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Date: Wednesday, March 9, 2022 at 1:11 PM
To: Dylan Winters <dylan.winters@americanoversight.org>
Cc: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>, Blazel, Ted <Ted.Blazel@legis.wisconsin.gov>
Subject: RE: Public Records Law Request (WI-REP-22-0205)

EXTERNAL SENDER

Dylan Winters
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Dear Mr. Winters:

Open records requests are processed through the Assembly Chief Clerk's office for billing purposes only. You submitted an open records request to Representative Sanfelippo. 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.

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2021 ASSEMBLY JOINT RESOLUTION

1 **To renumber** section 3 of article IV; **to amend** section 4 of article IV and section 5
2 of article IV; and **to create** section 3 (2), (3), (4), (5), (6), (7) and (8) of article IV
3 and section 9 (3) of article IV of the constitution; **relating to:** legislative and
4 congressional redistricting (first consideration).

Analysis by the Legislative Reference Bureau

A proposed constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective.

5 ***Resolved by the assembly, the senate concurring, That:***

6 **SECTION 1.** Section 3 of article IV of the constitution is renumbered section 3
7 (1) of article IV.

8 **SECTION 2.** Section 3 (2), (3), (4), (5), (6), (7) and (8) of article IV of the
9 constitution are created to read:

10 [Article IV] Section 3 (2) (a) The legislative reference bureau shall acquire
11 appropriate information, review and evaluate available facilities, and develop

1 programs and procedures in preparation for drawing congressional and legislative
2 redistricting plans on the basis of each federal decennial census.

3 (b) By December 1 of the year of the federal decennial census, the legislative
4 reference bureau shall obtain from the federal government information regarding
5 geographic and political units in this state for which federal census population data
6 has been gathered and will be tabulated. The legislative reference bureau shall use
7 the information to do all of the following:

8 1. Prepare necessary descriptions of geographic and political units for which
9 census data will be reported and that are suitable for use as components of legislative
10 districts.

11 2. Prepare maps of geographic and political units within the state that may be
12 used to illustrate the locations of district boundaries proposed in plans prepared in
13 accordance with sub. (5).

14 (c) As soon as possible after receiving the federal census data needed for
15 legislative redistricting, the legislative reference bureau shall use that data to assign
16 a population figure based upon certified federal census data to each geographic and
17 political unit described under par. (b) 1. The legislative reference bureau shall
18 prepare and publish an analysis describing the population of current legislative and
19 congressional districts and the extent to which the districts may violate the
20 standards under sub. (5). Upon satisfying these requirements, the legislative
21 reference bureau shall begin the preparation of congressional and legislative
22 redistricting plans as required under sub. (4).

23 (d) None of the 4 selecting authorities, as defined in sub. (8) (a) 2., may assign
24 or hire any person to work with the legislative reference bureau to prepare for

1 redistricting under this subsection, to prepare plans under sub. (4), or to oversee
2 either process.

3 (3) After receipt of a division ordinance or resolution, as provided by law, the
4 legislative reference bureau shall use the federal census data obtained under sub.
5 (2) (c) to assign a population figure based upon certified federal census data to each
6 ward established in the division ordinance or resolution. The legislative reference
7 bureau shall use each ward to which a population figure is assigned in preparing
8 congressional and legislative redistricting plans as required under sub. (4).

9 (4) (a) Not later than January 1 of the 2nd year following the federal decennial
10 census, the legislative reference bureau shall deliver to the majority leader of the
11 senate and speaker of the assembly identical bills creating plans of legislative and
12 congressional redistricting, prepared in accordance with sub. (5). Either the
13 assembly or the senate shall bring the bill to a vote expeditiously, but not less than
14 7 days after the commission report under sub. (8) (c) 4. b. is received and made
15 available to the members of the legislature. The vote shall be under a procedure or
16 rule permitting no amendments. If the bill is approved by the first house in which
17 it is considered, the bill shall expeditiously be brought to a vote in the 2nd house
18 under a similar procedure or rule.

19 (b) If neither of the bills delivered by the legislative reference bureau under par.
20 (a) is approved by both the assembly and the senate, the chief clerk of the house that
21 failed to approve the bill shall immediately transmit to the legislative reference
22 bureau information that the house may direct regarding reasons why the plan was
23 not approved. The legislative reference bureau shall prepare identical bills
24 embodying a 2nd plan of legislative and congressional redistricting prepared in
25 accordance with sub. (5), taking into account the reasons transmitted to the

1 legislative reference bureau under this paragraph insofar as it is possible to do so
2 within the requirements of sub. (5). The legislative reference bureau shall deliver
3 the bills to the majority leader of the senate and the speaker of the assembly no later
4 than 21 days after the date of the vote by which the senate or the assembly failed to
5 approve the bill submitted under par. (a). Any bill delivered by the legislative
6 reference bureau under this paragraph shall be expeditiously introduced and
7 brought to a vote not less than 7 days after the date of introduction, in the same
8 manner as prescribed for the bill required under par. (a).

9 (c) If neither of the bills delivered by the legislative reference bureau under par.
10 (b) is approved by both the assembly and the senate, the same procedure as
11 prescribed by par. (b) shall be followed. If a 3rd plan is required under this
12 paragraph, the legislative reference bureau shall deliver the bills to the majority
13 leader of the senate and the speaker of the assembly no later than 21 days after the
14 date of the vote by which the senate or the assembly failed to approve the bill
15 submitted under par. (b). Any bill delivered by the legislative reference bureau under
16 this paragraph shall be expeditiously introduced and brought to a vote not less than
17 7 days after the date of introduction and shall be subject to amendment in the same
18 manner as other bills. Any bill delivered under this paragraph, and any amendment
19 to such a bill, may be passed only with the approval of three-fourths of all the
20 members elected in each house.

21 (d) Notwithstanding pars. (a) to (c):

22 1. If certified federal census data that is sufficient to permit preparation of a
23 congressional redistricting plan becomes available at an earlier time than the
24 population data needed to permit preparation of a legislative redistricting plan in
25 accordance with sub. (5), the legislative reference bureau shall so inform the majority

1 leader of the senate and the speaker of the assembly. If the majority leader of the
2 senate and the speaker of the assembly jointly direct, the legislative reference
3 bureau shall prepare a separate bill establishing congressional districts and deliver
4 it separately from the bill establishing legislative districts. The legislature shall
5 proceed to consider the congressional redistricting bill in substantially the manner
6 prescribed by pars. (a) to (c).

7 2. If the population data for legislative redistricting that the federal
8 government provides and, if used by the legislative reference bureau, the
9 corresponding topologically integrated geographic encoding and referencing data
10 file for that population data are not available to the legislative reference bureau on
11 or before April 1 of the first year following the federal decennial census, the deadlines
12 set forth in this subsection shall be extended by a number of days equal to the number
13 of days after April 1 of the first year following the federal decennial census that the
14 population data and the topologically integrated geographic encoding and
15 referencing data file for legislative redistricting become available.

16 (5) (a) Legislative and congressional districts shall be established on the basis
17 of population requirements imposed under this constitution and the U.S.
18 Constitution and requirements imposed under section 2 of the Voting Rights Act of
19 1965.

20 (b) Senate and assembly districts, respectively, shall satisfy the population
21 standards established in this paragraph. The quotient, obtained by dividing the sum
22 of the absolute values of the deviations of all district populations from the applicable
23 ideal district population by the number of districts established, may not vary by more
24 than 1 percent from the applicable ideal district population, unless necessary to
25 maintain compliance with section 2 of the Voting Rights Act of 1965. For purposes

1 of this paragraph, the ideal district population is determined by dividing the
2 population of the state reported in the most recent federal decennial census by the
3 number of districts to be established. No senate district may have a population that
4 varies by more than 10 percent from any other senate district and no assembly
5 district may have a population that varies by more than 10 percent from any other
6 assembly district, unless necessary to maintain compliance with section 2 of the
7 Voting Rights Act of 1965.

8 (c) Congressional districts shall each have a population as nearly equal as
9 practicable to the ideal district population, derived as prescribed in par. (b), while
10 maintaining compliance with section 2 of the Voting Rights Act of 1965. No
11 congressional district may have a population that varies by more than 1 percent from
12 the applicable ideal district population, unless necessary to comply with section 2 of
13 the Voting Rights Act of 1965.

14 (d) District boundaries shall coincide with ward boundaries and, to the extent
15 consistent with par. (a), shall coincide with the boundaries of political subdivisions.
16 The number of political subdivisions divided among more than one district shall be
17 as small as possible. When there is a choice among political subdivisions to divide,
18 the more populous political subdivisions shall be divided before the less populous,
19 except that this requirement does not apply to a legislative district boundary drawn
20 along a county boundary that passes through a city with territory in more than one
21 county.

22 (e) Districts shall be composed of convenient contiguous territory. Areas that
23 meet only at the points of adjoining corners are not contiguous.

24 (f) Districts shall not be drawn with the intent or result of denying or abridging
25 the equal opportunity of racial or language minorities to participate in the political

1 process or diminishing the ability of racial or language minorities to elect
2 representatives of each minority group's choice, whether by the group or by voting
3 concert with other persons.

4 (g) 1. In this paragraph:

5 a. "Geographic unit center" means that point within a population data unit
6 approximately equidistant from the northern and southern extremities and also
7 approximately equidistant from the eastern and western extremities of the
8 population data unit. This point shall be determined by visual observation of a map
9 of the population data unit, unless it is otherwise determined within the context of
10 an appropriate coordinate system developed by the federal government or another
11 source that the legislative reference bureau determines is qualified and objective and
12 is obtained for use in this state with prior approval of the joint committee on
13 legislative organization.

14 b. "Population data unit" means a ward, census enumeration district, block, or
15 other unit of territory that has clearly identified geographic boundaries and for
16 which a total population figure is included in or can be derived directly from certified
17 federal census data.

18 c. "X-coordinate" means the relative location of a point along the east-west axis
19 of the state. Unless otherwise measured within the context of an appropriate
20 coordinate system obtained for use as permitted by subd. 1. a., the x-coordinate shall
21 be measured along a line drawn due east from a due north and south line running
22 through the point that is the western extremity of this state, to the point to be located.

23 d. "Y-coordinate" means the relative location of a point along the north-south
24 axis of the state. Unless otherwise measured within the context of an appropriate
25 coordinate system obtained for use as permitted by subd. 1. a., the y-coordinate shall

1 be measured along a line drawn due south from a due east and west line running
2 through the point that is the northern extremity of this state, to the point to be
3 located.

4 2. To the extent consistent with pars. (a) to (c), districts shall be compact in
5 form. Compact districts are those that are square, rectangular, or hexagonal in
6 shape to the extent permitted by natural or political boundaries. When it is
7 necessary to compare the relative compactness of 2 or more districts, or of 2 or more
8 alternative redistricting plans, the tests prescribed by subds. 3. and 4. shall be used.
9 Should the results of these 2 tests be contradictory, the standard under subd. 3. shall
10 be given greater weight than the standard under subd. 4.

11 3. a. The compactness of a district is greatest when the length of the district and
12 the width of the district are equal. The measure of a district's compactness is the
13 absolute value of the difference between the length and the width of the district.

14 b. In measuring the compactness of a district by means of electronic data
15 processing, the difference between the x-coordinates of the easternmost and the
16 westernmost geographic unit centers included in the district shall be compared to the
17 difference between the y-coordinates of the northernmost and southernmost
18 geographic unit centers included in the district.

19 c. To determine the length and width of a district by manual measurement, the
20 distance from the northernmost point or portion of the boundary of a district to the
21 southernmost point or portion of the boundary of the same district and the distance
22 from the westernmost point or portion of the boundary of the district to the
23 easternmost point or portion of the boundary of the same district shall each be
24 measured. If the northernmost or southernmost portion of the boundary, or each of
25 these points, is a part of the boundary running due east and west, the line used to

1 make the measurement required by this subd. 3. c. shall be drawn either due north
2 and south or as nearly so as the configuration of the district permits. If the
3 easternmost or westernmost portion of the boundary, or each of these points, is a part
4 of the boundary running due north and south, a similar procedure shall be followed.
5 The lines to be measured for the purpose of this subd. 3. c. shall each be drawn as
6 required by this subd. 3. c., even if some part of either or both lines lies outside the
7 boundaries of the district that is being tested for compactness.

8 d. The absolute values computed for individual districts under this subdivision
9 may be cumulated for all districts in a plan in order to compare the overall
10 compactness of 2 or more alternative redistricting plans for the state or for a portion
11 of the state. However, it is not valid to cumulate or compare absolute values
12 computed using the measurements under subd. 3. b. with those computed using the
13 measurements under subd. 3. c.

14 4. a. The compactness of a district is greatest when the ratio of the dispersion
15 of population about the population center of the district to the dispersion of
16 population about the geographic center of the district is one to one.

17 b. The population dispersion about the population center of a district or about
18 the geographic center of a district is computed as the sum of the products of the
19 population of each population data unit included in the district multiplied by the
20 square of the distance from the geographic unit center of that population data unit
21 to the population center or the geographic center of the district, as the case may be.
22 The geographic center of the district is defined by averaging the locations of all
23 geographic unit centers that are included in the district. The population center of
24 the district is defined by computing the population-weighted average of the
25 x-coordinates and y-coordinates of each geographic unit center assigned to the

1 district, it being assumed for the purpose of this calculation that each population
2 data unit possesses uniform density of population.

3 c. The ratios computed for individual districts under this subdivision may be
4 averaged for all districts in a plan in order to compare the overall compactness of 2
5 or more alternative redistricting plans for the state or for a portion of the state.

6 (h) In preparing any redistricting plan, the legislative reference bureau shall
7 be strictly nonpartisan. No district may be drawn for the purpose of favoring a
8 political party, incumbent legislator or member of Congress, or other person or group
9 or, except to the extent required under par. (a), for the purpose of augmenting or
10 diluting the voting strength of a language or racial minority group. Except as
11 provided in par. (j), in establishing districts, no use shall be made of any of the
12 following data:

- 13 1. The residence addresses of incumbent legislators or members of Congress.
- 14 2. Political affiliations of registered voters.
- 15 3. Previous election results.
- 16 4. Demographic information except as necessary to meet the requirements of
17 pars. (a) and (j).

18 (i) Except as otherwise provided in this paragraph, to the extent possible, each
19 congressional district shall contain only whole senate districts. The other standards
20 specified in this subsection shall take precedence in a case in which a conflict arises
21 between those standards and the requirement of including only whole senate
22 districts within a congressional district.

23 (j) In preparing any redistricting plan, the legislative reference bureau shall
24 test the efficiency gap and competitiveness of each district and make the test results
25 available to the public, including publishing the results on its Internet site, no later

1 than 72 hours prior to the first public hearing on the proposed plan. The legislative
2 reference bureau may use the data described under par. (h) 2. to 4. to perform the
3 tests under this paragraph.

4 (6) Each bill delivered under sub. (4) shall provide all of the following:

5 (a) That, wherever territory is described in the bill by geographic boundaries,
6 the following conventions are used:

7 1. Each bound continues to the intersection with the bound next named, or to
8 the intersection with a straight-line extension of such bound.

9 2. If the bound is a street, it follows the center line of the street or the center
10 line of the street extended.

11 3. If the bound is a railroad right-of-way, it follows the center line of the
12 railroad right-of-way.

13 4. If the bound is a river or stream, it follows the center of the main channel of
14 such river or stream.

15 5. If the bound follows a municipal boundary, it coincides with such boundary.

16 (b) That the bill first applies, with respect to regular elections, to offices filled
17 at the next occurring general election after the bill takes effect and, with respect to
18 special or recall elections, to offices filled or contested on or after the date of that
19 general election.

20 (7) If an action is brought challenging a legislative redistricting plan under this
21 section on the basis of an excessive population variance among senate or assembly
22 districts established in the plan, the legislature has the burden of justifying any
23 variance in excess of 10 percent between the population of a senate or assembly
24 district and the applicable ideal district population. If an action is brought
25 challenging a congressional redistricting plan under this section on the basis of an

1 excessive population variance among congressional districts established in the plan,
2 the legislature has the burden of justifying any variance in excess of 1 percent
3 between the population of a congressional district and the applicable ideal district
4 population.

5 (8) (a) In this subsection:

6 1. "Chief election officer" means the elections commission administrator.

7 2. "Four selecting authorities" means all of the following:

8 a. The majority leader of the senate.

9 b. The minority leader of the senate.

10 c. The speaker of the assembly.

11 d. The minority leader of the assembly.

12 3. "Partisan public office" means any of the following:

13 a. The office of governor, lieutenant governor, secretary of state, state treasurer,
14 attorney general, state senator, or state representative to the assembly.

15 b. A county office that is filled by an election process involving nomination and
16 election of candidates on a partisan basis.

17 4. "Political party office" means an elective office in a political party or in a
18 national political party.

19 5. "Relative" means an individual who is related to the individual in question
20 as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew,
21 niece, husband, wife, grandfather, grandmother, father-in-law, mother-in-law,
22 son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather,
23 stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half
24 sister.

1 (b) 1. Not later than February 15 of the first year following the federal decennial
2 census, a temporary redistricting advisory commission shall be created consisting of
3 5 members. Each of the 4 selecting authorities shall certify to the chief election
4 officer the selecting authority's appointment of a person to serve on the commission.
5 Within 30 days after the last selecting authority has certified his or her appointment,
6 but not later than February 15 of the first year following the federal decennial
7 census, the 4 commission members so appointed shall select, by a vote of at least 3
8 members, and certify to the chief election officer the 5th commission member, who
9 shall serve as chairperson.

10 2. No individual may be appointed to the redistricting advisory commission
11 who satisfies any of the following:

12 a. The individual is not an eligible elector of this state at the time of the
13 appointment.

14 b. The individual holds partisan public office or political party office.

15 c. The individual is a relative of or is employed by a member of the legislature
16 or of Congress or is employed directly by the legislature or Congress.

17 3. Members of the redistricting advisory commission appointed by a selecting
18 authority shall be reimbursed for actual and necessary expenses incurred in
19 performance of duties as a commission member. The member who is not appointed
20 by a selecting authority shall be reimbursed for actual and necessary expenses
21 incurred in performance of duties as a commission member.

22 4. A vacancy on the redistricting advisory commission shall be filled as
23 provided by law within 15 days after the vacancy occurs.

24 5. Each redistricting advisory commission terminates upon complying with
25 par. (c).

1 (c) The redistricting advisory commission shall do all of the following:

2 1. If requested to do so by the legislative reference bureau, provide direction
3 to the legislative reference bureau concerning any decision the legislative reference
4 bureau must make in preparing a redistricting plan for which no clearly applicable
5 guideline is provided under sub. (5).

6 2. Oversee the work of legislative reference bureau employees engaged in
7 preparing a redistricting plan and may enter into contracts for hiring experts to
8 assist in the preparation of such plans. The commission may enter into a contract
9 to retain experts for preparing a redistricting plan only with the approval of
10 three-fourths of the members of the commission and may terminate a contract
11 employee only with the approval of three-fourths of the members of the commission.

12 3. Upon delivery by the legislative reference bureau of a bill embodying a
13 redistricting plan as required under sub. (4), make available to the public at the
14 earliest feasible time all of the following information:

15 a. Copies of the bill.

16 b. Maps illustrating the plan.

17 c. A summary of the standards prescribed under sub. (5) for development of the
18 plan.

19 d. A statement of the population of each district included in the plan and the
20 relative deviation of each district population from the ideal district population.

21 4. Upon delivery by the legislative reference bureau of an initial bill embodying
22 a redistricting plan as required under sub. (4) (a), do all of the following:

23 a. As expeditiously as reasonably possible, schedule and conduct public
24 hearings, in different geographic regions of the state, on the plan embodied in the
25 bill. No more than one public hearing may be held in the city of Madison, and at least

1 one public hearing shall be held in each congressional district of the state. The
2 commission shall hold public hearings on weekends whenever it is practicable.

3 b. Following the hearings held under subd. 4. a., promptly prepare and submit
4 to the legislature in the manner provided by law a report summarizing information
5 and testimony received by the commission in the course of the hearings. The report
6 may include any comments and conclusions that the commission's members deem
7 appropriate concerning the information and testimony received at the hearings or
8 otherwise presented to the commission.

9 (d) 1. Except as provided in subd. 2., the redistricting advisory commission may
10 establish policies limiting the information that the legislative reference bureau may
11 provide to persons outside of the bureau staff concerning any redistricting plan
12 prepared under this section.

13 2. Any policy established under subd. 1. does not apply to a redistricting plan
14 after a bill embodying that plan is delivered by the legislative reference bureau as
15 required under sub. (4) or to population data furnished to the legislative reference
16 bureau by the federal government. Any draft maps, along with the data sets used
17 to create the maps, that are produced by the legislative reference bureau in the
18 course of its work in preparing a bill under sub. (4) shall be open to public inspection
19 and copying and made available on the Internet site of the legislative reference
20 bureau as soon as the maps are produced.

21 **SECTION 3.** Section 4 of article IV of the constitution is amended to read:

22 [Article IV] Section 4. The members of the assembly shall be chosen biennially,
23 by single districts, on the Tuesday succeeding the first Monday of November in
24 even-numbered years, by the qualified electors of the several districts, ~~such districts~~

1 ~~to be bounded by county, precinct, town or ward lines, to consist of contiguous~~
2 ~~territory and be in as compact form as practicable.~~

3 **SECTION 4.** Section 5 of article IV of the constitution is amended to read:

4 [Article IV] Section 5. The senators shall be elected by single districts of
5 ~~convenient contiguous territory~~, at the same time and in the same manner as
6 members of the assembly are required to be chosen; and no assembly district shall
7 be divided in the formation of a senate district. The senate districts shall be
8 numbered in the regular series, and the senators shall be chosen alternately from the
9 odd and even-numbered districts for the term of 4 years.

10 **SECTION 5.** Section 9 (3) of article IV of the constitution is created to read:

11 [Article IV] Section 9 (3) The legislature shall provide by law for the
12 establishment of a legislative reference bureau.

13 **SECTION 6. Numbering of new provisions.** If another constitutional
14 amendment ratified by the people creates the number of any provision created in this
15 joint resolution, the chief of the legislative reference bureau shall determine the
16 sequencing and the numbering of the provisions whose numbers conflict.

17 ***Be it further resolved, That*** this proposed amendment be referred to the
18 legislature to be chosen at the next general election and that it be published for 3
19 months previous to the time of holding such election.

20 (END)



2021 SENATE JOINT RESOLUTION

1 **To renumber** section 3 of article IV; **to amend** section 4 of article IV and section 5
2 of article IV; and **to create** section 3 (2), (3), (4), (5), (6), (7) and (8) of article IV
3 and section 9 (3) of article IV of the constitution; **relating to:** legislative and
4 congressional redistricting (first consideration).

Analysis by the Legislative Reference Bureau

This constitutional amendment, proposed to the 2021 legislature, on first consideration, creates a new procedure for the preparation of legislative and congressional redistricting plans. The bill directs the Legislative Reference Bureau to draw redistricting plans based upon standards specified in the amendment and establishes a Redistricting Advisory Commission to perform certain tasks in the redistricting process. Currently, under the state constitution, the legislature is directed to redistrict legislative districts according to the number of inhabitants at its next session following each federal decennial census. At the same intervals, the legislature also reapportions congressional districts in this state pursuant to federal law.

Under the amendment, the Redistricting Advisory Commission must be created not later than February 15 of the first year following the federal decennial census and terminates upon satisfying its duties, until a new Redistricting Advisory Commission is created for the next round of legislative and congressional redistricting. The commission consists of five members. The speaker and minority leader of the assembly and the majority and minority leaders of the senate must each appoint one person to serve on the commission. Within 30 days after the fourth

commission member is appointed, but not later than February 15 of the first year following the federal decennial census, the four commission members so appointed must select the fifth commission member, who serves as chairperson. The amendment prohibits all of the following individuals from being commission members: individuals who are not eligible electors of this state at the time of the appointment, individuals who hold partisan public office or political party office, and individuals who are a relative of or are employed by a member of the legislature or of Congress or are employed directly by the legislature or Congress.

The amendment provides that the LRB must be strictly nonpartisan in preparing redistricting plans. In addition, no district may be drawn for the purpose of favoring a political party, incumbent legislator or member of Congress, or other person or group, except to the extent necessary to comply with constitutional requirements and the federal Voting Rights Act, or for the purpose of diluting the voting strength of a language or racial minority group. Generally, in preparing the plan the LRB may not use political affiliations of registered voters, previous election results, or use residence addresses of incumbent legislators or members of Congress.

The amendment also provides that, if requested to do so by the LRB, the Redistricting Advisory Commission must provide direction to the LRB concerning any decision the LRB must make in preparing a redistricting plan for which there is no clearly applicable guideline. The commission must oversee the work of LRB employees engaged in preparing a redistricting plan and may enter into contracts for hiring experts to assist in plan preparation. In addition, the commission must conduct public hearings on a redistricting bill delivered by the LRB to the legislature and submit a report to the legislature summarizing information and testimony received by the commission at the hearings.

Finally, the amendment requires the LRB to deliver to the senate and assembly identical bills embodying a plan of legislative and congressional redistricting. The legislature must bring the bill to a vote expeditiously, but not less than seven days after the report of the Redistricting Advisory Commission is received and made available to the members of the legislature. In addition, the vote must be under a procedure or rule permitting no amendments. However, if the legislature rejects the bill and a 2nd redistricting bill submitted by the LRB, the legislature may amend any subsequent redistricting bill, but a subsequent bill, and any amendments to it, may be passed only with the approval of three-fourths of all the members elected in each house.

A proposed constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective.

1 ***Resolved by the senate, the assembly concurring, That:***

2 **SECTION 1.** Section 3 of article IV of the constitution is renumbered section 3

3 (1) of article IV.

1 **SECTION 2.** Section 3 (2), (3), (4), (5), (6), (7) and (8) of article IV of the
2 constitution are created to read:

3 [Article IV] Section 3 (2) (a) The legislative reference bureau shall acquire
4 appropriate information, review and evaluate available facilities, and develop
5 programs and procedures in preparation for drawing congressional and legislative
6 redistricting plans on the basis of each federal decennial census.

7 (b) By December 1 of the year of the federal decennial census, the legislative
8 reference bureau shall obtain from the federal government information regarding
9 geographic and political units in this state for which federal census population data
10 has been gathered and will be tabulated. The legislative reference bureau shall use
11 the information to do all of the following:

12 1. Prepare necessary descriptions of geographic and political units for which
13 census data will be reported and that are suitable for use as components of legislative
14 districts.

15 2. Prepare maps of geographic and political units within the state that may be
16 used to illustrate the locations of district boundaries proposed in plans prepared in
17 accordance with sub. (5).

18 (c) As soon as possible after receiving the federal census data needed for
19 legislative redistricting, the legislative reference bureau shall use that data to assign
20 a population figure based upon certified federal census data to each geographic and
21 political unit described under par. (b) 1. The legislative reference bureau shall
22 prepare and publish an analysis describing the population of current legislative and
23 congressional districts and the extent to which the districts may violate the
24 standards under sub. (5). Upon satisfying these requirements, the legislative

1 reference bureau shall begin the preparation of congressional and legislative
2 redistricting plans as required under sub. (4).

3 (d) None of the 4 selecting authorities, as defined in sub. (8) (a) 2., may assign
4 or hire any person to work with the legislative reference bureau to prepare for
5 redistricting under this subsection, to prepare plans under sub. (4), or to oversee
6 either process.

7 (3) After receipt of a division ordinance or resolution, as provided by law, the
8 legislative reference bureau shall use the federal census data obtained under sub.
9 (2) (c) to assign a population figure based upon certified federal census data to each
10 ward established in the division ordinance or resolution. The legislative reference
11 bureau shall use each ward to which a population figure is assigned in preparing
12 congressional and legislative redistricting plans as required under sub. (4).

13 (4) (a) Not later than January 1 of the 2nd year following the federal decennial
14 census, the legislative reference bureau shall deliver to the majority leader of the
15 senate and speaker of the assembly identical bills creating plans of legislative and
16 congressional redistricting, prepared in accordance with sub. (5). Either the
17 assembly or the senate shall bring the bill to a vote expeditiously, but not less than
18 7 days after the commission report under sub. (8) (c) 4. b. is received and made
19 available to the members of the legislature. The vote shall be under a procedure or
20 rule permitting no amendments. If the bill is approved by the first house in which
21 it is considered, the bill shall expeditiously be brought to a vote in the 2nd house
22 under a similar procedure or rule.

23 (b) If neither of the bills delivered by the legislative reference bureau under par.
24 (a) is approved by both the assembly and the senate, the chief clerk of the house that
25 failed to approve the bill shall immediately transmit to the legislative reference

1 bureau information that the house may direct regarding reasons why the plan was
2 not approved. The legislative reference bureau shall prepare identical bills
3 embodying a 2nd plan of legislative and congressional redistricting prepared in
4 accordance with sub. (5), taking into account the reasons transmitted to the
5 legislative reference bureau under this paragraph insofar as it is possible to do so
6 within the requirements of sub. (5). The legislative reference bureau shall deliver
7 the bills to the majority leader of the senate and the speaker of the assembly no later
8 than 21 days after the date of the vote by which the senate or the assembly failed to
9 approve the bill submitted under par. (a). Any bill delivered by the legislative
10 reference bureau under this paragraph shall be expeditiously introduced and
11 brought to a vote not less than 7 days after the date of introduction, in the same
12 manner as prescribed for the bill required under par. (a).

13 (c) If neither of the bills delivered by the legislative reference bureau under par.
14 (b) is approved by both the assembly and the senate, the same procedure as
15 prescribed by par. (b) shall be followed. If a 3rd plan is required under this
16 paragraph, the legislative reference bureau shall deliver the bills to the majority
17 leader of the senate and the speaker of the assembly no later than 21 days after the
18 date of the vote by which the senate or the assembly failed to approve the bill
19 submitted under par. (b). Any bill delivered by the legislative reference bureau under
20 this paragraph shall be expeditiously introduced and brought to a vote not less than
21 7 days after the date of introduction and shall be subject to amendment in the same
22 manner as other bills. Any bill delivered under this paragraph, and any amendment
23 to such a bill, may be passed only with the approval of three-fourths of all the
24 members elected in each house.

25 (d) Notwithstanding pars. (a) to (c):

1 1. If certified federal census data that is sufficient to permit preparation of a
2 congressional redistricting plan becomes available at an earlier time than the
3 population data needed to permit preparation of a legislative redistricting plan in
4 accordance with sub. (5), the legislative reference bureau shall so inform the majority
5 leader of the senate and the speaker of the assembly. If the majority leader of the
6 senate and the speaker of the assembly jointly direct, the legislative reference
7 bureau shall prepare a separate bill establishing congressional districts and deliver
8 it separately from the bill establishing legislative districts. The legislature shall
9 proceed to consider the congressional redistricting bill in substantially the manner
10 prescribed by pars. (a) to (c).

11 2. If the population data for legislative redistricting that the federal
12 government provides and, if used by the legislative reference bureau, the
13 corresponding topologically integrated geographic encoding and referencing data
14 file for that population data are not available to the legislative reference bureau on
15 or before April 1 of the first year following the federal decennial census, the deadlines
16 set forth in this subsection shall be extended by a number of days equal to the number
17 of days after April 1 of the first year following the federal decennial census that the
18 population data and the topologically integrated geographic encoding and
19 referencing data file for legislative redistricting become available.

20 (5) (a) Legislative and congressional districts shall be established on the basis
21 of population requirements imposed under this constitution and the U.S.
22 Constitution and requirements imposed under section 2 of the Voting Rights Act of
23 1965.

24 (b) Senate and assembly districts, respectively, shall satisfy the population
25 standards established in this paragraph. The quotient, obtained by dividing the sum

1 of the absolute values of the deviations of all district populations from the applicable
2 ideal district population by the number of districts established, may not vary by more
3 than 1 percent from the applicable ideal district population, unless necessary to
4 maintain compliance with section 2 of the Voting Rights Act of 1965. For purposes
5 of this paragraph, the ideal district population is determined by dividing the
6 population of the state reported in the most recent federal decennial census by the
7 number of districts to be established. No senate district may have a population that
8 varies by more than 10 percent from any other senate district and no assembly
9 district may have a population that varies by more than 10 percent from any other
10 assembly district, unless necessary to maintain compliance with section 2 of the
11 Voting Rights Act of 1965.

12 (c) Congressional districts shall each have a population as nearly equal as
13 practicable to the ideal district population, derived as prescribed in par. (b), while
14 maintaining compliance with section 2 of the Voting Rights Act of 1965. No
15 congressional district may have a population that varies by more than 1 percent from
16 the applicable ideal district population, unless necessary to comply with section 2 of
17 the Voting Rights Act of 1965.

18 (d) District boundaries shall coincide with ward boundaries and, to the extent
19 consistent with par. (a), shall coincide with the boundaries of political subdivisions.
20 The number of political subdivisions divided among more than one district shall be
21 as small as possible. When there is a choice among political subdivisions to divide,
22 the more populous political subdivisions shall be divided before the less populous,
23 except that this requirement does not apply to a legislative district boundary drawn
24 along a county boundary that passes through a city with territory in more than one
25 county.

1 (e) Districts shall be composed of convenient contiguous territory. Areas that
2 meet only at the points of adjoining corners are not contiguous.

3 (f) Districts shall not be drawn with the intent or result of denying or abridging
4 the equal opportunity of racial or language minorities to participate in the political
5 process or diminishing the ability of racial or language minorities to elect
6 representatives of each minority group's choice, whether by the group or by voting
7 concert with other persons.

8 (g) 1. In this paragraph:

9 a. "Geographic unit center" means that point within a population data unit
10 approximately equidistant from the northern and southern extremities and also
11 approximately equidistant from the eastern and western extremities of the
12 population data unit. This point shall be determined by visual observation of a map
13 of the population data unit, unless it is otherwise determined within the context of
14 an appropriate coordinate system developed by the federal government or another
15 source that the legislative reference bureau determines is qualified and objective and
16 is obtained for use in this state with prior approval of the joint committee on
17 legislative organization.

18 b. "Population data unit" means a ward, census enumeration district, block, or
19 other unit of territory that has clearly identified geographic boundaries and for
20 which a total population figure is included in or can be derived directly from certified
21 federal census data.

22 c. "X-coordinate" means the relative location of a point along the east-west axis
23 of the state. Unless otherwise measured within the context of an appropriate
24 coordinate system obtained for use as permitted by subd. 1. a., the x-coordinate shall

1 be measured along a line drawn due east from a due north and south line running
2 through the point that is the western extremity of this state, to the point to be located.

3 d. “Y-coordinate” means the relative location of a point along the north–south
4 axis of the state. Unless otherwise measured within the context of an appropriate
5 coordinate system obtained for use as permitted by subd. 1. a., the y-coordinate shall
6 be measured along a line drawn due south from a due east and west line running
7 through the point that is the northern extremity of this state, to the point to be
8 located.

9 2. To the extent consistent with pars. (a) to (c), districts shall be compact in
10 form. Compact districts are those that are square, rectangular, or hexagonal in
11 shape to the extent permitted by natural or political boundaries. When it is
12 necessary to compare the relative compactness of 2 or more districts, or of 2 or more
13 alternative redistricting plans, the tests prescribed by subds. 3. and 4. shall be used.
14 Should the results of these 2 tests be contradictory, the standard under subd. 3. shall
15 be given greater weight than the standard under subd. 4.

16 3. a. The compactness of a district is greatest when the length of the district and
17 the width of the district are equal. The measure of a district’s compactness is the
18 absolute value of the difference between the length and the width of the district.

19 b. In measuring the compactness of a district by means of electronic data
20 processing, the difference between the x-coordinates of the easternmost and the
21 westernmost geographic unit centers included in the district shall be compared to the
22 difference between the y-coordinates of the northernmost and southernmost
23 geographic unit centers included in the district.

24 c. To determine the length and width of a district by manual measurement, the
25 distance from the northernmost point or portion of the boundary of a district to the

1 southernmost point or portion of the boundary of the same district and the distance
2 from the westernmost point or portion of the boundary of the district to the
3 easternmost point or portion of the boundary of the same district shall each be
4 measured. If the northernmost or southernmost portion of the boundary, or each of
5 these points, is a part of the boundary running due east and west, the line used to
6 make the measurement required by this subd. 3. c. shall be drawn either due north
7 and south or as nearly so as the configuration of the district permits. If the
8 easternmost or westernmost portion of the boundary, or each of these points, is a part
9 of the boundary running due north and south, a similar procedure shall be followed.
10 The lines to be measured for the purpose of this subd. 3. c. shall each be drawn as
11 required by this subd. 3. c., even if some part of either or both lines lies outside the
12 boundaries of the district that is being tested for compactness.

13 d. The absolute values computed for individual districts under this subdivision
14 may be cumulated for all districts in a plan in order to compare the overall
15 compactness of 2 or more alternative redistricting plans for the state or for a portion
16 of the state. However, it is not valid to cumulate or compare absolute values
17 computed using the measurements under subd. 3. b. with those computed using the
18 measurements under subd. 3. c.

19 4. a. The compactness of a district is greatest when the ratio of the dispersion
20 of population about the population center of the district to the dispersion of
21 population about the geographic center of the district is one to one.

22 b. The population dispersion about the population center of a district or about
23 the geographic center of a district is computed as the sum of the products of the
24 population of each population data unit included in the district multiplied by the
25 square of the distance from the geographic unit center of that population data unit

1 to the population center or the geographic center of the district, as the case may be.
2 The geographic center of the district is defined by averaging the locations of all
3 geographic unit centers that are included in the district. The population center of
4 the district is defined by computing the population-weighted average of the
5 x-coordinates and y-coordinates of each geographic unit center assigned to the
6 district, it being assumed for the purpose of this calculation that each population
7 data unit possesses uniform density of population.

8 c. The ratios computed for individual districts under this subdivision may be
9 averaged for all districts in a plan in order to compare the overall compactness of 2
10 or more alternative redistricting plans for the state or for a portion of the state.

11 (h) In preparing any redistricting plan, the legislative reference bureau shall
12 be strictly nonpartisan. No district may be drawn for the purpose of favoring a
13 political party, incumbent legislator or member of Congress, or other person or group
14 or, except to the extent required under par. (a), for the purpose of augmenting or
15 diluting the voting strength of a language or racial minority group. Except as
16 provided in par. (j), in establishing districts, no use shall be made of any of the
17 following data:

- 18 1. The residence addresses of incumbent legislators or members of Congress.
- 19 2. Political affiliations of registered voters.
- 20 3. Previous election results.
- 21 4. Demographic information except as necessary to meet the requirements of
22 pars. (a) and (j).

23 (i) Except as otherwise provided in this paragraph, to the extent possible, each
24 congressional district shall contain only whole senate districts. The other standards
25 specified in this subsection shall take precedence in a case in which a conflict arises

1 between those standards and the requirement of including only whole senate
2 districts within a congressional district.

3 (j) In preparing any redistricting plan, the legislative reference bureau shall
4 test the efficiency gap and competitiveness of each district and make the test results
5 available to the public, including publishing the results on its Internet site, no later
6 than 72 hours prior to the first public hearing on the proposed plan. The legislative
7 reference bureau may use the data described under par. (h) 2. to 4. to perform the
8 tests under this paragraph.

9 (6) Each bill delivered under sub. (4) shall provide all of the following:

10 (a) That, wherever territory is described in the bill by geographic boundaries,
11 the following conventions are used:

12 1. Each bound continues to the intersection with the bound next named, or to
13 the intersection with a straight-line extension of such bound.

14 2. If the bound is a street, it follows the center line of the street or the center
15 line of the street extended.

16 3. If the bound is a railroad right-of-way, it follows the center line of the
17 railroad right-of-way.

18 4. If the bound is a river or stream, it follows the center of the main channel of
19 such river or stream.

20 5. If the bound follows a municipal boundary, it coincides with such boundary.

21 (b) That the bill first applies, with respect to regular elections, to offices filled
22 at the next occurring general election after the bill takes effect and, with respect to
23 special or recall elections, to offices filled or contested on or after the date of that
24 general election.

1 (7) If an action is brought challenging a legislative redistricting plan under this
2 section on the basis of an excessive population variance among senate or assembly
3 districts established in the plan, the legislature has the burden of justifying any
4 variance in excess of 10 percent between the population of a senate or assembly
5 district and the applicable ideal district population. If an action is brought
6 challenging a congressional redistricting plan under this section on the basis of an
7 excessive population variance among congressional districts established in the plan,
8 the legislature has the burden of justifying any variance in excess of 1 percent
9 between the population of a congressional district and the applicable ideal district
10 population.

11 (8) (a) In this subsection:

12 1. "Chief election officer" means the elections commission administrator.

13 2. "Four selecting authorities" means all of the following:

14 a. The majority leader of the senate.

15 b. The minority leader of the senate.

16 c. The speaker of the assembly.

17 d. The minority leader of the assembly.

18 3. "Partisan public office" means any of the following:

19 a. The office of governor, lieutenant governor, secretary of state, state treasurer,
20 attorney general, state senator, or state representative to the assembly.

21 b. A county office that is filled by an election process involving nomination and
22 election of candidates on a partisan basis.

23 4. "Political party office" means an elective office in a political party or in a
24 national political party.

1 5. “Relative” means an individual who is related to the individual in question
2 as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew,
3 niece, husband, wife, grandfather, grandmother, father-in-law, mother-in-law,
4 son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather,
5 stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half
6 sister.

7 (b) 1. Not later than February 15 of the first year following the federal decennial
8 census, a temporary redistricting advisory commission shall be created consisting of
9 5 members. Each of the 4 selecting authorities shall certify to the chief election
10 officer the selecting authority’s appointment of a person to serve on the commission.
11 Within 30 days after the last selecting authority has certified his or her appointment,
12 but not later than February 15 of the first year following the federal decennial
13 census, the 4 commission members so appointed shall select, by a vote of at least 3
14 members, and certify to the chief election officer the 5th commission member, who
15 shall serve as chairperson.

16 2. No individual may be appointed to the redistricting advisory commission
17 who satisfies any of the following:

18 a. The individual is not an eligible elector of this state at the time of the
19 appointment.

20 b. The individual holds partisan public office or political party office.

21 c. The individual is a relative of or is employed by a member of the legislature
22 or of Congress or is employed directly by the legislature or Congress.

23 3. Members of the redistricting advisory commission appointed by a selecting
24 authority shall be reimbursed for actual and necessary expenses incurred in
25 performance of duties as a commission member. The member who is not appointed

1 by a selecting authority shall be reimbursed for actual and necessary expenses
2 incurred in performance of duties as a commission member.

3 4. A vacancy on the redistricting advisory commission shall be filled as
4 provided by law within 15 days after the vacancy occurs.

5 5. Each redistricting advisory commission terminates upon complying with
6 par. (c).

7 (c) The redistricting advisory commission shall do all of the following:

8 1. If requested to do so by the legislative reference bureau, provide direction
9 to the legislative reference bureau concerning any decision the legislative reference
10 bureau must make in preparing a redistricting plan for which no clearly applicable
11 guideline is provided under sub. (5).

12 2. Oversee the work of legislative reference bureau employees engaged in
13 preparing a redistricting plan and may enter into contracts for hiring experts to
14 assist in the preparation of such plans. The commission may enter into a contract
15 to retain experts for preparing a redistricting plan only with the approval of
16 three-fourths of the members of the commission and may terminate a contract
17 employee only with the approval of three-fourths of the members of the commission.

18 3. Upon delivery by the legislative reference bureau of a bill embodying a
19 redistricting plan as required under sub. (4), make available to the public at the
20 earliest feasible time all of the following information:

21 a. Copies of the bill.

22 b. Maps illustrating the plan.

23 c. A summary of the standards prescribed under sub. (5) for development of the
24 plan.

1 d. A statement of the population of each district included in the plan and the
2 relative deviation of each district population from the ideal district population.

3 4. Upon delivery by the legislative reference bureau of an initial bill embodying
4 a redistricting plan as required under sub. (4) (a), do all of the following:

5 a. As expeditiously as reasonably possible, schedule and conduct public
6 hearings, in different geographic regions of the state, on the plan embodied in the
7 bill. No more than one public hearing may be held in the city of Madison, and at least
8 one public hearing shall be held in each congressional district of the state. The
9 commission shall hold public hearings on weekends whenever it is practicable.

10 b. Following the hearings held under subd. 4. a., promptly prepare and submit
11 to the legislature in the manner provided by law a report summarizing information
12 and testimony received by the commission in the course of the hearings. The report
13 may include any comments and conclusions that the commission's members deem
14 appropriate concerning the information and testimony received at the hearings or
15 otherwise presented to the commission.

16 (d) 1. Except as provided in subd. 2., the redistricting advisory commission may
17 establish policies limiting the information that the legislative reference bureau may
18 provide to persons outside of the bureau staff concerning any redistricting plan
19 prepared under this section.

20 2. Any policy established under subd. 1. does not apply to a redistricting plan
21 after a bill embodying that plan is delivered by the legislative reference bureau as
22 required under sub. (4) or to population data furnished to the legislative reference
23 bureau by the federal government. Any draft maps, along with the data sets used
24 to create the maps, that are produced by the legislative reference bureau in the
25 course of its work in preparing a bill under sub. (4) shall be open to public inspection

1 and copying and made available on the Internet site of the legislative reference
2 bureau as soon as the maps are produced.

3 **SECTION 3.** Section 4 of article IV of the constitution is amended to read:

4 [Article IV] Section 4. The members of the assembly shall be chosen biennially,
5 by single districts, on the Tuesday succeeding the first Monday of November in
6 even-numbered years, by the qualified electors of the several districts, ~~such districts~~
7 ~~to be bounded by county, precinct, town or ward lines, to consist of contiguous~~
8 ~~territory and be in as compact form as practicable.~~

9 **SECTION 4.** Section 5 of article IV of the constitution is amended to read:

10 [Article IV] Section 5. The senators shall be elected by single districts of
11 ~~convenient contiguous territory~~, at the same time and in the same manner as
12 members of the assembly are required to be chosen; and no assembly district shall
13 be divided in the formation of a senate district. The senate districts shall be
14 numbered in the regular series, and the senators shall be chosen alternately from the
15 odd and even-numbered districts for the term of 4 years.

16 **SECTION 5.** Section 9 (3) of article IV of the constitution is created to read:

17 [Article IV] Section 9 (3) The legislature shall provide by law for the
18 establishment of a legislative reference bureau.

19 **SECTION 6. Numbering of new provisions.** If another constitutional
20 amendment ratified by the people creates the number of any provision created in this
21 joint resolution, the chief of the legislative reference bureau shall determine the
22 sequencing and the numbering of the provisions whose numbers conflict.



2021 BILL

1 **AN ACT** *to amend* 304.078 (3); and *to create* 301.03 (20n) of the statutes;
2 **relating to:** facilitating voter registration for those who have their voting
3 rights restored.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Corrections or a jailer of a county jail or house of correction is required to provide written notification to a person convicted of a felony when the person's right to vote is restored. Under this bill, DOC or the jailer must at the same time provide to the person all of the following:

1. A voter registration form and information concerning eligibility to vote.
2. Instructions for completing the voter registration form.
3. Unless the person declines in writing, assistance completing the voter registration form.
4. A written explanation of how to register to vote in person, by mail, and by electronic means.
5. Information concerning the current election cycle, including the dates of upcoming elections and which offices are on the ballots.

Also, under current law, DOC is required to transmit to the Elections Commission, on a continuous basis, a list containing the name of each living person who has been convicted of a felony and whose civil rights have not been restored. This bill requires that DOC additionally transmit to the Elections Commission, on a continuous basis, a list containing the name of each living person who has been convicted of a felony and whose civil rights have been restored, together with his or her residential address.



2021 BILL

1 **AN ACT to create** 49.87 of the statutes; **relating to:** facilitating voter registration
2 for applicants for public assistance.

Analysis by the Legislative Reference Bureau

This bill requires that all of the following must occur in connection with each application for public assistance in Wisconsin:

1. The person receiving the application must determine whether the applicant is registered to vote.

2. If the applicant is not registered to vote, the applicant must be provided with the opportunity to register to vote online on-site and assistance in doing so.

3. If the applicant declines that opportunity, the applicant must be provided with a voter registration form and information concerning eligibility to vote, instructions for completing the form, and, unless the applicant declines in writing, assistance in completing the form. The applicant must also be provided with a written explanation of how to register to vote in person, by mail, and by electronic means.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 49.87 of the statutes is created to read:



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-4923/1
MPG:wlj

2021 BILL

1 **AN ACT to create** 343.14 (6m) of the statutes; **relating to:** facilitating voter
2 registration for applicants for a driver's license or state identification card and
3 granting rule-making authority.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Transportation to do all of the following as a part of the application process for a driver's license or state identification card:

1. Determine whether the applicant is registered to vote.
2. If the applicant is not registered to vote, provide a voter registration form and information concerning eligibility to vote to the applicant, instructions for completing the form, and, unless the applicant declines in writing, assistance in completing the form.
3. Provide to the applicant a written explanation of how to register to vote in person, by mail, and by electronic means.

The bill also requires that DOT and the Elections Commission jointly promulgate rules providing, as a part of the application process, the opportunity for applicants for a license or identification card to be automatically registered to vote.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:



2021 BILL

1 **AN ACT to create** 5.05 (11r), 20.510 (1) (fg) and 20.510 (1) (fh) of the statutes;
2 **relating to:** grants to municipalities and counties for purposes of election
3 administration and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill requires the Elections Commission to award a grant of \$0.50 per capita in each fiscal year to municipalities in Wisconsin, and \$0.25 per capita in each fiscal year to counties, to assist with election administration.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 5.05 (11r) of the statutes is created to read:
5 **5.05 (11r)** AIDS TO COUNTIES AND MUNICIPALITIES FOR ELECTION ADMINISTRATION.
6 (a) From the appropriation under s. 20.510 (1) (fg), the commission shall award a
7 grant each fiscal year to each municipality in this state to assist with election
8 administration. Each grant awarded under this paragraph shall equal \$0.50 per

BILL**SECTION 1**

1 capita of the municipality and may be used only for purposes of election
2 administration.

3 (b) From the appropriation under s. 20.510 (1) (fh), the commission shall award
4 a grant each fiscal year to each county in this state to assist with election
5 administration. Each grant awarded under this paragraph shall equal \$0.25 per
6 capita of the county and may be used only for purposes of election administration.

7 **SECTION 2.** 20.510 (1) (fg) of the statutes is created to read:

8 20.510 (1) (fg) *Aids to municipalities for election administration.* A sum
9 sufficient for grants to municipalities to assist with election administration under
10 s. 5.05 (11r) (a).

11 **SECTION 3.** 20.510 (1) (fh) of the statutes is created to read:

12 20.510 (1) (fh) *Aids to counties for election administration.* A sum sufficient for
13 grants to counties to assist with election administration under s. 5.05 (11r) (b).

14 (END)

2020 Wisconsin presidential election timeline

November 3, 2020: Wisconsin Election Day

November 12, 2020: *Langenhorst v. Pecore* (Seventh Circuit)

- The case dealt with claims of absentee ballot fraud and deceased individuals casting ballots.
- **November 16, 2020:** Case dismissed by the United States District Court.

November 18, 2020: Trump campaign sends \$3 million to Wisconsin Elections Commission for Milwaukee County and Dane County recounts.

- **November 27, 2020:** Milwaukee County concludes recount and finalizes election results (Biden gained 132 votes).
- **November 27, 2020:** Dane County concludes recount and finalizes election results (Trump gained 86 votes).

November 20, 2020: *Wisconsin Voters Alliance v. Pence* (United States District Court for the District of Columbia).

- Plaintiffs alleged the Electoral Count Act violates Article II of the Constitution, impermissibly disempowering state legislatures in post-election certification matters.
- **January 4, 2021:** Case dismissed, as the court held that plaintiffs' votes were counted and that the plaintiffs lacked standing.

November 23, 2020: *Wisconsin Voter Alliance v. Wisconsin Elections Commission* (Wisconsin Supreme Court).

- Plaintiffs claimed thousands of illegal ballots were cast and stop to seek certification of the election.
- The petition was denied and case dismissed by the Wisconsin Supreme Court.

November 27, 2020: *Mueller v. Jacobs* (Wisconsin Supreme Court).

- Plaintiffs claimed ballots collected from drop boxes are illegal and should not be counted
- **December 5, 2020:** The Wisconsin Supreme Court, in a 4-3 vote (Walsh Bradley, Dallet, Karofsky, Hagedorn), deny the petition and dismiss the case.

December 1, 2020: *Feehan v. Wisconsin Elections Commission* (U.S. District Court for the Eastern District of Wisconsin).

- Plaintiffs challenge a variety of election practices and claim an electronic ballot stuffing occurred.
- **December 9, 2021:** United States District Court for the Eastern District of Wisconsin dismissed the case for lack of jurisdiction. The plaintiff also lacked legal standing. The case was dismissed and appealed to the Seventh Circuit Court of Appeals.
- **March 1, 2021:** The case was dismissed by the Seventh Circuit Court of Appeals for a lack of standing.

December 1, 2020: *Trump v. Evers* (Wisconsin Supreme Court).

- Plaintiffs challenged several election practices and sought to overturn the election results.

- **December 5, 2020:** The Supreme Court, on a 4-3 vote (Walsh Bradley, Dallet, Karofsky, and Hagedorn), denied hearing the petition due to the case being filed on a higher court, and dismissed the case.

December 2, 2020: *Trump v. Wisconsin Elections Commission* (United States District Court for the Eastern District of Wisconsin; United States Court of Appeals for the seventh circuit).

- **December 21, 2020:** The circuit court ruled that Trump’s “Electors Clause” claims fail as a matter of law and fact. The case was dismissed on December 21, 2020.
- **December 24, 2020:** The Seventh Circuit Court of Appeals affirmed the circuit court’s ruling and argued the Trump team lacked standing.

December 7, 2020: *Trump v. Biden* (Wisconsin Circuit Court; Wisconsin Supreme Court).

- **December 11, 2020:** District judges rules in favor of the defendants, because the plaintiffs failed to prove Wisconsin violated early voting laws in its recount. The district court affirmed the certification of Wisconsin’s presidential election results.
- **December 14, 2020:** The Wisconsin Supreme Court, in a 4-3 decision (Walsh Bradley, Dallet, Karofsky, Hagedorn) affirmed the appellate court’s decision. The Supreme Court ruled in favor of the defendants, Biden et al.
- **December 29, 2020:** Rudy Giuliani files an appeal with the United States Supreme Court.
- **December 30, 2020:** United States Supreme Court refuses to hear Giuliani’s appeal.

December 11, 2020: Joint Public Hearing of the Assembly and Senate Committees held to conduct a 2020 election review.

January 4, 2021: Assembly Resolution 4, relating to: election law violations, introduced by Representative Scott Allen.

- **January 4, 2021:** Resolution adopted by the Wisconsin State Assembly (Seeks to address questions of election legitimacy and take up legislation crafted to ensure civil officers follow election laws as written).

January 28, 2021: Senate Bill 52, relating to: Public notice of noncandidacy for incumbent local officials, introduced by Representative Jeremy Thiesfeldt and Senator Dan Feyen.

- **March 23, 2021:** Passed by the Wisconsin State Assembly, via voice vote.
- **May 11, 2021:** Approved by the Wisconsin State Senate, via voice vote.
- **May 20, 2021:** Signed into law by Governor Tony Evers

January 29, 2021: Assembly Bill 21, relating to: aids to counties and municipalities for certain special election costs, introduced by Representative Shae Sortwell and Senator André Jacque.

- **June 1, 2021:** Public hearing held in the Assembly Committee on Campaigns and Elections.
- **November 15, 2021:** Passed out of the Assembly Committee on Campaigns and Elections, 9-0.
- **November 15, 2021:** Referred to the Assembly Rules Committee.

February 10, 2021: Assembly Bill 35, relating to: The method of selecting presidential electors, introduced.

- **February 10, 2021:** Referred to the Assembly Committee on Campaigns and Elections.

February 11, 2021: Joint Legislative Audit Bureau directed by Legislative Audit Committee to conduct an audit of the election administration.

February 11, 2021: Senate Bill 102, relating to: Allowing a pupil enrolled in a home-based private educational program to serve as an election inspector, introduced by Senator Kathy Bernier and Representative Jesse James.

- **March 23, 2021:** Approved via voice vote by the Wisconsin State Senate,
- **May 11, 2021:** Approved via voice vote by the Wisconsin State Assembly.
- **May 20, 2021:** The bill was signed into law by Governor Tony Evers.

March 8, 2021: Senate Bill 178, relating to: elections administration, recall petitions, and recount procedures, introduced by Senator Kathy Bernier and Representative Gae Magnafici.

- **March 11, 2021:** Public hearing held in the Senate Committee on Elections, Election Process Reform and Ethics.
- **April 13, 2021:** Approved by the Senate Committee on Elections, Election Process Reform and Ethics, 5-0.
- **April 14, 2021:** Approved by the Wisconsin States Senate via voice vote.
- **May 3, 2021:** Senate Bill 178 was referred to the Assembly Committee on Campaigns and Elections.

March 8, 2021: Senate Bill 179, relating to: Voter registration. The bill requires a registered elector who has changed his or her name or address to complete a new voter registration, introduced by Senator Kathy Bernier and Representative Gae Magnafici.

- **April 13, 2021:** Approved 5-0 by the Senate Committee on Elections, Election Processes and Reform and Ethics.
- **April 14, 2021:** Approved via voice vote by the Wisconsin State Senate.
- **May 3, 2021:** Referred to the Assembly Committee on Campaigns and Elections.

March 8, 2021: Senate Bill 180, relating to: absentee voting; voting procedures; and providing a penalty, introduced by Senator Kathy Bernier and Representative Gae Magnafici.

- **March 11, 2021:** Public hearing held in the Senate Committee on Elections, Election Process Reform and Ethics.
- **April 14, 2021:** Executive session held in the Senate Committee on Elections, Election Process Reform and Ethics.
- **April 14, 2021:** Before Approved 30-1 by the Wisconsin State Senate.
- **May 3, 2021:** Referred to the Committee on Campaigns and Elections.

March 10, 2021: Assembly Committee on Campaigns and Elections holds an information hearing on general election review.

March 10, 2021: Assembly Bill 150, relating to: Ranked-choice voting, granting rulemaking authority, and making an appropriation, introduced by Representative Mark Spreitzer and Senator Chris Larson.

March 16, 2021: Senate Bill 203, relating to: The secure delivery of absentee ballots and providing a penalty, introduced by Senator Duey Stroebel and Representative Tyler August, introduced.

- **May 7, 2021:** Approved by the Senate Committee on Elections, Election Processes and Reform and Ethics, 3-2.

- **May 11, 2021:** Approved 21-12 by the Wisconsin State Senate.
- **June 22, 2021:** Approved 60-38 by the Wisconsin State Assembly.
- **August 10, 2021:** The bill was vetoed by Governor Tony Evers.

March 16, 2021: Senate Bill 204, relating to: absentee ballot applications, unsolicited mailing of absentee ballots, canvassing ballot applications, and electronic voter registration, introduced by Senator Alberta Darling and Representative Rick Gundrum.

- **June 9, 2021:** Adopted by the Wisconsin State Senate, 18-14.
- **June 22, 2021:** Adopted by the Wisconsin State Assembly, 60-38.
- **August 10, 2021:** Vetoed by Governor Tony Evers.

March 16, 2021: Senate Bill 205, relating to absentee ballots in residential care facilities, introduced by Senator Duey Stroebel and Representative Cindi Duchow.

- **June 9, 2021:** Bill adopted by the Wisconsin State Senate, 20-12.
- **June 22, 2021:** Adopted by the Wisconsin State Assembly, 60-38.
- **August 10, 2021:** Bill vetoed by Governor Tony Evers.

March 16, 2021: Senate Bill 206, relating to indefinite confinement, introduced by Senator Duey Stroebel and Representative Cindi Duchow.

- **May 5, 2021:** Public hearing held in the Senate Committee on Elections, Election Process Reform and Ethics.
- **June 3, 2021:** The bill failed 2-3 in the Senate Committee on Elections, Election Process Reform and Ethics executive session.

March 16, 2021: Senate Bill 207/Assembly Bill 173, relating to: Private resources used for election administration, appointment of election officials, and providing a penalty, introduced by Senator Duey Stroebel and Representative Adam Neylon.

- **May 5, 2021:** Approved by the Assembly Committee on Campaigns and Elections, 5-2.
- **May 11, 2021:** Bill approved by the Assembly, 60-38.
- **June 9, 2021:** Approved by the Wisconsin State Senate, 18-14.
- **June 30, 2021:** The bill was vetoed by Governor Tony Evers.

March 16, 2021: Senate Bill 208, relating to: publication of Wisconsin Elections Commission notices, introduced by Senator Duey Stroebel and Representative Adam Neylon.

- **April 14, 2021:** Approved via voice vote by the Wisconsin State Senate.
- **May 11, 2021:** Approved via voice vote by the Wisconsin State Assembly.
- **May 24, 2021:** Signed into law by Governor Tony Evers.

March 16, 2021: Senate Bill 209, relating to returning absentee ballots to the municipal clerk, introduced, introduced by Senator Alberta Darling and Representative David Steffen.

- **June 9, 2021:** Approved via voice vote by the Wisconsin State Senate.
- **June 10, 2021:** Bill received by the Wisconsin State Assembly from the Wisconsin State Senate.

March 16, 2021: Senate Bill 210, relating to: election observers, introduced by Senator Alberta Darling and Representative Paul Tittl.

- **April 14, 2021:** Approved by the Wisconsin State Senate, 20-12.
- **June 22, 2021:** Approved by the Wisconsin State Assembly, 60-38.

- **August 10, 2021:** Bill vetoed by Governor Tony Evers.

March 16, 2021: Senate Bill 211, relating to applications for absentee ballot applications, introduced by Senator Alberta Darling and Representative David Steffen.

- **April 15, 2021:** Public hearing held in the Senate Committee on Elections, Election Process Reform, and Ethics.
- **May 19, 2021:** Bill approved 3-2 at the Senate Committee on Elections, Election Process Reform, and Ethics.
- **June 9, 2021:** Referred to the Senate Committee on organization.

March 16, 2021: Senate Bill 212, relating to: defects on absentee ballot certificates, introduced by Senator Alberta Darling and Representative Joe Sanfelippo.

- **May 11, 2021:** Approved by the Wisconsin State Senate, 20-12.
- **June 22, 2021:** Approved by Wisconsin State Assembly, 60-38.
- **August 10, 2021:** Bill vetoed by Governor Tony Evers.

March 16, 2021: Senate Bill 213, relating to actions for violation of election laws, introduced by Senator Duey Stroebel Representative Rob Brooks.

- **April 13, 2021:** Approved 3-2 by the Senate Committee on Elections, Election Process Reform and Ethics.
- **April 15, 2022:** A public hearing was held in the Assembly Committee on the Judiciary.
- **May 11, 2021:** Passed by the Wisconsin State Senate, 20-12.
- **February 23, 2022:** Passed by the Wisconsin State Assembly

March 16, 2021: Senate Bill 214, relating to: early canvassing of absentee ballots, combined polling places, timeline for sending and transmitting absentee ballots, nomination papers for certain independent candidates, and providing a penalty, introduced by Senator Duey Stroebel and Representative Gary Tauchen.

- **May 19, 2021:** Public hearing held in the Senate Committee on Elections, Election Process Reform and Ethics.
- **June 3, 2021:** Bill approved by the Senate Committee on Elections, Election Process Reform and Ethics, 6-3.
- **May 4, 2021:** Referred to the Assembly Committee on Campaigns and Elections.
- **February 21, 2022:** Approved by the Wisconsin State Senate, 21-12.

March 17, 2021: Assembly Resolution 15, relating to: Directing the Assembly Committee on Campaigns and Elections to investigate the administration of elections in Wisconsin, introduced by Representative Joe Sanfelippo.

- **March 23, 2021:** Passed by the Wisconsin State Assembly 58-35.

March 31, 2021: Assembly Committee on Campaigns and Elections holds informational hearing featuring Meagan Wolfe, WEC Administrator.

March 31, 2021, Senate Bill 268, relating to: compensation of election officials performing duties during a recount, introduced by Senator Kathy Bernier and Representative Cody Horlacher.

- **May 19, 2021:** Public hearing held in the Senate Committee on Elections, Election Process Reform and Ethics.

- **June 3, 2021:** Passed out of the Senate Committee on Elections, Election Process Reform and Ethics, 3-2.
- **June 23, 2021:** Approved by the Wisconsin State Senate, 18-12.
- **June 1, 2021:** Public hearing held in Assembly Committee on Campaigns and Elections.

April 6, 2021: Assembly Bill 244, relating to: ranked-choice voting, introduced by Representative Tony Kurtz and Senator Dale Kooyenga.

- **April 6, 2021:** Bill referred to the Assembly Committee on Campaigns and Elections.
- **December 14, 2021:** A public hearing was held in the Senate Committee Elections, Election Process Reform and Ethics.

April 8, 2021: Assembly Bill 246, relating to: elect the president and vice president via the national popular vote introduced by Representative Gary Hebl and Senator Bob Wirsch.

- **April 8, 2021:** Assembly Bill 246 referred to the Assembly Bill on Campaigns and Elections.

April 16, 2021: Senate Bill 292, relating to: broadcasting election night proceedings, introduced by Senator Eric Wimberger and Senator Shae Sortwell.

- **May 5, 2021:** Public hearing held in Wisconsin State Senate.
- **May 7, 2021:** Approved by the Assembly Committee on Campaigns and Elections, 3-2.
- **May 11, 2021:** Approved by the Wisconsin State Senate via voice vote.
- **June 1, 2021:** Public hearing held in the Assembly Committee on Campaigns and Elections.
- **June 16, 2021:** Approved by the Assembly Committee on Campaigns and Elections, 6-3.
- **June 22, 2022:** Passed by the Assembly 60-38
- **August 10, 2021:** Bill vetoed by Governor Evers.

May 6, 2021: Wisconsin Assembly Committee on Campaigns and Elections informational hearing featuring Wisconsin Voter Alliance.

May 13, 2021: Speaker Robin Vos hires two former law enforcement officials to conduct an investigation into the 2020 elections.

May 14, 2021: Senate Joint Resolution 32, relating to: Eligibility to vote in Wisconsin, introduced by Senator Roth and Representative Steineke. I am a cosponsor.

- **December 14, 2021:** Public hearing held in the Senate Committee on Veterans and Military Affairs, Constitution, and Federalism.
- **January 5, 2022:** Public Hearing held in the Assembly Committee on Constitution and Ethics.
- **January 13, 2021:** Executive action taken by the Assembly Committee on Constitution and Ethics.
- **January 20, 2022:** Approved by the Senate Committee on Veterans and Military Affairs, Constitution, and Federalism, 3-2.
- **January 25, 2022:** Approved 21-12 by the Wisconsin State Senate.
- **March 23, 2022:** Approved by the Wisconsin State Assembly.

May 27, 2021: Assembly Bill 350, relating to: judicial qualifications based on campaign financial support, introduced by Representative Gary Hebl and Senator Kelda Roys.

- **May 27, 2021:** Referred to the Assembly Committee on Campaigns and Elections.

May 27, 2021: Assembly Bill 352, relating to: notice of campaign finance contributions made to judges or justices, introduced by Representative Gary Hebl and Senator Kelda Roys.

- **May 27, 2021:** Referred to the the Assembly Committee on Campaigns and Elections.

June 14, 2021: Assembly Bill 398, relating to: Investigations by the Elections Commission based on information provided by ERIC indicating that Wisconsin residents may have voted more than once, introduced by Representative Janel Brandtjen and Senator André Jacque

- **August 8, 2021:** Public hearing held in the Assembly Committee on Government Accountability and Oversight.

July 1, 2021: Assembly Bill 433, relating to: submitting copies of complaints with the Elections Commission to the legislature, introduced by Representative Elijah Behnke and Senator Eric Wimberger.

- **June 24, 2021:** Referred to the Senate Committee on Elections, Election Process Reform and Ethics.
- **July 1, 2021:** Referred to the Assembly Committee on Campaigns and Elections.

July 1, 2021: Assembly Bill 437, relating to: returning absentee ballots, introduced by Representative Cody Horlacher and Senator Andre Jacque.

- **June 24, 2021:** Referred to the Senate Committee on Elections, Election Process Reform and Ethics.
- **July 1, 2021:** Referred to the Assembly Committee on Campaigns and Elections.

July 7, 2021: Assembly Bill 459: Relating to: voter registration at high schools, introduced by Representative Lee Snodgrass and Senator Jeff Smith.

- **July 7, 2021:** Referred to the Senate Committee on Elections, Election Process Reform and Ethics.
- **July 12, 2021:** Referred to the Assembly Committee on Campaigns and Elections.

July 12, 2021: Assembly Bill 460, relating to: requiring voter instruction in elementary and high school and including voter education instruction into the state model education standards, introduced By Representative Gordon Hintz and Senator Kelda Roys.

- **July 12, 2021:** Referred to the Assembly Committee on Education.
- **July 21, 2021:** Referred to the Senate Committee on Education.

July 12, 2021: Assembly Bill 462, relating to: Voter registration forms and information provided to certain high school students, introduced by Representative Kristina Shelton and Senator Jeff Smith.

- **July 7, 2021:** Referred to the Senate Committee on Elections, Election Process Reform and Ethics.
- **July 12, 2021:** Referred to the Assembly Committee on Campaigns and Elections.

July 12, 2021: Assembly Bill 463, relating to: voter preregistration of 16-year-olds and 17-year olds introduced by Representative Kristina Shelton and Senator Kelda Roys.

- **July 7, 2021:** Referred to the Senate Committee on Elections, Election Process Reform and Ethics.
- **July 12, 2021:** Bill referred to the Assembly Committee on Campaigns and Elections.

July 12, 2021: Assembly Bill 464, relating to: extending voting rights to certain 17-year olds, introduced.

- **July 12, 2021:** Referred to the Assembly Committee on Campaigns and Elections.
- **July 21, 2021:** Referred to the Senate Committee on Elections, Election Process Reform and Ethics.

August 12, 2021: Assembly Committee on Campaigns and Elections holds an informational hearing featuring representatives from Authentix.

August 25, 2021: Gableman investigation launched by the Assembly.

August 31, 2021: Assembly Bill 511, relating to: Relocating the office of the Elections Commission, introduced by Representative David Steffen.

- **August 31, 2021:** Referred to the Assembly Committee on Oversight and Government Accountability.
- **September 15, 2021:** Public Hearing in Wisconsin State Assembly.
- **October 6, 2021:** Executive session held in Wisconsin State Assembly Committee on Oversight and Government Accountability.

September 10, 2021: Assembly Bill 531, relating to: Campaign contribution limits, is introduced by Representative Christine Sinicki and Senator Chris Larson.

- **August 26, 2021:** Referred to the Senate Committee on Elections, Election Process Reform and Ethics.
- **September 10, 2021:** Referred to the Assembly Committee on Campaigns and Elections.

September 10, 2021: Assembly Joint Resolution 78, relating to: An advisory referendum on an amendment to the United States Constitution to overturn *Citizens United v. Federal Elections Commission*, introduced by Representative Lisa Subeck and Senator Jeff Smith.

October 5, 2021: Green Bay mayor, Eric Genrich is subpoenaed by Justice Gableman.

October 19, 2021: Legislative Audit Bureau releases its report on the 2020 election.

October 29, 2021: Racine County Sheriff holds a press conference outlining voter fraud.

October 30, 2021: Senate Bill 730, relating to: Removal of deceased individuals from the official voter registration list and providing a penalty, introduced by Senator Andre Jacque and Representative Timothy Ramthun.

- **October 30, 2021:** Referred to the Senate Committee on Elections, Election Process Reform and Ethics.
- **December 7, 2021:** Referred to the Assembly Committee on Campaigns and Elections.

November 5, 2021: Senate Resolution 11, relating to: Castigating the Wisconsin Elections Commission for ignoring statutory requirements, for sidestepping the administrative rulemaking process, and for not following both the letter and intent of state statutes, introduced by Senator Roger Roth.

- **November 8, 2021:** Amendment adopted 21-12 by the Wisconsin State Senate.

November 10, 2021: Assembly Committee on Campaigns and Elections holds an informational hearing featuring Racine County Sheriff's Special Voting Deputies and the Gableman Report.

November 10, 2021: Justice Michael Gableman releases the initial findings of his report.

November 30, 2021: Senate Bill 730, relating to: Removal of deceased individuals from the official voter registration list and providing a penalty, introduced by Senator Andre Jacque and Representative Timothy Ramthun.

- **November 30, 2021:** Referred to the Assembly Committee on Elections, Election Process Reform and Ethics.
- **December 7, 2021:** Referred to the Assembly Committee on Campaigns and Elections.

December 1, 2021: Assembly Committee on Campaigns and Elections holds a public hearing featuring Michael Gableman.

December 2, 2021: Assembly Joint Resolution 100, relating to: Reserving to the people the power of referendum to reject acts of the legislature and the power of initiative to propose and approve at an election laws and constitutional amendments, introduced by Representative Gary Hebl and Senator Jeff Smith.

December 8, 2021: The Assembly Committee on Campaigns and Elections held a public hearing to explore issues related to the state's voter rolls and election abuses.

December 8, 2021: Wisconsin Institute for Law and Liberty releases its election audit report.

January 6, 2022: Senate Bill 803, relating to: maintain electronic voting system or automatic tabulating data for twenty-two months, introduced by Senator André Jacque and Representative Timothy Ramthun.

- **January 6, 2022:** Referred to the Senate Committee on Elections, Election Process Reform and Ethics.
- **January 18, 2021:** Referred to the Assembly Committee on Campaigns and Elections.

January 6, 2022: Senate Bill 804, relating to: Removing ineligible voters from the official voter registration, introduced by Senator André Jacque and Representative Timothy Ramthun.

- **January 6, 2022:** Referred to the Senate Committee on Elections, Election Process Reform and Ethics.
- **January 18, 2022:** Referred to the Assembly Committee on Campaigns and Elections.

January 10, 2022: Dane County judge allows Justice Gableman's subpoenas to stand.

January 13, 2022: Waukesha County Circuit Court Judge Michael Bohren ruled that absentee ballot drop boxes are not permitted under state law.

January 18, 2022: Assembly Joint Resolution 111, relating to: Calling for the resignation of the administrator, assistant administrator, and several members of the Wisconsin Elections Commission, introduced by Representative Joe Sanfelippo.

January 19, 2022: Assembly Committee on Campaigns and Elections holds an informational hearing on WEC database analysis.

January 19, 2022: Assembly Committee on Campaigns and Elections executive session motion to support special counsel.

January 21, 2022: Senate Bill 873, relating to: Restoration of the Right to Vote to a person barred from voting as a result of a felony conviction, introduced by Senator Duey Stroebel and Representative Shae Sortwell.

- **January 21, 2022:** Referred to the Senate Committee on Elections, Election Processes and Reform and Ethics.
- **January 28, 2022:** Referred to the Assembly Committee on Constitution and Ethics.

January 24, 2022: A three-judge panel on the Wisconsin Court of Appeals reinstates drop boxes for the February 2022 elections.

January 25, 2022: Senate Joint Resolution 120, relating to: Reclaiming the ballots for president and vice president that were certified under fraudulent intent.

- **January 25, 2022:** Resolution introduced by Representative Timothy Ramthun on the Assembly floor.
- **January 25, 2021:** Senate Joint Resolution 120 was referred to the Assembly Committee on Rules.

January 26, 2022: Assembly Bill 1051, relating to: Requiring a watermark on mailed absentee ballots, circulated for cosponsorship introduced by Representative Cody Horlacher.

- **February 17, 2022:** Referred to the Assembly Committee on Campaigns and Elections.

January 28, 2022: Michael Gableman expands his investigation of the 2020 by subpoenaing the Evers Administration's Chief Operating Officer.

January 28, 2022: Senate Bill 934, relating to: Maintenance of the voter registration list, training of municipal clerks, data-sharing agreements, pre-election procedures, lines at the polls on election day, and granting rule-making authority, introduced by Senator Kathy Bernier and Representative Barb Dittrich.

- **February 7, 2022:** Public Hearing held in the Senate Committee on Elections, Election Process Reform, and Ethics.
- **February 9, 2022:** Executive Session held in the Senate Committee on Elections, Election Process Reform, and Ethics.
- **February 21, 2022:** Public hearing held in the Assembly Committee on State Affairs.
- **February 22, 2022:** Approved 21-12 by the Wisconsin State Senate.
- **February 23, 2022:** Made a special order of business by the Wisconsin State Assembly.

January 28, 2022: Senate Bill 935, relating to: Certain kinds of election resources and contracts for election administration, defects on absentee ballot certificates, returning absentee ballots to the office of the municipal clerk, appointment of election officials, allowing an employee of a residential care facility or qualified retirement home to serve as a personal caregiver voting assistant during a public health emergency or incident of infectious disease, and providing a penalty, introduced by Senator Kathy Bernier and Representative John Macco.

- **February 7, 2022:** Public hearing held in the Senate Committee on Elections, Election Process Reform, and Ethics.
- **February 21, 2022:** Public hearing held in Assembly Committee on State Affairs.

January 28, 2022: Senate Bill 936, relating to: The resolution of complaints filed with the Wisconsin Elections Commission, reports concerning possible violations of elections laws, post-election audits of the electronic voting systems, printing of absentee ballot applications for recounts, introduced by Senator Kathy Bernier and Representative John Macco.

- **February 7, 2022:** Public Hearing held in the Senate Committee on Elections, Election Process Reform, and Ethics.
- **February 9, 2022:** Executive Session held in the Senate Committee on Elections, Election Process Reform, and Ethics.
- **February 21, 2022:** Public hearing held in the Assembly Committee on State Affairs.
- **February 22, 2022:** Approved 19-14 by the Wisconsin State Senate.
- **February 24, 2022:** Approved 56-38 by the Wisconsin State Assembly.

January 28, 2022: Senate Bill 937, relating to: status as an indefinitely confined voter for the purposes of receiving an absentee ballot automatically and providing a penalty, introduced by Senator Kathy Bernier and Representative Cindi Duchow.

- **February 7, 2022:** Public Hearing held in the Senate Committee on Elections, Election Process Reform, and Ethics.
- **February 21, 2022:** Public hearing held in the Assembly Committee on State Affairs.
- **February 22, 2022:** Approved 18-15 by the Wisconsin State Senate.
- **February 24, 2022:** Approved 55-39 in the Wisconsin State Assembly.

January 28, 2022: The Wisconsin Supreme Court rules 4-3 (Walsh Bradley, Karofsky, Dallett, and Hagedorn), to allow drop boxes to be used in the February 15, 2022 primary.

January 31, 2022: Senate Bill 938, relating to: Verifying citizenship of individuals on the voter registration list and contents of operator's licenses and identification cards, introduced by Representative Dan Knodl and Senator Alberta Darling.

- **February 7, 2022:** Public Hearing held in the Senate Committee on Elections, Election Process Reform, and Ethics.
- **February 9, 2022:** Executive Session held in the Senate Committee on Elections, Election Process Reform, and Ethics.
- **February 21, 2022:** Public hearing held in the Assembly Committee on State Affairs.
- **February 22, 2022:** Approved 22-12 by the Wisconsin State Senate.
- **February 24, 2022:** Approved 59-36 by the Wisconsin State Assembly.

February 1, 2022: Wisconsin Elections Commission, in a 4-2 vote, allows WEC to use existing guidance as the basis for emergency rules stipulating what errors clerks can fix on absentee ballot envelopes.

February 1, 2022: Both Assembly Republican gubernatorial candidates call for dismantling the Wisconsin Elections Commission.

February 1, 2022: Senate Bill 939, relating to: Absentee ballot applications, unsolicited mailing or transmission of absentee ballot applications and absentee ballots, secure delivery of absentee ballots, canvassing absentee ballots, voter registration requirements, electronic voter registration, and providing a penalty, introduced by Senator Stroebel and Representative Gundrum.

- **February 7, 2022:** Public Hearing held in the Senate Committee on Elections, Election Process Reform, and Ethics.
- **February 9, 2022:** Executive Session held in the Senate Committee on Elections, Election Process Reform, and Ethics.
- **February 21, 2022:** Public hearing held in the Assembly Committee on State Affairs.
- **February 22, 2022:** Approved 19-14 by the Wisconsin State Senate.
- **February 24, 2022:** Approved 59-36 by the Wisconsin State Assembly.

February 1, 2021: Senate Bill 940, relating to: Comparison of voter information on the state's official voter registration list with information maintained by the Wisconsin Department of Transportation, introduced by Representative Rozar and Senator Wimberger.

- **February 7, 2022:** Public Hearing held in the Senate Committee on Elections, Election Process Reform, and Ethics.
- **February 21, 2022:** Public hearing held in the Assembly Committee on State Affairs.
- **February 22, 2022:** Approved 21-12 by the Wisconsin State Senate.
- **February 24, 2022:** Approved 59-36 by the Wisconsin State Assembly.

February 1, 2022: Senate Bill 941, relating: Overseeing the administration of elections, introduced by Representative Vos and Senator LeMahieu.

- **February 7, 2022:** Public Hearing held in the Senate Committee on Elections, Election Process Reform, and Ethics.
- **February 9, 2022:** Executive Session held in the Senate Committee on Elections, Election Process Reform, and Trade.
- **February 21, 2022:** A public hearing was held in the Assembly Committee on State Affairs.
- **February 22, 2022:** The bill was approved 21-12 by the Wisconsin State Senate.
- **February 24, 2022:** Approved 58-32 by the Wisconsin State Assembly.

February 1, 2021: Senate Bill 942, relating to: State agency compliance with election laws, introduced by Senator Stroebel and Representative Petersen.

- **February 7, 2022:** Public Hearing held in the Senate Committee on Elections, Election Process Reform, and Ethics.
- **February 9, 2022:** Executive Session held in the Senate Committee on Elections, Election Process Reform, and Ethics.
- **February 21, 2022:** Public hearing held in the Assembly Committee on State Affairs.
- **February 22, 2022:** Approved 19-14 by the Wisconsin State Senate.
- **February 24, 2022:** Approved 59-35 by the Wisconsin State Assembly.

February 1, 2022: Senate Bill 943, relating to: Requiring the Wisconsin Elections Commission to send guidance to the Joint Committee on Review of Administrative Rules, introduced by Senator Darling and Representative Spiros.

- **February 7, 2022:** Public Hearing held in the Senate Committee on Elections, Election Process Reform, and Ethics.
- **February 9, 2022:** Executive Session held in the Senate Committee on Elections, Election Process Reform, and Ethics.

- **February 21, 2022:** Public hearing held in the Assembly Committee on State Affairs.
- **February 22, 2022:** Approved 21-12 by the Wisconsin State Senate.
- **February 24, 2022:** Approved 59-35 by the Wisconsin State Assembly.

February 1, 2022: Senate Bill 945, relating to: Notifications to local elections officials and the elections commission regarding certain prospective jurors, introduced by Representative Shae Sortwell.

- **February 16, 2022:** Public hearing held in the Senate Committee on Elections, Elections Process Reform, and Ethics.
- **February 18, 2022:** Approved by the Senate Committee on Elections, Elections, Elections Process Reform, and Ethics, 3-2.
- **February 21, 2022:** Public hearing is held in the Assembly Committee on State Affairs.
- **February 22, 2022:** Approved 21-12 by the Wisconsin State Senate.
- **February 24, 2022:** Approved 58-35 by the Wisconsin State Assembly.

February 2, 2022: Senate Joint Resolution 101, relating to: Prohibiting the use of a donation or grant of private resources for purposes of election administration and specifying who may perform tasks related to election administration, introduced by Representative Tyler August and Senator Eric Wimberger.

- **February 7, 2022:** Public Hearing held in the Senate Committee on Elections, Election Process Reform, and Ethics.
- **February 9, 2022:** Executive Session held in the Senate Committee on Elections, Election Process Reform, and Ethics.
- **February 21, 2022:** Approved by the Wisconsin State Senate, 21-12.
- **February 21, 2022:** A public hearing was held in the Assembly Committee on State Affairs.
- **February 24, 2022:** The Joint Resolution was approved by the Wisconsin State Assembly, 58-32.

February 2, 2022: Assembly Joint Resolution 133, relating to: Requiring photographic identification to vote, introduced by Representative Pat Snyder.

- **February 21, 2022:** Public Hearing held in Assembly Committee on State Affairs.
- **February 22, 2022:** Approved by the Assembly Committee on State Affairs, 9-4.
- **March 23, 2022:** Adopted by the Wisconsin State Assembly, 59-36.

February 3, 2022: Citizen activists file a petition with the Wisconsin Supreme Court asking that they allow drop boxes for the April 5th general election.

February 4, 2022: Senate Bill 946, relating to: whistleblower protection for municipal clerks who witness and report election fraud or irregularities, introduced by Representative Kevin Petersen and Senator Kathy Bernier.

- **February 16, 2022:** A public hearing was held in the Senate Committee on Elections, Elections Reform Processes, and Ethics.
- **February 18, 2022:** Approved 3-2 by the Senate Committee on Elections, Elections Reform Processes and Ethics.
- **February 21, 2022:** Public hearing held in the Assembly Committee on State Affairs.

- **February 22, 2022:** Approved by the Wisconsin State Senate, 20-13.
- **February 24, 2022:** Approved by the Wisconsin State Assembly, 55-35.

February 4, 2022: The Wisconsin Supreme Court, in a 4-3 decision (Walsh Bradley, Dallet, Karofsky, and Hagedorn), rejects a lawsuit filed by Rebecca Kleefisch against the Wisconsin Elections Commission over the use of ballot drop boxes.

February 9, 2022: Assembly Committee on Campaigns and Elections holds an informational hearing focused on WEC database analysis.

February 9, 2022: Senate Joint Resolution 106, relating to: Commending the Wisconsin Elections Commission and its staff for their outstanding service, introduced by Representative Greta Neubauer and Senator Janet Bewley.

- **February 22, 2022:** Referred to the Assembly Committee on Rules.

February 10, 2022: The Wisconsin Supreme Court, in a 4-3 decision (Ziegler, Roggensack, Bradley, and Hagedorn), ruled that drop boxes could not be used in the April 5, 2022 spring elections.

February 15, 2022: LRB-5957, relating to: Wisconsin's membership agreement with the Electronic Registration Information Center, introduced by Representative Timothy Ramthun.

February 16, 2022: Wisconsin Elections Commission testified before the Assembly Committee on Campaigns and Elections regarding their database analysis.

February 16, 2022: Assembly Joint Resolution 134, relating to: prohibiting the use of a donation or grant of private resources for purposes of election administration and specifying who may perform tasks relating to election administration, introduced by Representative Tyler August and Senator Eric Wimberger.

- **February 21, 2022:** A public hearing was held in the Assembly Committee on State Affairs.

February 17, 2022: Senate Bill 1009, relating to: Proof of residency for voter registration, introduced by Representative Lisa Subeck and Senator Kelda Roys.

- **February 17, 2022:** Referred to the Senate Committee on Elections, Elections Process Reforms, and Ethics.

February 17, 2022: Wisconsin Elections Commission removes previous guidance to local clerks allowing ballot drop boxes and individuals other than the voter to turn in absentee ballots.

February 17, 2022: Senate Bill 978, relating to: Reports and district attorney charging decisions concerning allegations of fraud or misconduct at an election, introduced by Senator Patrick Testin and Representative Elijah Behnke.

- **February 17, 2022:** Referred to the Senate Committee on Elections, Elections Process Reform, and Ethics.

February 24, 2022: Wisconsin Institute for Law and Liberty testified before the Senate Committee on Elections, Elections Processes Reform, and Ethics, to present their 2021 election report.

February 25, 2022: Assembly Bill 1068, relating to: automatic voter registration, deceptive election practices, voter intimidation and suppression, voter rights, polling place posting and language requirements, election manual requirements, granting rule-making authority, and providing a penalty, introduced by Representative Sarah Rodriguez and Senator Jeff Smith.

- **February 25, 2022:** Referred to the Assembly Committee on Campaigns and Elections.

February 25, 2022: Assembly Bill 1069, relating to: Counting individuals confined in state prison to determine populating for redistricting purposes, introduced by Representative Emerson and Senator Taylor.

- **February 25, 2022:** Referred to the Assembly Committee on Campaigns and Elections.

February 25, 2022: Assembly Bill 1070, relating to: establishing a plan to register qualified electors who are detained in jail and to allow the electors to vote while detained, introduced by Representative Emerson and Senator Taylor.

- **February 25, 2022:** Referred to the Assembly Committee on Campaigns and Elections.

February 25, 2022: Assembly Bill 1071, relating to: restoring the right to vote to certain persons barred from voting as a result of a felony conviction, changing the information required on voter registration forms, and changing voting procedure for certain persons who are convicted for felonies.

- **February 25, 2022:** Referred to the Assembly Committee on Campaigns and Elections.

March 1, 2022: The Assembly Committee on Campaigns and Elections holds an informational hearing featuring Justice Michael Gableman.

March 1, 2022: Justice Michael Gableman released his election report.



ROBIN J. VOS

SPEAKER OF THE WISCONSIN STATE ASSEMBLY

March 1, 2022

FOR IMMEDIATE RELEASE

Contact: Speaker Robin Vos
(608) 266-3387

Speaker Vos on Election Investigation

Madison... Speaker Robin Vos (R-Rochester) released the following statement after Special Counsel Gableman's election investigation report.

"I'd like to thank the Office of Special Counsel for their tireless efforts in finding the truth. They've done a good job at showing there were issues in 2020, and the report is intended to 'help correct these processes for future elections.' Unfortunately, we're experiencing obstruction by litigation, and must first get through the nine separate lawsuits that have been filed to allow us to complete the review."

###

From: "Sen.Bernier" <Sen.Bernier@legis.wisconsin.gov>
Sent: Wednesday, March 2, 2022, 5:03 PM
To: *Legislative All Assembly <ALLASM@legis.wisconsin.gov>; *Legislative All Senate <ALLSEN@legis.wisconsin.gov>
Subject: Co-Sponsorship of LRB-5991/2, relating to: grants to municipalities and counties for purposes of election administration and making an appropriation
Attachments: 21-5991_2 (2).pdf

TO: All Legislators

FROM: Senator Kathy Bernier

DATE: March 2, 2022

RE: Co-Sponsorship of LRB-5991/2

Relating to: grants to municipalities and counties for purposes of election administration and making an appropriation.

DEADLINE: Monday, March 7th at 5pm

Election administration is a vital function of our local governments.

Every review of the November 2020 election focuses on the grants given to municipalities from the Center for Tech and Civic Life. Their involvement in the election was improper and should never be allowed again.

The Wisconsin Legislature has not funded municipalities or counties solely for the purpose of administering state or federal elections.

Those who defend accepting third-party funding for election administration often say that if the state better funded its election system, outside money would not be necessary. This bill gives \$0.50 per capita in each fiscal year to municipalities and \$0.25 per capita in each fiscal year to counties, solely for the purpose of election administration, to better fund our elections systems.

If you wish to co-sponsor this legislation please contact Senator Bernier's office at 6-7511 by Monday, March 7th at 5:00pm.

Analysis by the Legislative Reference Bureau

This bill requires the Elections Commission to award a grant of \$0.50 per capita in each fiscal year to municipalities in Wisconsin, and \$0.25 per capita in each fiscal year to counties, to assist with election administration.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

From: "Matthew, Sydnee" <Sydnee.Matthew@legis.wisconsin.gov>
Sent: Thursday, March 3, 2022, 3:11 PM
To: *Legislative All Assembly <ALLASM@legis.wisconsin.gov>; *Legislative All Senate <ALLSEN@legis.wisconsin.gov>
Subject: Co-sponsorship of LRBs 4923/1, 4922/1, 4920/1 – Voter Registration Facilitation
Attachments: 21-4923_1.pdf; 21-4920_1 (3).pdf; 21-4922_1.pdf

DATE: Thursday, March 3, 2022

TO: All Legislators

FROM: Rep. Kalan Haywood
Sen. LaTonya Johnson

RE: Co-sponsorship of – LRBs 4923/1, 4922/1, 4920/1 – Voter Registration Facilitation

SHORT DEADLINE: Monday, March 7 @ 5:00pm

As elected officials and public servants, it is our duty to make sure that everyone who wants to vote can vote. Voter registration can be a challenge to certain individuals and removing barriers is key to preserving our democracy. This package of bills aims to increase voter registration by educating the public on eligibility to register to vote, and instructions to complete that process.

LRB4923/1 requires the Department of Transportation to provide information to anyone applying for a driver's license or state identification card on eligibility to vote. They must also provide a voter registration form and instructions for completing the form, and unless the applicant declines in writing, assistance in completing the form (if necessary). The DOT must also provide the applicant a written explanation of how to register to vote in person, by mail, and by electronic means.

LRB-4922/1 provides the same eligibility, information, and necessary assistance to individuals applying for public assistance. This bill also provides that the applicant must be given a chance to register to vote online, on-site with assistance if necessary.

LRB-4920/1 requires the Department of Corrections or a jailer of a county jail or house of corrections to provide written notification to a person convicted of a felony when the person's right to vote is restored. They must provide the same information and assistance described the previous bills in addition to information concerning the current elections cycle, including the dates of upcoming elections and which offices are on the ballots. In addition, the DOC must along with existing requirements, transmit to the Elections Commission, on a continuous basis, a list containing the name of each living person who has been convicted of a felony and whose civil rights have been restored, together with his or her residential address.

If you would like to co-sponsor any or all of these bills, please reply to this email or call Rep. Haywood's office at 6-3786. Co-sponsor will be added to both versions unless specified otherwise.

Analysis by the Legislative Reference Bureau (LRB-4923/1)

This bill requires the Department of Transportation to do all of the following as a part of the application process for a driver's license or state identification card:

1. Determine whether the applicant is registered to vote.
2. If the applicant is not registered to vote, provide a voter registration form and information concerning eligibility to vote to the applicant, instructions for completing the form, and, unless the applicant declines in writing, assistance in completing the form.
3. Provide to the applicant a written explanation of how to register to vote in person, by mail, and by electronic means.

The bill also requires that DOT and the Elections Commission jointly promulgate rules providing, as a part of the application process, the opportunity for applicants for a license or identification card to be automatically registered to vote. For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

Analysis by the Legislative Reference Bureau (4922/1)

This bill requires that all of the following must occur in connection with each application for public assistance in Wisconsin:

1. The person receiving the application must determine whether the applicant is registered to vote.
2. If the applicant is not registered to vote, the applicant must be provided with the opportunity to register to vote online on-site and assistance in doing so.
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For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

Analysis by the Legislative Reference Bureau (4920/1)

Under current law, the Department of Corrections or a jailer of a county jail or house of correction is required to provide written notification to a person convicted of a felony when the person's right to vote is restored. Under this bill, DOC or the jailer must at the same time provide to the person all of the following:

1. A voter registration form and information concerning eligibility to vote.
2. Instructions for completing the voter registration form.
3. Unless the person declines in writing, assistance completing the voter registration form.
4. A written explanation of how to register to vote in person, by mail, and by electronic means.
5. Information concerning the current election cycle, including the dates of upcoming elections and which offices are on the ballots.

Also, under current law, DOC is required to transmit to the Elections Commission, on a continuous basis, a list containing the name of each living person who has been convicted of a felony and whose civil rights have not been restored. This bill requires that DOC additionally transmit to the Elections Commission, on a continuous basis, a list containing the name of each

living person who has been convicted of a felony and whose civil rights have been restored, together with his or her residential address.

From: "Rep.Haywood" <Rep.Haywood@legis.wisconsin.gov>
Sent: Thursday, March 3, 2022, 3:14 PM
To: *Legislative All Senate <ALLSEN@legis.wisconsin.gov>; *Legislative All Assembly <ALLASM@legis.wisconsin.gov>
Subject: Co-sponsorship of LRBs 4923/1, 4922/1, 4920/1 – Voter Registration Facilitation
Attachments: 21-4923_1.pdf; 21-4920_1 (3).pdf; 21-4922_1.pdf

DATE: Thursday, March 3, 2022

TO: All Legislators

FROM: Rep. Kalan Haywood
Sen. LaTonya Johnson

RE: Co-sponsorship of – LRBs 4923/1, 4922/1, 4920/1 – Voter Registration Facilitation

SHORT DEADLINE:Monday, March 7 @ 5:00pm

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LRB4923/1 requires the Department of Transportation to provide information to anyone applying for a driver's license or state identification card on eligibility to vote They must also provide a voter registration form and instructions for completing the form, and unless the applicant declines in writing, assistance in completing the form (if necessary). The DOT must also provide the applicant a written explanation of how to register to vote in person, by mail, and by electronic means.

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Analysis by the Legislative Reference Bureau (LRB-4923/1)

This bill requires the Department of Transportation to do all of the following as a part of the application process for a driver's license or state identification card:

1. Determine whether the applicant is registered to vote.
2. If the applicant is not registered to vote, provide a voter registration form and information concerning eligibility to vote to the applicant, instructions for completing the form, and, unless the applicant declines in writing, assistance in completing the form.
3. Provide to the applicant a written explanation of how to register to vote in person, by mail, and by electronic means.

The bill also requires that DOT and the Elections Commission jointly promulgate rules providing, as a part of the application process, the opportunity for applicants for a license or identification card to be automatically registered to vote. For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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This bill requires that all of the following must occur in connection with each application for public assistance in Wisconsin:

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Analysis by the Legislative Reference Bureau (4920/1)

Under current law, the Department of Corrections or a jailer of a county jail or house of correction is required to provide written notification to a person convicted of a felony when the person's right to vote is restored. Under this bill, DOC or the jailer must at the same time provide to the person all of the following:

1. A voter registration form and information concerning eligibility to vote.
2. Instructions for completing the voter registration form.
3. Unless the person declines in writing, assistance completing the voter registration form.
4. A written explanation of how to register to vote in person, by mail, and by electronic means.
5. Information concerning the current election cycle, including the dates of upcoming elections and which offices are on the ballots.

Also, under current law, DOC is required to transmit to the Elections Commission, on a continuous basis, a list containing the name of each living person who has been convicted of a felony and whose civil rights have not been restored. This bill requires that DOC additionally transmit to the Elections Commission, on a continuous basis, a list containing the name of each

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Attachments: 21-4923_1.pdf; 21-4920_1 (3).pdf; 21-4922_1.pdf

DATE: Thursday, March 3, 2022

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Sen. LaTonya Johnson

RE: Co-sponsorship of – LRBs 4923/1, 4922/1, 4920/1 – Voter Registration Facilitation

SHORT DEADLINE:Monday, March 7 @ 5:00pm

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Attachments: 21-4923_1.pdf; 21-4920_1 (3).pdf; 21-4922_1.pdf

DATE: Thursday, March 3, 2022

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FROM: Rep. Kalan Haywood
Sen. LaTonya Johnson

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SHORT DEADLINE: Monday, March 7 @ 5:00pm

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This bill requires the Department of Transportation to do all of the following as a part of the application process for a driver's license or state identification card:

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The bill also requires that DOT and the Elections Commission jointly promulgate rules providing, as a part of the application process, the opportunity for applicants for a license or identification card to be automatically registered to vote. For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

Analysis by the Legislative Reference Bureau (4922/1)

This bill requires that all of the following must occur in connection with each application for public assistance in Wisconsin:

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For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

Analysis by the Legislative Reference Bureau (4920/1)

Under current law, the Department of Corrections or a jailer of a county jail or house of correction is required to provide written notification to a person convicted of a felony when the person's right to vote is restored. Under this bill, DOC or the jailer must at the same time provide to the person all of the following:

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Subject: Co-sponsorship of LRBs 4923/1, 4922/1, 4920/1 – Voter Registration Facilitation
Attachments: 21-4923_1.pdf; 21-4920_1 (3).pdf; 21-4922_1.pdf

DATE: Thursday, March 3, 2022

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FROM: Rep. Kalan Haywood
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Analysis by the Legislative Reference Bureau (4920/1)

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living person who has been convicted of a felony and whose civil rights have been restored, together with his or her residential address.

From: Rep.Sanfelippo@legis.wisconsin.gov

Sent: Wednesday, March 2, 2022, 3:08 PM

To: rep.sanfelippo@legis.wi.gov

Subject: Contact Form

Here is a new Contact.

Name

Arthur Koch

Phone Number

[REDACTED]

Email

[REDACTED]

[REDACTED]

[REDACTED]

City

New Berlin

State

WI

Zip Code

53151

Message

Hi Joe,

I watched some of the hearing with Justice Gableman regarding the election investigation. What are the next specific steps the legislature is planning to take? What is the possibility of decertification of the 2020 election? What is being done to prevent the fraud in the fall elections?

Thank you

Art Koch

New Berlin WI

From: [REDACTED]

Sent: Thursday, March 3, 2022, 1:58 PM

To: "Sen.Wanggaard@legis.wisconsin.gov" <Sen.Wanggaard@legis.wisconsin.gov>;
"Sen.Testin@legis.wisconsin.gov" <Sen.Testin@legis.wisconsin.gov>;
"Sen.Stroebele@legis.wisconsin.gov" <Sen.Stroebele@legis.wisconsin.gov>;
"Sen.Roth@legis.wisconsin.gov" <Sen.Roth@legis.wisconsin.gov>;
"Sen.Petrowski@legis.wisconsin.gov" <Sen.Petrowski@legis.wisconsin.gov>;
"Sen.Olsen@legis.wisconsin.gov" <Sen.Olsen@legis.wisconsin.gov>;
"Sen.Nass@legis.wisconsin.gov" <Sen.Nass@legis.wisconsin.gov>;
"Sen.Marklein@legis.wi.gov" <Sen.Marklein@legis.wi.gov>;
"Sen.LeMahieu@legis.wisconsin.gov" <Sen.LeMahieu@legis.wisconsin.gov>;
"Sen.Kooyenga@legis.wisconsin.gov" <Sen.Kooyenga@legis.wisconsin.gov>;
"Sen.Kapenga@legis.wisconsin.gov" <Sen.Kapenga@legis.wisconsin.gov>;
"Sen.Jacque@legis.wisconsin.gov" <Sen.Jacque@legis.wisconsin.gov>;
"Sen.Fitzgerald@legis.wisconsin.gov" <Sen.Fitzgerald@legis.wisconsin.gov>;
"Sen.Feyen@legis.wi.gov" <Sen.Feyen@legis.wi.gov>; "Sen.Darling@legis.wisconsin.gov"
<Sen.Darling@legis.wisconsin.gov>; "Sen.Craig@legis.wisconsin.gov"
<Sen.Craig@legis.wisconsin.gov>; "Sen.Cowles@legis.wisconsin.gov"
<Sen.Cowles@legis.wisconsin.gov>; "Sen.Bernier@legis.wisconsin.gov"
<Sen.Bernier@legis.wisconsin.gov>; "Rep.Zimmerman@legis.wisconsin.gov"
<Rep.Zimmerman@legis.wisconsin.gov>; "Rep.Wittke@legis.wisconsin.gov"
<Rep.Wittke@legis.wisconsin.gov>; "Rep.Wichgers@legis.wisconsin.gov"
<Rep.Wichgers@legis.wisconsin.gov>; "Rep.Vos@legis.wisconsin.gov"
<Rep.Vos@legis.wisconsin.gov>; "Rep.Vorpapel@legis.wisconsin.gov"
<Rep.Vorpapel@legis.wisconsin.gov>; "Rep.VanderMeer@legis.wisconsin.gov"
<Rep.VanderMeer@legis.wisconsin.gov>; "Rep.Tusler@legis.wisconsin.gov"
<Rep.Tusler@legis.wisconsin.gov>; "Rep.Tranel@legis.wisconsin.gov"
<Rep.Tranel@legis.wisconsin.gov>; "Rep.Tittl@legis.wisconsin.gov"
<Rep.Tittl@legis.wisconsin.gov>; "Rep.Thiesfeldt@legis.wisconsin.gov"
<Rep.Thiesfeldt@legis.wisconsin.gov>; "Rep.Tauchen@legis.wisconsin.gov"
<Rep.Tauchen@legis.wisconsin.gov>; "Rep.Swearingen@legis.wisconsin.gov"
<Rep.Swearingen@legis.wisconsin.gov>; "Rep.Summerfield@legis.wisconsin.gov"
<Rep.Summerfield@legis.wisconsin.gov>; "Rep.Steineke@legis.wisconsin.gov"
<Rep.Steineke@legis.wisconsin.gov>; "Rep.Steffen@legis.wisconsin.gov"
<Rep.Steffen@legis.wisconsin.gov>; "Rep.Stafsholt@legis.wisconsin.gov"
<Rep.Stafsholt@legis.wisconsin.gov>; "Rep.Spiros@legis.wisconsin.gov"
<Rep.Spiros@legis.wisconsin.gov>; "Rep.Sortwell@legis.wisconsin.gov"
<Rep.Sortwell@legis.wisconsin.gov>; "Rep.Snyder@legis.wisconsin.gov"
<Rep.Snyder@legis.wisconsin.gov>; "Rep.Skowronski@legis.wisconsin.gov"
<Rep.Skowronski@legis.wisconsin.gov>; "Rep.Schraa@legis.wisconsin.gov"
<Rep.Schraa@legis.wisconsin.gov>; "Rep.Sanfelippo@legis.wisconsin.gov"
<Rep.Sanfelippo@legis.wisconsin.gov>; "Rep.Rohrkaste@legis.wisconsin.gov"
<Rep.Rohrkaste@legis.wisconsin.gov>; "Rep.Rodriguez@legis.wisconsin.gov"
<Rep.Rodriguez@legis.wisconsin.gov>; "Rep.Ramthun@legis.wisconsin.gov"
<Rep.Ramthun@legis.wisconsin.gov>; "Rep.Quinn@legis.wisconsin.gov"
<Rep.Quinn@legis.wisconsin.gov>; "Rep.Pronschinske@legis.wisconsin.gov"

<Rep.Pronschinske@legis.wisconsin.gov>; "Rep.Plumer@legis.wisconsin.gov"
<Rep.Plumer@legis.wisconsin.gov>; "Rep.Petryk@legis.wisconsin.gov"
<Rep.Petryk@legis.wisconsin.gov>; "Rep.Petersen@legis.wisconsin.gov"
<Rep.Petersen@legis.wisconsin.gov>; "Rep.OttJ@legis.wisconsin.gov"
<Rep.OttJ@legis.wisconsin.gov>; "Rep.Oldenburg@legis.wisconsin.gov"
<Rep.Oldenburg@legis.wisconsin.gov>; "Rep.Nygren@legis.wisconsin.gov"
<Rep.Nygren@legis.wisconsin.gov>; "Rep.Novak@legis.wisconsin.gov"
<Rep.Novak@legis.wisconsin.gov>; "Rep.Neylon@legis.wisconsin.gov"
<Rep.Neylon@legis.wisconsin.gov>; "Rep.Neubauer@legis.wisconsin.gov"
<Rep.Neubauer@legis.wisconsin.gov>; "Rep.Mursau@legis.wisconsin.gov"
<Rep.Mursau@legis.wisconsin.gov>; "Rep.Murphy@legis.wisconsin.gov"
<Rep.Murphy@legis.wisconsin.gov>; "Rep.Magnafici@legis.wisconsin.gov"
<Rep.Magnafici@legis.wisconsin.gov>; "Rep.Macco@legis.wisconsin.gov"
<Rep.Macco@legis.wisconsin.gov>; "Rep.Loudenbeck@legis.wisconsin.gov"
<Rep.Loudenbeck@legis.wisconsin.gov>; "Rep.Kurtz@legis.wisconsin.gov"
<Rep.Kurtz@legis.wisconsin.gov>; "Rep.Kulp@legis.wisconsin.gov"
<Rep.Kulp@legis.wisconsin.gov>; "Rep.Kuglitsch@legis.wisconsin.gov"
<Rep.Kuglitsch@legis.wisconsin.gov>; "Rep.Krug@legis.wisconsin.gov"
<Rep.Krug@legis.wisconsin.gov>; "Rep.Knodl@legis.wisconsin.gov"
<Rep.Knodl@legis.wisconsin.gov>; "Rep.Kitchens@legis.wisconsin.gov"
<Rep.Kitchens@legis.wisconsin.gov>; "Rep.Kerkman@legis.wisconsin.gov"
<Rep.Kerkman@legis.wisconsin.gov>; "Rep.Katsma@legis.wisconsin.gov"
<Rep.Katsma@legis.wisconsin.gov>; "Rep.James@legis.wisconsin.gov"
<Rep.James@legis.wisconsin.gov>; "Rep.Jagler@legis.wisconsin.gov"
<Rep.Jagler@legis.wisconsin.gov>; "Rep.Hutton@legis.wisconsin.gov"
<Rep.Hutton@legis.wisconsin.gov>; "Rep.Horlacher@legis.wisconsin.gov"
<Rep.Horlacher@legis.wisconsin.gov>; "Rep.Gundrum@legis.wisconsin.gov"
<Rep.Gundrum@legis.wisconsin.gov>; "Rep.Felzkowski@legis.wisconsin.gov"
<Rep.Felzkowski@legis.wisconsin.gov>; "Rep.Edming@legis.wisconsin.gov"
<Rep.Edming@legis.wisconsin.gov>; "Rep.Duchow@legis.wisconsin.gov"
<Rep.Duchow@legis.wisconsin.gov>; "Rep.Dittrich@legis.wisconsin.gov"
<Rep.Dittrich@legis.wisconsin.gov>; "Rep.Rob.Brooks@legis.wisconsin.gov"
<Rep.Rob.Brooks@legis.wisconsin.gov>; "Rep.Allen@legis.wisconsin.gov"
<Rep.Allen@legis.wisconsin.gov>; "Rep.August@legis.wisconsin.gov"
<Rep.August@legis.wisconsin.gov>; "Rep.Ballweg@legis.wisconsin.gov"
<Rep.Ballweg@legis.wisconsin.gov>; "Rep.Born@legis.wisconsin.gov"
<Rep.Born@legis.wisconsin.gov>

Subject: DECERTIFY Wisconsin 2020 Presidential Election Results

Dear Sens. and Reps.

It is by now MORE than clear that there was massive voter fraud that took place in the WI 2020 presidential election, and across the country, aided and funded to the tune of millions of dollars from Mark Zuckerberg and other outside groups that disenfranchised EVERY Wisconsin voter and DENIED their Constitutional rights to a free and fair election of ONE PERSON, ONE

VOTE, legally counted and verified! To DENY this and NOT allow decertification, the tossing of clearly fraudulent votes and either a recount or complete legal revote is to FOREVER jeopardize our US and State Constitutions, every Voting Rights Act that has ever been passed and every civil and Constitutional right every Wisconsinite has! To deny free elections and resort to the tactics of Banana Republics is to ensure the death of not just democracy, but any future civil order of any kind.

You also need to totally DISMANTLE the WEC, all use of Dominion and any other compromised voting machines and systems, including the Soros-funded and fraudulent ERIC system for managing voter rolls, which fraudulently keeps deceased voters and others on the rolls when they should not be!

It is an utter travesty that the fraudulent vote was allowed to even move ahead, much less now be “justified” by ANYONE, for ANY reason. You CANNOT simply steal the votes of an entire state simply because you “feel” you have some excuse or reason for doing so! Electors are NEVER given that kind of discretion, and their vote is meant to REPRESENT the will of the People NOT to violate it!

Democrats have cheated in every election, but this has been the worst, ever, and if there was any mandate of the voters this time, it was clearly in favor of the REPUBLICAN Donald J. Trump as THOUSANDS of Democrats decided NOT to vote for Biden and instead vote for Trump! You cannot simply sit as oligarchs and make the vote whatever YOU want it to be! To do so is to act as tyrants, thugs, thieves and dictators and nothing else!

This situation is EASILY rectified! Do it now, according to the Constitution and will of the People of Wisconsin! And NO MORE vaccine or mask mandates of ANY kind!

And ALL of you should read this, as we represent thousands of people like us. If Vos can issue talking points to you all to do as he wishes, then surely, we the voters have the same right!

Fred and Edie Wiske
Elkhorn, Wisconsin

Sent from ProtonMail for iOS

From: Art Koch [REDACTED] >
Sent: Wednesday, March 2, 2022, 3:11 PM
To: Rep.Sanfelippo@legis.wisconsin.gov
Subject: Election integrity hearing

Hi Joe,

I watched some of the hearing with Justice Gableman regarding the election investigation. What are the next specific steps the legislature is planning to take? What is the possibility of decertification of the 2020 election? What is being done to prevent the fraud in the fall elections?

Thank you

Art Koch
New Berlin WI

From: "Rep.Sanfelippo" <Rep.Sanfelippo@legis.wisconsin.gov>
Sent: Tuesday, March 1, 2022, 11:00 AM
To: "Sanfelippo, Joe" <Joe.Sanfelippo@legis.wisconsin.gov>; "Kolodziejczyk, Dominik" <Dominik.Kolodziejczyk@legis.wi.gov>
Subject: FW: Draft review: LRB -6165/P2
Attachments: 21-6165_P2 (4).pdf

relating to: limiting the number of years a person may serve in any state or local elected office (first consideration).

Best regards,

[Josh Hoisington](#)
[Office of Representative Joe Sanfelippo](#)
15th Assembly District
608.266.0620

Follow **Rep. Sanfelippo** on [Facebook](#) and [Twitter](#).

NOTE: Emails sent to and from this account may be subject to open records requests and should not be considered private.

From: LRB.Legal <lrblegal@legis.wisconsin.gov>
Sent: Tuesday, March 01, 2022 10:58 AM
To: Rep.Sanfelippo <Rep.Sanfelippo@legis.wisconsin.gov>
Subject: Draft review: LRB -6165/P2

Following is the PDF version of draft LRB -6165/P2.

From: "Joyce, Angela" <Angela.Joyce@legis.wisconsin.gov>
Sent: Tuesday, March 1, 2022, 4:24 PM
To: *Legislative Assembly Republicans - Legislators <Legislative-Assembly-Republicans-Legislators@legis.wisconsin.gov>
Cc: *Legislative Assembly Republicans - Staff Members <Legislative-Assembly-Republicans-Staff-Members@legis.wisconsin.gov>
Subject: Gableman report docs
Attachments: Interim Report 2 Executive Summary (002).docx; 2022-3-1 Gableman Report.docx

Attached is the speaker's statement and an executive summary of the report.

Thank you,
Angela

Angela Joyce
Communications Director
Office of Speaker Robin Vos
Wisconsin State Assembly
211 West, State Capitol
608-266-7191
608-237-9206 (direct line)

Introduction: The purpose of this report is not to challenge the certification of the presidential election but rather produce recommendations to correct certain processes for future elections. These recommendations focus largely on enabling oversight and transparency of election systems and maintaining political accountability. Special Counsel notes that the investigation is not yet complete due to pending legal roadblocks.

The Special Counsel report discusses the following findings:

Chapter 1 - The \$8.8M Provided to Wisconsin by the Center for Tech and Civic Life (CTCL) should be considered as bribery under the law: WI Stat 12.11 prohibits a city from receiving money to facilitate electors going to the polls or voting by absentee ballot. Grants provided by CTCL to Madison, Milwaukee, Racine, Kenosha, and Green Bay (Zuckerberg 5) were meant to facilitate voter turnout in targeted neighborhoods – particularly to historically disenfranchised residents. The report details the ways the Zuckerberg 5 utilized grant funds to accomplish these goals. References are made to the WILL election review which found that these funds led to a statistically significant increase in turnout for cities that received CTCL grants.

Chapter 2 – The motive for private funding was impermissible and a partisan get-out-the-vote effort.

Chapter 3 – Government oversight has been obstructed by governmental and outside corporate collusion: Counsel reports WEC, the State Attorney General, the Governor, and private organizations have actively resisted and obstructed the investigation. The report details the methods of obstruction.

Chapter 4 – The Zuckerberg 5 engaged in questionable actions as a result of private funds: Counsel reports on ways private companies engaged in unlawful election administration practices. Various concerns are raised including a report that WEC sent out more FIDO (Fast ID Online) keys to local governments than were requested and records were not accurately maintained. These keys allow the user to access the Statewide Voter Registration system (WisVote). CTCL did not follow WEC’s rules to obtain WisVote data. Further, Counsel reports that CTCL “approved organizations” including the National Vote at Home Institute, were engaged in election administration duties. This delegation of duties led to Green Bay’s former clerk Kris Teske testifying that election administration decisions were made “outside of the Clerk’s office.”

Chapter 5 – Corporate legal defense for clerks might violate the Wisconsin Ethics Code: Providing free legal defense services for election officials may violate WI State. 19.59 (1)(b). Counsel reports that the Center for Election Innovation and Research (CEIR), funded by Zuckerberg, provided these services to clerks.

Chapter 6 - Use of Absentee Ballot Drop Boxes violated the law: The procurement of drop boxes was facilitated by private funds provided to Wisconsin by the Center for Tech and Civic Life (CTCL). The Circuit Court ruled in *Teigen v. WEC* that the use of these boxes is not permitted under Wisconsin Law.

Chapter 7 - Special Voting Deputies were unlawfully restricted from entering care facilities resulting in suspicious rates of voting: Counsel reports on facilities that saw voting rates of 100% of registered voters. Due to guardianship orders or incapacity, this turnout rate is unlikely. Counsel details several care facility residents who voted despite being deemed incompetent or incapable of voting.

Chapter 8 – WEC encouraged evasion of ballot security measures related to “Indefinitely Confined” Voters: The Indefinitely Confined statutes were misconstrued by Dane and Milwaukee County Clerks who issued statements that they would send ballots to voters who were indefinitely confined due to a fear of contracting COVID-19.

Chapter 9 - Incapacitated persons were allowed to vote unimpeded: WI Stat 6.03 disqualifies citizens from voting who are incapable of understanding the voting process. Wisconsin election officials did not list ineligibility information on WisVote, nor did they distribute a list of ineligible voters to clerks to prevent Election Day registration.

Chapter 10 - Non-citizens voted unimpeded by Election Officials: WI Stat 6.02 requires citizenship to be qualified as an elector. Election Officials did not list ineligibility information about non-citizens, nor did they distribute a list of ineligible voters to municipal clerks to prevent Election Day registration.

Chapter 11 - Zuckerberg 5 Election Officials violated the equal protection clause by not treating voters equally: Private funds were used to increase voting access for targeted demographic groups to affect election outcomes. In *Obama for America v Husted*, the court ruled that it would be “worrisome... if states were permitted to pick and choose among groups of similarly situated voters to dole out special voting privileges.”

Chapter 12 of Special Counsel’s report details a number of recommendations for legislative consideration. These include:

- **Eliminate the Wisconsin Elections Commission** – the Secretary of State could handle elections or a collective body of county clerks.
- **Eliminate or Reduce Fees for Voter Registration Data**
- **Maintain a Single Statewide Voter Registration Database, and Make it Publicly Available and Secure**
- **Create an Office to Engage in Audit and Oversight of Elections**
- **Prohibit Certain Contractual Terms in Government Contracts** – example: prohibit terms which block WI government entities from obtaining or releasing data that they paid for.
- **Minimize Pre-Voting** – widespread absentee and absentee in-person voting makes oversight nearly impossible. Instead, in-person voting should be prioritized.
- **Encourage In-House Tech Support** – consider a single statewide machine system or single-client vendor.
- **Exit the Electronic Registration Information Center (ERIC)**

Legislative Recommendations to Serve Political Accountability:

- **Provide a Method for Private Challenge to WI Voter Rolls**
- **Locate Certification of Presidential Electors in a Politically Accountable Body** – such as the association of elected county clerks.
- **Provide a Method for Pre and Post-Certification Challenge to Presidential Elections**

- **Prohibit Outside Funding and Staff in Elections Administration**

Recommendations for the Wisconsin Elections Commission:

- **Comply with Legislative Audit Bureau Recommendations**
- **Enter Into Data-Sharing Agreement with the Wisconsin Department of Transportation, Health Services, and Corrections.**
- **Provide Additional Training to Clerks**

Recommendations for Clerks:

- **Familiarize Yourself with Your Wisconsin Code Authority** – many clerks believe WEC guidance is binding, even if they believe the guidance is unlawful.
- **Make Independent Assessments** – if they believe WEC guidance is contrary to law, clerks should make an independent assessment as they are the elected official responsible for elections administration.
- **Carefully Review Outside Contracts**
- **Explicitly Prohibit Staff from Engaging in Get Out the Vote Operations**
- **Consider Robust Voter Roll Review in Your Jurisdiction**
- **Maintain an Exhaustive and Clear List of Election Day Personnel**
- **Catalog All Absentee Ballots Sent Out and Returned**
- **Do Not Engage in Ballot Curing**

From: Adam Rogan <Adam.Rogan@journaltimes.com>
Sent: Wednesday, March 2, 2022, 6:31 PM
To: "Dominik.Kolodziejczyk@legis.wisconsin.gov" <Dominik.Kolodziejczyk@legis.wisconsin.gov>;
"Joshua.Hoisington@legis.wisconsin.gov" <Joshua.Hoisington@legis.wisconsin.gov>
Subject: Media request: Gableman, election report and nursing homes

Hello,

This is Adam Rogan from The Journal Times in Racine. I'm working on a follow-up story about the Gableman report revealed the other day. One thing I'm looking into is the claim about 100% turnout in some nursing homes. The report doesn't have any citations or other data there regarding it, and I was wondering if the representative — as a member of the Campaign & Elections Committee — has any more information or incite about evidence to back up the assertions.

Do you have any idea where the data comes from? Of course, my phone is always on and I'd be happy to speak with the Rep. about this ongoing issue.

Reach me at adam.rogan@journaltimes.com or anytime on my cell at 262-994-8841.

Best,
Adam

Adam Rogan

He/Him

Journal Times reporter

adam.rogan@journaltimes.com

262-994-8841

From: Lena Eng [REDACTED]
Sent: Tuesday, March 1, 2022, 4:09 PM
To: Joe Sanfelippo <Joe.Sanfelippo@legis.wisconsin.gov>
Subject: my recent statement

Hi Joe,

I hope you and Becky are doing well and were able to get a good break/vacation during your Company's off season.

I just wanted to share with you my statement that was made to continue to promote a non-partisan redistricting process similar to that of Iowa. Though you've shared with me in the past that it is impossible to be non-partisan, I do think technology can be used in redistricting to be as fair as possible. Our party has a natural advantage. Plus I do think we have better ideas for solving problems. There is no need to rig the maps in order to maintain power. I still have hope that we can get this passed eventually.

"I'm deeply concerned about how divided our country is. The contempt and distrust too many Americans have for each other worries me about my children's future, America's future.

I'd like to speak directly to my fellow conservatives. The extreme gerrymandering done in 2011 to benefit our party - though legal for hundreds of years - poisoned Wisconsin's previously collaborative, functional government we had been known for.

I know many are upset at apparent irregularities following the challenges of voting during a pandemic. But if you are sincere about your desire for free and fair elections, then you ALSO MUST urge our legislators to end extreme gerrymandering because free and fair elections must BEGIN with district maps that are not rigged to favor one side. Both strengthening election rules and instituting a non-partisan redistricting process are critical to rebuilding mutual trust in our elections and returning Wisconsin back to a model state of collaborative, functional governing. Please join me in urging our legislators to address both of these issues together so we can move Wisconsin forward."

Lena Eng, New Berlin

From: AO Records <records@americanoversight.org>
Sent: Thursday, March 3, 2022, 3:33 PM
To: "Blazel, Ted" <ted.blazel@legis.wisconsin.gov>; "rep.sanfelippo@legis.wi.gov" <rep.sanfelippo@legis.wi.gov>
Subject: Public Records Law Request (WI-REP-22-0203)
Attachments: WI-REP-22-0203.pdf

Dear Chief Clerk Blazel and Representative Sanfelippo

Please find attached a request for records under Wisconsin's public records law.

Sincerely,

Dylan Winters (he/him)
Paralegal
American Oversight
records@americanoversight.org
www.americanoversight.org | @weareoversight

PRR: WI-REP-22-0203

From: AO Records <records@americanoversight.org>
Sent: Thursday, March 3, 2022, 3:38 PM
To: "rep.sanfelippo@legis.wi.gov" <rep.sanfelippo@legis.wi.gov>
Subject: Public Records Law Request (WI-REP-22-0205)
Attachments: WI-REP-22-0205.pdf

Dear Representative Sanfelippo:

Please find attached a request for records under Wisconsin's public records law.

Sincerely,
Dylan Winters (he/him)
Paralegal
American Oversight
records@americanoversight.org
www.americanoversight.org | @weareoversight

PRR: WI-REP-22-0205

From: AO Records <records@americanoversight.org>
Sent: Thursday, March 3, 2022, 3:43 PM
To: "rep.sanfelippo@legis.wi.gov" <rep.sanfelippo@legis.wi.gov>
Subject: Public Records Law Request (WI-REP-22-0208)
Attachments: WI-REP-22-0208.pdf

Dear Representative Sanfelippo,

Please find attached a request for records under Wisconsin's public records law.

Sincerely,
Dylan Winters (he/him)
Paralegal
American Oversight
records@americanoversight.org
www.americanoversight.org | @weareoversight

PRR: WI-REP-22-0208

Sent: Thursday, March 3, 2022, 9:36 AM

To: Adam Rogan <Adam.Rogan@journaltimes.com>; "Kolodziejczyk, Dominik" <Dominik.Kolodziejczyk@legis.wisconsin.gov>; "Hoisington, Joshua" <Joshua.Hoisington@legis.wisconsin.gov>

Subject: Re: Media request: Gableman, election report and nursing homes

Adam,

I suggest you speak with the author of the report who is in a better position to answer questions since he wrote it.

Joe

From: Adam Rogan <Adam.Rogan@journaltimes.com>

Sent: Wednesday, March 2, 2022 6:31:40 PM

To: Kolodziejczyk, Dominik; Hoisington, Joshua

Subject: Media request: Gableman, election report and nursing homes

Hello,

This is Adam Rogan from The Journal Times in Racine. I'm working on a follow-up story about the Gableman report revealed the other day. One thing I'm looking into is the claim about 100% turnout in some nursing homes. The report doesn't have any citations or other data there regarding it, and I was wondering if the representative — as a member of the Campaign & Elections Committee — has any more information or incite about evidence to back up the assertions.

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Best,
Adam

Adam Rogan

He/Him

Journal Times reporter

adam.rogan@journaltimes.com

262-994-8841

EXECUTIVE SESSION

Revised

Joint Committee on Finance

The committee will hold an executive session on the following items at the time specified below:

Thursday, March 3, 2022

1:30 PM

412 East

Senate Bill 520

Relating to: a new juvenile correctional facility in Milwaukee County and granting bonding authority.

By Senators Wanggaard, Felzkowski, L. Taylor, Ballweg, Carpenter, Johnson, Larson and Petrowski; cosponsored by Representatives Schraa, Callahan, Goyke, Bowen, Andraca, Baldeh, Cabrera, Conley, Considine, Dittrich, Drake, Haywood, Hebl, Magnafici, Mursau, Neubauer, Pope, Rozar, Sinicki, Spreitzer, Steffen, Subeck, Tauchen, Tusler, Vining and Stubbs.

Assembly Bill 973

Relating to: apprenticeship and youth apprenticeship completion awards, career and technical education incentive grants and completion awards, technical preparation programs in school districts and technical colleges, creating an individual income tax subtraction for expenses paid for apprenticeship programs, and making an appropriation.

By Representatives Oldenburg, Zimmerman, Petryk, Armstrong, Dittrich, Drake, Gundrum, James, Moses, Mursau, Novak, Schraa, Skowronski, Swearingen, Tranel, VanderMeer, Vorpapel, Wittke, Vruwink and Kuglitsch; cosponsored by Senators Stafsholt, Feyen and Ballweg.

03/03/2022: AB973 was added to the list of items to be heard.

Senator Howard Marklein
Senate Chair

Representative Mark Born
Assembly Chair

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Revised

Joint Committee on Finance

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03/03/2022: AB973 was added to the list of items to be heard.

Senator Howard Marklein
Senate Chair

Representative Mark Born
Assembly Chair

EXECUTIVE SESSION

Revised

Joint Committee on Finance

The committee will hold an executive session on the following items at the time specified below:

Thursday, March 3, 2022
1:30 PM
412 East

Senate Bill 520

Relating to: a new juvenile correctional facility in Milwaukee County and granting bonding authority.

By Senators Wanggaard, Felzkowski, L. Taylor, Ballweg, Carpenter, Johnson, Larson and Petrowski; cosponsored by Representatives Schraa, Callahan, Goyke, Bowen, Andraca, Baldeh, Cabrera, Conley, Considine, Dittrich, Drake, Haywood, Hebl, Magnafici, Mursau, Neubauer, Pope, Rozar, Sinicki, Spreitzer, Steffen, Subeck, Tauchen, Tusler, Vining and Stubbs.

Assembly Bill 973

Relating to: apprenticeship and youth apprenticeship completion awards, career and technical education incentive grants and completion awards, technical preparation programs in school districts and technical colleges, creating an individual income tax subtraction for expenses paid for apprenticeship programs, and making an appropriation.

By Representatives Oldenburg, Zimmerman, Petryk, Armstrong, Dittrich, Drake, Gundrum, James, Moses, Mursau, Novak, Schraa, Skowronski, Swearingen, Tranel, VanderMeer, Vorpapel, Wittke, Vruwink and Kuglitsch; cosponsored by Senators Stafsholt, Feyen and Ballweg.

03/03/2022: AB973 was added to the list of items to be heard.

Senator Howard Marklein
Senate Chair

Representative Mark Born
Assembly Chair

From: "Malkasian, Joe" <Joe.Malkasian@legis.wisconsin.gov>

Sent: Thursday, March 3, 2022, 10:23 AM

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Subject: Revised JFC Executive Session
Attachments: Revised Executive_Notice_3-3-22_Finance.docx

Good Morning,

Attached is an electronic copy of a **REVISED** JFC Executive Session Notice for Thursday, March 3, 2022, at 1:30pm in room 412 East State Capitol. Please feel free to contact me with any questions or concerns.

Have a great day,

Joe Malkasian
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State Capitol, Room 305E
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Subject: Revised JFC Executive Session
Attachments: Revised Executive_Notice_3-3-22_Finance.docx

Good Morning,

Attached is an electronic copy of a **REVISED** JFC Executive Session Notice for Thursday, March 3, 2022, at 1:30pm in room 412 East State Capitol. Please feel free to contact me with any questions or concerns.

Have a great day,

Joe Malkasian
Committee Clerk, Joint Committee on Finance
State Capitol, Room 305E
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"mailto:mpaukner@wislawjournal.com" <mpaukner@wislawjournal.com>; Mark Grapentine <Mark.Grapentine@wismed.org>; Mark Wadium <mark.wadium@outagamie.org>; Mary Spicuzza <mspicuzza@jrn.com>; "Matt Defour <" <MDefour@madison.com>; Matt Rossetto <mrossetto@wda.org>; Maureen McNally <mmcally@froedterthealth.org>; "mayers@wispolitics.com" <mayers@wispolitics.com>; "mblumenfeld@mblumenfeld.com" <mblumenfeld@mblumenfeld.com>; "melanie@wisconsinexaminer.com" <melanie@wisconsinexaminer.com>; Melissa Duffy <mduffy@dcstrategies.org>; Misha Lee <misha@leegovernmentrelations.com>; Mitchell Schmidt <MSchmidt@madison.com>; Molly Beck <mabeck@gannett.com>; "Montgomery, Kimberly" <Kimberly.Montgomery@milwaukee.gov>; "Natzke, Ryan J " <natzke.ryan@marshfieldclinic.org>; Neil Johnson <njohnson@gazettextra.com>; Neil Johnson <neiljohn17@yahoo.com>; Nels Rude <n rude@thekammergroup.com>; news room <info@wrn.com>; "news@nbc15.com" <news@nbc15.com>; PAUL HEINEN <pheinen@charter.net>; Peter Kamme <pk@thekammergroup.com>; "PMARLEY@journalsentinel.com" <PMARLEY@journalsentinel.com>; "Portz, Elisabeth " <Elisabeth.Portz@anthem.com>; "r.kahl@cbgwi.com" <r.kahl@cbgwi.com>; Ramie Zelenkova <rzenkova@hwz-gov.com>; Rich Pollex <rwpollex@gmail.com>; "ross@wispolitics.com" <ross@wispolitics.com>; "ruth@wisconsinexaminer.com" <ruth@wisconsinexaminer.com>; "rwk@dewittross.com" <rwk@dewittross.com>; Ryan Murray <rmurray@thefirmllc.net>; S Lyons <slyons@thesjlgroupp.com>; Sara Sahli <sara.sahli@cancer.org>; "sbauer@ap.org" <sbauer@ap.org>; "Schulte, Laura " <leschulte@jrn.com>; "selbow@madison.com" <selbow@madison.com>; Shawn Pfaff <shawn@pfaffpublicaffairs.com>; "Springer, Carrie " <Springer.Carrie@countyofdane.com>; "staff@wispolitics.com" <staff@wispolitics.com>; "stancns@aol.com" <stancns@aol.com>; "styre@capitolnavigators.com" <styre@capitolnavigators.com>; Susan McMurray <SMcMurray@afscme32.org>; Tim Clay <tim@weca.coop>; Tim Lundquist <Tim@wihealthplans.org>; Tony Driessen <ahd@dewittross.com>; "tony.langenohl@capitolconsultants.net" <tony.langenohl@capitolconsultants.net>; "trichmond@ap.org" <trichmond@ap.org>; "Van pelt, Benjamin " <Benjamin.Vanpelt@ssmhealth.com>; "wberndt@sbcglobal.net" <wberndt@sbcglobal.net>; The-Wheeler-Report <wheeler@thewheelerreport.com>; "wheelernews@yahoo.com" <wheelernews@yahoo.com>; "White, Laurel " <laurel.white@wpr.org>; William ParkeSutherland <WParkeSutherland@kidsforward.net>
Subject: Revised JFC Executive Session
Attachments: Revised Executive_Notice_3-3-22_Finance.docx

Good Morning,

Attached is an electronic copy of a **REVISED** JFC Executive Session Notice for Thursday, March 3, 2022, at 1:30pm in room 412 East State Capitol. Please feel free to contact me with any questions or concerns.

Have a great day,

Joe Malkasian
Committee Clerk, Joint Committee on Finance
State Capitol, Room 305E
Tel: (608)264-8314
Email: joe.malkasian@legis.wisconsin.gov

From: "Rep.Hesselbein" <Rep.Hesselbein@legis.wisconsin.gov>

Sent: Thursday, March 3, 2022, 8:34 AM

**To: *Legislative Assembly Democrats
<AllAsmDems@legis.wisconsin.gov>; *Legislative Assembly
Republicans <AllAsmGops@legis.wisconsin.gov>; *Legislative
Senate Democrats <AllSenDems@legis.wisconsin.gov>; *Legislative
Senate Republicans <AllSenGops@legis.wisconsin.gov>**

**Subject: SHORT DEADLINE- Co-Sponsorship of LRB 4235 and LRB
4601 relating to legislative and congressional redistricting (first
consideration)**

Attachments: 21-4235 1.pdf; 21-4601.pdf

Co-Sponsorship Memo

To: All Legislators

From: Representative Dianne Hesselbein, Representative Mark Spreitzer, Representative Deb Andraca, and Senator Jeff Smith

Re: Co-Sponsorship of LRB-4235 and LRB 4601 relating to: legislative and congressional redistricting (first consideration).

Short Deadline: 5:00 PM on Monday, March 7th.

For years, our political system has been plagued by the practice of gerrymandering. Every ten years, elected leaders in Wisconsin get to draw their district boundaries, essentially picking the voters they want to represent. The party in control manipulates the district lines to benefit themselves in elections, and as technology evolves, the process of drawing partisan districts becomes more extreme.

Fortunately, there is a better way. Legislation has been introduced each session for the past decade to make our state's redistricting process fair, non-partisan, and open to the public. Fair maps legislation is something that the people of Wisconsin have asked for, and it should be passed now. Due to partisan stalemate, Wisconsin's current redistricting process will be decided in court, while neighboring Iowa, which uses the process we are proposing, has already adopted maps on a bipartisan basis.

LRB-4235 and LRB 4601 would adopt the redistricting process that was introduced earlier this session, and that was again successfully used in Iowa, in the form of a constitutional amendment. This will ensure that, once adopted, politicians will never have the power to undo this reform, and that the people of Wisconsin will be guaranteed fair maps each decade through their state constitution.

Voters deserve the constitutional right to choose their representatives, representatives should not choose their voters. If the people of Wisconsin pass this constitutional amendment, no political party will be able to unfairly draw district maps in their favor again. This constitutional amendment requires adoption by two successive legislatures, and ratification by the people of the State of Wisconsin, before it becomes law.

If you are interested in co-sponsoring this constitutional amendment, please contact my office via email or 6-5340 before **5:00 PM on Monday, March 7th**.

Analysis by the Legislative Reference Bureau

A proposed constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective.

From: "Brooks, Rob" <Rep.Rob.Brooks@legis.wisconsin.gov>
Sent: Tuesday, March 1, 2022, 10:54 AM
To: *Legislative Assembly Republicans - Legislators <Legislative-Assembly-Republicans-Legislators@legis.wisconsin.gov>; *Legislative Assembly Republicans - Representatives <Legislative-Assembly-Republicans-Representatives@legis.wisconsin.gov>
Subject: Updated timeline
Attachments: 2020 timeline.docx

Attached is an updated copy of the 2020 timeline I sent to your offices a few weeks ago.

Rob Brooks

From: "wheeler@thewheelerreport.com" <wheeler@thewheelerreport.com>
Sent: Tuesday, March 1, 2022, 11:27 AM
To: Joe.Sanfelippo@legis.wisconsin.gov
Subject: Wheeler Report - 03/01/22



Tuesday, March 1, 2022

OFFICE OF THE SPECIAL COUNSEL REPORT AVAILABLE

[Part II of the election investigation](#) was made available by Justice Gableman today.

EXECUTIVE ACTION BY SENATE SPORTING HERITAGE, SMALL BUSINESS & RURAL ISSUES

[SB-556 Organ Donor](#) (Feyen, Dan) Electing to be a donor of an anatomical gift when applying for a hunting, fishing, or trapping license and making an appropriation. *Am.1 adopted, 5-0. Passage as amended recommended, 5-0.*

[SB-872 Rural Pharmacy Grants](#) (Stafsholt, Rob) Creating a rural pharmacy practice grant program administered by the Higher Educational Aids Board, exempting from taxation amounts received from such a grant program, granting rule-making authority, and making an appropriation. *Passage recommended, 5-0.*

[SB-886 Emergency Powers](#) (Wimberger, Eric) Emergency power to regulate businesses. *Passage recommended, 3-2.*

COMMITTEE NOTICES

Senate Education, 2:00 pm, Wed, Mar 2, 201-SE
([Google Calendar](#) [iCal](#)/[Outlook](#)) *Hearing*

[SB-1004 Substitute Teachers](#) (Darling, Alberta) Substitute teacher permits issued by the Department of Public Instruction.

[AB-975 Substitute Teachers](#) (Thiesfeldt, Jeremy) Substitute teacher permits issued by the Department of Public Instruction.

[SB-860](#) **Gifted and Talented Programs** (Bernier, Kathy) Programs for gifted and talented pupils.

[AB-903](#) **Gifted and Talented Programs** (Petryk, Warren) Programs for gifted and talented pupils.

[SB-1012](#) **School Grants** (Bernier, Kathy) Grants to public schools to purchase and implement high-quality curricular materials for teaching reading and language arts.

[SB-1011](#) **Face Covering Opt-Out** (Kapenga, Chris) A parental opt-out from face covering requirements in school buildings and on school grounds and requiring school boards to offer pupils a full-time, in-person option.

[AB-995](#) **Face Covering Opt-Out** (Vos, Robin) A parental opt-out from face covering requirements in school buildings and on school grounds and requiring school boards to offer pupils a full-time, in-person option.

CO-SPONSORSHIP MEMOS

[LRB-4151](#) **Memo Behavioral Health Grants** (Brostoff, Jonathan) Deaf, hard of hearing, and deaf-blind behavioral health treatment program, communication services, and making an appropriation. *Deadline: Friday, March 4*

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From: "wheeler@thewheelerreport.com" <wheeler@thewheelerreport.com>
Sent: Thursday, March 3, 2022, 4:33 PM
To: Rep.Sanfelippo@legis.wisconsin.gov
Subject: Wheeler Report - 03/03/22 - Redistricting Decision



Thursday, March 3, 2022

WI SUPREME COURT REDISTRICTING DECISION

The Wisconsin Supreme Court released its [decision on redistricting today](#). The Supreme Court in this case decided rather than prepare their own maps, they invited parties to submit their maps for congress, state senate, and state assembly which would, “minimize changes from current law and evaluate maps for compliance with state and federal law.”

Congressional Maps: “With only eight districts, core retention—a measure of voters who remain in their prior districts—is the best metric of least change, and the map submitted by Governor Evers easily scores highest. His map moves 5.5% of the population to new districts, leaving 94.5% in their current districts. In raw numbers, the Governor's proposal to move 324,415 people to new districts is 60,041 fewer people than the next best proposal. In addition, Governor Evers' submission complies with the federal Constitution and all other applicable laws. We therefore adopt Governor Evers' proposed congressional map.”

State Legislative Maps: “The proposed senate and assembly maps making the least changes from current law are once again those of Governor Evers. In their senate proposals, both Governor Evers and the Legislature move a nearly identical 7.8% of voters to different districts (92.2% core retention), with a slight edge to the Legislature for moving 1,958 fewer people. However, in their assembly map proposals, Governor Evers moves 14.2% of voters to new districts, while the Legislature moves 15.8% (85.8% vs. 84.2% core retention), a difference that affects 96,178 people. No other proposal comes close. And beyond core retention, no other measure of least change alters the picture. The Governor's proposed senate and assembly maps produce less overall change than other submissions. We also conclude that Governor Evers' proposals satisfy the requirements of the state and federal constitutions... For these reasons, we adopt Governor Evers' proposed remedial state senate and state assembly maps.”

In conclusion, “ To remedy the unconstitutional malapportionment of the 2011 congressional and state legislative maps, we adopt the Governor's proposed congressional and state legislative maps. Beginning with the August 2022 primary elections, the Wisconsin Elections Commission is

enjoined from conducting elections under the 2011 maps and is ordered to implement the congressional and legislative maps submitted by Governor Evers for all upcoming elections.”

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From: "wheeler@thewheelerreport.com" <wheeler@thewheelerreport.com>
Sent: Thursday, March 3, 2022, 2:06 PM
To: Rep.Sanfelippo@legis.wisconsin.gov
Subject: Wheeler Report - 03/03/22



Thursday, March 3, 2022

HINTZ WILL NOT SEEK RE-ELECTION

Rep. Gordon Hintz, former leader for the Assembly Democratic Caucus, has announced he will not seek re-election to the Assembly. Hintz was first elected to the Assembly in 2006.

EXECUTIVE ACTION BY SENATE LABOR & REGULATORY REFORM

[AB-910 Unemployment Insurance](#) (Assembly Labor and Integrated Employment) Various changes to the unemployment insurance law. *Passage recommended, 5-0.*

[AB-911 Worker's Compensation](#) (Assembly Labor and Integrated Employment) Various changes to the worker's compensation law and granting rule-making authority. *Passage recommended, 5-0.*

[SB-897 Unemployment Insurance](#) (Senate Labor and Regulatory Reform) Various changes to the unemployment insurance law. *Passage recommended, 5-0.*

[SB-898 Worker's Compensation](#) (Senate Labor and Regulatory Reform) Various changes to the worker's compensation law and granting rule-making authority. *Passage recommended, 5-0.*

[AB-1007 Professional Opinions](#) (Moses, Clint) Right of health care providers to express professional opinions related to health or medical information or guidance. *Passage recommended, 3-2.*

[AB-1060 Research Trials](#) (Gundrum, Rick) Participants in clinical research trials. *Passage recommended, 3-2.*

[SB-1014 Research Trials](#) (Stroebel, Duey) Participants in clinical research trials. *Passage recommended, 3-2.*

[SB-1015 Professional Opinions](#) (Nass, Steve) Right of health care providers to express professional opinions related to health or medical information or guidance. *Passage recommended, 3-2.*

EXECUTIVE ACTION BY JOINT FINANCE

[SB-520 Juvenile Facility](#) (Wanggaard, Van) A new juvenile correctional facility in Milwaukee County and granting bonding authority. *Am. 1 adopted, 13-0,*

[AB-973 Apprenticeships](#) (Oldenburg, Loren) Apprenticeship and youth apprenticeship completion awards, career and technical education incentive grants and completion awards, technical preparation programs in school districts and technical colleges, creating an individual income tax subtraction for expenses paid for apprenticeship programs, and making an appropriation. *Concurrence, 10-3.*

CANCELLED COMMITTEE NOTICES

CANCELLED: Senate Housing, Commerce & Trade, 11:00 am, Fri, Mar 4, Paper Ballot
([Google Calendar](#) [iCal/Outlook](#)) *Executive Session*

[AB-607 Housing Rehab Loans](#) (Penterman, William) A workforce housing rehabilitation loan program.

COMMITTEE NOTICES

Senate Financial Institutions & Revenue, 11:00 am, Fri, Mar 4, Paper Ballot
([Google Calendar](#) [iCal/Outlook](#)) *Executive Session*

[AB-250 DOR](#) (Spiros, John) Department of Revenue enforcement and providing a penalty.

[SB-285 DOR](#) (Wanggaard, Van) Department of Revenue enforcement and providing a penalty.

Senate Education, 12:30 pm, Fri, Mar 4, Paper Ballot
([Google Calendar](#) [iCal/Outlook](#)) *Executive Session*

[SB-201 Microschools](#) (Nass, Steve) Microschools.

[AB-122 Microschools](#) (Sortwell, Shae) Microschools.

[SB-860 Gifted and Talented Programs](#) (Bernier, Kathy) Programs for gifted and talented pupils.

[AB-903 Gifted and Talented Programs](#) (Petryk, Warren) Programs for gifted and talented pupils.

[SB-962 Parent Rights](#) (Darling, Alberta) Rights reserved to a parent or guardian of a child.

[AB-963](#) **Parent Rights** (Gundrum, Rick) Rights reserved to a parent or guardian of a child.

[SB-963](#) **Reorganizing Milwaukee Schools** (Darling, Alberta) Reorganizing the Milwaukee Public School System into four to eight school districts and creating a Milwaukee Public Schools Redistricting and Implementation Commission.

[AB-966](#) **Reorganizing Milwaukee Schools** (Wittke, Robert) Reorganizing the Milwaukee Public School System into four to eight school districts and creating a Milwaukee Public Schools Redistricting and Implementation Commission.

[SB-964](#) **Charter School Board** (Darling, Alberta) Creating a Charter School Authorizing Board and allowing the board to authorize independent charter schools.

[AB-968](#) **Charter School Board** (Wittke, Robert) Creating a Charter School Authorizing Board and allowing the board to authorize independent charter schools.

[SB-965](#) **Charter Schools** (Darling, Alberta) High-performing charter schools authorized by school boards.

[AB-967](#) **Charter Schools** (Wittke, Robert) High-performing charter schools authorized by school boards.

[SB-966](#) **DPI Reports** (Darling, Alberta) The components, methods, and formulas the Department of Public Instruction uses to publish school and school district accountability reports and granting rule-making authority.

[AB-965](#) **DPI Reports** (Wittke, Robert) The components, methods, and formulas the Department of Public Instruction uses to publish school and school district accountability reports and granting rule-making authority.

[SB-974](#) **Choice Income Limits** (Roth, Roger) Eliminating income limits for parental choice programs; eliminating pupil participation limits for the statewide parental choice program; private school tuition charged to a pupil participating in a parental choice program; and creating an education expense reimbursement program for the 2022-23 school year and the summer of 2023.

[AB-970](#) **Choice Income Limits** (Wittke, Robert) Eliminating income limits for parental choice programs; eliminating pupil participation limits for the statewide parental choice program; private school tuition charged to a pupil participating in a parental choice program; and creating an education expense reimbursement program for the 2022-23 school year and the summer of 2023.

[SB-1004](#) **Substitute Teachers** (Darling, Alberta) Substitute teacher permits issued by the Department of Public Instruction.

[AB-975](#) **Substitute Teachers** (Thiesfeldt, Jeremy) Substitute teacher permits issued by the Department of Public Instruction.

[SB-1011](#) **Face Covering Opt-Out** (Kapenga, Chris) A parental opt-out from face covering requirements in school buildings and on school grounds and requiring school boards to offer pupils a full-time, in-person option.

[AB-995](#) **Face Covering Opt-Out** (Vos, Robin) A parental opt-out from face covering requirements in school buildings and on school grounds and requiring school boards to offer pupils a full-time, in-person option.

[SB-1012](#) **School Grants** (Bernier, Kathy) Grants to public schools to purchase and implement high-quality curricular materials for teaching reading and language arts.

INTRODUCED IN THE ASSEMBLY

[AB-1072](#) **Carbon Emissions** (Tauchen, Gary) The measurement of carbon emissions and carbon emission offset transactions related to animal agriculture operators, renewable natural gas and energy produced at animal agriculture facilities, and gr the measurement of carbon emissions and carbon emission offset transactions related to animal agriculture operators, renewable natural gas and energy produced at animal agriculture facilities, and granting rule-making authority. *Referred to Assembly Energy and Utilities*

[AB-1073](#) **Cat Declawing** (Emerson, Jodi) Prohibiting cat declawing procedures. *Referred to Assembly State Affairs*

[AB-1075](#) **Local Health Officers** (Penterman, William) Actions by local health officers. *Referred to Assembly State Affairs*

[AB-1074](#) **DWD Positions** (Doyle, Steve) Authorizing certain full-time positions within the Department of Safety and Professional Services; funding for special education, the University of Wisconsin System, and the technical college system; and making an appropriation. *Referred to Assembly State Affairs*

CO-SPONSORSHIP MEMOS

[LRB-6204](#) [Memo](#) **Hazard Pay Grants** (Vining, Robyn) Hazard pay grant program, an income tax subtraction for hazard pay, special education aid and UW System funding, granting rule-making authority , and making an appropriation. *Deadline: Friday, March 4, 5 pm*

[LRB-5257](#) [Memo](#) **WEC Member** (Bernier, Kathy) Adding a member to the Elections Commission and modifying the per diem for members of the Elections Commission and Ethics Commission *Deadline: Monday, March 7, 5 pm*

[LRB-5991](#) [Memo](#) **Election Grants** (Bernier, Kathy) Grants to municipalities and counties for purposes of election administration and making an appropriation. *Deadline: Monday, March 7, 5 pm*

[LRB-4235 Memo Redistricting](#) (Hesselbein, Dianne) Legislative and congressional redistricting (first consideration). *Deadline: Monday, March 7, 5 pm*

[LRB-4601 Memo Redistricting](#) (Smith, Jeff) Legislative and congressional redistricting (first consideration). *Deadline: Monday, March 7, 5 pm*

[LRB-6211 Memo Trampoline Parks](#) (Larson, Chris) Regulating trampoline parks, providing an exemption from emergency rule procedures, and granting rule-making authority. *Deadline: Monday, March 7, Noon*

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March 3, 2022

VIA EMAIL

Edward Blazel
Assembly Chief Clerk
17 West Main Street, Room 401
Madison, WI 53703
ted.blazel@legis.wisconsin.gov

Representative Joe Sanfelippo
Wisconsin State Capitol, Room 314 North
Madison, WI 53708
rep.sanfelippo@legis.wi.gov

Re: Public Records Law Request

Dear Chief Clerk Blazel and Representative Sanfelippo:

Pursuant to Wisconsin's public records law, Wis. Stat. §§ 19.31–19.39, American Oversight makes the following request for copies of records.

On May 26, 2021, Wisconsin State Assembly Speaker Robin Vos indicated that the legislature would hire three former law enforcement officers and a supervising attorney to investigate the November 2020 election.¹ Since the time of this announcement, Speaker Vos has expanded the scope of the investigation, appointing former Wisconsin Supreme Court justice Michael Gableman as “special counsel,” and gaining Assembly approval to spend at least \$676,000 in public funds.² While presenting the interim findings of the Office of Special Counsel investigation in a hearing of the Assembly Committee on Campaigns on March 1, 2022, Gableman recommended that the Legislature consider decertifying the November 2020 presidential election in Wisconsin and indicated that the Office of Special Counsel would continue operating in absence of a written contract extension.³ A separate investigation led by the chair of the Assembly

¹ Patrick Marley, *Top Wisconsin Republican Robin Vos Hires Former Cops to Investigate November Election*, Milwaukee J. Sentinel (updated May 26, 2021, 5:16 PM), <https://www.jsonline.com/story/news/politics/elections/2021/05/26/wisconsin-republican-robin-vos-hires-ex-cops-investigate-election/7455034002/>.

² Patrick Marley & Molly Beck, *Michael Gableman Reveals One More Staffer for His Election Review in Testimony Before Lawmakers*, Milwaukee J. Sentinel (Nov. 10, 2021, 7:06 PM), <https://www.jsonline.com/story/news/politics/2021/11/10/michael-gableman-reveals-another-staffers-name-election-review/6371829001/>.

³ Henry Redman, *In Conspiracy-Laden ‘Circus’ Gableman Attacks Wisconsin Election Administration*, Wis. Examiner (Mar. 1, 2022, 5:35 PM),

Committee on Campaigns and Elections, Representative Janel Brandtjen, has included testimony from election conspiracists,⁴ and she and Representative Tim Ramthun have likewise supported the recall of Wisconsin's 2020 presidential electors.⁵

American Oversight seeks records with the potential to shed light on the Wisconsin Assembly's investigations of the November 2020 election.

Requested Records

American Oversight requests that Representative Sanfelippo and the Wisconsin Assembly produce the following records "as soon as practicable and without delay":⁶

Please provide all responsive records described below from February 1, 2022, through the date the search is conducted:

1. A complete copy (including any attachments) of any contract or subcontract, amendment, memorandum of understanding, or other written agreement between the Wisconsin State Assembly (or members thereof) and parties investigating the November 2020 election. At a minimum, this request should be interpreted to include agreements with: former justice Michael Gableman; any elections investigators contracted by the Assembly and/or overseen by Michael Gableman; entities contracted for data analysis or review of election equipment; or any other individuals or entities contracted in association with any investigations of the 2020 election.
2. A complete copy (including any attachments) of any resume, bid, project proposal, cost or time estimate, scope of work, application form, or other document submitted to the Wisconsin State Assembly (or members or agents thereof) by entities investigating the 2020 election.

<https://wisconsinexaminer.com/2022/03/01/in-conspiracy-laden-circus-gableman-attacks-wisconsin-election-administration/>.

⁴ See Josh Marcus, *Fact-Checkers Blast Donald Trump 2020 Election Conspiracy About 120-Year-Old Voters in Wisconsin*, Independent (Dec. 11, 2021, 8:09 PM),

<https://www.independent.co.uk/news/world/americas/us-politics/donald-trump-wisconsin-2020-election-b1974327.html>; Patrick Marley, *Republican Lawmakers Are Seeking Help from a Felon Who Was Convicted of Fraud As They Review the 2020 Election*, Milwaukee J. Sentinel (updated Feb. 9, 2022, 5:55 PM),

<https://www.jsonline.com/story/news/politics/2022/02/08/wisconsin-republicans-ask-felon-help-review-2020-election-peter-bernegger-michael-gableman/6576874001/>.

⁵ Henry Redman, *Ramthun, Brandtjen Speak at Rally in Capitol Pushing Recall of Wisconsin's 2020 Electoral Votes*, Wis. Examiner (Feb. 15, 2022, 3:45 PM),

<https://wisconsinexaminer.com/2022/02/15/ramthun-brandtjen-speak-at-rally-in-capitol-pushing-recall-of-wisconsins-2020-electoral-votes/>.

⁶ Wis. Stat. § 19.35(4)(a).

3. A complete copy of any invoice from or payment to entities investigating the November 2020 election, or any of the other individuals or entities enumerated in item 1 above.

For all portions of this request, this request should be interpreted to include records pertaining to the investigation announced by Speaker Vos on May 26, the expansion announced by Speaker Vos on July 30, the investigation announced by Representative Brandtjen on July 26, and any other investigations by the Assembly into any matters related to the 2020 election.

To be clear, this request seeks the records substantively described in American Oversight's request identified as WI-REP-22-0102, directed to Chief Clerk Blazel and Rep. Sanfelippo, from the period after that request was submitted—*i.e.*, from February 1, 2022, through the date of the search. *See* <https://www.americanoversight.org/document/records-request-to-wisconsin-state-assembly-for-rep-sanfelippos-records-regarding-contracts-with-entities-investigating-november-2020-election>.

Please also note that American Oversight does not seek, and that this request specifically excludes, the initial mailing of news clips or other mass-distribution emails. However, subsequent communications forwarding such emails are responsive to this request. In other words, for example, if Rep. Sanfelippo received a mass-distribution news clip email referencing the relevant statement by the president, that initial email would not be responsive to this request. However, if Rep. Sanfelippo forwarded that email to another individual with their own commentary, that subsequent message would be responsive to this request and should be produced.

For all portions of this request, this request should be interpreted to include records pertaining to the investigation announced by Speaker Vos on May 26, the expansion announced by Speaker Vos on July 30, the investigation announced by Representative Brandtjen on July 26, and any other investigations by the Assembly into any matters related to the 2020 election. Please note that this request seeks records in addition to, and not duplicative of, the records sought by any previous requests submitted by American Oversight.

Fee Waiver Request

In accordance with Wis. Stat. § 19.35(3)(e), American Oversight respectfully requests that the records be produced without charge. Providing American Oversight with a waiver of fees is in the “public interest” because American Oversight will, in accordance with its organizational mission, make the records available to the public without charge. These disclosures will likely contribute to a better understanding of relevant government procedures by the general public.

American Oversight's work is aimed solely at serving the public interest. As a 501(c)(3) nonprofit, American Oversight does not have a commercial purpose and the release of the information requested is not in American Oversight's financial interest. Rather, American Oversight's mission is to serve the public by promoting transparency in

government, educating the public about government activities, and ensuring the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media.⁷ American Oversight also makes materials it gathers available on its public website⁸ and promotes their availability on social media platforms, such as Facebook and Twitter.⁹

The public has a significant interest in the Wisconsin Assembly's investigation of the November 2020 election.¹⁰ Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including the role of contractors in conducting the Assembly's investigation. American Oversight is committed to transparency and makes the responses agencies provide to public records requests publicly available, and the public's understanding of the government's activities would be enhanced through American Oversight's analysis and publication of these records.

American Oversight asks that if its request for a fee waiver is denied in whole or in part, that you contact us prior to incurring any costs.

Guidance Regarding the Search & Processing of Requested Records

American Oversight seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the term "record" in its broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions. Our request includes any attachments to these records. **No category of material should be omitted from search, collection, and production.**

Please search all locations and systems likely to have responsive records regarding official business. **You may not exclude searches of files or emails in the personal**

⁷ See generally *News*, American Oversight, <https://www.americanoversight.org/blog>; *State Investigations*, American Oversight, <https://www.americanoversight.org/states>; see, e.g., *State Government Contacts with Voting-Restriction Activists*, American Oversight, <https://www.americanoversight.org/investigation/state-government-contacts-with-voting-restriction-activists>; *Wisconsin Documents Offer Window into Early Uncertainty over COVID-19*, American Oversight, <https://www.americanoversight.org/wisconsin-documents-offer-window-into-early-uncertainty-over-covid-19>.

⁸ *Documents*, American Oversight, <https://www.americanoversight.org/documents>.

⁹ American Oversight currently has approximately 15,720 page likes on Facebook and 117,800 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Mar. 2, 2022); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Mar. 2, 2022).

¹⁰ See *supra*, notes 1-5.

custody of your officials, such as personal email accounts. Emails conducting government business sent or received on the personal account of the authority's officer or employee constitutes a record for purposes of Wisconsin's public records laws.¹¹

In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records.¹² If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. If a request is denied in whole, please state specifically that it is not reasonable to segregate portions of the record for release.

American Oversight expects that you have ensured all responsive records and records relevant to this request and your compliance with it are retained as required by Wisconsin law. Please take all appropriate steps to ensure that no such records are deleted by the agency before the completion of processing for this request. If records potentially responsive or relevant to this request, or your compliance with it, are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

Conclusion

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to American Oversight, please do not hesitate to contact American Oversight to discuss this request. American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not understand any part of this request, please contact Sarah Colombo at

¹¹ Wisc. Dep't of J., *Wisconsin Public Records Law Compliance Guide*, Oct. 2019, at 3, <https://www.doj.state.wi.us/sites/default/files/office-open-government/Resources/PRL-GUIDE.pdf>.

¹² Wis. Stat. § 19.36(6).

records@americanoversight.org or (202) 869-5244. Also, if American Oversight's request for a fee waiver is not granted in full, please contact us immediately upon making such a determination.

Sincerely,

/s/ Sarah Colombo

Sarah Colombo
on behalf of
American Oversight



March 3, 2022

VIA EMAIL

Representative Joe Sanfelippo
Wisconsin State Capitol, Room 314 North
Madison, WI 53708
rep.sanfelippo@legis.wi.gov

Re: Public Records Law Request

Dear Representative Sanfelippo:

Pursuant to Wisconsin's public records law, Wis. Stat. §§ 19.31–19.39, American Oversight makes the following request for copies of records.

On May 26, 2021, Wisconsin State Assembly Speaker Robin Vos indicated that the legislature would hire three former law enforcement officers and a supervising attorney to investigate the November 2020 election.¹ Since the time of this announcement, Speaker Vos has expanded the scope of the investigation, appointing former Wisconsin Supreme Court justice Michael Gableman as “special counsel,” and gaining Assembly approval to spend at least \$676,000 in public funds.² While presenting the interim findings of the Office of Special Counsel investigation in a hearing of the Assembly Committee on Campaigns on March 1, 2022, Gableman recommended that the Legislature consider decertifying the November 2020 presidential election in Wisconsin and indicated that the Office of Special Counsel would continue operating in absence of a written contract extension.³ A separate investigation led by the chair of the Assembly Committee on Campaigns and Elections, Representative Janel Brandtjen, has included

¹ Patrick Marley, *Top Wisconsin Republican Robin Vos Hires Former Cops to Investigate November Election*, Milwaukee J. Sentinel (updated May 26, 2021, 5:16 PM), <https://www.jsonline.com/story/news/politics/elections/2021/05/26/wisconsin-republican-robin-vos-hires-ex-cops-investigate-election/7455034002/>.

² Patrick Marley & Molly Beck, *Michael Gableman Reveals One More Staffer for His Election Review in Testimony Before Lawmakers*, Milwaukee J. Sentinel (Nov. 10, 2021, 7:06 PM), <https://www.jsonline.com/story/news/politics/2021/11/10/michael-gableman-reveals-another-staffers-name-election-review/6371829001/>.

³ Henry Redman, *In Conspiracy-Laden ‘Circus’ Gableman Attacks Wisconsin Election Administration*, Wis. Examiner (Mar. 1, 2022, 5:35 PM), <https://wisconsinexaminer.com/2022/03/01/in-conspiracy-laden-circus-gableman-attacks-wisconsin-election-administration/>.

testimony from election conspiracists,⁴ and she and Representative Tim Ramthun have likewise supported the recall of Wisconsin's 2020 presidential electors.⁵

American Oversight seeks records with the potential to shed light on the Wisconsin Assembly's investigations of the November 2020 election.

Requested Records

American Oversight requests that Representative Sanfelippo produce the following records "as soon as practicable and without delay":⁶

Please provide all responsive records described below from February 1, 2022, through the date the search is conducted:

1. A complete copy (including any attachments) of any formal or informal guidance, directives, memoranda, or other policy and procedure documents issued to entities investigating the November 2020 election, including but not limited to:
 - a. Directives regarding the scope and duration of any investigations
 - b. Records identifying, prioritizing, and investigating alleged fraud, misconduct, or irregularities
 - c. Protocols for contacting persons of interest, including, but not limited to, guidelines or scripts for contacting and interviewing witnesses
 - d. Guidance regarding the presentation of any findings
 - e. Guidelines for ensuring the safe handling and privacy of confidential voter information and ballot equipment
 - f. Any other directives regarding the planning, preparation, and execution of any investigations

2. A complete copy (including any attachments) of any interim reports, analyses, notifications, or other work product submitted by individuals or entities under contract to investigate the November 2020 election.

⁴ See Josh Marcus, *Fact-Checkers Blast Donald Trump 2020 Election Conspiracy About 120-Year-Old Voters in Wisconsin*, Independent (Dec. 11, 2021, 8:09 PM), <https://www.independent.co.uk/news/world/americas/us-politics/donald-trump-wisconsin-2020-election-b1974327.html>; Patrick Marley, *Republican Lawmakers Are Seeking Help from a Felon Who Was Convicted of Fraud As They Review the 2020 Election*, Milwaukee J. Sentinel (updated Feb. 9, 2022, 5:55 PM), <https://www.jsonline.com/story/news/politics/2022/02/08/wisconsin-republicans-ask-felon-help-review-2020-election-peter-bernegger-michael-gableman/6576874001/>.

⁵ Henry Redman, *Ramthun, Brandtjen Speak at Rally in Capitol Pushing Recall of Wisconsin's 2020 Electoral Votes*, Wis. Examiner (Feb. 15, 2022, 3:45 PM), <https://wisconsinexaminer.com/2022/02/15/ramthun-brandtjen-speak-at-rally-in-capitol-pushing-recall-of-wisconsins-2020-electoral-votes/>.

⁶ Wis. Stat. § 19.35(4)(a).

For all portions of this request, this request should be interpreted to include records pertaining to the investigation announced by Speaker Vos on May 26, the expansion announced by Speaker Vos on July 30, the investigation announced by Representative Brandtjen on July 26, and any other investigations by the Assembly into any matters related to the 2020 election.

To be clear, this request seeks the records substantively described in American Oversight's request identified as WI-REP-22-0104, directed to Rep. Sanfelippo, from the period after that request was submitted—*i.e.*, from February 1, 2022, through the date of the search. See <https://www.americanoversight.org/document/records-request-to-wisconsin-state-assembly-for-rep-sanfelippos-records-regarding-guidance-provided-to-entities-investigating-november-2020-election>.

Please note that these are exemplar categories only and should not be interpreted to limit American Oversight's request for records reflecting *all* communications sent or received by the parties described above regarding any investigations of the 2020 election.

Please also note that American Oversight does not seek, and that this request specifically excludes, the initial mailing of news clips or other mass-distribution emails. However, subsequent communications forwarding such emails are responsive to this request. In other words, for example, if Rep. Sanfelippo received a mass-distribution news clip email referencing the relevant statement by the president, that initial email would not be responsive to this request. However, if Rep. Sanfelippo forwarded that email to another individual with their own commentary, that subsequent message would be responsive to this request and should be produced.

For all portions of this request, this request should be interpreted to include records pertaining to the investigation announced by Speaker Vos on May 26, the expansion announced by Speaker Vos on July 30, the investigation announced by Representative Brandtjen on July 26, and any other investigations by the Assembly into any matters related to the 2020 election. Please note that this request seeks records in addition to, and not duplicative of, the records sought by any previous requests submitted by American Oversight.

Fee Waiver Request

In accordance with Wis. Stat. § 19.35(3)(e), American Oversight respectfully requests that the records be produced without charge. Providing American Oversight with a waiver of fees is in the “public interest” because American Oversight will, in accordance with its organizational mission, make the records available to the public without charge. These disclosures will likely contribute to a better understanding of relevant government procedures by the general public.

American Oversight's work is aimed solely at serving the public interest. As a 501(c)(3) nonprofit, American Oversight does not have a commercial purpose and the release of the information requested is not in American Oversight's financial interest. Rather, American Oversight's mission is to serve the public by promoting transparency in

government, educating the public about government activities, and ensuring the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media.⁷ American Oversight also makes materials it gathers available on its public website⁸ and promotes their availability on social media platforms, such as Facebook and Twitter.⁹

The public has a significant interest in the Wisconsin Assembly's investigation of the November 2020 election.¹⁰ Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including the role of contractors in conducting the Assembly's investigation. American Oversight is committed to transparency and makes the responses agencies provide to public records requests publicly available, and the public's understanding of the government's activities would be enhanced through American Oversight's analysis and publication of these records.

American Oversight asks that if its request for a fee waiver is denied in whole or in part, that you contact us prior to incurring any costs.

Guidance Regarding the Search & Processing of Requested Records

American Oversight seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the term "record" in its broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions. Our request includes any attachments to these records. **No category of material should be omitted from search, collection, and production.**

Please search all locations and systems likely to have responsive records regarding official business. **You may not exclude searches of files or emails in the personal**

⁷ See generally *News*, American Oversight, <https://www.americanoversight.org/blog>; *State Investigations*, American Oversight, <https://www.americanoversight.org/states>; see, e.g., *State Government Contacts with Voting-Restriction Activists*, American Oversight, <https://www.americanoversight.org/investigation/state-government-contacts-with-voting-restriction-activists>; *Wisconsin Documents Offer Window into Early Uncertainty over COVID-19*, American Oversight, <https://www.americanoversight.org/wisconsin-documents-offer-window-into-early-uncertainty-over-covid-19>.

⁸ *Documents*, American Oversight, <https://www.americanoversight.org/documents>.

⁹ American Oversight currently has approximately 15,720 page likes on Facebook and 117,800 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Mar. 2, 2022); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Mar. 2, 2022).

¹⁰ See *supra*, notes 1-5.

custody of your officials, such as personal email accounts. Emails conducting government business sent or received on the personal account of the authority's officer or employee constitutes a record for purposes of Wisconsin's public records laws.¹¹

In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records.¹² If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. If a request is denied in whole, please state specifically that it is not reasonable to segregate portions of the record for release.

American Oversight expects that you have ensured all responsive records and records relevant to this request and your compliance with it are retained as required by Wisconsin law. Please take all appropriate steps to ensure that no such records are deleted by the agency before the completion of processing for this request. If records potentially responsive or relevant to this request, or your compliance with it, are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

Conclusion

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to American Oversight, please do not hesitate to contact American Oversight to discuss this request. American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not understand any part of this request, please contact Sarah Colombo at

¹¹ Wisc. Dep't of J., *Wisconsin Public Records Law Compliance Guide*, Oct. 2019, at 3, <https://www.doj.state.wi.us/sites/default/files/office-open-government/Resources/PRL-GUIDE.pdf>.

¹² Wis. Stat. § 19.36(6).

records@americanoversight.org or (202) 869-5244. Also, if American Oversight's request for a fee waiver is not granted in full, please contact us immediately upon making such a determination.

Sincerely,

/s/ Sarah Colombo

Sarah Colombo
on behalf of
American Oversight



March 3, 2022

VIA EMAIL

Representative Joe Sanfelippo
Wisconsin State Capitol, Room 314 North
Madison, WI 53708
rep.sanfelippo@legis.wi.gov

Re: Public Records Law Request

Dear Representative Sanfelippo:

Pursuant to Wisconsin's public records law, Wis. Stat. §§ 19.31–19.39, American Oversight makes the following request for copies of records.

On May 26, 2021, Wisconsin State Assembly Speaker Robin Vos indicated that the legislature would hire three former law enforcement officers and a supervising attorney to investigate the November 2020 election.¹ Since the time of this announcement, Speaker Vos has expanded the scope of the investigation, appointing former Wisconsin Supreme Court justice Michael Gableman as “special counsel,” and gaining Assembly approval to spend at least \$676,000 in public funds.² While presenting the interim findings of the Office of Special Counsel investigation in a hearing of the Assembly Committee on Campaigns on March 1, 2022, Gableman recommended that the Legislature consider decertifying the November 2020 presidential election in Wisconsin and indicated that the Office of Special Counsel would continue operating in absence of a written contract extension.³ A separate investigation led by the chair of the Assembly Committee on Campaigns and Elections, Representative Janel Brandtjen, has included

¹ Patrick Marley, *Top Wisconsin Republican Robin Vos Hires Former Cops to Investigate November Election*, Milwaukee J. Sentinel (updated May 26, 2021, 5:16 PM), <https://www.jsonline.com/story/news/politics/elections/2021/05/26/wisconsin-republican-robin-vos-hires-ex-cops-investigate-election/7455034002/>.

² Patrick Marley & Molly Beck, *Michael Gableman Reveals One More Staffer for His Election Review in Testimony Before Lawmakers*, Milwaukee J. Sentinel (Nov. 10, 2021, 7:06 PM), <https://www.jsonline.com/story/news/politics/2021/11/10/michael-gableman-reveals-another-staffers-name-election-review/6371829001/>.

³ Henry Redman, *In Conspiracy-Laden ‘Circus’ Gableman Attacks Wisconsin Election Administration*, Wis. Examiner (Mar. 1, 2022, 5:35 PM), <https://wisconsinexaminer.com/2022/03/01/in-conspiracy-laden-circus-gableman-attacks-wisconsin-election-administration/>.

testimony from election conspiracists,⁴ and she and Representative Tim Ramthun have likewise supported the recall of Wisconsin's 2020 presidential electors.⁵

American Oversight seeks records with the potential to shed light on the Wisconsin Assembly's investigations of the November 2020 election.

Requested Records

American Oversight requests that Representative Sanfelippo the following records “as soon as practicable and without delay”:⁶

Please provide all responsive records described below from February 1, 2022, through the date the search is conducted:⁷

All records reflecting communications (including emails, email attachments, text messages, messages on messaging platforms (such as Slack, GChat or Google Hangouts, Lync, Skype, or WhatsApp), telephone call logs, calendar invitations, calendar entries, meeting notices, meeting agendas, informational material, draft legislation, talking points, any handwritten or electronic notes taken during any oral communications, summaries of any oral communications, or other materials) sent or received by Representative Joe Sanfelippo, his aide Joshua Hoisington, or his aide Dominik Kolodziejczyk (or anyone communicating on Representative Sanfelippo's regarding any investigations of the 2020 election.

This request should be interpreted to include, but not be limited to, all of the categories of records described in the request previously submitted by American

⁴ See Josh Marcus, *Fact-Checkers Blast Donald Trump 2020 Election Conspiracy About 120-Year-Old Voters in Wisconsin*, Independent (Dec. 11, 2021, 8:09 PM), <https://www.independent.co.uk/news/world/americas/us-politics/donald-trump-wisconsin-2020-election-b1974327.html>; Patrick Marley, *Republican Lawmakers Are Seeking Help from a Felon Who Was Convicted of Fraud As They Review the 2020 Election*, Milwaukee J. Sentinel (updated Feb. 9, 2022, 5:55 PM), <https://www.jsonline.com/story/news/politics/2022/02/08/wisconsin-republicans-ask-felon-help-review-2020-election-peter-bernegger-michael-gableman/6576874001/>.

⁵ Henry Redman, *Ramthun, Brandtjen Speak at Rally in Capitol Pushing Recall of Wisconsin's 2020 Electoral Votes*, Wis. Examiner (Feb. 15, 2022, 3:45 PM), <https://wisconsinexaminer.com/2022/02/15/ramthun-brandtjen-speak-at-rally-in-capitol-pushing-recall-of-wisconsins-2020-electoral-votes/>.

⁶ Wis. Stat. § 19.35(4)(a).

⁷ This request seeks the records substantively described in American Oversight's request identified as WI-REP-22-0107, directed to Rep. Sanfelippo, from the period after that request was submitted—*i.e.*, from February 1, 2022, through the date of the search—with modifications to account for recent events. See <https://www.americanoversight.org/document/records-request-to-wisconsin-state-assembly-for-rep-sanfelippos-communications-regarding-entities-investigating-november-2020-election>.

Oversight identified as WI-REP-22-0107,⁸ as well as records relating to, at a minimum:

1. The continued operation of the Office of Special Counsel in absence of a written contract extension.
2. Any further “audit” of ballots or election equipment, whether or not conducted by the Office of Special Counsel.⁹
3. The authorization of any subpoenas for the Office of Special Counsel investigation, including “dozens” which have not been publicly disclosed.¹⁰
4. The February 11, 2022, Milwaukee Journal Sentinel article regarding Michael Gableman’s August 20, 2021 letter to Speaker Vos concerning the possible hiring of Shiva Ayyadurai and any communications regarding the article.¹¹
5. The testimony of Peter Bernegger and his efforts to identify alleged irregularities, including his contact with the Office of Special Counsel.¹²
6. Communications regarding efforts to decertify Wisconsin’s November 2020 presidential election results or “withdraw” its electors.

Please note that these are exemplar categories only and should not be interpreted to limit American Oversight’s request for records reflecting *all* communications sent or received by the parties described above regarding any investigations of the 2020 election.

Please also note that American Oversight does not seek, and that this request specifically excludes, the initial mailing of news clips or other mass-distribution emails. However, subsequent communications forwarding such emails are responsive to this request. In other words, for example, if Rep. Sanfelippo received a mass-distribution news clip email referencing the relevant statement by the president, that initial email would not be responsive to this request. However, if Rep. Sanfelippo forwarded that email to another individual with their own commentary, that subsequent message would be responsive to this request and should be produced.

For all portions of this request, this request should be interpreted to include records pertaining to the investigation announced by Speaker Vos on May 26, the expansion

⁸ *See id.*

⁹ *See* Office of the Special Counsel, *Second Interim Investigative Report on the Apparatus & Procedures of the Wisconsin Election System*, Mar. 1, 2022, <https://legis.wisconsin.gov/assembly/22/brandtjen/media/1552/osc-second-interim-report.pdf>, at 6, 82, 90 & 119.

¹⁰ Patrick Marley, *Wisconsin Republicans Seek to Jail More Officials As Part of Their Review of the 2020 Presidential Election*, Milwaukee J. Sentinel (updated Feb. 18, 2022, 7:16 PM), <https://www.jsonline.com/story/news/politics/2022/02/18/wisconsin-republicans-michael-gableman-seeks-jail-officials-2020-presidential-election-review/6853176001/>.

¹¹ Patrick Marley, *Gableman Considered Hiring Conspiracy Theorist to Analyze Whether Voting Machines Worked Properly*, Milwaukee J. Sentinel (Feb. 11, 2022, 7:00 AM), <https://www.jsonline.com/story/news/politics/2022/02/11/michael-gableman-considered-hiring-conspiracy-theorist-wisconsin-voting-machines/6737674001/>.

¹² *See* Marley, *supra* note 4.

announced by Speaker Vos on July 30, the investigation announced by Representative Brandtjen on July 26, and any other investigations by the Assembly into any matters related to the 2020 election. Please note that this request seeks records in addition to, and not duplicative of, the records sought by any previous requests submitted by American Oversight.

Fee Waiver Request

In accordance with Wis. Stat. § 19.35(3)(e), American Oversight respectfully requests that the records be produced without charge. Providing American Oversight with a waiver of fees is in the “public interest” because American Oversight will, in accordance with its organizational mission, make the records available to the public without charge. These disclosures will likely contribute to a better understanding of relevant government procedures by the general public.

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¹³ See generally *News*, American Oversight, <https://www.americanoversight.org/blog>; *State Investigations*, American Oversight, <https://www.americanoversight.org/states>; see, e.g., *State Government Contacts with Voting-Restriction Activists*, American Oversight, <https://www.americanoversight.org/investigation/state-government-contacts-with-voting-restriction-activists>; *Wisconsin Documents Offer Window into Early Uncertainty over COVID-19*, American Oversight, <https://www.americanoversight.org/wisconsin-documents-offer-window-into-early-uncertainty-over-covid-19>.

¹⁴ *Documents*, American Oversight, <https://www.americanoversight.org/documents>.

¹⁵ American Oversight currently has approximately 15,720 page likes on Facebook and 117,800 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Mar. 2, 2022); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Mar. 2, 2022).

¹⁶ See *supra*, notes 1-5.

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Please search all locations and systems likely to have responsive records regarding official business. **You may not exclude searches of files or emails in the personal custody of your officials, such as personal email accounts.** Emails conducting government business sent or received on the personal account of the authority's officer or employee constitutes a record for purposes of Wisconsin's public records laws.¹⁷

In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records.¹⁸ If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. If a request is denied in whole, please state specifically that it is not reasonable to segregate portions of the record for release.

American Oversight expects that you have ensured all responsive records and records relevant to this request and your compliance with it are retained as required by Wisconsin law. Please take all appropriate steps to ensure that no such records are deleted by the agency before the completion of processing for this request. If records potentially responsive or relevant to this request, or your compliance with it, are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

¹⁷ Wisc. Dep't of J., *Wisconsin Public Records Law Compliance Guide*, Oct. 2019, at 3, <https://www.doj.state.wi.us/sites/default/files/office-open-government/Resources/PRL-GUIDE.pdf>.

¹⁸ Wis. Stat. § 19.36(6).

Conclusion

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to American Oversight, please do not hesitate to contact American Oversight to discuss this request. American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not understand any part of this request, please contact Sarah Colombo at records@americanoversight.org or (202) 869-5244. Also, if American Oversight's request for a fee waiver is not granted in full, please contact us immediately upon making such a determination.

Sincerely,

/s/ Sarah Colombo
Sarah Colombo
on behalf of
American Oversight

48'-0"

2020 Green Bay Election

ILLEGAL DROP BOXES? ELECTION BRIBERY?

Go To: WisconsinVoterAlliance.com

PAID FOR BY WISCONSIN VOTER ALLIANCE

14'-0"

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WI-REP-22-0205-A-000133

From: Ronald Heuer <ron@wisconsinvoteralliance.com>

Sent: Thursday, March 3, 2022, 4:38 PM

To: undisclosed-recipients;

Subject: WVA Update - March 3, 2022

Attachments: WVA GRB Board 2_14_2022.jpg

This has been a very busy week with the Office of Special Counsel taking the center stage with Mike Gableman delivering his [Office of Special Counsel - 2nd Interim Report](#) to Representative Janel Brandtjen Campaign and Elections committee. His nearly 3 hour presentation was interesting but did not necessarily follow the actual interim report.

In the early part of the presentation Mr. Gableman suggested that Wisconsin Election Commission (WEC) needed to be dissolved, and further he brought up the idea of decertifying the 2020 election. Regarding WEC, it definitely needs to be reorganized with new leadership and reporting structure. But regardless of that, there will have to be some type of state administrative group that provides services to the clerks throughout Wisconsin.

About the decertification statement, it was unfortunate for two reasons. First, once that statement was made, the entire press focused their stories on that issue and did not report on the other areas of Mr. Gableman's report. By the way, the press did not report the fact that later in Mr. Gableman's reporting he indicated that it is not possible to decertify given current Wisconsin law. Today, WILL attorney Rich Eisenberg was on WISN radio and reiterated there is no legal path of decertifying given our current laws.

Secondly, by bringing up the decertification and having the press focus on that issue, it renewed the debate within the WIGOP and a split between many members of the GOP. This is exactly what the media loves, having the GOP fighting internally rather than focusing on the issue of unification and winning the next elections.

Over the past sixteen months Erick Kaardal, the Thomas More Society lawyer and I have been conducting investigations into the 2020 election. We amassed a great deal of evidence to support our litigation. We cooperated fully with the Special Counsel's Investigation and made available all our investigative material in the following areas: CTCL / WI-5 Cities GOTV Campaigns, Election Certification, Illegal Absentee Ballot Drop Boxes, Election Bribery WI Statute §12.11, Wisconsin Election Commission (malfeasance and involvement), Nursing Home Investigation, Elderly Voting Abuse and Data Sharing.

Following the Gableman presentation, Wisconsin Voter Alliance and Thomas More Society held a press conference at the capital and you can view that press conference here [Wisconsin Voter Alliance and Thomas More Society Press Conference](#). On Wednesday I was invited to appear on the Real Americas Voice and that interview can be viewed here [Real America's Voice News](#).

For some reason, in the last email I sent concerning the billboard we had some folks that couldn't see the billboard. So, this time, I am embedding it in the email and also attaching it as a jpg. Our good friend Ed Perkins from Appleton participated with the Wisconsin Voter Alliance members on this funding for this particular sign. WVA thanks Ed and all those who have contributed thus far.

For the first month this was an electronic billboard on Hwy 172 in Green Bay, although the electronic billboard is flashy and eye-catching, the 6 second intervals for the sign appearing didn't seem long enough for people to get the message. We are moving to a static billboard on Hwy 41 near the "Out a Town" supper club.



WVA is working on placing this billboard in Racine, Kenosha, Milwaukee and Madison and we **still need your support in accomplishing this goal**. Keep in mind we need to keep pressure on the mayors of these cities on a long term basis to keep them honest. Visit our website and donate, and, encourage your friends relatives, neighbors and others to become members of WVA.

Ron Heuer

President, WVA

www.wisconsinvoteralliance.com