections," the funds would have to be repaid to the federal government or restored to the state election fund.

11. In its 2019-21 agency budget request, the Commission requested \$278,200 GPR in 2019-20 and \$174,400 GPR in 2020-21 for ERIC-related expenses. Given that current law requires the Commission to participate in ERIC and that funding for this purpose has not yet been provided, the Committee could approve the agency's request to utilize GPR funds for ERIC requirements. [Alternative 1]

12. Alternatively, the Commission indicates that, if statutes regarding the use of revenues from voter data sales were modified, revenues could be used to cover a portion of ERIC-related expenses. The Commission currently sells voter registration data to various individuals and organizations and, under state statute, is required to use fee revenue to "cover both the cost of reproduction and the cost of maintaining the list." The Commission currently charges a \$25 base fee plus \$5 for up to 1,000 records, \$5 for each additional 1,000 records, and a maximum of \$12,500 for the sale of voter registration data. The Commission estimates that the sale of voter data will generate annual revenues of \$182,200 during the 2019-21 biennium. Revenues are currently deposited to the Commission's federal appropriation for election administration and are therefore also subject to federal restrictions. However, the Commission estimates that its original, non-security federal HAVA

funding under the appropriation will be fully expended during 2018-19, after which federal restrictions relating to voter data sales will no longer apply.

13. To utilize PR funds for ERIC-related expenses, the Committee could: (a) modify statute to specify that revenue from voter data sales may be used for ERIC requirements; (b) create a biennial PR appropriation for voter data sales revenue receipts and authorized expenses of such revenue; (c) provide expenditure authority of \$182,200 PR annually under the created appropriation; and (d) provide \$88,200 GPR in 2019-20 to the Commission's general program operations appropriation (the difference between available PR funds over the biennium and total ERIC-related expenses). Creating a biennial PR appropriation, funded at \$182,200 annually, would establish base funding in the second year in an amount equal to estimated annual revenue, and would permit the Commission to manage expenses between years. [Alternative 2] However, given that voter data sales revenue is currently used to offset the cost to maintain the voter registration system, the Commission cautions that this alternative could cause a shortfall in the funds necessary to maintain the voter registration system.

14. In a separate provision, the Governor recommends modifying expenditure authority for the Commission's materials and services appropriation from \$1,700 PR to \$1,000 PR annually due to declining activity under the appropriation. Revenues are from the sale of publications and copies of records, and are used to recover printing costs. The Commission indicates that requests for printed materials have decreased as publications have been made available online. Further, as a PR appropriation that receives deposits of revenue, unused funds remain in the appropriation and can be utilized in subsequent years, subject to expenditure authority and the available balance. Annual expenditures are not expected to exceed the proposed expenditure authority.

15. As of April 1, 2019, the balance of the materials and services appropriation is \$11,300, due in part to a one-time transfer of accrued revenue from the Government Accountability Board. The opening balance for 2019-20 is estimated to be \$10,700. It could be argued that the balance of the appropriation, less the amount budgeted for expenditures, could be transferred to the general fund so it can be utilized to offset election-related expenses. Therefore, the Committee could transfer the appropriation's balance, less the recommended expenditure limit of \$1,000, to the general fund for the purpose of offsetting a portion of ERIC expenses. This alternative, to transfer \$9,700 PR on a one-time basis, may be selected in addition to any other alternative. [Alternative 3]

16. If no funding is provided, the Commission would be required to reallocate existing resources to fund participation in ERIC. [Alternative 4] Under this alternative, the Commission indicates that it would pay for ERIC expenses in part by leaving vacant GPR positions unfilled (although, as of April 1, 2019, the Commission does not have any vacant GPR positions). Such a reallocation could have a limiting effect on the Commission's operations.

ALTERNATIVES

1. Provide \$278,200 GPR in 2019-20 and \$174,400 GPR in 2020-21 for: (a) ERIC membership dues (\$33,100 GPR annually); (b) mailings to potential eligible voters and voters who may no longer reside at their registered address, which is required by ERIC (\$222,600 GPR in 2019-20 and \$141,300 GPR in 2020-21); and (c) one-time funding of \$22,500 GPR in 2019-20 for WisVote election administration system modifications. This would be identical to the amounts and fund

sources designated in the Commission's 2019-21 budget request.

ALT 1	Change to	
	Base	Bill
GPR	\$452,600	\$371,300
FED	<u>0</u>	<u>- 371,300</u>
Total	\$452,600	\$0

2. Modify statute to specify that revenue from voter data sales may be utilized for ERIC requirements. Create a biennial PR appropriation for voter data sales revenue receipts and authorized expenses and provide expenditure authority of \$182,200 PR annually. Further, provide \$88,200 GPR to the Commission's general program operations appropriation in 2019-20 for ERIC expenses. Funds would be allocated to supplies and services in both appropriations for: (a) ERIC membership dues; (b) mailings to potential eligible voters and voters who may no longer reside at their registered address, which is required by ERIC; and (c) WisVote election administration system modifications.

ALT 2	Change to	
	Base	Bill
GPR	\$88,200	\$6,900
FED	0	- 371,300
PR	<u>364,400</u>	<u>364,400</u>
Total	\$452,600	\$0

3. Transfer \$9,700 PR in 2019-20 from the Commission's materials and services appropriation to the general fund for the purpose of offsetting a portion of ERIC expenses. [This alternative may be selected in addition to any other alternative.]

ALT 3	Change to	
	Base	Bill
GPR-REV	\$9,700	\$9,700

4. Take no action on funding for ERIC requirements.

ALT 4	Change to	
	Base	Bill
GPR	\$0	- \$81,300
FED	<u>0</u>	<u>- 371,300</u>
Total	\$0	-\$452,600

Prepared by: Angela Miller

Luke, Ashley

Subject: WI Restaurant Assn
Location: speakers office/conf room

Start: Wed 4/10/2019 2:30 PM
End: Wed 4/10/2019 3:00 PM

Recurrence: (none)

Meeting Status: Meeting organizer

Organizer: Vos, Robin
Required Attendees: Schweitzer, Alicia

Categories: Must Attend

Hello Janine,

I am reaching out to you to see if I can set an appointment with Speaker Voss. Restaurant Advocacy Day is Wednesday, April 10 and

Oak Creek Danielle Baerwald Erv's Mug

Apple Holler

Dave and Vicki Flannery

members of the Wisconsin Restaurant Association will be in the Capitol between 2:00 p.m. and 4:00 p.m. to meet with lawmakers and their staff members to discuss restaurant issues.

Can Speaker Voss meet at one of the following times? 2 pm, 2:30 pm or 3:30 pm?

Wisconsin Restaurant Members that would like to meet with Speaker Voss:

- Dave and Vicki Flannery, Apple Holler (constituents)
- Danielle Baerwald, Ervs Mug
- Bob Spindell, Gottesman Company

Top Issues for Lobby Day:

- Alcohol laws
- Personal Property Tax
- Tolling/Transportation

A prompt response would be greatly appreciated, as I am trying to confirm several other meetings at the above times.

Thanks, Kathy

[WRA_email_sigs_kathy_k]<wirerestaurant.org>

Luke, Ashley

Subject: FYI: Packer Game
Start: Sun 12/15/2019 11:15 AM
End: Sun 12/15/2019 3:00 PM
Recurrence: (none)
Organizer: Vos, Robin
Categories: FYI

*Invited on 11/30/19

MARK YOUR
CALENDARS!

FREE EVENT - Sun. Dec.

15



Republican Party of Wisconsin

4th Congressional District

**AND... RPMC North Milwaukee, North Shore,
South Milwaukee, Wauwatosa & West Allis Branches
Cordially invite you to**

Our Annual Christmas Party & Green Bay Packer Game

Come watch the Green Bay Packers take on the CHICAGO BEARS in this Wonderful Christmassy But Yet Warm Tropical **CARIBBEAN BAR & RESTAURANT** Atmosphere.

Meet many of our Republican Elected Officials, Candidates & Judges Up for Re-Election

Sunday, December 15, 2019

JEWELS CARIBBEAN BAR & RESTAURANT (414-585-0678)

(Exclusively for our Group)

(East Side - JUST SOUTH OF NORTH AVE ON MARTIN LUTHER KING DRIVE)

2230 N. Dr. Martin Luther King Jr. Drive (N. 3rd St), Milwaukee, WI 53202

11:15 AM until End of Green Bay Packer game!

(Note: Should Packer Game time be changed, Event will start one hour prior to kickoff)

FREE - but, if possible let us know you are coming!

Delicious Jerk Chicken Wings, Special Caribbean Veggie Pizza & Jerk Chicken Pizza,

American Beef Sliders, Sweet & Plain Plantain Chips will be served & CASH BAR

FREE, BUT BE A Host - \$125.00 (for 2) - Incl - Open Bar, Recognition

FREE SECURED PARKING AROUND BUILDING - 50 CARS

Enter lot at Southeast End of Restaurant on MLK or East End of Building on North Ave.

Also Parking Free Lot Directly Across Street (West Side of MLK)

Make Host checks payable to RPW, 4th Cong Dist & mail to:

Bob Spindell, Chair - 1626 N. Prospect Ave. Milwaukee, WI 53202

For further information, directions, reservations please call Bob Spindell, Chair at 414-276-6331

or email back to: CD4.Chairman@wisgop.info

FREE - RPW 4th Cong Dist, Dec 15, 2019 Christmas Party / Packer Game at Jewels Caribbean

I/We will attend

_____ Person/s NO CHARGE _____

_____ Host \$125.00 / (for 2) Incl open bar, free parking & recognition

___ \$ _____ Contribution

Make checks payable to RPW 4th Congressional District. Send coupon & check in enclosed envelope to:
Bob Spindell, Chair, 1626 N. Prospect Ave. Milwaukee Wisconsin 53202

_____ No, I will not be able to attend but enclosed is my contribution for / or an additional contribution of
\$ _____

Name _____ *Guest

Name: _____

Telephone Number _____

Address _____ *City _____ *State _____ *

Zip _____

E-Mail _____

Paid for by RPW 4th Congressional District James McFarland, Treasurer

Bob

Bob Spindell

Chair

RPW 4th Cong Dist
414-276-6331

cd4.chairman@wisgop.info

Luke, Ashley

Subject: Staff Call
Location: Speaker's Office

Start: Fri 12/20/2019 11:30 AM
End: Fri 12/20/2019 12:00 PM

Recurrence: (none)

Meeting Status: Meeting organizer

Organizer: Vos, Robin
Required Attendees: Toftness, Jenny; Smith, Heather; Handrick, Joe; Fawcett, Steve

Categories: Phone Call

Conference call with Dean Knudson Re: Elections Commission actions
Dean's cell: 715-222-5741

888-732-6049
ID: 5099133#

Hi Ashley,

The Wisconsin Elections Commission has voted to seek legislation clarifying the procedures related to Wisconsin's membership in ERIC. Please forward my attached memo, a pdf with pertinent statutes, a copy of the JFC issue paper from May, and a copy of the ERIC membership agreement. These documents will be helpful during our telephone discussion tomorrow.

Thanks,

Dean Knudson

AT&T Call Log (Outgoing Calls)

Called From	Number Dialed	Call Date	Time	Call Duration (hh:mm:ss)
(608) 237-9201	(262) 898-4460	12/5/2019	11:20:50 AM	00:00:54
(608) 237-9201	(414) 277-4193	12/5/2019	12:30:08 PM	00:01:00
(608) 237-9201	(262) 818-3780	12/5/2019	3:52:24 PM	00:05:05
(608) 237-9201	(262) 939-2607	12/6/2019	9:36:55 AM	00:00:43
(608) 237-9201	(262) 424-1945	12/6/2019	12:52:23 PM	00:00:50
(608) 237-9201	(608) 266-8005	12/6/2019	1:59:22 PM	00:03:28
(608) 237-9201	(608) 266-5660	12/6/2019	2:03:06 PM	00:01:07
(608) 237-9201	(262) 388-1778	12/9/2019	12:34:14 PM	00:00:37
(608) 237-9201	(262) 825-2537	12/9/2019	12:35:30 PM	00:00:56
(608) 237-9201	(262) 210-7299	12/9/2019	12:38:41 PM	00:00:48
(608) 237-9201	(262) 939-6747	12/9/2019	12:42:15 PM	00:01:08
(608) 237-9201	(262) 492-3622	12/9/2019	12:44:44 PM	00:00:42
(608) 237-9201	(262) 758-7113	12/9/2019	12:48:45 PM	00:05:53
(608) 237-9201	(262) 497-8100	12/9/2019	1:55:33 PM	00:01:00
(608) 237-9201	(262) 994-1555	12/9/2019	1:59:08 PM	00:00:46
(608) 237-9201	(262) 661-4776	12/9/2019	2:00:41 PM	00:09:17
(608) 237-9201	(608) 266-1832	12/10/2019	9:50:05 AM	00:01:18
(608) 237-9201	(608) 266-1832	12/10/2019	10:04:56 AM	00:00:16
(608) 237-9201	(262) 206-6857	12/10/2019	1:16:02 PM	00:01:09
(608) 237-9201	(608) 251-0900	12/10/2019	1:49:07 PM	00:00:05
(608) 237-9201	(262) 770-7137	12/10/2019	4:33:36 PM	00:00:00
(608) 237-9201	(262) 210-7743	12/10/2019	4:36:40 PM	00:01:25
(608) 237-9201	(608) 286-9599	12/11/2019	10:16:29 AM	00:00:39
(608) 237-9201	(608) 258-9506	12/11/2019	3:56:43 PM	00:01:42
(608) 237-9201	(262) 763-1510	12/12/2019	9:11:34 AM	00:02:26
(608) 237-9201	(262) 902-8758	12/12/2019	9:20:59 AM	00:01:00
(608) 237-9201	(206) 660-9666	12/12/2019	9:48:50 AM	00:05:24
(608) 237-9201	(262) 412-5863	12/12/2019	10:02:35 AM	00:02:05
(608) 237-9201	(262) 636-3172	12/12/2019	3:46:56 PM	00:03:31
(608) 237-9201	(262) 210-6770	12/13/2019	1:03:14 PM	00:18:54
(608) 237-9201	(312) 380-8800	12/16/2019	11:22:16 AM	00:03:21
(608) 237-9201	(262) 661-4776	12/16/2019	11:46:35 AM	00:03:59
(608) 237-9201	(262) 770-0344	12/16/2019	11:58:59 AM	00:01:40
(608) 237-9201	(262) 206-0622	12/16/2019	1:39:50 PM	00:00:45
(608) 237-9201	(414) 349-6241	12/16/2019	2:39:54 PM	00:00:47
(608) 237-9201	(262) 595-3226	12/16/2019	3:15:21 PM	00:00:12
(608) 237-9201	(262) 595-3003	12/16/2019	3:16:06 PM	00:00:52

AT&T Call Log (Outgoing Calls)

Called From	Number Dialed	Call Date	Time	Call Duration (hh:mm:ss)
(608) 237-9201	(262) 290-8679	12/16/2019	3:43:01 PM	00:00:00
(608) 237-9201	(262) 513-4302	12/16/2019	3:43:50 PM	00:00:22
(608) 237-9201	(608) 266-8005	12/16/2019	3:54:08 PM	00:00:04
(608) 237-9201	(715) 222-5741	12/16/2019	3:57:35 PM	00:00:52
(608) 237-9201	(608) 285-8000	12/16/2019	4:27:08 PM	00:07:28
(608) 237-9201	(608) 285-8000	12/17/2019	10:13:45 AM	00:03:12
(608) 237-9201	(608) 266-5660	12/17/2019	3:48:39 PM	00:01:14
(608) 237-9201	(715) 222-5741	12/17/2019	5:10:23 PM	00:00:43
(608) 237-9201	(262) 483-2045	12/18/2019	8:22:22 AM	00:04:22
(608) 237-9201	(608) 266-5660	12/18/2019	10:58:17 AM	00:00:03
(608) 237-9201	(608) 257-3832	12/18/2019	11:09:33 AM	00:00:18
(608) 237-9201	(608) 327-1101	12/18/2019	11:11:11 AM	00:00:45
(608) 237-9201	(608) 283-4202	12/18/2019	11:36:45 AM	00:00:30
(608) 237-9201	(262) 939-1364	12/18/2019	12:07:30 PM	00:00:38
(608) 237-9201	(715) 536-3315	12/18/2019	12:58:58 PM	00:01:16
(608) 237-9201	(715) 536-3315	12/18/2019	1:08:12 PM	00:00:21
(608) 237-9201	(262) 206-6857	12/18/2019	1:18:21 PM	00:01:29
(608) 237-9201	(608) 267-2003	12/18/2019	1:23:06 PM	00:01:19
(608) 237-9201	(312) 380-8800	12/18/2019	2:01:16 PM	00:02:20
(608) 237-9201	(262) 210-1015	12/18/2019	2:18:36 PM	00:01:31
(608) 237-9201	(608) 250-9506	12/18/2019	2:20:57 PM	00:00:00
(608) 237-9201	(608) 285-8000	12/18/2019	4:39:08 PM	00:02:14
(608) 237-9201	(262) 930-8954	12/18/2019	5:01:02 PM	00:01:10
(608) 237-9201	(608) 261-4358	12/19/2019	8:47:09 AM	00:00:27
(608) 237-9201	(262) 930-8954	12/19/2019	9:21:45 AM	00:01:04
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(608) 237-9201	(608) 286-9599	12/19/2019	10:17:06 AM	00:00:03
(608) 237-9201	(414) 935-7316	12/19/2019	11:37:32 AM	00:00:24
(608) 237-9201	(847) 778-5821	12/19/2019	12:47:02 PM	00:01:13
(608) 237-9201	(262) 770-0344	12/19/2019	1:01:11 PM	00:01:53
(608) 237-9201	(262) 631-1778	12/19/2019	1:07:48 PM	00:00:48
(608) 237-9201	(608) 266-1832	12/20/2019	10:50:01 AM	00:00:57
(608) 237-9201	(262) 639-9159	12/20/2019	11:17:48 AM	00:01:27
(608) 237-9201	(715) 222-5741	12/20/2019	11:20:20 AM	00:00:59
(608) 237-9201	(715) 219-0838	12/20/2019	1:51:56 PM	00:02:16
(608) 237-9201	(920) 362-0333	12/27/2019	9:09:20 AM	00:01:01
(608) 237-9201	(262) 206-2379	12/30/2019	2:08:12 PM	00:01:05



SCOTT FITZGERALD
WISCONSIN STATE SENATOR
SENATE MAJORITY LEADER

October 16, 2019

The Honorable Tony Evers, Governor:

Pursuant to Wis. Stats. 15.61(1)(a), I appoint the following individual to serve on the Wisconsin Elections Commission, effective immediately:

Bob Spindell of Milwaukee

Sincerely,

A handwritten signature in black ink that reads "Scott Fitzgerald".

Senator Scott Fitzgerald
Majority Leader

cc: Meagan Wolfe, Wisconsin Elections Commission
Dean Knudson, Wisconsin Elections Commission

STATE CAPITOL
P.O. BOX 7882 • MADISON, WISCONSIN 53707-7882 • SEN.FITZGERALD@LEGIS.WISCONSIN.GOV
TELEPHONE: (608) 266-5660

FOR IMMEDIATE RELEASE

October 17, 2019

Contact: Alec Zimmerman

(608) 266-5660

Sen. Fitzgerald Appoints Bob Spindell to Wisconsin Elections Commission

[Madison, WI] — On Wednesday, Senator Scott Fitzgerald appointed Bob Spindell to the vacant seat on the Wisconsin Elections Commission. Spindell has served on the City of Milwaukee Elections Commission and replaces outgoing Fitzgerald appointee, Jodi Jensen.

"I'm incredibly excited to appoint Bob Spindell to the Elections Commission. Bob has done diligent work in Milwaukee promoting fair, transparent, and ethical elections. I have no doubt that he will continue the same quality of work at the state level by serving on the Elections Commission.

"I want to thank Jodi Jensen for her important work on the Elections Commission through her last term, and wish her the best moving forward."

Read the appointment letter Fitzgerald sent to the Elections Commission and Governor Evers [here](#).

Senate Majority Leader Scott Fitzgerald (R-Juneau) represents the 13th Senate District, which covers portions of Dodge, Jefferson, Waukesha, Washington, Dane, and Columbia counties.

###

Bob Spindell

Chair, RPW 4th Congressional District

414 276 6331 / Fax: 414 276 3582

CD4.chairman@wisgop.info

RPW 4th Congressional District, 1626 N. Prospect Ave., Milwaukee, WI 53202

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6.34 THE ELECTORS

2. A current and valid identification card issued under s. 343.50.

3. Subject to s. 66.0438, any other official identification card or license issued by a Wisconsin governmental body or unit.

4. An official identification card or license issued by an employer in the normal course of business that contains a photograph of the cardholder or license holder, but not including a business card.

5. A real property tax bill or receipt for the current year or the year preceding the date of the election.

6. Except as provided in sub. (2), a residential lease.

7. Any of the following documents without the address specified in par. (b):

a. A university, college, or technical college identification card that contains a photograph of the cardholder together with a fee payment receipt issued to the cardholder by the university, college, or technical college dated no earlier than 9 months before the date of the election at which the receipt is presented.

b. An identification card issued by a university, college, or technical college that contains a photograph of the cardholder if the university, college, or technical college that issued the card provides a certified and current list of students who reside in housing sponsored by the university, college, or technical college and who are U.S. citizens to the municipal clerk prior to the election showing the current address of the students and if the municipal clerk, election registration official, or inspector verifies that the student presenting the card is included on the list.

NOTE: In *One Wisconsin Institute, Inc. v. Thomson*, 15-cv-324, 198 F. Supp. 3d 896 (2016), the U.S. District Court for the Western District of Wisconsin ordered that “the requirement that “dorm lists” to be used as proof of residence include citizenship information is unconstitutional.”

8. A utility bill for the period commencing not earlier than 90 days before the day registration is made.

9. A bank statement.

10. A paycheck.

11. A check or other document issued by a unit of government.

12. For an occupant of a residential care facility, as defined in s. 6.875 (1) (bm), for the purpose of registering at the facility, a contract or intake document prepared by the residential care facility that specifies that the occupant currently resides in the facility. The contract or intake document may also identify the room or unit in which the occupant resides

13. An identification card issued by a federally recognized Indian tribe in this state.

(b) Except as provided in par. (a) 7., the identifying documents prescribed in par. (a) shall contain all of the following in order to be considered proof of residence:

1. A current and complete name, including both the given and family name.

2. A current and complete residential address, including a numbered street address, if any, and the name of a municipality.

(c) Identifying documents specified in par. (a) which are valid for use during a specified period must be valid on the day that an elector makes application for registration in order to constitute proof of residence.

(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). If a prospective elector enters information specified under sub. (3) (b) 2. into the system that does not match such information maintained by the department of transportation, the system shall redirect the elector to the department of transportation’s Internet site so that

Updated 17–18 Wis. Stats. 10

the elector may update his or her information with the department of transportation.

History: 2005 a. 451 ss. 40, 43, 44; 2011 a. 23; 2013 a. 182; 2015 a. 261, 374; 2017 a. 226; 2017 a. 365 s. 111 2017 a. 369

6.35 Filing registration forms. (1) Under the direction of the municipal clerk or board of election commissioners, the original registration forms shall be filed in one of the following ways, except as provided in subs (1m) and (2):

(a) In alphabetical order of the electors’ names.

(b) In alphabetical order according to street names, in numerical order on each street and in alphabetical order of the electors’ names at each address on the street.

(1m) Original registration forms of electors who have obtained a confidential listing under s. 6.47 (2) shall be filed in alphabetical order after the forms of the other electors.

(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).

(3) Original registration forms shall be maintained in the office of the municipal clerk or board of election commissioners at all times.

History: 1971 c. 249; 1971 c. 304 s. 29 (2); 1971 c. 336; 1975 c. 85; 1977 c. 394; 1983 a. 484; 1985 a. 304; 1989 a. 192; 1999 a. 49; 2003 a. 265, 326; 2015 a. 261.

6.36 Official registration list. (1) (a) The commission shall compile and maintain electronically an official registration list. The list shall contain all of the following:

1. The name and address of each registered elector in the state

2. The elector’s date of birth.

3. The ward and aldermanic district of the elector, if any.

4. For each elector, a unique registration identification number assigned by the commission.

5. The number of a valid operator’s license issued to the elector under ch. 343, if any, or the last 4 digits of the elector’s social security account number, if any.

6. Any identification serial number issued to the elector under s. 6.47 (3).

7. The date of any election in which the elector votes.

8. An indication of whether the elector is an overseas elector, as defined in s. 6.24 (1).

9. Any information relating to the elector that appears on the current list transmitted to the commission by the department of corrections under s. 301.03 (20m).

10. An indication of any accommodation required under s. 5.25 (4) (a) to permit voting by the elector.

11. An indication of the method by which the elector’s registration form was received.

12. An indication of whether the elector was required under s. 6.34 to provide proof of residence and, if so, the type of identifying document submitted as proof of residence, the name of the entity or institution that issued the identifying document, and, if the identifying document included a number that applies only to the individual holding that document, up to the last 4 digits of that number. If the number on the identifying document submitted by the elector had 6 or fewer digits, the list under this paragraph may not contain more than the last 2 digits of that number.

13. A separate column indicating the date on which an elector applied to vote by in-person absentee ballot.

14. Separate columns indicating the date on which the clerk mailed an absentee ballot to an elector and the date on which the elector returned the absentee ballot.

15. A separate column indicating the polling location associated with each elector’s address and ward or aldermanic district, if any.



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16. A separate column indicating the mailing address for the municipal clerk associated with each polling location identified under subd. 15.

(ae) 1. The chief election officer shall enter into a membership agreement with Electronic Registration Information Center, Inc., for the purpose of maintaining the official registration list under this section. Prior to entering into an agreement under this subdivision, the chief election officer shall ensure that the agreement satisfies all of the following conditions:

a. It safeguards the confidentiality of information or data in the registration list that may be subject to transfer under the agreement and to which access is restricted under par. (b) 1. a.

b. It prohibits the sale or distribution of the information or data in the registration list to a 3rd-party vendor and it prohibits any other action not associated with administration of or compliance with the agreement.

c. It does not affect the exemption for this state under the national voter registration act.

d. It allows the state to make contact with electors by electronic mail, whenever possible.

2. If the chief election officer enters into an agreement under subd. 1., the chief election officer shall comply with the terms of the agreement, including the transmission of information and data related to the registration of electors in this state to the Electronic Registration Information Center, Inc., for processing and sharing with other member states and governmental units.

(am) The list under par. (a) may contain such other information as may be determined by the commission to facilitate administration of elector registration requirements.

(b) 1. The list shall be open to public inspection under s. 19.35 (1) and shall be electronically accessible by any person, except that:

a. Except as provided in pars. (ae), (bm), and (bn), no person other than an employee of the commission, a county clerk, a deputy county clerk, an executive director of a county board of election commissioners, a deputy designated by the executive director, a municipal clerk, a deputy municipal clerk, an executive director of a city board of election commissioners, or a deputy designated by the executive director may view the date of birth, operator's license number, or social security account number of an elector, the address of an elector to whom an identification serial number is issued under s. 6.47 (3), or any indication of an accommodation required under s. 5.25 (4) (a) to permit voting by an elector.

b. No person other than an employee of the commission, a municipal clerk, or an election official who is authorized by a municipal clerk may make a change in the list.

2. The list shall be electronically accessible by name and shall also be accessible in alphabetical order of the electors' names for the entire state and for each county, municipality, ward, and combination of wards authorized under s. 5.15 (6) (b).

(bm) The commission or any municipal clerk or board of election commissioners may transfer any information in the registration list to which access is restricted under par. (b) 1. a. to a law enforcement agency, as defined in s. 165.77 (1) (b), to be used for law enforcement purposes.

(bn) The commission may transfer any information in the registration list to which access is restricted under par. (b) 1. a. to a subunit of the state government of another state to be used for official purposes.

(c) The list shall be designed in such a way that the municipal clerk or board of election commissioners of any municipality and any election official who is authorized by the clerk or executive director of the board of election commissioners may, by electronic transmission, add entries to or change entries on the list for any elector who resides in, or who the list identifies as residing in, that municipality and no other municipality.

(d) Upon receipt of official notification by the appropriate election administrative authority of another state, territory, or possession that an elector whose name appears on the list has registered to vote in that state, territory, or possession, the commission or the municipal clerk of the municipality where the elector formerly resided shall change the elector's registration from eligible to ineligible status.

(e) If the commission adds the name of any elector to the list, the commission shall promptly notify the municipal clerk of the municipality where the elector resides. If the commission changes the registration of any elector from eligible to ineligible status, the commission shall promptly notify the municipal clerk of the municipality where the elector resides or, if the elector has changed his or her residence from one municipality to another municipality in this state, shall promptly notify the municipal clerk of the municipality where the elector resided prior to the change. Notification shall be made in writing or by electronic transmission. If the commission changes the registration of any elector from eligible to ineligible status, the commission shall make an entry on the list giving the date of and the reason for the change.

(f) The commission shall make all reasonable efforts to ensure that the list is maintained in a manner that precludes unauthorized persons from making alterations to the list.

(2) (a) Except as provided in par. (b), each registration list prepared for use as a poll list at a polling place or for purposes of canvassing absentee ballots at an election shall contain the full name and address of each registered elector; a blank column for the entry of the serial number of the electors when they vote or the poll list number used by the municipal board of absentee ballot canvassers in canvassing absentee ballots; an indication next to the name of each elector for whom proof of residence under s. 6.34 is required, a space for entry of the type of and the name of the entity or institution that issued the identifying document submitted by the elector as proof of residence when proof of residence under s. 6.34 is required; a space for entry of the elector's signature, or if another person signed the elector's registration form for the elector by reason of the elector's physical disability, the word "exempt"; and a form of certificate bearing the certification of the commission administrator stating that the list is a true and complete registration list of the municipality or the ward or wards for which the list is prepared. 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.

(b) If an elector obtains a confidential listing under s. 6.47 (2), the registration list shall be prepared such that the address of the elector does not appear on copies of the list that are used at polling places.

(c) The list shall contain, next to the name of each elector, an indication of whether proof of residence under s. 6.34 is required for the elector to be permitted to vote. If proof of residence is provided, the type of identifying document submitted by the elector and the name of the entity or institution that issued the identifying document, or an indication that the information provided by the elector in lieu of proof of residence was verified under s. 6.34 (2m), shall be entered on the list in the space provided. Except as provided in s. 6.34 (2m), proof of residence is required if the elector is not a military elector or an overseas elector and the elector registers by mail or by electronic application and has not previously voted in an election in this state.

(3) The original registration forms shall be controlling whenever discrepancies occur in entering information from the forms under s. 6.33 (5)

(4) The names and identification serial numbers of electors who have obtained a confidential listing under s. 6.47 (2) shall

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appear separately after the remainder of the list. These names and serial numbers shall be arranged alphabetically by last name.

(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

History: 1971 c. 304 s. 29 (2); 1975 c. 85, 1977 c. 394 ss. 21, 22, 53; 1999 a. 49; 2003 a. 265, 327; 2005 a. 451, 2007 a. 1, 52, 96; 2011 a. 23, 75, 2013 a. 182; 2015 a. 118 ss. 73 to 75, 266 (10); 2015 a. 261, 2017 a. 366.

Cross-reference: See also s. EL 3.50, Wis. adm. code.

6.45 Access to registration list. (1) After the deadline for revision of the registration list, the municipal clerk shall make copies of the list for election use.

(1m) The registration list and any supplemental lists which are prepared at polling places or other registration locations under s. 6.55, shall be open to public inspection. Under the regulations prescribed by the municipal clerk, any person may copy the registration list at the office of the clerk. A registration list maintained at a polling place may be examined by any person who is observing the proceedings under s. 7.41 when such use does not interfere with the conduct of the election. This subsection does not apply to information that is confidential under s. 6.47.

(2) The municipal clerk shall furnish upon request to each candidate who has filed nomination papers for an office which represents at least part of the residents of the municipality one copy of the current registration list for those areas for which he or she is a candidate for a fee not to exceed the cost of reproduction. The clerk shall exclude information that is confidential under s. 6.47 (2) from copies of the list, except as authorized under s. 6.47 (8).

History: 1975 c. 85, 199; 1977 c. 394 s. 53; 1983 a. 484; 1989 a. 192, 1999 a. 49, 182; 2001 a. 38, 2013 a. 166.

Cross-reference: See also s. EL 3.50, Wis. adm. code.

6.46 Poll lists; copying. (1) Poll lists shall be preserved by the municipal clerk until destruction or other disposition is authorized under s. 7.23.

(2) Poll lists shall be open to public inspection, except as provided in s. 6.47. The municipal clerk shall furnish upon request to each candidate who has filed nomination papers for an office which represents at least part of the municipality one copy of the current poll list for those areas for which he or she is a candidate for a fee not to exceed the cost of reproduction. If a copying machine is not accessible, the clerk shall remove the lists from the office for the purposes of copying, and return them immediately thereafter. The clerk shall exclude information that is confidential under s. 6.47 (2) from copies of the list, except as authorized under s. 6.47 (8).

History: 1975 c. 85, 199; 1999 a. 49.

Cross-reference: See also s. EL 3.50, Wis. adm. code.

6.47 Confidentiality of information relating to victims of domestic abuse, sexual assault, or stalking. (1) In this section:

(ag) "Domestic abuse victim service provider" means an organization that is certified by the department of children and families as eligible to receive grants under s. 49.165 (2) and whose name is included on the list provided by the commission under s. 7.08 (10)

(am) "Eligible individual" means:

1. An individual who has been granted a protective order that is in effect.

2. An individual who files an affidavit with the municipal clerk of the municipality where the individual resides, on a form prescribed by the commission, that is signed by a sheriff, the chief

of a police department, or a district attorney or the authorized representative of a sheriff, chief, or district attorney and directed to the municipal clerk, and that verifies that a person has been charged with or convicted of an offense relating to domestic abuse, sexual assault, or stalking in which the individual was a victim and reasonably continues to be threatened by that person.

3. An individual who resides in a shelter.

4. An individual who submits a dated statement to the municipal clerk that includes the individual's full name, that is signed by an authorized representative of a domestic abuse victim service provider or a sexual assault victim service provider, and that indicates that the individual received services from the provider within the 24-month period ending on the date of the statement.

5. An individual who is a participant in the program established in s. 165.68.

(b) "Offense relating to domestic abuse, sexual assault, or stalking" means an offense specified in s. 940.19, 940.20 (1m), 940.201, 940.22, 940.225, 940.235, 940.32, 947.013, 948.02, 948.025, 948.06, 948.085, 948.09, or 948.095.

(c) "Protected individual" means an individual whose name and address is confidential under sub. (2).

(d) "Protective order" means a temporary restraining order or an injunction issued under s. 813.12 or 813.125.

(dm) "Sexual assault victim service provider" means an organization that is certified by the department of justice as eligible to receive grants under s. 165.93 (2) and whose name is included on the list provided by the commission under s. 7.08 (10).

(e) "Shelter" means a place where at least 4 unrelated individuals reside that provides residential shelter to individuals whose personal security is or may be threatened by family members or other persons with whom the individuals have had contact.

(2) Except as authorized in sub. (8), the commission, each municipal clerk, each agent designated under s. 6.33 (5) (b), and each election official shall withhold from public inspection under s. 19.35 (1) the name and address of any eligible individual whose name appears on a poll list or registration list if the individual provides the municipal clerk with a valid written request to protect the individual's confidentiality. To be valid, a request under this subsection must be accompanied by a copy of a protective order that is in effect, an affidavit under sub. (1) (am) 2, that is dated within 30 days of the date of the request, confirmation from the department of justice that the person is a program participant, as provided under s. 165.68 (4) (c), a statement signed by the operator or an authorized agent of the operator of a shelter that is dated within 30 days of the date of the request and that indicates that the operator operates the shelter and that the individual making the request resides in the shelter, or a statement signed by an authorized representative of a domestic abuse victim service provider or a sexual assault victim service provider under sub. (1) (am) 4, that is dated within 30 days of the date of the request. A physically disabled individual who appears personally at the office of the municipal clerk accompanied by another elector of this state may designate that elector to make a request under this subsection on his or her behalf.

(3) Upon receiving a valid written request from an elector under sub. (2), the municipal clerk shall issue to the elector a voting identification card on a form prescribed by the commission that shall contain the name of the elector's municipality of residence and, in the case of a town, the county in which the town is located, the elector's name, the ward in which the elector resides, if any, and a unique identification serial number issued by the commission. The number issued to an elector under this subsection shall not be changed for so long as the elector continues to qualify for a listing under sub. (2).

(4) (a) Except as provided in par (b) and sub. (5), a confidential listing under sub. (2) expires on the date that a protective order expires, the date that the protected individual ceases to reside in a shelter, the date that updated information is received from a sheriff, the chief of a police department, or a district attorney or the

authorized representative of a sheriff, chief, or district attorney, or at the end of the 24-month period that follows creation or renewal of the listing under sub. (2), whichever is earlier.

(b) A confidential listing under sub. (2) that is issued to a program participant expires on the date the individual's participation in the program expires pursuant to s. 165.68 (3) (b) 4. a. or on the date the individual cancels his or her participation in the program pursuant to s. 165.68 (3) (b) 4. f. or is disenrolled from the program pursuant to s. 165.68 (3) (b) 4. e.

(5) (a) The municipal clerk shall cancel a confidential listing under sub. (2) if:

1. The clerk receives notification from a sheriff, chief of police, or district attorney or the authorized representative of a sheriff, chief, or district attorney under sub. (10).

2. The name of the protected individual is legally changed.

3. The protected individual changes his or her address without notifying the municipal clerk.

4. The municipal clerk finds that the protected individual provided false information to the clerk for the purpose of obtaining a confidential listing under sub. (2).

(b) An individual whose confidential listing is canceled under par. (a) may file a new request and qualify under sub. (2) to obtain a renewal of the listing.

(6) Upon expiration of a confidential listing on a registration list under sub. (2), the municipal clerk shall change the registration of the protected individual to ineligible status unless the individual files a new request and qualifies under sub. (2) to obtain a renewal of the listing or unless the individual applies for and qualifies to obtain a nonconfidential voter registration. Except as authorized in sub. (8), the municipal clerk shall withhold from public inspection under s. 19.35 (1) the name and address of any individual whose registration is changed under this subsection if the individual qualified for a confidential listing at the time of that listing.

(7) (a) If the municipal clerk has notice that a confidential listing under sub. (2) is scheduled to expire, the municipal clerk shall provide 30 days' notice to the protected individual of the scheduled expiration of the listing.

(b) If notice to a protected individual is not provided under par. (a), the municipal clerk shall provide notice to the subject individual upon changing a listed individual to ineligible status under sub. (6).

(8) The municipal clerk shall provide access to a name and address under sub. (2):

(a) To a law enforcement officer for official purposes.

(b) To a state or local governmental officer pursuant to a specific law that necessitates obtaining the name or address.

(c) Pursuant to a court order citing a reason that access to the name or address should be provided.

(e) At the request of a protected individual, for purposes of permitting that individual to sign a petition under s. 59.05 (2)

(9) No person who obtains access to a name or address under sub. (8) may disclose the name or address to any person other than a public employee for the same purpose for which the information was obtained.

(10) If a sheriff, chief of a police department, or district attorney has signed or the authorized representative of a sheriff, chief, or district attorney has signed an affidavit under sub. (1) (am) 2. and the sheriff, chief, district attorney or authorized representative later obtains information that the person who was charged with an offense relating to domestic abuse, sexual assault, or stalking is no longer so charged or that the person's judgment of conviction has been vacated, and the charge or conviction was the sole basis for the affidavit, the sheriff, chief, district attorney or authorized representative shall provide written notice of that information to the municipal clerk to whom the affidavit was directed.

History: 1999 a. 49, 186; 2003 a. 265; 2005 a. 253, 277, 278; 2007 a. 20; 2009 a. 180; 2013 a. 362; 2015 a. 118 s. 266 (10); 2015 a. 356, 372; 2017 a. 144.

6.48 Challenging registration. (1) GENERAL PROCEDURE.

(a) Any registered elector of a municipality may challenge the registration of any other registered elector by submitting to the municipal clerk or executive director of the board of election commissioners in cities of more than 500,000 population an affidavit stating that the elector is not qualified to vote and the reasons therefor. The clerk or director, upon receipt of the affidavit, shall mail a notification of the challenge to the challenged elector, at his or her registered address.

(b) The challenged and challenging electors shall appear before the municipal clerk within one week of notification or arrange under sub. (2) to appear before the board of election commissioners. The challenging elector shall make an affidavit answering any questions necessary to determine the challenged elector's qualifications. Judgment rests with the municipal clerk and decisions shall be rendered as soon as heard. If the clerk cannot resolve the issue or has reservations as to the answers, the clerk may require the challenging elector to take the oath under s. 6.925. If the challenged elector appears and contests any answer of the challenging elector, the clerk may require the challenged elector to take the oath under s. 6.94 and to answer any question necessary to determine the challenged elector's qualifications. If the challenging elector appears before the municipal clerk or board of election commissioners but the challenged elector fails to appear, such clerk or board may make the decision without consulting the challenged elector. If the municipal clerk or board of election commissioners does not sustain the challenge, the challenged elector's registration remains valid.

(c) If the challenging elector fails to appear before the municipal clerk within one week or in cities of more than 500,000 population fails to appear before the board of election commissioners under sub. (2) to answer questions and take the oath under s. 6.925, such clerk or board shall cancel the challenge.

(d) If the clerk determines that the challenged elector is not qualified, the clerk shall change the challenged elector's registration from eligible to ineligible status on the registration list and notify the inspectors for the ward or election district where the elector was registered.

(2) SPECIAL PROCEDURE IN POPULOUS CITIES. (a) In cities of more than 500,000 population, objections may be made before the board of election commissioners which shall sit on the last Wednesday before each election from 9 a.m. to 12 a.m. and from 2 p.m. to 5 p.m. to hear objections then made or deferred under sub. (1). If all the objections cannot then be determined, the commissioners shall sit during the same hours the next day.

(b) Upon appearing in person, objectors shall be examined, under oath, by the commissioners and testimony taken. Judgment rests with the board of election commissioners and decisions shall be rendered as soon as heard. All cases are heard and decided summarily. The commissioners shall determine whether the person objected to is qualified. If they determine that a person is not qualified, the executive director of the board of election commissioners shall change the elector from eligible to ineligible status on the registration list and shall notify the proper ward officials of the change immediately.

(3) CHALLENGE BASED ON INCOMPETENCY. Section 6.03 (3) applies to any challenge which is made to registration based on an allegation that an elector is incapable of understanding the objective of the elective process and thereby ineligible for registration.

(4) DISQUALIFICATION. The municipal clerk or board of election commissioners may not disqualify an elector under this section except upon the grounds and in accordance with the procedure specified in s. 6.325.

History: 1971 c. 304 s. 29 (2); 1973 c. 334; 1975 c. 85, 199; 1977 c. 394, 1979 c. 110; 1983 a. 484, 1985 a. 304; 1987 a. 391; 2003 a. 265.

6.50 Revision of registration list. (1) No later than June 15 following each general election, the commission shall examine the registration records for each municipality and identify each elector who has not voted within the previous 4 years if qualified

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to do so during that entire period and shall mail a notice to the elector in substantially the following form.

“NOTICE OF SUSPENSION OF REGISTRATION

You are hereby notified that your voter registration will be suspended, according to state law, for failure to vote within the previous 4-year period, unless you apply for continuation of your registration within 30 days. You may continue your registration by signing the statement below and returning it to the office of the municipal clerk (mailing address and telephone number of office of municipal clerk or board of election commissioners) by mail or in person.

APPLICATION FOR CONTINUATION OF REGISTRATION

I hereby certify that I still reside at the address at which I am registered and apply for continuation of registration

Signed

Present Address

If you have changed your residence within this municipality or changed your name, please contact the office of the municipal clerk ... (mailing address and telephone number of office of municipal clerk or board of election commissioners) to complete a change of name or address form.

[Office of clerk or board of election commissioners

Address

Telephone]”.

(2) If an elector to whom a notice of suspension was mailed under sub. (1) has not applied for continuation of registration within 30 days of the date of mailing, the commission shall change the registration status of that elector from eligible to ineligible on the day that falls 30 days after the date of mailing.

(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 electors when required under sub. (2).

(2r) As soon as practicable, but no later than August 1 following the completion of the process under subs. (1) and (2), the commission shall publish on its Internet site the following information obtained through that process:

(a) The number of notices mailed under sub. (1).

(b) The number of notices described under par. (a) that were returned to the commission as undeliverable.

(c) The number of notices described under par. (a) that were returned requesting continuation of registration.

(d) The number of notices described under par. (a) that were returned requesting cancellation of registration.

(e) The number of notices described under par. (a) that were returned with an indication that the named elector is deceased.

(f) The number of notices described under par. (a) that were not returned.

(g) The number of electors who received notices under sub. (1) and whose status changed from eligible to ineligible.

(h) Any other information requested by the legislature or that the commission considers relevant.

(3) Upon receipt of reliable information that a registered elector has changed his or her residence to a location outside of the municipality, the municipal clerk or board of election commissioners shall notify the elector by mailing a notice by 1st class mail to the elector’s registration address stating the source of the information. All municipal departments and agencies receiving information that a registered elector has changed his or her residence shall notify the clerk or board of election commissioners. If the elector no longer resides in the municipality or fails to apply for continuation of registration within 30 days of the date the notice is mailed, the clerk or board of election commissioners shall change the elector’s registration from eligible to ineligible status. Upon receipt of reliable information that a registered elector has

changed his or her residence within the municipality, the municipal clerk or board of election commissioners shall change the elector’s registration and mail the elector a notice of the change. This subsection does not restrict the right of an elector to challenge any registration under s. 6.325, 6.48, 6.925, 6.93, or 7.52 (5).

(4) The municipal clerk or board of election commissioners shall change the registration of deceased electors from eligible to ineligible status by means of checking vital statistics reports. No notice need be sent of registration changes made under this subsection.

(5) The registration of any elector whose address is listed at a building which has been condemned for human habitation by the municipality under s. 66.0413 (1) (j) shall be investigated by the municipal clerk or board of election commissioners. If the clerk or board of election commissioners can find no reason why the registration of such an elector should not be changed from eligible to ineligible status, the clerk or board of election commissioners shall change the elector’s registration status. If the elector has left a forwarding address with the U.S. postal service, a notice of change in status shall be mailed by the clerk or board of election commissioners to the forwarding address.

(6) The municipal clerk, upon authorization by an elector, shall change the elector’s registration from eligible to ineligible status.

(7) When an elector’s registration is changed from eligible to ineligible status, the commission, municipal clerk, or board of election commissioners shall make an entry on the registration list, giving the date of and reason for the change.

(8) Any municipal governing body may direct the municipal clerk or board of election commissioners to arrange with the U.S. postal service pursuant to applicable federal regulations, to receive change of address information with respect to individuals residing within the municipality for revision of the elector registration list. If required by the U.S. postal service, the governing body may create a registration commission consisting of the municipal clerk or executive director of the board of election commissioners and 2 other electors of the municipality appointed by the clerk or executive director for the purpose of making application for address changes and processing the information received. The municipal clerk or executive director shall act as chairperson of the commission. Any authorization under this subsection shall be for a definite period or until the municipal governing body otherwise determines. The procedure shall apply uniformly to the entire municipality whenever used. The procedure shall provide for receipt of complete change of address information on an automatic basis, or not less often than once every 2 years during the 60 days preceding the close of registration for the partisan primary. If a municipality adopts the procedure for obtaining address corrections under this subsection, it need not comply with the procedure for mailing address verification cards under subs. (1) and (2).

(10) Any qualified elector whose registration is changed from eligible to ineligible status under this section may reregister as provided under s. 6.28 (1), 6.29 (2), or 6.55 (2), or, if the elector has a current and valid operator’s license issued to the elector under ch. 343 or a current and valid identification card issued under s. 343.50, may reregister under s. 6.30 (5).

History: 1971 c. 242; 1971 c. 304 s. 29 (2); 1971 c. 336 s. 37, 1973 c. 164; 1975 c. 85, 199, 200; 1977 c. 394 ss. 27, 53; 1979 c. 260; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1999 a. 150 s. 672; 2003 a. 265, 326, 2005 a. 451, 2011 a. 75, 2013 a. 149, 2015 a. 118 ss. 76, 77, 266 (10); 2015 a. 261

6.54 Failure to register; rights. No name may be added to the registration list after the close of registration, but any person whose name is not on the registration list but who is otherwise a qualified elector is entitled to vote at the election upon compliance with s. 6.29 or 6.55

History: 1985 a. 304 s. 60.

6.55 Polling place registration; voting by certification.

(2) (a) Except where the procedure under par. (c) or (cm) is

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for any referendum shall conform to s. 5.64 (2). If there is already an official municipal referendum ballot for the election, the question may appear on the same ballot.

(2m) OPERATION OF ALTERNATE ABSENTEE BALLOT SITE. In a municipality in which the governing body has elected to establish an alternate absentee ballot site under s. 6.855, the municipal clerk shall operate such site as though it were his or her office for absentee ballot purposes and shall ensure that such site is adequately staffed.

(3) BALLOT SUPPLY; SAMPLE BALLOTS. (a) Where voting machines are used or where electronic voting systems are employed, the municipal clerk shall provide at least 2 duplicate sample ballots for each ward in diagram form showing the board or screen inside each voting machine or the front of each ballot as it will appear in the voting machines or booths on election day.

(b) Sample ballots and voting machine ballots shall be furnished to the officials in the ward or election district at least one day before each election.

(4) RECORDING ELECTORS. Except as authorized in s. 6.33 (5) (a), within 30 days after each election, the municipal clerk shall enter on the registration list under the name of each elector of the municipality who has voted at the election an indication of the date of the election in which the elector voted.

(5) RECORD OF BALLOTS RECEIVED. Each municipal clerk shall keep a record of when and in what condition the packages containing the ballots were received from the county clerk. The municipal clerk shall deliver to the proper officials the unopened packages of ballots the day before the election.

(6) SUBSTITUTE BALLOTS. (a) The municipal clerk shall provide substitute paper ballots in substantially the form of the original ballots whenever the necessary original ballots are not delivered to the municipality, are destroyed, are lost or stolen after delivery, are not ready for distribution or the supply is exhausted during polling hours. The municipal clerk may also provide substitute paper ballots, together with ballot boxes and voting booths, whenever a voting machine or electronic voting system is rendered inoperable by a malfunction which occurs within 24 hours of the time set for opening of the polls. Paper ballots may be cast only in accordance with the procedures prescribed in ss. 6.80 (2) and 7.37 (4).

(b) Upon receiving the substitute paper ballots accompanied by a statement made under oath by the municipal clerk that the ballots have been prepared and furnished by the clerk to replace the original ballots which are not available, or to substitute for a voting machine or electronic voting system which has been rendered inoperable by a malfunction which occurred within 72 hours of the time set for opening of the polls, the election officials shall use the substitute ballots in the same manner as if they had been original ballots.

(7) REQUEST CANVASS ASSISTANCE. The municipal clerk may request all election officials to assist the inspectors in canvassing the votes received at the respective polling places.

(8) RESOLVING NOTICE DOUBTS. When in doubt as to compliance with the statutory requirements for election notices or the correct fees to be paid for them, the municipal clerk may consult the commission.

(9) VOTER EDUCATION. Each municipal clerk shall assist the commission in conducting educational programs under s. 5.05 (12) to inform electors about the voting process.

(10) FREE ELECTION INFORMATION EXCHANGE. Each municipal clerk shall assist the commission in maintaining toll-free telephone lines and any other free access systems under s. 5.05 (13) for exchange of voting information.

(11) TRAINING OF ELECTION OFFICIALS. Each municipal clerk shall train election officials under ss. 7.31 and 7.315.

(12) FREE VOTE COUNTING INFORMATION. Each municipal clerk shall maintain a free access information system under which an elector who votes under s. 6.96 or 6.97 may ascertain current

information concerning whether the elector's vote has been counted, and if the vote will not be counted, the reason that it will not be counted.

(13) INFORMATION TO COMMISSION. Each municipal clerk shall provide to the commission any information requested under s. 5.05 (14).

(14) VOTING ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES. Each municipal clerk shall make reasonable efforts to comply with requests for voting accommodations made by individuals with disabilities whenever feasible.

(15) PROVIDE NOTICE OF OUTSTANDING PROVISIONAL BALLOTS. As soon as possible after the closing hour for all polling places in the municipality on election night, the municipal clerk shall post at his or her office and on the Internet at a site announced by the clerk before the polls open, and shall make available to any person upon request, a statement of the number of electors who have cast provisional ballots at the election in the municipality that cannot be counted as of that closing hour because the electors have not satisfied relevant voting requirements.

History: 1971 c. 304 s. 29 (2); 1973 c. 334 s. 57; 1975 c. 85 ss. 50, 65, 1975 c. 275, 422; 1977 c. 283, 1977 c. 394 s. 54; 1977 c. 427 447; 1979 c. 260, 311, 1981 c. 391, 1983 a. 484, 1985 n. 304; 1987 a. 391, 1989 a. 192; 1991 a. 316; 1999 a. 182; 2001 a. 16; 2003 a. 265; 2005 a. 451, 2007 a. 1, 2011 a. 23, 45, 75, 115; 2013 a. 148, 2015 a. 118 ss. 88, 266 (10); 2015 a. 309 229; 2017 a. 369.

7.20 Board of election commissioners. (1) A municipal board of election commissioners shall be established in every city over 500,000 population. A county board of election commissioners shall be established in every county over 750,000 population.

(2) Each board of election commissioners shall consist of 3 members, each member being chosen from lists of at least 3 names each, selected and approved by the county committee of the 2 political parties receiving the most votes for governor in the county in the case of the county board of election commissioners, and receiving the most votes for governor in the city in the case of the city board of election commissioners, in the last general election. The county executive, for the county board of election commissioners, shall select from the list 2 persons from the majority party and one person from the next highest party in the county. The mayor, for the city board of election commissioners, shall select from the list 2 persons from the majority party and one person from the next highest party in the city.

(3) The persons chosen shall be qualified electors and residents of the state and county and, for the city board of election commissioners, of the city.

(4) Before beginning their duties as election commissioners each appointee shall take and file the official oath.

(5) Each board of election commissioners shall choose its own chairperson. An act of a majority of the board is an act of the board.

(6) The election commissioners shall not hold any other public office and are ineligible for any appointive or elective public office, except the office of notary public, during their term.

(7) The term of office shall be 4 years, and until successors have been commissioned and qualified, beginning on July 1 each year following a presidential election. Successors shall be appointed the same way.

History: 1973 c. 334, 1975 c. 124; 1983 a. 484 s. 172 (1); 1993 a. 184, 2013 a. 373.

7.21 Election commissioners, duties and regulations.

(1) All powers and duties assigned to the municipal or county clerk or the municipal or county board of canvassers under chs. 5 to 12 shall be carried out by the municipal or county board of election commissioners or its executive director, unless specifically retained or assigned in this section or s. 7.22.

(2) The county clerk shall serve as executive director of the county board of election commissioners. The clerk shall perform whatever duties the board of election commissioners assigns to

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2. A current and valid identification card issued under s. 343.50.

3. Subject to s. 66.0438, any other official identification card or license issued by a Wisconsin governmental body or unit.

4. An official identification card or license issued by an employer in the normal course of business that contains a photograph of the cardholder or license holder, but not including a business card.

5. A real property tax bill or receipt for the current year or the year preceding the date of the election.

6. Except as provided in sub. (2), a residential lease.

7. Any of the following documents without the address specified in par. (b):

a. A university, college, or technical college identification card that contains a photograph of the cardholder together with a fee payment receipt issued to the cardholder by the university, college, or technical college dated no earlier than 9 months before the date of the election at which the receipt is presented.

b. An identification card issued by a university, college, or technical college that contains a photograph of the cardholder if the university, college, or technical college that issued the card provides a certified and current list of students who reside in housing sponsored by the university, college, or technical college and who are U.S. citizens to the municipal clerk prior to the election showing the current address of the students and if the municipal clerk, election registration official, or inspector verifies that the student presenting the card is included on the list.

NOTE: In *One Wisconsin Institute, Inc. v. Thomson*, 15-cv-324, 198 F. Supp. 3d 896 (2016), the U.S. District Court for the Western District of Wisconsin ordered that “the requirement that “dorm lists” to be used as proof of residence include citizenship information is unconstitutional.”

8. A utility bill for the period commencing not earlier than 90 days before the day registration is made.

9. A bank statement.

10. A paycheck.

11. A check or other document issued by a unit of government.

12. For an occupant of a residential care facility, as defined in s. 6.875 (1) (bm), for the purpose of registering at the facility, a contract or intake document prepared by the residential care facility that specifies that the occupant currently resides in the facility. The contract or intake document may also identify the room or unit in which the occupant resides

13. An identification card issued by a federally recognized Indian tribe in this state.

(b) Except as provided in par. (a) 7., the identifying documents prescribed in par. (a) shall contain all of the following in order to be considered proof of residence:

1. A current and complete name, including both the given and family name.

2. A current and complete residential address, including a numbered street address, if any, and the name of a municipality.

(c) Identifying documents specified in par. (a) which are valid for use during a specified period must be valid on the day that an elector makes application for registration in order to constitute proof of residence.

(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). If a prospective elector enters information specified under sub. (3) (b) 2. into the system that does not match such information maintained by the department of transportation, the system shall redirect the elector to the department of transportation’s Internet site so that

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the elector may update his or her information with the department of transportation.

History: 2005 a. 451 ss. 40, 43, 44; 2011 a. 23; 2013 a. 182; 2015 a. 261, 374; 2017 a. 226; 2017 a. 365 s. 111 2017 a. 369

6.35 Filing registration forms. (1) Under the direction of the municipal clerk or board of election commissioners, the original registration forms shall be filed in one of the following ways, except as provided in subs (1m) and (2):

(a) In alphabetical order of the electors’ names.

(b) In alphabetical order according to street names, in numerical order on each street and in alphabetical order of the electors’ names at each address on the street.

(1m) Original registration forms of electors who have obtained a confidential listing under s. 6.47 (2) shall be filed in alphabetical order after the forms of the other electors.

(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).

(3) Original registration forms shall be maintained in the office of the municipal clerk or board of election commissioners at all times.

History: 1971 c. 249; 1971 c. 304 s. 29 (2); 1971 c. 336; 1975 c. 85; 1977 c. 394; 1983 a. 484; 1985 a. 304; 1989 a. 192; 1999 a. 49; 2003 a. 265, 326; 2015 a. 261.

6.36 Official registration list. (1) (a) The commission shall compile and maintain electronically an official registration list. The list shall contain all of the following:

1. The name and address of each registered elector in the state

2. The elector’s date of birth.

3. The ward and aldermanic district of the elector, if any.

4. For each elector, a unique registration identification number assigned by the commission.

5. The number of a valid operator’s license issued to the elector under ch. 343, if any, or the last 4 digits of the elector’s social security account number, if any.

6. Any identification serial number issued to the elector under s. 6.47 (3).

7. The date of any election in which the elector votes.

8. An indication of whether the elector is an overseas elector, as defined in s. 6.24 (1).

9. Any information relating to the elector that appears on the current list transmitted to the commission by the department of corrections under s. 301.03 (20m).

10. An indication of any accommodation required under s. 5.25 (4) (a) to permit voting by the elector.

11. An indication of the method by which the elector’s registration form was received.

12. An indication of whether the elector was required under s. 6.34 to provide proof of residence and, if so, the type of identifying document submitted as proof of residence, the name of the entity or institution that issued the identifying document, and, if the identifying document included a number that applies only to the individual holding that document, up to the last 4 digits of that number. If the number on the identifying document submitted by the elector had 6 or fewer digits, the list under this paragraph may not contain more than the last 2 digits of that number.

13. A separate column indicating the date on which an elector applied to vote by in-person absentee ballot.

14. Separate columns indicating the date on which the clerk mailed an absentee ballot to an elector and the date on which the elector returned the absentee ballot.

15. A separate column indicating the polling location associated with each elector’s address and ward or aldermanic district, if any.



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16. A separate column indicating the mailing address for the municipal clerk associated with each polling location identified under subd. 15.

(ae) 1. The chief election officer shall enter into a membership agreement with Electronic Registration Information Center, Inc., for the purpose of maintaining the official registration list under this section. Prior to entering into an agreement under this subdivision, the chief election officer shall ensure that the agreement satisfies all of the following conditions:

a. It safeguards the confidentiality of information or data in the registration list that may be subject to transfer under the agreement and to which access is restricted under par. (b) 1. a.

b. It prohibits the sale or distribution of the information or data in the registration list to a 3rd-party vendor and it prohibits any other action not associated with administration of or compliance with the agreement.

c. It does not affect the exemption for this state under the national voter registration act.

d. It allows the state to make contact with electors by electronic mail, whenever possible.

2. If the chief election officer enters into an agreement under subd. 1., the chief election officer shall comply with the terms of the agreement, including the transmission of information and data related to the registration of electors in this state to the Electronic Registration Information Center, Inc., for processing and sharing with other member states and governmental units.

(am) The list under par. (a) may contain such other information as may be determined by the commission to facilitate administration of elector registration requirements.

(b) 1. The list shall be open to public inspection under s. 19.35 (1) and shall be electronically accessible by any person, except that:

a. Except as provided in pars. (ae), (bm), and (bn), no person other than an employee of the commission, a county clerk, a deputy county clerk, an executive director of a county board of election commissioners, a deputy designated by the executive director, a municipal clerk, a deputy municipal clerk, an executive director of a city board of election commissioners, or a deputy designated by the executive director may view the date of birth, operator's license number, or social security account number of an elector, the address of an elector to whom an identification serial number is issued under s. 6.47 (3), or any indication of an accommodation required under s. 5.25 (4) (a) to permit voting by an elector.

b. No person other than an employee of the commission, a municipal clerk, or an election official who is authorized by a municipal clerk may make a change in the list.

2. The list shall be electronically accessible by name and shall also be accessible in alphabetical order of the electors' names for the entire state and for each county, municipality, ward, and combination of wards authorized under s. 5.15 (6) (b).

(bm) The commission or any municipal clerk or board of election commissioners may transfer any information in the registration list to which access is restricted under par. (b) 1. a. to a law enforcement agency, as defined in s. 165.77 (1) (b), to be used for law enforcement purposes.

(bn) The commission may transfer any information in the registration list to which access is restricted under par. (b) 1. a. to a subunit of the state government of another state to be used for official purposes.

(c) The list shall be designed in such a way that the municipal clerk or board of election commissioners of any municipality and any election official who is authorized by the clerk or executive director of the board of election commissioners may, by electronic transmission, add entries to or change entries on the list for any elector who resides in, or who the list identifies as residing in, that municipality and no other municipality.

(d) Upon receipt of official notification by the appropriate election administrative authority of another state, territory, or possession that an elector whose name appears on the list has registered to vote in that state, territory, or possession, the commission or the municipal clerk of the municipality where the elector formerly resided shall change the elector's registration from eligible to ineligible status.

(e) If the commission adds the name of any elector to the list, the commission shall promptly notify the municipal clerk of the municipality where the elector resides. If the commission changes the registration of any elector from eligible to ineligible status, the commission shall promptly notify the municipal clerk of the municipality where the elector resides or, if the elector has changed his or her residence from one municipality to another municipality in this state, shall promptly notify the municipal clerk of the municipality where the elector resided prior to the change. Notification shall be made in writing or by electronic transmission. If the commission changes the registration of any elector from eligible to ineligible status, the commission shall make an entry on the list giving the date of and the reason for the change.

(f) The commission shall make all reasonable efforts to ensure that the list is maintained in a manner that precludes unauthorized persons from making alterations to the list.

(2) (a) Except as provided in par. (b), each registration list prepared for use as a poll list at a polling place or for purposes of canvassing absentee ballots at an election shall contain the full name and address of each registered elector; a blank column for the entry of the serial number of the electors when they vote or the poll list number used by the municipal board of absentee ballot canvassers in canvassing absentee ballots; an indication next to the name of each elector for whom proof of residence under s. 6.34 is required, a space for entry of the type of and the name of the entity or institution that issued the identifying document submitted by the elector as proof of residence when proof of residence under s. 6.34 is required; a space for entry of the elector's signature, or if another person signed the elector's registration form for the elector by reason of the elector's physical disability, the word "exempt"; and a form of certificate bearing the certification of the commission administrator stating that the list is a true and complete registration list of the municipality or the ward or wards for which the list is prepared. 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.

(b) If an elector obtains a confidential listing under s. 6.47 (2), the registration list shall be prepared such that the address of the elector does not appear on copies of the list that are used at polling places.

(c) The list shall contain, next to the name of each elector, an indication of whether proof of residence under s. 6.34 is required for the elector to be permitted to vote. If proof of residence is provided, the type of identifying document submitted by the elector and the name of the entity or institution that issued the identifying document, or an indication that the information provided by the elector in lieu of proof of residence was verified under s. 6.34 (2m), shall be entered on the list in the space provided. Except as provided in s. 6.34 (2m), proof of residence is required if the elector is not a military elector or an overseas elector and the elector registers by mail or by electronic application and has not previously voted in an election in this state.

(3) The original registration forms shall be controlling whenever discrepancies occur in entering information from the forms under s. 6.33 (5)

(4) The names and identification serial numbers of electors who have obtained a confidential listing under s. 6.47 (2) shall

(A) [Handwritten mark]
(B) [Handwritten mark]
ERIC Members list [Handwritten note]

(C) [Handwritten mark]
NOT ERIC [Handwritten note]

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appear separately after the remainder of the list. These names and serial numbers shall be arranged alphabetically by last name.

(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

History: 1971 c. 304 s. 29 (2); 1975 c. 85, 1977 c. 394 ss. 21, 22, 53; 1999 a. 49; 2003 a. 265, 327; 2005 a. 451, 2007 a. 1, 52, 96; 2011 a. 23, 75, 2013 a. 182; 2015 a. 118 ss. 73 to 75, 266 (10); 2015 a. 261, 2017 a. 366.

Cross-reference: See also s. EL 3.50, Wis. adm. code.

6.45 Access to registration list. (1) After the deadline for revision of the registration list, the municipal clerk shall make copies of the list for election use.

(1m) The registration list and any supplemental lists which are prepared at polling places or other registration locations under s. 6.55, shall be open to public inspection. Under the regulations prescribed by the municipal clerk, any person may copy the registration list at the office of the clerk. A registration list maintained at a polling place may be examined by any person who is observing the proceedings under s. 7.41 when such use does not interfere with the conduct of the election. This subsection does not apply to information that is confidential under s. 6.47.

(2) The municipal clerk shall furnish upon request to each candidate who has filed nomination papers for an office which represents at least part of the residents of the municipality one copy of the current registration list for those areas for which he or she is a candidate for a fee not to exceed the cost of reproduction. The clerk shall exclude information that is confidential under s. 6.47 (2) from copies of the list, except as authorized under s. 6.47 (8).

History: 1975 c. 85, 199; 1977 c. 394 s. 53; 1983 a. 484; 1989 a. 192, 1999 a. 49, 182; 2001 a. 38, 2013 a. 166.

Cross-reference: See also s. EL 3.50, Wis. adm. code.

6.46 Poll lists; copying. (1) Poll lists shall be preserved by the municipal clerk until destruction or other disposition is authorized under s. 7.23.

(2) Poll lists shall be open to public inspection, except as provided in s. 6.47. The municipal clerk shall furnish upon request to each candidate who has filed nomination papers for an office which represents at least part of the municipality one copy of the current poll list for those areas for which he or she is a candidate for a fee not to exceed the cost of reproduction. If a copying machine is not accessible, the clerk shall remove the lists from the office for the purposes of copying, and return them immediately thereafter. The clerk shall exclude information that is confidential under s. 6.47 (2) from copies of the list, except as authorized under s. 6.47 (8).

History: 1975 c. 85, 199; 1999 a. 49.

Cross-reference: See also s. EL 3.50, Wis. adm. code.

6.47 Confidentiality of information relating to victims of domestic abuse, sexual assault, or stalking. (1) In this section:

(ag) "Domestic abuse victim service provider" means an organization that is certified by the department of children and families as eligible to receive grants under s. 49.165 (2) and whose name is included on the list provided by the commission under s. 7.08 (10)

(am) "Eligible individual" means:

1. An individual who has been granted a protective order that is in effect.

2. An individual who files an affidavit with the municipal clerk of the municipality where the individual resides, on a form prescribed by the commission, that is signed by a sheriff, the chief

of a police department, or a district attorney or the authorized representative of a sheriff, chief, or district attorney and directed to the municipal clerk, and that verifies that a person has been charged with or convicted of an offense relating to domestic abuse, sexual assault, or stalking in which the individual was a victim and reasonably continues to be threatened by that person.

3. An individual who resides in a shelter.

4. An individual who submits a dated statement to the municipal clerk that includes the individual's full name, that is signed by an authorized representative of a domestic abuse victim service provider or a sexual assault victim service provider, and that indicates that the individual received services from the provider within the 24-month period ending on the date of the statement.

5. An individual who is a participant in the program established in s. 165.68.

(b) "Offense relating to domestic abuse, sexual assault, or stalking" means an offense specified in s. 940.19, 940.20 (1m), 940.201, 940.22, 940.225, 940.235, 940.32, 947.013, 948.02, 948.025, 948.06, 948.085, 948.09, or 948.095.

(c) "Protected individual" means an individual whose name and address is confidential under sub. (2).

(d) "Protective order" means a temporary restraining order or an injunction issued under s. 813.12 or 813.125.

(dm) "Sexual assault victim service provider" means an organization that is certified by the department of justice as eligible to receive grants under s. 165.93 (2) and whose name is included on the list provided by the commission under s. 7.08 (10).

(e) "Shelter" means a place where at least 4 unrelated individuals reside that provides residential shelter to individuals whose personal security is or may be threatened by family members or other persons with whom the individuals have had contact.

(2) Except as authorized in sub. (8), the commission, each municipal clerk, each agent designated under s. 6.33 (5) (b), and each election official shall withhold from public inspection under s. 19.35 (1) the name and address of any eligible individual whose name appears on a poll list or registration list if the individual provides the municipal clerk with a valid written request to protect the individual's confidentiality. To be valid, a request under this subsection must be accompanied by a copy of a protective order that is in effect, an affidavit under sub. (1) (am) 2, that is dated within 30 days of the date of the request, confirmation from the department of justice that the person is a program participant, as provided under s. 165.68 (4) (c), a statement signed by the operator or an authorized agent of the operator of a shelter that is dated within 30 days of the date of the request and that indicates that the operator operates the shelter and that the individual making the request resides in the shelter, or a statement signed by an authorized representative of a domestic abuse victim service provider or a sexual assault victim service provider under sub. (1) (am) 4, that is dated within 30 days of the date of the request. A physically disabled individual who appears personally at the office of the municipal clerk accompanied by another elector of this state may designate that elector to make a request under this subsection on his or her behalf.

(3) Upon receiving a valid written request from an elector under sub. (2), the municipal clerk shall issue to the elector a voting identification card on a form prescribed by the commission that shall contain the name of the elector's municipality of residence and, in the case of a town, the county in which the town is located, the elector's name, the ward in which the elector resides, if any, and a unique identification serial number issued by the commission. The number issued to an elector under this subsection shall not be changed for so long as the elector continues to qualify for a listing under sub. (2).

(4) (a) Except as provided in par (b) and sub. (5), a confidential listing under sub. (2) expires on the date that a protective order expires, the date that the protected individual ceases to reside in a shelter, the date that updated information is received from a sheriff, the chief of a police department, or a district attorney or the

authorized representative of a sheriff, chief, or district attorney, or at the end of the 24-month period that follows creation or renewal of the listing under sub. (2), whichever is earlier.

(b) A confidential listing under sub. (2) that is issued to a program participant expires on the date the individual's participation in the program expires pursuant to s. 165.68 (3) (b) 4. a. or on the date the individual cancels his or her participation in the program pursuant to s. 165.68 (3) (b) 4. f. or is disenrolled from the program pursuant to s. 165.68 (3) (b) 4. e.

(5) (a) The municipal clerk shall cancel a confidential listing under sub. (2) if:

1. The clerk receives notification from a sheriff, chief of police, or district attorney or the authorized representative of a sheriff, chief, or district attorney under sub. (10).

2. The name of the protected individual is legally changed.

3. The protected individual changes his or her address without notifying the municipal clerk.

4. The municipal clerk finds that the protected individual provided false information to the clerk for the purpose of obtaining a confidential listing under sub. (2).

(b) An individual whose confidential listing is canceled under par. (a) may file a new request and qualify under sub. (2) to obtain a renewal of the listing.

(6) Upon expiration of a confidential listing on a registration list under sub. (2), the municipal clerk shall change the registration of the protected individual to ineligible status unless the individual files a new request and qualifies under sub. (2) to obtain a renewal of the listing or unless the individual applies for and qualifies to obtain a nonconfidential voter registration. Except as authorized in sub. (8), the municipal clerk shall withhold from public inspection under s. 19.35 (1) the name and address of any individual whose registration is changed under this subsection if the individual qualified for a confidential listing at the time of that listing.

(7) (a) If the municipal clerk has notice that a confidential listing under sub. (2) is scheduled to expire, the municipal clerk shall provide 30 days' notice to the protected individual of the scheduled expiration of the listing.

(b) If notice to a protected individual is not provided under par. (a), the municipal clerk shall provide notice to the subject individual upon changing a listed individual to ineligible status under sub. (6).

(8) The municipal clerk shall provide access to a name and address under sub. (2):

(a) To a law enforcement officer for official purposes.

(b) To a state or local governmental officer pursuant to a specific law that necessitates obtaining the name or address.

(c) Pursuant to a court order citing a reason that access to the name or address should be provided.

(e) At the request of a protected individual, for purposes of permitting that individual to sign a petition under s. 59.05 (2)

(9) No person who obtains access to a name or address under sub. (8) may disclose the name or address to any person other than a public employee for the same purpose for which the information was obtained.

(10) If a sheriff, chief of a police department, or district attorney has signed or the authorized representative of a sheriff, chief, or district attorney has signed an affidavit under sub. (1) (am) 2. and the sheriff, chief, district attorney or authorized representative later obtains information that the person who was charged with an offense relating to domestic abuse, sexual assault, or stalking is no longer so charged or that the person's judgment of conviction has been vacated, and the charge or conviction was the sole basis for the affidavit, the sheriff, chief, district attorney or authorized representative shall provide written notice of that information to the municipal clerk to whom the affidavit was directed.

History: 1999 a. 49, 186; 2003 a. 265; 2005 a. 253, 277, 278; 2007 a. 20; 2009 a. 180; 2013 a. 362; 2015 a. 118 s. 266 (10); 2015 a. 356, 372; 2017 a. 144.

6.48 Challenging registration. (1) GENERAL PROCEDURE.

(a) Any registered elector of a municipality may challenge the registration of any other registered elector by submitting to the municipal clerk or executive director of the board of election commissioners in cities of more than 500,000 population an affidavit stating that the elector is not qualified to vote and the reasons therefor. The clerk or director, upon receipt of the affidavit, shall mail a notification of the challenge to the challenged elector, at his or her registered address.

(b) The challenged and challenging electors shall appear before the municipal clerk within one week of notification or arrange under sub. (2) to appear before the board of election commissioners. The challenging elector shall make an affidavit answering any questions necessary to determine the challenged elector's qualifications. Judgment rests with the municipal clerk and decisions shall be rendered as soon as heard. If the clerk cannot resolve the issue or has reservations as to the answers, the clerk may require the challenging elector to take the oath under s. 6.925. If the challenged elector appears and contests any answer of the challenging elector, the clerk may require the challenged elector to take the oath under s. 6.94 and to answer any question necessary to determine the challenged elector's qualifications. If the challenging elector appears before the municipal clerk or board of election commissioners but the challenged elector fails to appear, such clerk or board may make the decision without consulting the challenged elector. If the municipal clerk or board of election commissioners does not sustain the challenge, the challenged elector's registration remains valid.

(c) If the challenging elector fails to appear before the municipal clerk within one week or in cities of more than 500,000 population fails to appear before the board of election commissioners under sub. (2) to answer questions and take the oath under s. 6.925, such clerk or board shall cancel the challenge.

(d) If the clerk determines that the challenged elector is not qualified, the clerk shall change the challenged elector's registration from eligible to ineligible status on the registration list and notify the inspectors for the ward or election district where the elector was registered.

(2) SPECIAL PROCEDURE IN POPULOUS CITIES. (a) In cities of more than 500,000 population, objections may be made before the board of election commissioners which shall sit on the last Wednesday before each election from 9 a.m. to 12 a.m. and from 2 p.m. to 5 p.m. to hear objections then made or deferred under sub. (1). If all the objections cannot then be determined, the commissioners shall sit during the same hours the next day.

(b) Upon appearing in person, objectors shall be examined, under oath, by the commissioners and testimony taken. Judgment rests with the board of election commissioners and decisions shall be rendered as soon as heard. All cases are heard and decided summarily. The commissioners shall determine whether the person objected to is qualified. If they determine that a person is not qualified, the executive director of the board of election commissioners shall change the elector from eligible to ineligible status on the registration list and shall notify the proper ward officials of the change immediately.

(3) CHALLENGE BASED ON INCOMPETENCY. Section 6.03 (3) applies to any challenge which is made to registration based on an allegation that an elector is incapable of understanding the objective of the elective process and thereby ineligible for registration.

(4) DISQUALIFICATION. The municipal clerk or board of election commissioners may not disqualify an elector under this section except upon the grounds and in accordance with the procedure specified in s. 6.325.

History: 1971 c. 304 s. 29 (2); 1973 c. 334; 1975 c. 85, 199; 1977 c. 394, 1979 c. 110; 1983 a. 484, 1985 a. 304; 1987 a. 391; 2003 a. 265.

6.50 Revision of registration list. (1) No later than June 15 following each general election, the commission shall examine the registration records for each municipality and identify each elector who has not voted within the previous 4 years if qualified

6.50 THE ELECTORS

to do so during that entire period and shall mail a notice to the elector in substantially the following form.

“NOTICE OF SUSPENSION OF REGISTRATION

You are hereby notified that your voter registration will be suspended, according to state law, for failure to vote within the previous 4-year period, unless you apply for continuation of your registration within 30 days. You may continue your registration by signing the statement below and returning it to the office of the municipal clerk (mailing address and telephone number of office of municipal clerk or board of election commissioners) by mail or in person.

APPLICATION FOR CONTINUATION OF REGISTRATION

I hereby certify that I still reside at the address at which I am registered and apply for continuation of registration

Signed

Present Address

If you have changed your residence within this municipality or changed your name, please contact the office of the municipal clerk ... (mailing address and telephone number of office of municipal clerk or board of election commissioners) to complete a change of name or address form.

[Office of clerk or board of election commissioners

Address

Telephone]”.

(2) If an elector to whom a notice of suspension was mailed under sub. (1) has not applied for continuation of registration within 30 days of the date of mailing, the commission shall change the registration status of that elector from eligible to ineligible on the day that falls 30 days after the date of mailing.

(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 electors when required under sub. (2).

(2r) As soon as practicable, but no later than August 1 following the completion of the process under subs. (1) and (2), the commission shall publish on its Internet site the following information obtained through that process:

(a) The number of notices mailed under sub. (1).

(b) The number of notices described under par. (a) that were returned to the commission as undeliverable.

(c) The number of notices described under par. (a) that were returned requesting continuation of registration.

(d) The number of notices described under par. (a) that were returned requesting cancellation of registration.

(e) The number of notices described under par. (a) that were returned with an indication that the named elector is deceased.

(f) The number of notices described under par. (a) that were not returned.

(g) The number of electors who received notices under sub. (1) and whose status changed from eligible to ineligible.

(h) Any other information requested by the legislature or that the commission considers relevant.

(3) Upon receipt of reliable information that a registered elector has changed his or her residence to a location outside of the municipality, the municipal clerk or board of election commissioners shall notify the elector by mailing a notice by 1st class mail to the elector’s registration address stating the source of the information. All municipal departments and agencies receiving information that a registered elector has changed his or her residence shall notify the clerk or board of election commissioners. If the elector no longer resides in the municipality or fails to apply for continuation of registration within 30 days of the date the notice is mailed, the clerk or board of election commissioners shall change the elector’s registration from eligible to ineligible status. Upon receipt of reliable information that a registered elector has

changed his or her residence within the municipality, the municipal clerk or board of election commissioners shall change the elector’s registration and mail the elector a notice of the change. This subsection does not restrict the right of an elector to challenge any registration under s. 6.325, 6.48, 6.925, 6.93, or 7.52 (5).

(4) The municipal clerk or board of election commissioners shall change the registration of deceased electors from eligible to ineligible status by means of checking vital statistics reports. No notice need be sent of registration changes made under this subsection.

(5) The registration of any elector whose address is listed at a building which has been condemned for human habitation by the municipality under s. 66.0413 (1) (j) shall be investigated by the municipal clerk or board of election commissioners. If the clerk or board of election commissioners can find no reason why the registration of such an elector should not be changed from eligible to ineligible status, the clerk or board of election commissioners shall change the elector’s registration status. If the elector has left a forwarding address with the U.S. postal service, a notice of change in status shall be mailed by the clerk or board of election commissioners to the forwarding address.

(6) The municipal clerk, upon authorization by an elector, shall change the elector’s registration from eligible to ineligible status.

(7) When an elector’s registration is changed from eligible to ineligible status, the commission, municipal clerk, or board of election commissioners shall make an entry on the registration list, giving the date of and reason for the change.

(8) Any municipal governing body may direct the municipal clerk or board of election commissioners to arrange with the U.S. postal service pursuant to applicable federal regulations, to receive change of address information with respect to individuals residing within the municipality for revision of the elector registration list. If required by the U.S. postal service, the governing body may create a registration commission consisting of the municipal clerk or executive director of the board of election commissioners and 2 other electors of the municipality appointed by the clerk or executive director for the purpose of making application for address changes and processing the information received. The municipal clerk or executive director shall act as chairperson of the commission. Any authorization under this subsection shall be for a definite period or until the municipal governing body otherwise determines. The procedure shall apply uniformly to the entire municipality whenever used. The procedure shall provide for receipt of complete change of address information on an automatic basis, or not less often than once every 2 years during the 60 days preceding the close of registration for the partisan primary. If a municipality adopts the procedure for obtaining address corrections under this subsection, it need not comply with the procedure for mailing address verification cards under subs. (1) and (2).

(10) Any qualified elector whose registration is changed from eligible to ineligible status under this section may reregister as provided under s. 6.28 (1), 6.29 (2), or 6.55 (2), or, if the elector has a current and valid operator’s license issued to the elector under ch. 343 or a current and valid identification card issued under s. 343.50, may reregister under s. 6.30 (5).

History: 1971 c. 242; 1971 c. 304 s. 29 (2); 1971 c. 336 s. 37, 1973 c. 164; 1975 c. 85, 199, 200; 1977 c. 394 ss. 27, 53; 1979 c. 260; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1999 a. 150 s. 672; 2003 a. 265, 326, 2005 a. 451, 2011 a. 75, 2013 a. 149, 2015 a. 118 ss. 76, 77, 266 (10); 2015 a. 261

6.54 Failure to register; rights. No name may be added to the registration list after the close of registration, but any person whose name is not on the registration list but who is otherwise a qualified elector is entitled to vote at the election upon compliance with s. 6.29 or 6.55

History: 1985 a. 304 s. 60.

6.55 Polling place registration; voting by certification.

(2) (a) Except where the procedure under par. (c) or (cm) is

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(E)

(F)

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7.15 ELECTION OFFICIALS; DUTIES; CANVASSING

for any referendum shall conform to s. 5.64 (2). If there is already an official municipal referendum ballot for the election, the question may appear on the same ballot.

(2m) OPERATION OF ALTERNATE ABSENTEE BALLOT SITE. In a municipality in which the governing body has elected to establish an alternate absentee ballot site under s. 6.855, the municipal clerk shall operate such site as though it were his or her office for absentee ballot purposes and shall ensure that such site is adequately staffed.

(3) BALLOT SUPPLY; SAMPLE BALLOTS. (a) Where voting machines are used or where electronic voting systems are employed, the municipal clerk shall provide at least 2 duplicate sample ballots for each ward in diagram form showing the board or screen inside each voting machine or the front of each ballot as it will appear in the voting machines or booths on election day.

(b) Sample ballots and voting machine ballots shall be furnished to the officials in the ward or election district at least one day before each election.

(4) RECORDING ELECTORS. Except as authorized in s. 6.33 (5) (a), within 30 days after each election, the municipal clerk shall enter on the registration list under the name of each elector of the municipality who has voted at the election an indication of the date of the election in which the elector voted.

(5) RECORD OF BALLOTS RECEIVED. Each municipal clerk shall keep a record of when and in what condition the packages containing the ballots were received from the county clerk. The municipal clerk shall deliver to the proper officials the unopened packages of ballots the day before the election

(6) SUBSTITUTE BALLOTS. (a) The municipal clerk shall provide substitute paper ballots in substantially the form of the original ballots whenever the necessary original ballots are not delivered to the municipality, are destroyed, are lost or stolen after delivery, are not ready for distribution or the supply is exhausted during polling hours. The municipal clerk may also provide substitute paper ballots, together with ballot boxes and voting booths, whenever a voting machine or electronic voting system is rendered inoperable by a malfunction which occurs within 24 hours of the time set for opening of the polls. Paper ballots may be cast only in accordance with the procedures prescribed in ss. 6.80 (2) and 7.37 (4).

(b) Upon receiving the substitute paper ballots accompanied by a statement made under oath by the municipal clerk that the ballots have been prepared and furnished by the clerk to replace the original ballots which are not available, or to substitute for a voting machine or electronic voting system which has been rendered inoperable by a malfunction which occurred within 72 hours of the time set for opening of the polls, the election officials shall use the substitute ballots in the same manner as if they had been original ballots.

(7) REQUEST CANVASS ASSISTANCE. The municipal clerk may request all election officials to assist the inspectors in canvassing the votes received at the respective polling places.

(8) RESOLVING NOTICE DOUBTS. When in doubt as to compliance with the statutory requirements for election notices or the correct fees to be paid for them, the municipal clerk may consult the commission

(9) VOTER EDUCATION. Each municipal clerk shall assist the commission in conducting educational programs under s. 5.05 (12) to inform electors about the voting process.

(10) FREE ELECTION INFORMATION EXCHANGE. Each municipal clerk shall assist the commission in maintaining toll-free telephone lines and any other free access systems under s. 5.05 (13) for exchange of voting information.

(11) TRAINING OF ELECTION OFFICIALS. Each municipal clerk shall train election officials under ss. 7.31 and 7.315.

(12) FREE VOTE COUNTING INFORMATION. Each municipal clerk shall maintain a free access information system under which an elector who votes under s. 6.96 or 6.97 may ascertain current

information concerning whether the elector's vote has been counted, and if the vote will not be counted, the reason that it will not be counted

(13) INFORMATION TO COMMISSION. Each municipal clerk shall provide to the commission any information requested under s. 5.05 (14)

(14) VOTING ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES. Each municipal clerk shall make reasonable efforts to comply with requests for voting accommodations made by individuals with disabilities whenever feasible.

(15) PROVIDE NOTICE OF OUTSTANDING PROVISIONAL BALLOTS. As soon as possible after the closing hour for all polling places in the municipality on election night, the municipal clerk shall post at his or her office and on the Internet at a site announced by the clerk before the polls open, and shall make available to any person upon request, a statement of the number of electors who have cast provisional ballots at the election in the municipality that cannot be counted as of that closing hour because the electors have not satisfied relevant voting requirements.

History: 1971 c. 304 s. 29 (2); 1973 c. 334 s. 57; 1975 c. 85 ss. 50, 65, 1975 c. 275, 422; 1977 c. 283, 1977 c. 394 s. 54; 1977 c. 427 447; 1979 c. 260, 311, 1981 c. 391, 1983 a. 484, 1985 n. 304; 1987 a. 391, 1989 a. 192; 1991 a. 316; 1999 a. 182; 2001 a. 16; 2003 a. 265; 2005 a. 451, 2007 a. 1, 2011 a. 23, 45, 75, 115; 2013 a. 148, 2015 a. 118 ss. 88, 266 (10); 2015 a. 309 229; 2017 a. 369

7.20 Board of election commissioners. (1) A municipal board of election commissioners shall be established in every city over 500,000 population. A county board of election commissioners shall be established in every county over 750,000 population.

(2) Each board of election commissioners shall consist of 3 members, each member being chosen from lists of at least 3 names each, selected and approved by the county committee of the 2 political parties receiving the most votes for governor in the county in the case of the county board of election commissioners, and receiving the most votes for governor in the city in the case of the city board of election commissioners, in the last general election. The county executive, for the county board of election commissioners, shall select from the list 2 persons from the majority party and one person from the next highest party in the county. The mayor, for the city board of election commissioners, shall select from the list 2 persons from the majority party and one person from the next highest party in the city.

(3) The persons chosen shall be qualified electors and residents of the state and county and, for the city board of election commissioners, of the city

(4) Before beginning their duties as election commissioners each appointee shall take and file the official oath.

(5) Each board of election commissioners shall choose its own chairperson. An act of a majority of the board is an act of the board.

(6) The election commissioners shall not hold any other public office and are ineligible for any appointive or elective public office, except the office of notary public, during their term.

(7) The term of office shall be 4 years, and until successors have been commissioned and qualified, beginning on July 1 each year following a presidential election. Successors shall be appointed the same way.

History: 1973 c. 334, 1975 c. 124; 1983 a. 484 s. 172 (1); 1993 a. 184, 2013 a. 373.

7.21 Election commissioners, duties and regulations.

(1) All powers and duties assigned to the municipal or county clerk or the municipal or county board of canvassers under chs. 5 to 12 shall be carried out by the municipal or county board of election commissioners or its executive director, unless specifically retained or assigned in this section or s. 7.22.

(2) The county clerk shall serve as executive director of the county board of election commissioners. The clerk shall perform whatever duties the board of election commissioners assigns to

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ELECTRONIC REGISTRATION INFORMATION CENTER, INC.

MEMBERSHIP AGREEMENT

This membership agreement (this "Agreement") is made and entered into as of the 17th day of May 2016 (the "Effective Date"), by and between Electronic Registration Information Center, Inc., a Delaware nonstock corporation ("ERIC") and Wisconsin Government Accountability Board (the "Member").

WHEREAS, ERIC was formed for charitable and educational purposes to engage in meaningful, evidence-based reform of the election system in the United States; and

WHEREAS, ERIC seeks to lessen the burdens of government by facilitating the collaboration of states and local government units to conduct research, develop technology, and perform other charitable and educational activities designed to reduce the costs and increase the accuracies and efficiencies associated with their use of voter registration systems; and

WHEREAS, ERIC seeks the direct involvement of states and local government units in furthering its charitable and educational purposes by such states and local government units becoming members of ERIC and furnishing voter registration and other data to help ERIC understand the needs of states and local government units with respect to their use of voter registration systems, and assist state and local government units in making their voter registration lists and processes more accurate, more complete, and fully compliant with federal, state and local laws; and

WHEREAS, in consideration for the Member's performance as described below, ERIC will provide the service to the Members of sharing and processing data that relates to the maintenance of their voter registration lists and provide regular (at least on a monthly basis) reports to the Member.

NOW THEREFORE, in consideration of the foregoing, the terms and conditions hereinafter set forth and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Annual Dues. The Member shall pay annual dues to ERIC as determined by the Board of Directors of ERIC (the "ERIC Board") pursuant to Article II, Section 5 of ERIC's Bylaws. If the Member fails to pay dues by the date determined by the ERIC Board, ERIC shall not deliver, nor shall the Member receive, any services or data from ERIC until such payment is received. Any Member that fails to pay dues within ninety (90) days of a dues payment deadline shall be *automatically removed* as a Member in accordance with ERIC's Bylaws (the "Bylaws").
2. Voter Files and Motor Vehicle Records. The Member shall transmit to ERIC the following data related to its voter files and motor vehicle records (collectively, the "Member Data").

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- a. A reasonable time after admission, the Corporation and the Member will agree upon a 'Certification Date' that obligates the Member to the following two sections herein. The Member shall be notified in writing by the Corporation of the Certification Date.
 - b. Within sixty (60) days of the Certification Date, and at least every sixty (60) days thereafter, the Member shall transmit: (1) all inactive and active voter files (excluding those records that are confidential or protected from disclosure by law), including those fields identified in Exhibit B, and (2) all licensing or identification records contained in the motor vehicles database (excluding those fields unrelated to voter eligibility, such as fields related to an individual's driving record), including those fields identified in Exhibit B. Under no circumstances shall the Member transmit an individual's record where the record contains documentation or other information indicating that the individual is a non-citizen of the United States. Should Member believe it has an alternative source of data that is equivalent to or better than the motor vehicle database ("Alternative Data Source"), Member may apply in writing to the Executive Director of ERIC to substitute the Alternative Data Source for motor vehicle data. Such written application shall explain the basis for Member's assertion that the Alternative Data Source is equivalent or better and why using it will effectively serve the goals of ERIC. If, in the Executive Director's assessment, the request is reasonable, the Executive Director shall submit the Member's request to the Board for approval. If membership in ERIC is contingent upon a jurisdiction's ability to use an Alternative Data Source, the jurisdiction may seek approval of a data substitution request in advance of joining ERIC.
 - c. If the Member fails to transmit the required Member Data as described above, ERIC shall not deliver, nor shall the Member receive, any Data or services from ERIC until ERIC receives the required Member Data from the Member. Should Member fail to transmit Member Data in any sixty (60) day period as provided in sub-section b, Member shall, upon written notice from ERIC, have a thirty (30) day grace period in which to provide such Member Data. Should this grace period expire without a transmission to ERIC of Member Data from the Member, the Member shall be *automatically removed* from membership in accordance with the Bylaws. Member may submit a written appeal to the Executive Director of ERIC for a reasonable extension of the grace period deadline if Member is unable to meet that deadline because of a technical issue or a problem accessing or receiving the Member Data. Whether or not to grant the extension or to proceed to automatic removal shall be in the sole discretion of ERIC's Executive Director.
3. State Agency Records. The Member shall use its best efforts to transmit, on a regular basis, data relating to individuals that exists in the records of other agencies within its jurisdiction that perform any voter registration functions, including, but not limited to, those required to perform voter registration pursuant to the National Voter Registration Act, 43 U.S.C. 1973gg-5 ("Additional Member Data"). Notwithstanding this section, a state's failure to transmit Additional Member Data under this section shall not affect the Member's compliance with this Section or its standing as a member of ERIC.

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4. Privacy; Use of Data.

- a. **Use and Protection of Data:** The Member and ERIC shall use their best efforts to prevent the unauthorized use or transmission of any private or protected Member Data; Additional Member Data; and data included in reports provided by ERIC (“ERIC Data”) (Member Data, Additional Member Data and ERIC Data shall be collectively referred to as “Data”) in its possession. The Member represents and warrants that all uses and transmissions of Data originating from the Member to ERIC and/or ERIC’s agents, contractors or subcontractors comply fully with applicable state, federal and local laws, rules and regulations. The Member shall not use or transmit any ERIC Data for any purpose other than the administration of elections under state or federal law. Should a Member receive a request to disclose ERIC Data and determines that it is legally obligated, in whole or in part, to comply with such request, it shall not make the disclosure without first obtaining a court order compelling it to do so, a copy of which shall be provided to ERIC.
- b. **Unauthorized Use or Disclosure of Data--Member:** Should there be an unauthorized or impermissible use, disclosure or transmission of Data, regardless of whether it is accidental or intentional (for example, member intentionally sells, distributes, publishes or uses any ERIC Data for any purpose other than election administration, including any commercial purpose) or the responsibility of a third party (collectively, “Unauthorized Disclosure”), Member shall, within ninety (90) days of ERIC receiving notice of the Unauthorized Disclosure a) explain in writing to ERIC that such Unauthorized Disclosure has been cured and how it was cured or, if the breach is not curable, provides a written explanation to ERIC of what steps it has taken to mitigate the risks to ERIC and its Members resulting from such breach; and b) provide a written explanation of what processes it has implemented to prevent such Unauthorized Disclosure in the future. Upon written application, the Executive Director of ERIC, in consultation with the Board Chair, may extend the deadline for Member to comply with this section. At its first meeting following the Member’s compliance with sub-sections a and b above, the Board will consider the information submitted by the Member and vote on Member’s continued membership. Should Member fail to provide any information in response to sub-sections a and/or b above, Member shall be *automatically removed*. To the extent permitted under each Member’s state law, the Member agrees to indemnify, defend and hold harmless ERIC against any claims related to the Unauthorized Disclosure.
- c. **Notice to ERIC:** Each Member shall report to the Executive Director of ERIC as soon as is practicable if a Member is required by law to sell, distribute, publish, disclose or use any ERIC Data for any purpose other than election administration. Each Member shall report to the Executive Director of ERIC immediately upon learning of any Unauthorized Disclosure.
- d. **Unauthorized Disclosure of Data-ERIC:** Should there be an unauthorized disclosure of motor vehicle data by ERIC, whether accidental or intentional or the

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responsibility of a third party (“ERIC Unauthorized Disclosure”), ERIC shall immediately give notice to Members. Understanding that ERIC’s primary source of funds are fees and dues paid by Members, and subject to consultation and approval by the Board, ERIC agrees to indemnify, defend and hold harmless state motor vehicle agencies against any claims related to an ERIC Unauthorized Disclosure of Data.

This provision 4 shall not be construed to limit any Member’s sovereign immunity, rights, claims or defenses which arise as a matter of law or pursuant to any other provision of this Agreement.

5. State Voter Registration Systems. To foster ERIC’s goal of improving the accuracy of state voter registration data, Members are strongly encouraged to establish a regular schedule for requesting ERIC Data with a minimum of one request every calendar year. When a Member Representative requests ERIC Data, upon receipt of such ERIC Data, the Member shall take the following actions in connection with the improvement of its state voter registration systems. (If Member rescinds in writing its request for ERIC Data within seven (7) business days of making its original request, the following requirements will not apply.) If a Member fails to make at least one request for ERIC Data for 425 days, ERIC will automatically provide ERIC Data within seven (7) business days of the 425th day, thereby triggering the following requirements.
 - a. When the Member receives ERIC Data regarding eligible or possibly eligible citizens who are not registered to vote, the Member shall, at a minimum, initiate contact with each and every eligible or possibly eligible citizen and inform them how to register to vote. Each Member shall have until October 1 or fifteen (15) days before the close of registration, whichever is earlier, of the next Federal General Election year to initiate contact with at least 95% of the eligible or potentially eligible citizens on whom data was provided and address validation was performed, as described above. Members shall not be required to initiate contact with eligible or possibly eligible voters more than once at the same address, nor shall Members be required to contact any individual who has affirmatively confirmed their desire not to be contacted for purposes of voter registration or is otherwise ineligible to vote in the Member’s jurisdiction. No later than December 1 (or, if December 1 falls on a weekend, the next business day) following the Federal General Election, the Member Representative shall provide a written certification to the Executive Director of ERIC that Member has or has not complied with the provisions of this section. Members that have not complied with this section, or do not provide the written certification, shall be *automatically removed* from membership. If a Member adopts legislation or policies that have the potential to accomplish the objectives of this section by alternative means, Member may apply to ERIC for an exemption from the requirements of this section of the Membership Agreement by sending a written request to the Executive Director of ERIC and the Chair of the Board. Such written application shall explain the basis for Member’s assertion that the alternative means will effectively achieve the objectives of this section. If the Executive Director of ERIC and the Chair of the Board believe the request is

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reasonable, it shall be presented to the Board for a vote and, if granted, a determination on the timing of implementation of the exemption.]

- b. When the Member receives credible ERIC Data (meaning the state has validated the data) indicating that information in an existing voter's record is deemed to be inaccurate or out-of-date, the Member shall, at a minimum, initiate contact with that voter in order to correct the inaccuracy or obtain information sufficient to inactivate or update the voter's record. Each Member has ninety (90) days after the data was sent to initiate contact with at least 95% of the voters on whom data indicating a record was inaccurate or out-of-date, as described above, was provided.

Within ten (10) business days of the ninetieth day, the Member Representative shall provide a written certification to the Executive Director of ERIC that Member has complied or not complied with this section and, if out of compliance, the extent of such non-compliance. If Member is out of compliance, Member shall have a 30-day grace period, which begins on the 91st day, within which to complete the required contacts. Within ten (10) business days following the expiration of the grace period, the Member Representative shall provide a written certification to the Executive Director of ERIC that Member has complied or not complied with this section. If Member is still out of compliance, or fails to provide the certification, Member shall be *automatically removed*.

- c. The Member shall use its best efforts to provide for a mechanism by which any eligible voter whose registration appears to have been erroneously processed or unprocessed shall be offered the opportunity to cast a ballot that will be counted, unless the voter is otherwise ineligible.
 - d. The Member shall use its best efforts to provide for a mechanism by which an eligible voter may register to vote over the internet without need to complete and/or deliver a paper voter registration form.
 - e. The Member shall use its best efforts to provide for a mechanism by which voter registration transactions performed at state agencies is more fully automated and reduces or eliminates paper transactions.
6. Single Point of Transfer. The Member shall designate and maintain a single point of transfer of data and a single data source/point of data per data feed.
 7. Performance Data. Within 30 days of the date of execution of this agreement, and every one hundred eighty (180) days thereafter, the Member shall report to ERIC data relating to performance under this Agreement, as described in Exhibit C.
 8. State Specific Requirements. From time to time, legislation or implementing regulations enabling states to become members of ERIC will contain state-specific membership requirements not applicable to all Members. Such state-specific requirements are set forth in Exhibit D.

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9. Publicity. The Member shall not make or permit any person connected with it to make any announcement or statement purporting to be on behalf of ERIC, or use any logo, trademark, service mark, or business or trading name of ERIC or any other Member of ERIC without the prior written approval of ERIC or the affected Member, as applicable. Furthermore ERIC shall not make or permit any person connected with it to make any announcement or statement purporting to be on behalf of any Member, or use any logo, trademark, service mark, or business or trading name of any Member of ERIC without the prior written approval of the affected Member.
10. Waiver. No waiver by any party for any breach by the other of any of the provisions of this Agreement shall be deemed a waiver of any preceding or succeeding breach of the same or any other provisions hereof. No such waiver shall be effective unless in writing and then only to the extent expressly set forth in writing.
11. Severability. The provisions of this Agreement are separate and severable, and the invalidity of any of them shall not affect or impair the validity or enforcement of the remaining provisions.
12. Assignment. ERIC may not sell, assign, or otherwise transfer any of its rights or interests or delegate any of its duties or obligations in this Agreement, without the prior written consent of the Members. The Member may not sell, assign, or otherwise transfer any of its rights or interests or delegate any of its duties or obligations in this Agreement, without the prior written consent of ERIC. Any sale, assignment, or transfer in violation of this Section is void and without effect.
13. No Partner or Agency. This Agreement does not constitute or create a partnership or joint venture with any Member or among the Members; appoint any Member as an agent for ERIC or any other Member, or appoint ERIC as an agent for any Member; or create any fiduciary obligations among the Members, except as may be expressly set forth in this Agreement.
14. Amendments. Amendments or modifications of this Agreement shall be effective immediately upon approval of such changes by the entire membership in accordance with Article VI, Section 5 of the Bylaws.
15. Communications; Notices. All communications and notices that are required to be given by ERIC or a Member pursuant to this Agreement must be in writing and sent to the recipient either by electronic mail, personal delivery, overnight commercial courier service, or facsimile. Members may request a preferred method of delivery and the Corporation will make all reasonable efforts to oblige such requests. Communications and notices must be sent using the Notice Details set forth on the signature page of this Agreement, unless these details are changed by delivery of a written notice to ERIC, if the change related to a Member, or the Member, if the change relates to ERIC. The Executive Director of ERIC shall maintain or cause to be maintained a roster of Members that contains a compilation of Notice Details for each Member, and which shall be distributed periodically to the Members.

EXHIBIT A

16. Counterparts. This Agreement may be executed in two (2) or more counterparts, each of which when fully executed shall be an original, and all of said counterparts taken together shall be deemed to constitute one and the same agreement.
17. Complete Agreement. This Agreement is the parties' final and binding expression of their agreement and the complete and exclusive statement of its terms. This Agreement cancels, supersedes and revokes all prior negotiations, representations and agreements between the parties, whether oral or written, relating to the subject matter of this Agreement.
18. Headings and Subsections. Section headings are provided for reference and do not constitute part of this Agreement.
19. Definitions. As used herein, the term "state" includes the fifty (50) states, the District of Columbia, and the territories of the United States.

ELECTRONIC REGISTRATION INFORMATION CENTER, INC.By: Name: **Angie Rogers**

Title: Board Chair

Date:

Notice Details:

Name: Angie Rogers
 Title: Board Chair
 Address: P.O. Box 94125
 Baton Rouge, LA 70802-9125
 Phone: (225) 922-0900
 Fax: (225) 922-0945

With a copy to:

Name: John Lindback
 Title: Executive Director
 Address: 1155 F Street NW Suite 1050
 Washington DC 20004
 Phone: (202) 695-3464
 Fax: (866) 200-2651

Wisconsin Government Accountability Board/Wisconsin Elections CommissionBy: Name: **Kevin J. Kennedy**

Title: Director and General Counsel

Date: May 17, 2016

Notice Details:

Name: Michael Haas
 Title: Elections Division Administrator/
 Wisconsin Elections Commission Administrator
 Address: PO Box 7984, Madison, WI 53707-7984
 212 E. Washington Ave, Third Floor
 Madison, WI 53703
 Phone: 608-266-0136
 Fax: 608-267-0500

With a copy to:

Name: Ross Hein
 Title: Elections Supervisor
 Address: PO Box 7984, Madison, WI
 212 E. Washington Ave
 Madison, WI 53703
 Phone: 608-267-3666
 Fax: 608-267-0500

Note: Effective June 30, 2016 the Wisconsin Government Accountability Board becomes the Wisconsin Elections Commission.

EXHIBIT A

ELECTRONIC REGISTRATION INFORMATION CENTER, INC.

MEMBERSHIP AGREEMENT

This membership agreement (this "Agreement") is made and entered into as of the 17th day of May 2016 (the "Effective Date"), by and between Electronic Registration Information Center, Inc., a Delaware nonstock corporation ("ERIC") and Wisconsin Government Accountability Board (the "Member").

WHEREAS, ERIC was formed for charitable and educational purposes to engage in meaningful, evidence-based reform of the election system in the United States; and

WHEREAS, ERIC seeks to lessen the burdens of government by facilitating the collaboration of states and local government units to conduct research, develop technology, and perform other charitable and educational activities designed to reduce the costs and increase the accuracies and efficiencies associated with their use of voter registration systems; and

WHEREAS, ERIC seeks the direct involvement of states and local government units in furthering its charitable and educational purposes by such states and local government units becoming members of ERIC and furnishing voter registration and other data to help ERIC understand the needs of states and local government units with respect to their use of voter registration systems, and assist state and local government units in making their voter registration lists and processes more accurate, more complete, and fully compliant with federal, state and local laws; and

WHEREAS, in consideration for the Member's performance as described below, ERIC will provide the service to the Members of sharing and processing data that relates to the maintenance of their voter registration lists and provide regular (at least on a monthly basis) reports to the Member.

NOW THEREFORE, in consideration of the foregoing, the terms and conditions hereinafter set forth and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Annual Dues. The Member shall pay annual dues to ERIC as determined by the Board of Directors of ERIC (the "ERIC Board") pursuant to Article II, Section 5 of ERIC's Bylaws. If the Member fails to pay dues by the date determined by the ERIC Board, ERIC shall not deliver, nor shall the Member receive, any services or data from ERIC until such payment is received. Any Member that fails to pay dues within ninety (90) days of a dues payment deadline shall be *automatically removed* as a Member in accordance with ERIC's Bylaws (the "Bylaws").
2. Voter Files and Motor Vehicle Records. The Member shall transmit to ERIC the following data related to its voter files and motor vehicle records (collectively, the "Member Data").

EXHIBIT A

- a. A reasonable time after admission, the Corporation and the Member will agree upon a 'Certification Date' that obligates the Member to the following two sections herein. The Member shall be notified in writing by the Corporation of the Certification Date.
 - b. Within sixty (60) days of the Certification Date, and at least every sixty (60) days thereafter, the Member shall transmit: (1) all inactive and active voter files (excluding those records that are confidential or protected from disclosure by law), including those fields identified in Exhibit B, and (2) all licensing or identification records contained in the motor vehicles database (excluding those fields unrelated to voter eligibility, such as fields related to an individual's driving record), including those fields identified in Exhibit B. Under no circumstances shall the Member transmit an individual's record where the record contains documentation or other information indicating that the individual is a non-citizen of the United States. Should Member believe it has an alternative source of data that is equivalent to or better than the motor vehicle database ("Alternative Data Source"), Member may apply in writing to the Executive Director of ERIC to substitute the Alternative Data Source for motor vehicle data. Such written application shall explain the basis for Member's assertion that the Alternative Data Source is equivalent or better and why using it will effectively serve the goals of ERIC. If, in the Executive Director's assessment, the request is reasonable, the Executive Director shall submit the Member's request to the Board for approval. If membership in ERIC is contingent upon a jurisdiction's ability to use an Alternative Data Source, the jurisdiction may seek approval of a data substitution request in advance of joining ERIC.
 - c. If the Member fails to transmit the required Member Data as described above, ERIC shall not deliver, nor shall the Member receive, any Data or services from ERIC until ERIC receives the required Member Data from the Member. Should Member fail to transmit Member Data in any sixty (60) day period as provided in sub-section b, Member shall, upon written notice from ERIC, have a thirty (30) day grace period in which to provide such Member Data. Should this grace period expire without a transmission to ERIC of Member Data from the Member, the Member shall be *automatically removed* from membership in accordance with the Bylaws. Member may submit a written appeal to the Executive Director of ERIC for a reasonable extension of the grace period deadline if Member is unable to meet that deadline because of a technical issue or a problem accessing or receiving the Member Data. Whether or not to grant the extension or to proceed to automatic removal shall be in the sole discretion of ERIC's Executive Director.
3. State Agency Records. The Member shall use its best efforts to transmit, on a regular basis, data relating to individuals that exists in the records of other agencies within its jurisdiction that perform any voter registration functions, including, but not limited to, those required to perform voter registration pursuant to the National Voter Registration Act, 43 U.S.C. 1973gg-5 ("Additional Member Data"). Notwithstanding this section, a state's failure to transmit Additional Member Data under this section shall not affect the Member's compliance with this Section or its standing as a member of ERIC.

EXHIBIT A

4. Privacy; Use of Data.

- a. **Use and Protection of Data:** The Member and ERIC shall use their best efforts to prevent the unauthorized use or transmission of any private or protected Member Data; Additional Member Data; and data included in reports provided by ERIC (“ERIC Data”) (Member Data, Additional Member Data and ERIC Data shall be collectively referred to as “Data”) in its possession. The Member represents and warrants that all uses and transmissions of Data originating from the Member to ERIC and/or ERIC’s agents, contractors or subcontractors comply fully with applicable state, federal and local laws, rules and regulations. The Member shall not use or transmit any ERIC Data for any purpose other than the administration of elections under state or federal law. Should a Member receive a request to disclose ERIC Data and determines that it is legally obligated, in whole or in part, to comply with such request, it shall not make the disclosure without first obtaining a court order compelling it to do so, a copy of which shall be provided to ERIC.
- b. **Unauthorized Use or Disclosure of Data--Member:** Should there be an unauthorized or impermissible use, disclosure or transmission of Data, regardless of whether it is accidental or intentional (for example, member intentionally sells, distributes, publishes or uses any ERIC Data for any purpose other than election administration, including any commercial purpose) or the responsibility of a third party (collectively, “Unauthorized Disclosure”), Member shall, within ninety (90) days of ERIC receiving notice of the Unauthorized Disclosure a) explain in writing to ERIC that such Unauthorized Disclosure has been cured and how it was cured or, if the breach is not curable, provides a written explanation to ERIC of what steps it has taken to mitigate the risks to ERIC and its Members resulting from such breach; and b) provide a written explanation of what processes it has implemented to prevent such Unauthorized Disclosure in the future. Upon written application, the Executive Director of ERIC, in consultation with the Board Chair, may extend the deadline for Member to comply with this section. At its first meeting following the Member’s compliance with sub-sections a and b above, the Board will consider the information submitted by the Member and vote on Member’s continued membership. Should Member fail to provide any information in response to sub-sections a and/or b above, Member shall be *automatically removed*. To the extent permitted under each Member’s state law, the Member agrees to indemnify, defend and hold harmless ERIC against any claims related to the Unauthorized Disclosure.
- c. **Notice to ERIC:** Each Member shall report to the Executive Director of ERIC as soon as is practicable if a Member is required by law to sell, distribute, publish, disclose or use any ERIC Data for any purpose other than election administration. Each Member shall report to the Executive Director of ERIC immediately upon learning of any Unauthorized Disclosure.
- d. **Unauthorized Disclosure of Data-ERIC:** Should there be an unauthorized disclosure of motor vehicle data by ERIC, whether accidental or intentional or the

EXHIBIT A

responsibility of a third party (“ERIC Unauthorized Disclosure”), ERIC shall immediately give notice to Members. Understanding that ERIC’s primary source of funds are fees and dues paid by Members, and subject to consultation and approval by the Board, ERIC agrees to indemnify, defend and hold harmless state motor vehicle agencies against any claims related to an ERIC Unauthorized Disclosure of Data.

This provision 4 shall not be construed to limit any Member’s sovereign immunity, rights, claims or defenses which arise as a matter of law or pursuant to any other provision of this Agreement.

5. State Voter Registration Systems. To foster ERIC’s goal of improving the accuracy of state voter registration data, Members are strongly encouraged to establish a regular schedule for requesting ERIC Data with a minimum of one request every calendar year. When a Member Representative requests ERIC Data, upon receipt of such ERIC Data, the Member shall take the following actions in connection with the improvement of its state voter registration systems. (If Member rescinds in writing its request for ERIC Data within seven (7) business days of making its original request, the following requirements will not apply.) If a Member fails to make at least one request for ERIC Data for 425 days, ERIC will automatically provide ERIC Data within seven (7) business days of the 425th day, thereby triggering the following requirements.
 - a. When the Member receives ERIC Data regarding eligible or possibly eligible citizens who are not registered to vote, the Member shall, at a minimum, initiate contact with each and every eligible or possibly eligible citizen and inform them how to register to vote. Each Member shall have until October 1 or fifteen (15) days before the close of registration, whichever is earlier, of the next Federal General Election year to initiate contact with at least 95% of the eligible or potentially eligible citizens on whom data was provided and address validation was performed, as described above. Members shall not be required to initiate contact with eligible or possibly eligible voters more than once at the same address, nor shall Members be required to contact any individual who has affirmatively confirmed their desire not to be contacted for purposes of voter registration or is otherwise ineligible to vote in the Member’s jurisdiction. No later than December 1 (or, if December 1 falls on a weekend, the next business day) following the Federal General Election, the Member Representative shall provide a written certification to the Executive Director of ERIC that Member has or has not complied with the provisions of this section. Members that have not complied with this section, or do not provide the written certification, shall be *automatically removed* from membership. If a Member adopts legislation or policies that have the potential to accomplish the objectives of this section by alternative means, Member may apply to ERIC for an exemption from the requirements of this section of the Membership Agreement by sending a written request to the Executive Director of ERIC and the Chair of the Board. Such written application shall explain the basis for Member’s assertion that the alternative means will effectively achieve the objectives of this section. If the Executive Director of ERIC and the Chair of the Board believe the request is

EXHIBIT A

reasonable, it shall be presented to the Board for a vote and, if granted, a determination on the timing of implementation of the exemption.]

- b. When the Member receives credible ERIC Data (meaning the state has validated the data) indicating that information in an existing voter's record is deemed to be inaccurate or out-of-date, the Member shall, at a minimum, initiate contact with that voter in order to correct the inaccuracy or obtain information sufficient to inactivate or update the voter's record. Each Member has ninety (90) days after the data was sent to initiate contact with at least 95% of the voters on whom data indicating a record was inaccurate or out-of-date, as described above, was provided.

Within ten (10) business days of the ninetieth day, the Member Representative shall provide a written certification to the Executive Director of ERIC that Member has complied or not complied with this section and, if out of compliance, the extent of such non-compliance. If Member is out of compliance, Member shall have a 30-day grace period, which begins on the 91st day, within which to complete the required contacts. Within ten (10) business days following the expiration of the grace period, the Member Representative shall provide a written certification to the Executive Director of ERIC that Member has complied or not complied with this section. If Member is still out of compliance, or fails to provide the certification, Member shall be *automatically removed*.

- c. The Member shall use its best efforts to provide for a mechanism by which any eligible voter whose registration appears to have been erroneously processed or unprocessed shall be offered the opportunity to cast a ballot that will be counted, unless the voter is otherwise ineligible.
 - d. The Member shall use its best efforts to provide for a mechanism by which an eligible voter may register to vote over the internet without need to complete and/or deliver a paper voter registration form.
 - e. The Member shall use its best efforts to provide for a mechanism by which voter registration transactions performed at state agencies is more fully automated and reduces or eliminates paper transactions.
6. Single Point of Transfer. The Member shall designate and maintain a single point of transfer of data and a single data source/point of data per data feed.
 7. Performance Data. Within 30 days of the date of execution of this agreement, and every one hundred eighty (180) days thereafter, the Member shall report to ERIC data relating to performance under this Agreement, as described in Exhibit C.
 8. State Specific Requirements. From time to time, legislation or implementing regulations enabling states to become members of ERIC will contain state-specific membership requirements not applicable to all Members. Such state-specific requirements are set forth in Exhibit D.

EXHIBIT A

9. Publicity. The Member shall not make or permit any person connected with it to make any announcement or statement purporting to be on behalf of ERIC, or use any logo, trademark, service mark, or business or trading name of ERIC or any other Member of ERIC without the prior written approval of ERIC or the affected Member, as applicable. Furthermore ERIC shall not make or permit any person connected with it to make any announcement or statement purporting to be on behalf of any Member, or use any logo, trademark, service mark, or business or trading name of any Member of ERIC without the prior written approval of the affected Member.
10. Waiver. No waiver by any party for any breach by the other of any of the provisions of this Agreement shall be deemed a waiver of any preceding or succeeding breach of the same or any other provisions hereof. No such waiver shall be effective unless in writing and then only to the extent expressly set forth in writing.
11. Severability. The provisions of this Agreement are separate and severable, and the invalidity of any of them shall not affect or impair the validity or enforcement of the remaining provisions.
12. Assignment. ERIC may not sell, assign, or otherwise transfer any of its rights or interests or delegate any of its duties or obligations in this Agreement, without the prior written consent of the Members. The Member may not sell, assign, or otherwise transfer any of its rights or interests or delegate any of its duties or obligations in this Agreement, without the prior written consent of ERIC. Any sale, assignment, or transfer in violation of this Section is void and without effect.
13. No Partner or Agency. This Agreement does not constitute or create a partnership or joint venture with any Member or among the Members; appoint any Member as an agent for ERIC or any other Member, or appoint ERIC as an agent for any Member; or create any fiduciary obligations among the Members, except as may be expressly set forth in this Agreement.
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ELECTRONIC REGISTRATION INFORMATION CENTER, INC.By: Name: **Angie Rogers**

Title: Board Chair

Date:

Notice Details:

Name: Angie Rogers
 Title: Board Chair
 Address: P.O. Box 94125
 Baton Rouge, LA 70802-9125
 Phone: (225) 922-0900
 Fax: (225) 922-0945

With a copy to:

Name: John Lindback
 Title: Executive Director
 Address: 1155 F Street NW Suite 1050
 Washington DC 20004
 Phone: (202) 695-3464
 Fax: (866) 200-2651

Wisconsin Government Accountability Board/Wisconsin Elections CommissionBy: Name: **Kevin J. Kennedy**

Title: Director and General Counsel

Date: May 17, 2016

Notice Details:

Name: Michael Haas
 Title: Elections Division Administrator/
 Wisconsin Elections Commission Administrator
 Address: PO Box 7984, Madison, WI 53707-7984
 212 E. Washington Ave, Third Floor
 Madison, WI 53703
 Phone: 608-266-0136
 Fax: 608-267-0500

With a copy to:

Name: Ross Hein
 Title: Elections Supervisor
 Address: PO Box 7984, Madison, WI
 212 E. Washington Ave
 Madison, WI 53703
 Phone: 608-267-3666
 Fax: 608-267-0500

Note: Effective June 30, 2016 the Wisconsin Government Accountability Board becomes the Wisconsin Elections Commission.

From: "Knudson, Dean - ELECTIONS" <Dean.Knudson@wisconsin.gov>
Sent: Tuesday, January 21, 2020, 5:37 PM
To: "Rep.Vos - LEGIS" <Rep.Vos@legis.wisconsin.gov>
Subject: Fw: Today's decisions

FYI - I notice Mr. Belling had intended to copy you on his message...so sending this for your information.
Dean Knudson

From: Knudson, Dean - ELECTIONS <Dean.Knudson@wisconsin.gov>
Sent: Tuesday, January 21, 2020 4:05 PM
To: BELLING, MARK C. <MARKBELLING@iheartmedia.com>
Cc: rep.vos@legis.wisconsin.com <rep.vos@legis.wisconsin.com>
Subject: Re: Today's decisions

Hi Mark, I reviewed the complaints related to nomination papers for three Milwaukee area candidates including Kennedy, Sullivan and King. None of these cases was a close call. Kennedy and Sullivan violated a state law specifically written to prevent the circulation by one individual of nomination papers for two candidates for the same office. The law and the intent of the legislature was very clear as applied to the Kennedy and Sullivan cases.

Unfortunately King did not file enough valid nomination signatures to gain ballot access. It is ultimately the responsibility of each candidate to review the papers to ensure a sufficient number of signatures are submitted. The law allows a candidate to submit twice the minimum number as a protection against failing to reach the minimum due to problems with some of them. King submitted three nomination papers with missing or incomplete address information for the circulator statements. WEC accepted both the papers with incomplete addresses. The paper without any address information for the circulator was not accepted as valid. This is consistent with past practice and nothing new.

The Commission has a special meeting scheduled on Friday at 4:00pm this week. In my judgment it was critically important to resolve these matters in a timely manner. I do not believe a meeting of the full Commission would have reached a different conclusion. The candidates have the right to appeal the decisions to have a judge review their arguments.

Dean Knudson

From: BELLING, MARK C. <MARKBELLING@iheartmedia.com>
Sent: Tuesday, January 21, 2020 2:48 PM
To: Knudson, Dean - ELECTIONS <Dean.Knudson@wisconsin.gov>
Cc: rep.vos@legis.wisconsin.com <rep.vos@legis.wisconsin.com>
Subject: Today's decisions

Dean

In an email, Reid Magney informed me that the decision to strike the name of Milwaukee mayoral candidate David King (the endorsed candidate of the Milwaukee County Republican Party) and two candidates for Milwaukee County Executive was made by you, without a commission vote, and based on recommendation of the Commission's Madison staff.

Why did you not schedule a full Commission vote on this?

Did you personally listen to any of the arguments made on the appeals?

What is the point of having a six member commission if the most important decisions are relegated to staff and the other five commissioners are not even given a chance to participate?

It would seem to be that a challenge to ballot access is THE MOST IMPORTANT DECISION THE COMMISSION CAN MAKE. How in the world can this therefore be a one person decision?

Mark Belling

PM Drive Talk Show Host WISN-AM, Western Great Lakes Region

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December 19, 2019

From: Dean Knudson

To: Speaker Robin Vos

Potential Legislation related to ERIC, the Electronic Registration Information Center

Suggested action steps:

1. **A standalone bill to mandate the Wisconsin Election Commission to request from ERIC at least once every 12 months the list of duplicate cross-state voters, i.e. individuals for whom there is evidence of voting twice in the same election in two different states.** Require that the Commission treat the data provided by ERIC as an official complaint to be handled under the statutory powers of the Commission in s. 5.05, etc. Require that the Commission refer these individuals to the appropriate district attorney after a review of the records available from Wisconsin and the other state. The Commission is already doing this but without any statutory direction or mandate. In the absence of legislation a future Commission could decide not to request these optional lists.
2. **A follow-up bill to 2015 Wisconsin Act 261 to add definitions and clarification.** Add a section to s. 6.50 to require the Elections Commission to annually send a mailing to the ERIC “in-state movers” similar to the mandate for the four year mailing. Specify inactivation as required in s. 6.50(2) or in s. 6.36(1)(d). Specify that the ERIC “in-state movers” list is not subject to local clerks’ determination of reliability. Grant authority to WEC to promulgate administrative rules for the ERIC process.
3. Authorize Legislative Reference Bureau staff to have discussions with Elections Commission staff about specific statutory language changes. Currently WEC staff have been informed by LRB that this subject is not to be discussed.

Review of Current Statutes

- A. Wis. Stats. 6.36(a) contains general responsibility for maintaining the registrations lists. No mention of ERIC. No direction or authority for how to handle ERIC. No direction about whether to participate in optional ERIC activities. No authority or directive to promulgate rules.
- B. Wis. Stats. 6.36(ae) made Wisconsin a member of ERIC without any further mention of any of the optional or discretionary aspects of ERIC membership.
- C. Wis. Stats. 6.36(d) requires a voter’s status to be changed to ineligible if another state notifies WEC of a registration or voting in that state. This section does not apply to ERIC because ERIC is not another state, but it could be expanded to cover ERIC. Wis. Stats. 6.36(6) allows the sale of voter lists but doesn’t cover the question of release of the ERIC movers list, which is considered confidential information under the ERIC membership agreement.
- D. Wis. Stats. 6.50(1) & (2) cover the “four year maintenance” mailings with specific processes. These processes do not apply to ERIC mailings but this template could be followed, or ERIC could be added to this process.
- E. Wis. Stats. 6.50(3) is the section currently under litigation. This section specifically applies only to local clerks but WEC used this section for the original ERIC movers mailing in 2017. Clerks in Green Bay and Milwaukee later exercised their right to define the ERIC information as not “reliable” and reactivated the list. The process is not as

defined as the “four year maintenance” process and has been in place for years to apply to individual electors rather than large groups. It should be improved.

- F. Wis. Stats. 7.20 defines “Board of Election Commissioners” as used in Wis. Stats. 6.50(3). Some have read 6.50(3) to include the Wisconsin Election Commission as being included in this definition but the statutes define WEC in another area of Chapter 7.

Background

Wisconsin is unique among the twenty-nine ERIC members in that Wisconsin does not register voters at the DMV as part of driver licensing. Of six states exempt from the federal motor voter act, only Minnesota and Wisconsin are members of ERIC. Like Wisconsin, Minnesota is exempt because they have same-day registration. But Minnesota differs by voluntarily registering voters at the point of driver licensing.

Upon joining ERIC Wisconsin became the first and only ERIC state to have never previously done a complete cross-match of our DMV lists with our voter registration lists. In 2017 Wisconsin sent a mailing using the ERIC in-state movers list for the first time. In preparing and mailing these postcards the Elections Commission operated under the assumption that the mailing would meet the requirements of both ERIC and Wis. Stats. 6.50. The postcards included a notification under Wis. Stats. 6.50 that the voters' registrations would be inactivated after 30 days unless the voter responded.

WEC encountered an unusually high number of false results during our first matching of the voter registration lists with the Department of Transportation lists. As a result of these first-time problems, some municipalities and clerks raised the question of whether the 2017 ERIC movers list constituted "reliable information". A close reading of s. 6.50(3) reveals that local clerks are given the authority and responsibility to contact voters that may have moved.

There were many reasons for these false positive matches, where voters who had not moved were falsely reported as having moved. In some cases the address was slightly different. In other cases the name differed slightly. We learned that vehicle owners who registered a vehicle at a second home or cabin would be reported as having moved to that address. Some voters had registered their vehicle in another county to avoid the Milwaukee wheel tax. In the end we experienced a false positive match rate of not less than 6%, meaning 6% of the voters that were initially flagged as possibly having moved to a new address later confirmed that they still resided at their original address.

WEC staff worked with DOT and ERIC to find and eliminate as many of these errors as possible. While we will not know until later how successful these efforts have been, the staff members working on the problem estimated that the 6% error rate in 2017 should be reduced significantly in the 2019 process.

Membership in ERIC requires that **voters appearing on the in-state movers list must be notified of the information, but ERIC does not require inactivation.** Many of the ERIC member states, possibly a majority of the states, send these voters a mailing informing them to verify their registration status but take no action to inactivate them.

A change in the law to specify that ERIC information constitutes "reliable information" under s. 6.50(3) would assure a uniform approach across the state.

Political Aspects

Governor Evers' budget proposal for the current biennium included funding for the required ERIC mailing to eligible but unregistered voters. Gov. Evers did not fund the “movers list”

mailing but suggested the use of federal HAVA funds for this activity. Federal officials informed the state this use of HAVA would not be allowable. The Joint Committee on Finance added funding for the mover's list mailing to the budget. JFC also added funding to create the watermark system on the pollbooks to demarcate those individuals on the mover's list.

Democrats in general and Governor Evers are not as supportive of voter registration list maintenance as Republicans. Neither party supports or condones voter fraud. A standalone bill dealing with fraudulent voting in two states should receive bipartisan support and the Governors signature.

Need for clarification in statutes related to ERIC membership activities

Members in ERIC agree to these **mandatory** activities:

- 1) contact individuals who are believed to be eligible to vote but are not yet registered before every federal election (every 2 years)
- 2) contact registered voters who may have moved within the state to inform them
- 3) inactivate the registration of voters who are found to have registered or voted in another state

Members in ERIC may **optionally choose** to:

- 4) request a list of duplicate voters, i.e. voters who may have voted in two states in one election – cross-state duplicate voters
- 5) inactivate the registrations of voters who may have moved within the state (some states inactivate while others do not)

Wisconsin statutes also require other list maintenance activities such as inactivation of registrations of individuals who have not voted in four years under s. 6.50(1). We refer to this as “four year list maintenance” and this has been practiced in Wisconsin for many years.

I believe that Wisconsin should fully utilize the tools provided by ERIC to assist in our list maintenance activities.

ERIC movers list mailing in 2019 – funding, approval and process

The Elections Commission 2019-2021 biennial budget request included a request for funding of both the mailings required in the ERIC membership agreement. In his Executive Budget proposal Governor Evers included funding for the ERIC mailing to eligible unregistered voters, but did not include funding for the ERIC in-state movers mailing. On May 14, 2019 the Joint Committee on Finance considered this issue in budget paper #280 (attached). In discussion points #6 & #7 the Legislative Fiscal Bureau recapped the 2017 ERIC mailings and discussed funding options for 2019 and 2021. The budget paper explains the requirements of ERIC membership related to the movers mailing. LFB made no mention of deactivation of voters under Wis. Stats. 6.50. LFB explained in discussion point #7 the Commission's request for funding to make modifications to the voter administration system to "allow clerks to distinguish the records of voters identified by ERIC as having potentially moved from those identified by clerks as having moved".

The Elections Commission does not believe it has the statutory authority to send a mailing to “in-state movers” under 6.50(3) which grants this power to local clerks or to “boards of election

commissioners". The definition of "boards of election commissioners" in Chapter 7 makes clear that the WEC is not a "board of election commissioners" under statute. WEC instead sent the "movers list" mailing under WEC's general authority to maintain the registration list.

In June 2019 the Commission adopted a plan to alter the poll list by placing the words "movers list" in the space where a voter signs the poll book. The Commission also voted to require the poll worker to ask these voters before they vote the following question: "We have received information that you may have moved from this address. By signing here you are affirming you still reside at this address."

Judge Malloy in Ozaukee county circuit court ruled in the WILL lawsuit last week. Judge Malloy ruled that the ERIC movers list does constitute reliable information. His ruling found that WEC is required to follow the process in Stat. 6.50(3) with inactivation of voters after a mailing. This ruling has been appealed by DOJ. Another federal lawsuit has been filed to prevent inactivation of voters.

The judicial review of the actions of the Commission related to the ERIC movers list hinges on three questions:

- 1) Does the 2019 ERIC in-state mover list constitute "reliable information" under Wis. Stat. 6.50?
- 2) In 2017 local officials claimed the statutory right to make the determination of reliability at the local level. Do local officials have the authority to determine whether the 2019 ERIC in-state mover list constitutes "reliable information"?
- 3) Did the governor and legislature intend in 2019 Act 9, the biennial budget bill, to authorize expenditure of funds for a mailing to the ERIC in-state movers list as a required notice under Wis. Stat. 6.50 including notification that the voters' registration would be inactivated in 30 days? Or did the governor and legislature authorize funding for a required mailing under 2015 Act 261, with a plan to contact the voters by mail and highlight their presence on the movers list in the election administration system?

December 19, 2019

From: Dean Knudson

To: Speaker Robin Vos

Potential Legislation related to ERIC, the Electronic Registration Information Center

Suggested action steps:

1. **A standalone bill to mandate the Wisconsin Election Commission to request from ERIC at least once every 12 months the list of duplicate cross-state voters, i.e. individuals for whom there is evidence of voting twice in the same election in two different states.** Require that the Commission treat the data provided by ERIC as an official complaint to be handled under the statutory powers of the Commission in s. 5.05, etc. Require that the Commission refer these individuals to the appropriate district attorney after a review of the records available from Wisconsin and the other state. The Commission is already doing this but without any statutory direction or mandate. In the absence of legislation a future Commission could decide not to request these optional lists.
2. **A follow-up bill to 2015 Wisconsin Act 261 to add definitions and clarification.** Add a section to s. 6.50 to require the Elections Commission to annually send a mailing to the ERIC “in-state movers” similar to the mandate for the four year mailing. Specify inactivation as required in s. 6.50(2) or in s. 6.36(1)(d). Specify that the ERIC “in-state movers” list is not subject to local clerks’ determination of reliability. Grant authority to WEC to promulgate administrative rules for the ERIC process.
3. Authorize Legislative Reference Bureau staff to have discussions with Elections Commission staff about specific statutory language changes. Currently WEC staff have been informed by LRB that this subject is not to be discussed.

Review of Current Statutes

- A. Wis. Stats. 6.36(a) contains general responsibility for maintaining the registrations lists. No mention of ERIC. No direction or authority for how to handle ERIC. No direction about whether to participate in optional ERIC activities. No authority or directive to promulgate rules.
- B. Wis. Stats. 6.36(ae) made Wisconsin a member of ERIC without any further mention of any of the optional or discretionary aspects of ERIC membership.
- C. Wis. Stats. 6.36(d) requires a voter’s status to be changed to ineligible if another state notifies WEC of a registration or voting in that state. This section does not apply to ERIC because ERIC is not another state, but it could be expanded to cover ERIC. Wis. Stats. 6.36(6) allows the sale of voter lists but doesn’t cover the question of release of the ERIC movers list, which is considered confidential information under the ERIC membership agreement.
- D. Wis. Stats. 6.50(1) & (2) cover the “four year maintenance” mailings with specific processes. These processes do not apply to ERIC mailings but this template could be followed, or ERIC could be added to this process.
- E. Wis. Stats. 6.50(3) is the section currently under litigation. This section specifically applies only to local clerks but WEC used this section for the original ERIC movers mailing in 2017. Clerks in Green Bay and Milwaukee later exercised their right to define the ERIC information as not “reliable” and reactivated the list. The process is not as

defined as the “four year maintenance” process and has been in place for years to apply to individual electors rather than large groups. It should be improved.

- F. Wis. Stats. 7.20 defines “Board of Election Commissioners” as used in Wis. Stats. 6.50(3). Some have read 6.50(3) to include the Wisconsin Election Commission as being included in this definition but the statutes define WEC in another area of Chapter 7.

Background

Wisconsin is unique among the twenty-nine ERIC members in that Wisconsin does not register voters at the DMV as part of driver licensing. Of six states exempt from the federal motor voter act, only Minnesota and Wisconsin are members of ERIC. Like Wisconsin, Minnesota is exempt because they have same-day registration. But Minnesota differs by voluntarily registering voters at the point of driver licensing.

Upon joining ERIC Wisconsin became the first and only ERIC state to have never previously done a complete cross-match of our DMV lists with our voter registration lists. In 2017 Wisconsin sent a mailing using the ERIC in-state movers list for the first time. In preparing and mailing these postcards the Elections Commission operated under the assumption that the mailing would meet the requirements of both ERIC and Wis. Stats. 6.50. The postcards included a notification under Wis. Stats. 6.50 that the voters' registrations would be inactivated after 30 days unless the voter responded.

WEC encountered an unusually high number of false results during our first matching of the voter registration lists with the Department of Transportation lists. As a result of these first-time problems, some municipalities and clerks raised the question of whether the 2017 ERIC movers list constituted "reliable information". A close reading of s. 6.50(3) reveals that local clerks are given the authority and responsibility to contact voters that may have moved.

There were many reasons for these false positive matches, where voters who had not moved were falsely reported as having moved. In some cases the address was slightly different. In other cases the name differed slightly. We learned that vehicle owners who registered a vehicle at a second home or cabin would be reported as having moved to that address. Some voters had registered their vehicle in another county to avoid the Milwaukee wheel tax. In the end we experienced a false positive match rate of not less than 6%, meaning 6% of the voters that were initially flagged as possibly having moved to a new address later confirmed that they still resided at their original address.

WEC staff worked with DOT and ERIC to find and eliminate as many of these errors as possible. While we will not know until later how successful these efforts have been, the staff members working on the problem estimated that the 6% error rate in 2017 should be reduced significantly in the 2019 process.

Membership in ERIC requires that **voters appearing on the in-state movers list must be notified of the information, but ERIC does not require inactivation.** Many of the ERIC member states, possibly a majority of the states, send these voters a mailing informing them to verify their registration status but take no action to inactivate them.

A change in the law to specify that ERIC information constitutes "reliable information" under s. 6.50(3) would assure a uniform approach across the state.

Political Aspects

Governor Evers' budget proposal for the current biennium included funding for the required ERIC mailing to eligible but unregistered voters. Gov. Evers did not fund the “movers list”

mailing but suggested the use of federal HAVA funds for this activity. Federal officials informed the state this use of HAVA would not be allowable. The Joint Committee on Finance added funding for the mover's list mailing to the budget. JFC also added funding to create the watermark system on the pollbooks to demarcate those individuals on the mover's list.

Democrats in general and Governor Evers are not as supportive of voter registration list maintenance as Republicans. Neither party supports or condones voter fraud. A standalone bill dealing with fraudulent voting in two states should receive bipartisan support and the Governors signature.

Need for clarification in statutes related to ERIC membership activities

Members in ERIC agree to these **mandatory** activities:

- 1) contact individuals who are believed to be eligible to vote but are not yet registered before every federal election (every 2 years)
- 2) contact registered voters who may have moved within the state to inform them
- 3) inactivate the registration of voters who are found to have registered or voted in another state

Members in ERIC may **optionally choose** to:

- 4) request a list of duplicate voters, i.e. voters who may have voted in two states in one election – cross-state duplicate voters
- 5) inactivate the registrations of voters who may have moved within the state (some states inactivate while others do not)

Wisconsin statutes also require other list maintenance activities such as inactivation of registrations of individuals who have not voted in four years under s. 6.50(1). We refer to this as “four year list maintenance” and this has been practiced in Wisconsin for many years.

I believe that Wisconsin should fully utilize the tools provided by ERIC to assist in our list maintenance activities.

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From: "Knudson, Dean - ELECTIONS" <Dean.Knudson@wisconsin.gov>
Sent: Monday, November 18, 2019, 5:29 PM
To: "Luke, Ashley - LEGIS" <Ashley.Luke@legis.wisconsin.gov>
Subject: Re: 2020 Presidential Preference Selection Committee

Hi Ashley, Unfortunately that duty would not be convenient for me so I decline to be the substitute. I would suggest asking one of your members. A few names that come to mind would be Tyler August, Jessie Rodriguez, Samantha Kerkman, Barbara Dittrich, John Jagler or Joe Sanfelippo. I'm just trying to think of members that might have some other business at the Capitol and wouldn't have too long a drive to get to the meeting.

Thanks,
Dean Knudson

From: Luke, Ashley - LEGIS <Ashley.Luke@legis.wisconsin.gov>
Sent: Monday, November 18, 2019 3:43 PM
To: Knudson, Dean - ELECTIONS <Dean.Knudson@wisconsin.gov>
Subject: 2020 Presidential Preference Selection Committee

Hello Dean,

I hope you are having a nice day so far. Speaker Vos recently received a scheduling request for the 2020 Presidential Preference Selection Committee. Unfortunately due to scheduling conflicts he is unable to attend.

When considering someone to designate in his place, Speaker Vos brought up your name and asked that I reach out to see if you could take his place at the meeting or if you had any suggestions for other designees. Any confirmation or information would be appreciated!

Thanks so much for your consideration. I look forward to hearing back from you.

Sincerely,

Ashley Luke

Office of Assembly Speaker Robin Vos
608-266-9171, 1-888-534-0063
Ashley.Luke@legis.wisconsin.gov

From: "Knudson, Dean - ELECTIONS" <Dean.Knudson@wisconsin.gov>
Sent: Thursday, December 19, 2019, 12:49 PM
To: "Luke, Ashley - LEGIS" <Ashley.Luke@legis.wisconsin.gov>; "Rep.Vos - LEGIS" <Rep.Vos@legis.wisconsin.gov>
Subject: Re: Elections Commission Background Information
Attachments: Knudson memo on ERIC legislation.pdf; ERIC related statutes.pdf; 001 - Paper 280 Electronic Registration Information Center (Alternatives 1 and 3) (1).pdf; Exh. A - ERIC Membership Agreement.pdf

Hi Ashley,

The Wisconsin Elections Commission has voted to seek legislation clarifying the procedures related to Wisconsin's membership in ERIC. Please forward my attached memo, a pdf with pertinent statutes, a copy of the JFC issue paper from May, and a copy of the ERIC membership agreement. These documents will be helpful during our telephone discussion tomorrow.

Thanks,

Dean Knudson

From: Luke, Ashley - LEGIS <Ashley.Luke@legis.wisconsin.gov>
Sent: Thursday, December 19, 2019 8:18 AM
To: Knudson, Dean - ELECTIONS <Dean.Knudson@wisconsin.gov>
Subject: Elections Commission Background Information

Hello Dean,

Thank you for speaking with me on the phone this morning. I look forward to hearing back from you so I can pass along the background information to staff in the office on your behalf!

Thanks again,

Ashley Luke

Office of Assembly Speaker Robin Vos
608-266-9171, 1-888-534-0063
Ashley.Luke@legis.wisconsin.gov

From: "Knudson, Dean - ELECTIONS" <Dean.Knudson@wisconsin.gov>
Sent: Thursday, December 5, 2019, 6:19 PM
To: "Summerfield, Craig - LEGIS" <Craig.Summerfield@legis.wisconsin.gov>; "Wolfe, Meagan - ELECTIONS" <Meagan.Wolfe@wisconsin.gov>
Cc: "Sen. Bernier" <Sen.Bernier@legis.wisconsin.gov>; "Rep. Vos - LEGIS" <Rep.Vos@legis.wisconsin.gov>; "Sen. LeMahieu - LEGIS" <Sen.LeMahieu@legis.wisconsin.gov>
Subject: Re: LeMahieu, Bernier Letter to Wisconsin Elections Commission
Attachments: 001 - Paper 280 Electronic Registration Information Center (Alternatives 1 and 3).pdf

Senator LeMahieu and Senator Bernier,

You wrote in regard to 2015 Wisconsin Act 261. Without speaking for Administrator Wolfe or for the Commission as a whole, I would like to explain why I believe a follow-up bill is needed to clarify the intent of the legislature.

Background

As background to the explanation it should be pointed out that Wisconsin is unique among the twenty-nine ERIC members in that Wisconsin does not register voters at the DMV as part of driver licensing. Of the six states that are exempt from the federal motor voter act, Minnesota and Wisconsin are members of ERIC. Like Wisconsin, Minnesota is exempt because they have same-day registration. Minnesota differs by voluntarily registering voters at the point of driver licensing.

Upon joining ERIC Wisconsin became the first and only ERIC state to have never previously done a complete cross-match of our DMV lists with our voter registration lists. In 2017 Wisconsin sent a mailing using the ERIC in-state movers list for the first time. In preparing and mailing these postcards the Elections Commission operated under the assumption that the mailing would meet the requirements of both ERIC and Wis. Stats. 6.50. The postcards included a notification under Wis. Stats. 6.50 that the voters' registrations would be inactivated after 30 days unless the voter responded.

We encountered an unusually high number of false results during our first matching of the voter registration lists with the Department of Transportation lists. As a result of these first-time problems, some municipalities and clerks raised the question of whether the 2017 ERIC movers list constituted "reliable information". A close reading of s. 6.50(3) as recreated by 2015 Act 261 reveals that local clerks are given the authority and responsibility to contact voters that may have moved.

There were many reasons for these false positive matches, where voters who had not moved were falsely reported as having moved. In some cases the address was slightly different. In other cases the name differed slightly. We learned that vehicle owners who registered a vehicle at a second home or cabin would be reported as having moved to that address. Some voters had registered their vehicle in another county to avoid the Milwaukee wheel tax. In the

end we experienced a false positive match rate of not less than 6%, meaning 6% of the voters that were initially flagged as possibly having moved to a new address later confirmed that they still resided at their original address.

WEC staff worked with DOT and ERIC to find and eliminate as many of these errors as possible. While we will not know until later how successful these efforts have been, the staff members working on the problem estimated that the 6% error rate in 2017 should be reduced significantly in the 2019 process.

Membership in ERIC requires that voters appearing on the in-state movers list must be notified of the information, but ERIC does not require inactivation. Many of the ERIC member states, possibly a majority of the states, send these voters a mailing informing them to verify their registration status but take no action to inactivate them.

Prior to the 2019 in-state movers mailing I suggested a change in the law to specify that ERIC information constitutes "reliable information" under s. 6.50(3). This simple addition would assure a uniform approach across the state. I agree with the legislators that it seems unlikely that Governor Evers would sign a bill making this change since he attempted to defund the mailing itself in his budget proposal.

Need for clarification in statutes related to ERIC membership activities

Members in ERIC agree to: 1) contact individuals who are believed to be eligible to vote but are not yet registered, 2) contact registered voters who may have moved within the state, 3) inactivate the registration of voters who are found to have registered or voted in another state.

Members in ERIC have the option to: 4) request a list of duplicate voters, i.e. voters who may have voted in two states in one election – cross-state duplicate voters, 5) inactivate the registrations of voters who may have moved within the state (some states inactivate while others do not).

Wisconsin statutes also require other list maintenance activities such as inactivation of registrations of individuals who have not voted in four years under s. 6.50(1).

I believe that Wisconsin should fully utilize the tools provided by ERIC to assist in our list maintenance activities.

A follow-up bill to cleanup 2015 Act 261 should include:

- 1) Add a section to s. 6.50 to require the Elections Commission to send a mailing to the "in-state movers" similar to the mandate for the four year mailing. Specify inactivation as required in s. 6.50(2) or in s. 6.36(1)(d). Specify that the ERIC "in-state movers" list is not subject to local clerks' determination of reliability.
- 2) Add a section to s. 6.50 requiring the Elections Commission to request the ERIC duplicate voter lists, both cross-state and in-state. Require that the Commission treat the data provided by ERIC as an official complaint to be handled under the statutory powers of the Commission in

s. 5.05, etc. Require that the Commission refer these individuals to the appropriate district attorney after a review of the records available from Wisconsin and the other state. The Commission is already doing this but without any statutory direction or mandate. In the absence of legislation a future Commission could decide not to request these optional lists.

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Because the Commission does not have statutory authority to send a mailing to "in-state movers" under 6.50(3) which grants this power to local clerks, the Commission exercised its general authority to maintain the registration list, and its specific authority under s. 6.36(1)(am), to create a designation on the voter record indicating that the voter was reported on the ERIC movers list.

In June 2019 the Commission adopted a plan to alter the poll list by placing the words "movers list" in the space where a voter signs the poll book. The Commission also voted to require the poll worker to ask these voters before they vote the following question: "We have received information that you may have moved from this address. By signing here you are affirming you still reside at this address." I supported this plan because it will create a uniform statewide standard approach to the movers list.

A judicial review of the actions of the Commission related to the ERIC movers list hinges on three questions:

- 1) Does the 2019 ERIC in-state mover list constitute "reliable information" under Wis. Stat. 6.50?
- 2) In 2017 local officials claimed the statutory right to make the determination of reliability at the local level. Do local officials have the authority to determine whether the 2019 ERIC in-state mover list constitutes "reliable information"?
- 3) Did the governor and legislature intend in 2019 Act 9, the biennial budget bill, to authorize expenditure of funds for a mailing to the ERIC in-state movers list as a required notice under Wis. Stat. 6.50 including notification that the voters' registration would be inactivated in 30 days? Or did the governor and legislature authorize funding for a required mailing under 2015

Act 261, with a plan to contact the voters by mail and highlight their presence on the movers list in the election administration system?

Legislative action to define ERIC lists as "reliable information" would be most welcome. Legislative direction regarding the cross-state duplicate voter report would also be critically important. Discussions with Governor Evers may be helpful to determine if the administration would support specific legislative directives related to ERIC. An alternative would be to grant rule-making authority to the Commission for ERIC related issues. In the absence of such clarity, the Commission has made an administrative decision on how to approach this question. Not speaking for the Commission but only for myself I can tell you that I welcome the current judicial review of the pertinent statutes, and judicial review of the decisions of the Commission. I think the actions of the Commission have been consistent with 2015 Act 261, 2019 Act 9 and other statutes. I would be happy to discuss this matter with you further by phone or in person.

Sincerely,
Dean Knudson

From: Summerfield, Craig - LEGIS <Craig.Summerfield@legis.wisconsin.gov>
Sent: Thursday, December 5, 2019 11:24 AM
To: Knudson, Dean - ELECTIONS <Dean.Knudson@wisconsin.gov>; Wolfe, Meagan - ELECTIONS <Meagan.Wolfe@wisconsin.gov>
Cc: Sen. Bernier <Sen.Bernier@legis.wisconsin.gov>; Elections HelpDesk <elections@wisconsin.gov>; Bostelmann, Marge R - ELECTIONS <marge.bostelmann@wisconsin.gov>; Glancey, Julie - ELECTIONS <Julie.Glancey@wisconsin.gov>; Jacobs, Ann - ELECTIONS <Ann.Jacobs@wisconsin.gov>; Spindell, Robert - ELECTIONS <robert.spindell@wisconsin.gov>
Subject: LeMahieu, Bernier Letter to Wisconsin Elections Commission

Chair Knudson and Administrator Wolfe,

Attached is an electronic copy of the letter from Sen. LeMahieu and Sen. Bernier that was hand-delivered this morning to the Wisconsin Elections Commission.

Best,

Craig Summerfield

Chief of Staff
Office of Senator Devin LeMahieu
Room 409 South
(608) 266-2056

From: "Knudson, Dean - ELECTIONS" <Dean.Knudson@wisconsin.gov>
Sent: Thursday, January 23, 2020, 5:32 PM
To: "BELLING, MARK C." <MARKBELLING@iheartmedia.com>; "Wolfe, Meagan - ELECTIONS" <Meagan.Wolfe@wisconsin.gov>
Subject: Re: Oconomowoc Mayoral Candidate Removal

Hi Mark -

The clerk in Oconomowoc originally certified 200 signatures for Kowieski. My understanding is that she counted each page and wrote the number of valid signatures on the page, then she added all the numbers she had written on the individual pages. At no point did she actually perform a simple aggregate count of all the signatures. On one page the number she wrote on the page didn't reflect the number of signatures on that page, i.e. on one page the number she wrote appears to have been two greater than the number of actual signatures on that page.

Upon receiving the complaint WEC staff disregarded the written notations and simply counted the signatures that were certified as valid. The number counted was 198 or 2 signatures short of the necessary number. When the clerk was called to inquire about the difference, she recounted and realized her mistake. The clerk then emailed WEC stating that "I just wanted to let you know that I recounted (slowly) and it is 198". The clerk herself then, after consultation with the Oconomowoc City Attorney, issued an amended sufficiency determination and reversed their original determination – finding the minimum of 200 valid signatures had not been submitted, and therefore the candidate's name should not appear on the ballot. In short, a simple mistake had been made by the clerk. This made the original complaint to WEC moot and no further action was taken by WEC. It would not be correct to state that the WEC told her to do anything in this case but rather simply acted as another set of eyes on the documents. These nomination papers would be an open record if you wish to request them.

Kowieski has the right to challenge the clerk's actions and decisions in this case.

Candidates are ultimately responsible for insuring that a sufficient number of valid signatures are submitted. Candidates for Mayor in Oconomowoc are allowed to submit 400 signatures to meet the minimum of 200 valid signatures. Candidates submitting only a few signatures more than the minimum, as in this case, are at risk of not making the ballot if some of the signatures are not valid.

There is no evidence of partisan bias in this case. There was no decision or ruling or judgment by anyone at WEC. There was no persuasion or direction by WEC other than to point out the obvious counting error.

Dean Knudson

From: BELLING, MARK C. <MARKBELLING@iheartmedia.com>
Sent: Thursday, January 23, 2020 2:03 PM
To: Knudson, Dean - ELECTIONS <Dean.Knudson@wisconsin.gov>
Subject: Oconomowoc Mayoral Candidate Removal

Dean

Did you, or the entire Commission, make a ruling on the challenge to the ballot access of Oconomowoc mayoral candidate Lou Kowielewski?

The Waukesha Democratic Party challenged his petitions because some lacked a date on the top of the nominating page and some did not include the title of the office. The Oconomowoc City Clerk ruled the candidate's petitions were valid. This morning, she says she was told by the "Commission" to remove the candidate.

Who did this? The Commission staff? You? The entire Commission?

This is the latest instance in which a complaint was filed by a Democrat or, in this case, the Democratic Party and the Commission has sided with it. Yet, I can't find any evidence of an actual decision by the Commission. I have obvious concerns that I have raised with Speaker Vos that the Commission is derelict in its duties and is being steamrolled by a partisan Madison staff. As you know, I was appalled that the recent Milwaukee cases were decided without a full Commission vote and in each case sided with a challenge made by Democrats.

The purpose, I was told at the time, of having three Republicans and three Democrats on the Commission, was to guarantee that the Madison staff would not function in a partisan fashion as it did during the GAB era. Yet the Commission seems to me to now be far worse than the GAB ever was and I see no evidence of oversight by the Commission of its partisan and biased staff.

If the full Commission did not consider the Oconomowoc case, why not? And why is the Commission staff, on its own, being allowed to order any municipal officials to do anything? The Commission staff, I have been told repeatedly, is there to enforce Commission decisions and not to make rulings or decisions on its own.

I fear that tomorrow your Commission will throw Justice Kelly off the ballot.

Mark Belling

PM Drive Talk Show Host WISN-AM, Western Great Lakes Region

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FREE PARTY - Sun. Dec. 15

Meet & Hear Sen. Alberta Darling, Rep. Jim Ott,

Justice Kelly (or surrogate), Judge Gabler

**Other Judicial Candidates, Non Partisan Candidates & Republican
Office Holders & Candidates**



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4th Congressional District,

*Republican National Hispanic Assembly of WIS,
& RPHC North Milwaukee Branch, South Milwaukee Branch,
North Shore Branch, West Allis Branch & Wauwatosa Branch*

Cordially invite you to

Our Annual Christmas Party & Green Bay Packer Game

Come watch the Green Bay Packers take on the CHICAGO BEARS in this

Wonderful Christmassy But Yet Warm Tropical CARIBBEAN BAR & RESTAURANT Atmosphere.

Meet many of our Republican Elected Officials, Candidates & Judges Up for Re-Election

Sunday, December 15, 2019

JEWELS CARIBBEAN BAR & RESTAURANT (414-585-0678)

(Exclusively for our Group)

(East Side - JUST SOUTH OF NORTH AVE ON MARTIN LUTHER KING DRIVE)

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11:15 AM until End of Green Bay Packer game!

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Delicious Jerk Chicken Wings, Special Caribbean Veggie Pizza & Jerk Chicken Pizza,
American Beef Sliders, Sweet & Plain Plantain Chips will be served & CASH BAR

FREE, BUT BE A Host - \$125.00 (for 2) - Incl - Open Bar, Recognition

FREE SECURED PARKING AROUND BUILDING - 50 CARS

Enter lot at Southeast End of Restaurant on MLK or East End of Building on North Ave.

Also Parking Free Lot Directly Across Street (West Side of MLK)

Make Host checks payable to RPW, 4th Cong Dist & mail to:

Bob Spindell, Chair - 1626 N. Prospect Ave. Milwaukee, WI 53202

For further information, directions, reservations please call:

Bob Spindell, Chair at 414-276-6331

or email back to: CD4.Chairman@wisgop.info

[REGISTER HERE FOR FREE EVENT & HOST STATUS](#)

FREE - RPW 4th Cong Dist, Dec 15, 2019 Christmas Party / Packer Game at Jewels Caribbean

Send to: Bob Spindell, 1626 N Prospect Ave. Milwaukee, WI 53202

I/We will attend

_____ Person/s NO CHARGE _____

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Name _____ *Guest Name: _____

Telephone Number _____

Address _____ *City _____ *State _____ *Zip _____

E-Mail _____

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Bob Spindell

Chair

RPW 4th Cong Dist

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FREE PARTY - Sun. Dec. 15

Meet & Hear Sen. Alberta Darling, Rep. Jim Ott,

Justice Kelly (or surrogate), Judge Gabler

**Other Judicial Candidates, Non Partisan Candidates & Republican
Office Holders & Candidates**



Republican Party of Wisconsin

4th Congressional District,

*Republican National Hispanic Assembly of WIS,
& RPHC North Milwaukee Branch, South Milwaukee Branch,
North Shore Branch, West Allis Branch & Wauwatosa Branch*

Cordially invite you to

Our Annual Christmas Party & Green Bay Packer Game

Come watch the Green Bay Packers take on the CHICAGO BEARS in this

Wonderful Christmassy But Yet Warm Tropical CARIBBEAN BAR & RESTAURANT Atmosphere.

Meet many of our Republican Elected Officials, Candidates & Judges Up for Re-Election

Sunday, December 15, 2019

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(Exclusively for our Group)

(East Side - JUST SOUTH OF NORTH AVE ON MARTIN LUTHER KING DRIVE)

2230 N. Dr. Martin Luther King Jr. Drive (N. 3rd St), Milwaukee, WI 53212

11:15 AM until End of Green Bay Packer game!

(Note: Should Packer Game time be changed, Event will start one hour prior to kickoff)

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Republican Officials & Candidates



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4th Congressional District,***

***Republican National Hispanic Assembly of Wis,
& RPMC North Milwaukee Branch, South Milwaukee Branch,
North Shore Branch, West Allis Branch & Wawatosa Branch***

& HOSTS:

**Bob Spindell, Rep. Jim Ott, Sen. Alberta Darling,
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**The RPW 4th Cong Dist Executive Committee
Bob Spindell - Chair, Doug Haag - Vice Chair,
Pat Prudlow - Secretary, James McFarland
- Treasurer, RPMC North Branch Chair Orlando
Owens, North Shore Branch Chair Mike
Hoffmann & South Branch Chair Darlene Wink**

*Wish You A Very Merry
Christmas & Happy New
Year*

**We Wish to Thank All of Our Milwaukee County
Area Volunteers for the Great Work &
Accomplishments Done this Year, 2019.**

**But, We Wish to Thank You in Advance for All
the Work You will do to Insure a Great
Republican Wisconsin Trump Victory in
November of 2020.**

**We are All Very Grateful to be able to Live in
this Great and Prosperous Country. But,
Elections do have Consequences as We have**

**Learned again over this Last Year, Both
Nationally and State Wise. Wisconsin, with
Milwaukee County, will most likely Make the
Difference as to Whom
Wins the Presidency of the United States, an
Opinion upon which Both the Republican and
Democrat Experts Agree.**

**One of our Great volunteers sent me this song
for Christmas which I wish to share with all of
you. The link is to a rendition of "God Bless
the USA" by Lee Greenwood with the United
States Army Chorus!**

**[Lee Greenwood & US Army Chorus - "God
Bless the USA"](#)**

Bob

Bob Spindell

Chair

RPW 4th Cong Dist

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Hoffmann & South Branch Chair Darlene Wink**

*Wish You A Very Happy
& Republican Successful
New Year*

**We Wish to Thank - In Advance - All of Our
Milwaukee County Area Volunteers for the
Great Work & Accomplishments We all will do
& will Have done This Coming Year to Insure
a Great Republican Wisconsin
Trump Victory in November, 2020.**

**REMEMBER All Republican and Democrat
Experts Agree, "which Presidential Candidate
wins Wisconsin, wins the Presidency!"**

**It is up to us in the 4th Congressional Dist &
the Rest of Milwaukee County to bring
Trumps's Victory over the top,
just as we did in 2016 - Comparing Hillary's
2016 Votes here versus O'Bama's 2012 Votes.
Again, Happy New Year!**

Bob

**Bob Spindell
Chair**

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TODAY-- YOU ARE INVITED

11:15 A.M. to Game End

PACKERS vs. BEARS &

Meet & Hear: Sen. Alberta Darling, Rep. Jim Ott,

Candidates S.C. Justice Dan Kelly (or surrogate),

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Trump & Republican Officials & Candidates



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**MILWAUKEE COUNTY EXECUTIVE
FORUM**

TONIGHT - Thursday, Jan. 23, 2020

7 PM

-

The North Shore Republican Branch of RPMC

Presents

Milwaukee County Executive Candidate Forum

At

**Nicolet High School
6701 N Jean Nicolet Road
Glendale, WI 53217**

Doors Open: 6:40 PM

Program Starts 7:00 PM

FORUM FORMAT

The Candidates will provide statements and respond to a series of questions from the Debate Moderator on Issues pertinent to Milwaukee County.

QUESTIONS from the audience will also be part of the program with each candidate having an equal chance to respond.

**Questions: Call Forum Moderator Chris Haines
414-339-1686 / chains2470@gmail.com**

Bob

Bob Spindell

Chair

**Republican Party of Wisconsin
4th Congressional District**

414-276-6331

cd4.chairman@wisgop.info

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**You're Invited to See Sen Ron
Johnson**

**@ GRAND OPENING of OUR NEW
RPW / TRUMP HEADQUARTERS**

2244 N. Dr Martin Luther King Jr Drive

TONIGHT - THURSDAY, Feb. 6

6 - 8 PM

AT S.E. Corner MLK @ W North Ave, Milw 53212

(Lots of Parking behind building - enter off of North Ave or MLK Dr.)

THEN You're Invited

8 PM to ??

"CELEBRATION AFTER PARTY"

(only 100 feet South of HQ @)

Jewell Caribbean Rest

2230 N. Martin Luther King Dr.

Free Tap Beer, Wine, Soda*

to Celebrate RPW 4th Dist

Candidates

Orlando Owens - State Representative

Tim Rogers, Congress, WI 4th Cong Dist
Cindy Werner, Congress, WI 4th Cong Dist

*free drinks 8-9PM



Questions? Call Bob Spindell, Chair
at 414-276-6331.

Bob Spindell
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Republican Party of Wisconsin
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TRUMP STATE OF UNION PARTY
FREE PARTY

Tomorrow, Tues. 7 - 9 PM



Bob Spindell, Chair
RPW 4th Cong Dist Executive Committee
Trump Campaign
Cordially Invite You to See and Hear
President Donald J. Trump
Deliver his State of the Union Address to
the 116th United States Congress Tomorrow
February 4, 2020
Tuesday Evening, 7-9 PM



**Prospect Towers
1626 N. Prospect Ave., Party Room
Milwaukee, WI 53202**

**Hear & Discuss the latest in Political News
& the Trump Campaign in Wisconsin.**

**Free Event
with Pizza, Snacks, Beer, Wine Soda
Please RSVP --- if possible at**

[RSVP HERE](#)

Questions? Call Bob Spindell, Chair
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MARK YOUR CALENDAR - Thursday, Feb. 6
GRAND OPENING OF OUR
NEW RPW REPUBLICAN / TRUMP CAMPAIGN OFFICE

6 - 8 PM on
DR. MARTIN LUTHER KING, JR. DRIVE

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