



DEVIN LEMAHIEU

STATE SENATOR

October 13, 2015

**Senate Committee on Elections and Local Government/Assembly Committee on
Campaigns and Elections
Testimony on Senate Bill 295/Assembly bill 389**

Members of the Senate Committee on Elections and Local government & Assembly Committee on Campaigns and Elections, thank you for hearing my testimony during today's long hearing. Before us today is the Elections Technology, Access, and Security Bill (SB 295/AB 389). This legislation takes advantage of new technology to help more people exercise their right to vote, while simultaneously ensuring a highly secure process to prevent voter fraud.

To begin, the bill will make it easier for people to register to vote by making Wisconsin the 29th state in the nation to authorize online voter registration. Any eligible voter with a valid Wisconsin driver's license or DOT-issued identified card will be eligible to register securely online. The bill directs the Department of Transportation and the chief elections agency to enter into an agreement to allow the elections agency to instantly verify their address and other identifying information.

At the same time, the bill contains strong protections to ensure that ineligible individuals are not registering to vote. This includes retaining the requirement that clerks must send a first class letter or postcard to the individual following online registration. If the card is returned undeliverable, the registration must be changed to ineligible by the clerk.

Further, the bill also enrolls Wisconsin into the Electronic Registration Information Center (ERIC). This multistate system will help Wisconsin elections officials identify duplicate registrations from neighboring states. Minnesota is an ERIC member, and Illinois will join next year.

In addition, the bill eliminates special registration deputies. Nothing in this bill prevents someone from assisting their friend or neighbor to register. Nor does it prevent someone from going door-to-door in their neighborhood, distributing forms to register to vote, or even using an iPad to register the individual to vote.

However, what this bill *does* prevent is the ability of special registration deputies to verify proof of residence on the spot, outside of the review of a clerk or other election inspector. This provision is entirely consistent with our goal of bringing more security to the voter registration process in Wisconsin.

It is time to bring Wisconsin's elections into the 21st century. By authorizing a secure online voter registration system we can expand access to the polls while simultaneously making our elections more secure.



STATE REPRESENTATIVE

KATHY BERNIER

October 13, 2015

To: Assembly Committee on Campaigns and Elections and Senate Committee on Elections and Local Government

From: Rep. Kathy Bernier

Re: Assembly Bill 389 / SB 295 (Electronic Voter Registration and Various Election Administration Changes)

Good morning, committee chairs and members. Thank you for holding this hearing. I'm pleased to come before you in support of Assembly Bill 389 / Senate Bill 295.

This bill contains several provisions which will improve the efficiency and security of our electoral process. Senator LeMahieu and I will speak on specific provisions outlined in the bill, but for brevity's sake we will address separate provisions. I want to thank Senator LeMahieu for his effort in advocating for this long-overdue modernization of our election process.

Online Voter Registration

Twenty five states have implemented online voter registration in both blue and red states. Wisconsin isn't falling behind, we are behind. Online voter registration (OVR) offers voters real-time verification of their registration eligibility in a simple and secure environment while ensuring our voter rolls are accurate and up to date. It promotes citizen participation and provides a level of security and accuracy in our registration process that will benefit all who participate, all while saving local government thousands of dollars and man-hours across the state. Senator LeMahieu will speak more on this provision and others will address specifics and implementation OVR works.

Election Registration Officials

With the elimination of the term Special Registration Deputies in statute, AB 389 / SB 295 creates the position Election Registration Official (ERO). The new position clarifies the role of poll workers who are appointed by the municipal clerk and assigned to register voters on Election Day at the polling locations. Currently, the term Special Registration Deputies (SRDs) refers to two groups of election workers, one group, appointed by the clerk to carry out Election

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Day activities who are required to be trained as election inspectors - and another group who represent interests outside the election administration process and are deputized to act as agents of in conducting registration drives. The term Special Registration Deputy is confusing to those participating in and observing the election process. By creating the position of ERO, we will clearly identify those poll workers who are trained and equipped to carry out Election Day registration duties.

Self-Correcting Test (Knowledge-Based Testing)

Wisconsin statutes expressly prohibit testing poll-workers who are trained by clerks around our state to work at polling locations. I understand that we don't want to exclude individuals seeking to participate in our electoral process as volunteers at our polling places, I do believe, however, that allowing for a self-evaluation of the materials election inspectors are trained on makes perfect sense. These are not 'pass-fail' exams. Instead they are tools incorporated into the training materials that allow an individual and the instructor an opportunity to evaluate how the individual has comprehended the information they have just been taught.

Such a test serves to inform the individual, and the instructor, as to where additional instruction may be required. The knowledge-based test is as much for the instructor to evaluate the material being taught, as it is for the trainee to help identify where additional instruction is needed. As we ask more and more of our election workers, its incumbent upon us to ensure we are giving them the tools they need to be confident in the job we ask them to do. Removing the phrase prohibiting an examination allows state election administrators the opportunity to develop an exam that will make our election workers even more competent in their service. Election officials will be able to develop tests that will enhance Election Day activities ensuring a more efficient process for the electorate and providing confidence to the public that our election officials can carry out the duties they are assigned.

Proof Residency in Residential Care Facilities

AB 389 / SB 295 adds a qualified proof of residency to the list of documents required to complete a valid voter registration. The bill simply states that an occupant of a residential care facility may present, as a valid proof of residency, the contract, or intake document, issued to them upon entry into the facility. The required information is the same as other proof documents and must include a full name and a complete and current address show the individual currently resides at that facility.

Oftentimes residents of these facilities do not have electric bills or cable bills or even telephone bills. Those services are frequently provided as amenities to the individual residents of the facility.

Certification/Approval of Electronic Voting Systems

The federal Election Assistance Commission (EAC) provides recommendations of electronic voting equipment. States are not required to follow their recommendations and may provide for certification of equipment under alternative programs or conduct their own certification process.

This provision is necessary due to circumstances that have only recently occurred. Several years ago the EAC was under much scrutiny for falling significantly behind in the certification of new election equipment. Technology was changing and Wisconsin's election equipment was outdated and overdue for upgrade. Unfortunately, the GAB's hands were tied. While new equipment was available and significant upgrades to existing equipment was already in use around the country, the EAC was slow to act and Wisconsin was unable to provide needed upgrades. We were tied to the certification process at the EAC.

By allowing state election administrators, with approval from the Board, flexibility to certify/approve election equipment, we will avoid the pitfall of reliance on the EAC in the future.

Electronic Poll Books

This legislation requires state election administration officials to facilitate a program which would allow the use of electronic poll books. The bill does not specify the specific system but would allow officials to investigate the types of programs and system equipment available and provide recommendations. Local and County Clerks have been in favor of implementing an e-poll book system and this provision would allow for moving forward with this not-so new-anymore technology. More than half the country uses e-poll books in some capacity and Wisconsin is noticeably missing from that list.

E-poll book use varies across the country but some features of the program include voter verification. They can verify whether an elector has already cast a ballot or voted absentee, provide real-time transmission of data and voter information, bar-code scanning of driver's license, encryption of data for secure use, fast identification of an elector ballot type and polling location.

E poll books, in conjunction with online voter registration and ERIC, will be a valuable tool for electors and election administrators. They also can provide valuable data on election statistics to better track how Wisconsin elections are conducted and where problems might be likely to occur.

Overvoted/Duplicate Ballot Override

Current law requires that when an elector votes for more than one candidate for the same office, a duplicate ballot must be created to record all the other correct votes that were cast correctly by that elector. The process then requires a serialized number be placed on the original and duplicate ballots (to be matched in case of a recount) and secured.

AB 389 / SB 295 allows for the election official to use the override feature on an electronic voting machine to automatically records and removes the overvoted office while recording the properly marked votes that were cast correctly.

Late-arriving Absentee Ballots

This provision restores the standard practice requiring all absentee ballots be returned no later than 8:00 PM on Election Day in order to be counted. The “late-arriving” status was established due to the proximity of our primary election in February but with the primary date moved to August is no longer required. We should have consistent deadlines and this provision will do that.

Election Registration Information Center

The Electronic Registration Information Center (ERIC) is a multistate partnership that utilizes secure data-matching tools to improve the accuracy and efficiency of state voter registration systems. ERIC is owned, managed, and funded by participating states and was formed in 2012 with assistance from The Pew Charitable Trusts. Currently fourteen states participate and that number continues to grow.

This bill would require the chief election officer of the state to enter into an agreement with the Electronic Registration Information Center, Inc. Wisconsin will soon after begin the registration verification process to ensure much better accuracy of voter rolls.

We have invited speakers from NCSL and PEW Charitable Trusts who will speak about ERIC and its capabilities. Coupled with online voter registration, ERIC is a powerful tool that improve our voting registration records, streamline the process of election administration, help ensure the security of our elections and save countless resources in time and money both at the state and local levels of government.

This concludes my testimony today. Thank you again to the co-chairs and committee members for your time and consideration of Assembly Bill 389 and Senate Bill 295. I would be happy to answer any questions.

**Testimony of Michael Haas
Elections Division Administrator
Wisconsin Government Accountability Board**

**Assembly Committee on Campaigns and Elections
Senate Committee on Elections and Local Government**

October 13, 2015

**Room 412 East, State Capitol
Public Hearing**

Assembly Bill 389, Senate Bill 295

Chairperson LeMahieu, Chairperson Bernier and Committee Members:

Thank you for the opportunity to provide testimony on these bills. These bills make a number of significant changes to Wisconsin's election laws. The Government Accountability Board has specifically endorsed the implementation of online registration and joining the consortium of states which make up the Electronic Registration Information Center, or ERIC, and therefore I am offering testimony in support of those two provisions. As to the remaining provisions I am providing testimony for information only, although I will note a few instances in which the Board has taken steps or endorsed legislation consistent with provisions of the bill.

Online Voter Registration

The most significant proposal in the legislation would have Wisconsin join the approximately 30 states which have or are in the process of implementing online voter registration, or electronic registration. For those states, online registration is seen as a logical step forward to leverage technology in order to make voter registration easier for those with a driver's license or State identification card, to reduce the cost and inconvenience of paper-based registration, and to improve the accuracy of voter data in the statewide voter registration system. These improvements provide benefits to both voters and election officials at many points in the process of conducting elections and maintaining reliable voter records. At its meeting last April, the Government Accountability Board endorsed the concept of online voter registration as part of its 2015 legislative agenda.

The G.A.B. has a strong record of using innovative technology solutions to improve the efficiency of election administration at the state and local levels. On its own as well as in

partnership with the Department of Administration's Division of Enterprise Technology, the Elections Division has developed and maintains seven main IT applications, in addition to its two informational websites to complete its tasks and to assist local election officials and voters. Currently individuals may initiate a voter registration online through the MyVote Wisconsin website, which the G.A.B. developed in 2012 after winning a \$1.9 million competitive grant from the Department of Defense's Federal Voting Assistance Program. Using MyVote Wisconsin, an individual still must print out the voter registration application, sign it, and deliver it to their municipal clerks.

The legislation permits electronic registration as an option for those individuals who have a Wisconsin driver's license or State ID card, until 20 days before an election. The individual would enter into MyVote Wisconsin the same information that is required on the paper voter registration application. The name, date of birth, address and driver's license number or State ID card number would be instantly compared with that individual's information as it appears in the database of the Division of Motor Vehicles.

If the information matches, the individual is able to electronically submit the registration application, which is forwarded to the appropriate municipal clerk to process and activate. The individual's signature on file with the DMV would be equivalent to requiring an original signature.

Currently the interface between the G.A.B. and the DMV does not attempt to compare address information and it is not instantaneous. It is our understanding that the intent of the legislation is to permit electronic registration only when the address entered by the individual matches the address in the DMV database. Verification of the address substitutes for the requirement that the individual submit a valid proof of residence with the registration application. If the addresses do not match, the individual may access the DMV website to update their address information and then complete the online voter registration.

If that is the intent of the legislation, several provisions of the bill need to be corrected. Some of the language is unclear as to whether an individual may register electronically and then submit a proof of residence document, and other sections actually imply that is an option. The provisions which require clarification include Sections 19, 21, 22, 30, and 42. (Regarding electronic registration, the reference to the G.A.B. maintaining registration applications in Section 16 should be deleted, and the new references to the G.A.B. in Section 17 should be deleted as they refer to tasks which are the responsibility of municipal clerks.)

While we have not yet completed a formal fiscal estimate regarding the bill, we have tentatively determined that the cost of developing online registration can be absorbed in the agency's budget assuming that it is completed using federal funds which are

scheduled to expire by the second half of 2017. This is due to our prudent management of the federal funds as well to our current effort to update the statewide voter registration system which will make it easier to accommodate online registration.

A cost-benefit analysis regarding online registration completed for the G.A.B. in 2013 concluded that the initiative would have significant overall financial benefits, with a large percentage of the benefits accruing to local election officials as well as a substantial benefit accruing to voters. The improved accuracy of voter registration data and the reduction of data entry errors that are common in paper-based systems also provide a benefit to voters and the election management system. Arizona, the first state to implement online voter registration, reported that it cost \$0.83 to process a paper registration and only \$0.03 for each electronic registration.

The LRB analysis implies that all of the provisions related to voter registration become effective at the first spring election or partisan primary election which occurs six months after enactment, but the legislation does not currently establish that timeline for online registration. Given the other IT projects being completed by the G.A.B. as well as the demands of the upcoming presidential election year, the opinion of G.A.B. staff is that 2017 is the soonest that we could complete the implementation of online registration.

Electronic Registration Information Center (ERIC)

The legislation requires that Wisconsin enter into a membership agreement with ERIC and comply with the terms of the agreement. The Government Accountability Board also endorsed this initiative as part of its 2015 legislation agenda.

ERIC is a non-profit corporation governed by a board of directors made up of member states. The purpose of ERIC is to keep voter registration rolls updated ahead of election and to shift away from inefficient spikes in registration activity that could potentially result in data quality issues and increased costs to local jurisdictions. Each member state submits a copy of its voter registration and motor vehicle licensee data. ERIC compares this data with information from other member states and other data sources including the Social Security Administration death index and the US Postal Service's National Change of Address (NCOA) registry.

In return, member states receive reports that indicate voters who have moved within the state, moved out of state, voters who have died, and potentially eligible voters who have not yet registered. Member states are required to reach out to potential voters at least once every two years prior to federal general elections. ERIC utilizes advanced security measures to protect personally identifiable information. The process provides Wisconsin with access to death records from other states and change of address information which would not otherwise be feasible to obtain.

Each member state must pay a one-time fee of \$25,000 to join ERIC, and then pays annual dues based on a formula approved by ERIC's board of directors. Joining ERIC would require potential enhancements to state IT systems to transfer data and process matches, as well as biannual mailings to potentially eligible but not registered electors.

The G.A.B. has been awarded a grant of up to \$150,000 from the Pew Center for the States to defray the cost of the initial mailing.

Member states report savings derived from more efficient and effective data matching and cleaner voter rolls. This savings come from less mail returned as undeliverable, streamlined voter list maintenance, and data that are more accurate. Online voter registration could also magnify the potential savings for the state and local jurisdictions. For example, the outreach mailings resulting from the ERIC process could encourage recipients to visit MyVote Wisconsin in order to register electronically.

Electronic Poll Books

Current statutes permit the use of electronic poll books, if the G.A.B. approves their use and a municipality chooses to check in voters electronically rather than with paper poll lists. The legislation requires the G.A.B. to facilitate the creation and maintenance of electronic poll lists, including entering into contracts with vendors, developing and testing the technology.

Our current Board has considered the implementation of e-poll book technology over the past two years. Most recently, the Board responded to significant clerk interest in e-poll books by directing staff to develop proposed technical and functional standards which could guide the Board's approval of specific electronic poll books. The proposed standards will be presented to the Board at its meeting next week, and at that time the Board may also consider further research into the options for developing e-poll books, and whether and when to conduct a pilot program at an actual election.

As with online registration, electronic poll books offer increased efficiency and greater accuracy of voter records which would not need to be hand-entered into the statewide voter registration system. A polling place could use one e-poll book rather than requiring two election inspectors to maintain and compare two paper poll lists. The municipal clerk's task of entering voter participation information into the statewide voter registration system would be greatly streamlined and accomplished in a matter of minutes or hours rather than weeks or months.

The legislation requires the development and implementation of e-poll book technology but still permits each municipal clerk to determine if it will be used in their local jurisdiction.

Elimination of SRD's

The legislation would also eliminate the ability of municipal clerks to appoint special registration deputies (SRD's) to assist with registering voters outside of the municipal clerk's office up to the 20th day before an election. The main benefits of registering with an SRD rather than at a voter registration drive that is not administered by SRD's are that 1) the SRD verifies that the elector has shown and acceptable proof of residence rather than requiring a copy of the document to be submitted to the clerk's office, and 2) the SRD may hand-deliver registration applications to the clerk rather than requiring electors to mail them in.

The legislation's applicability provisions do not specify the effective date for many sections, including the elimination of the option to appoint SRD's. We would expect that provision to reduce the opportunities for some electors to register to vote. The implementation of online registration could mitigate the effects of eliminating SRD's, but the legislation does not synchronize the elimination of SRD's with the launching of electronic registration, which also would not be available to those without a license or State-issued ID card.

Election Registration Officials

The legislation also eliminates the municipal clerk's option to appoint special registration deputies to serve at polling places and creates a new position of election registration official to register electors at polling places. The legislation raises some administrative issues regarding election registration officials because it does not specify whether they are considered election inspectors that may be nominated by political parties, whether they are subject to the party imbalance rule or minimum number of available positions, and whether they serve for a single election or a two-year term similar to election inspectors. The appointment process for election registration officials should be clarified in the legislation.

Election Official Assessment

The election statutes currently state that an election inspector may be required to pass an exam as part of their training, but that a chief election inspector may not be required to pass an exam. These provisions present an inconsistency between the levels of responsibility and the requirement to hold the position. The G.A.B. recommended, as part of its 2015 legislative agenda, that the Legislature consider striking the prohibition on exams for chief inspectors in order to achieve.

In practice, most municipal clerks do not administer exams or tests to their election inspectors. Many clerks express that a graded exam or test would hurt their efforts to recruit sufficient election inspectors, which is a significant challenge statewide. Some online and in-person training opportunities provided by G.A.B. staff include a series of brief "self-correcting" questions or tests. Instead of being graded as pass/fail or having any impact on the ability of clerks to conduct elections, the test is a tool which guides the participant to the correct answer as a means of educating election officials. This is an approach that Board staff would encourage the committees to consider if it seeks to establish a mandatory assessment of election inspectors or other election officials.

Override of Overvoted Ballots

When an elector marks a vote for two candidates for the same office, the ballot is considered an overvoted ballot. Typically this occurs when absentee ballots are being processed and the voter is not available to spoil their ballot and complete a new one. No votes for the overvoted office are counted, but valid votes for all other offices on the ballot are counted. Under current law election inspectors must create a duplicate ballot

which reflects the valid votes cast by the elector so that the voting equipment can read and tally the ballot. That process takes time and involves careful documentation on both the original ballot and the duplicate ballot so that the voter's intent can be subsequently verified if necessary. Both ballots are marked with the same serial number.

The legislation would permit election inspectors to make use of an override function on some voting equipment which would ignore the overvoted office and count the remainder of the ballot, rather than creating a duplicate ballot. When using this option, the original ballot will not be matched with the duplicate ballot so a serial number is not necessary. G.A.B. staff recommends that the original overvoted ballot should be marked in some way other than a serial number for purposes of ballot reconciliation and identification in a recount. Sections 4 – 6 of the legislation should be revised to clarify the steps in the process when overvoted ballots are processed using the equipment's override function rather than by creating a duplicate ballot.

Approval of Non-EAC Certified Voting Equipment

Current statutes do not specify that electronic voting equipment must meet certification standards of the U.S. Election Assistance Commission (EAC) before being approved for use in Wisconsin by the Government Accountability Board. The Board's administrative rules require federal certification as a default but also permit the Board to exempt any voting system from the requirement for good cause.

The Board has sparingly used the "good cause" exemption. Components of voting systems have been approved without federal certification only when it represents a modification to an underlying voting system which previously received federal certification. The Board engaged in an extensive discussion before adopting and refining its policy governing such exceptions in recent years. The proposed legislation would recognize and expand the G.A.B.'s existing policy and eliminate the need to find good cause, but the current Board has not demonstrated an interest in approving base voting systems without federal certification, which involves a thorough review and testing of the system's technology and coding.

The correct terminology for processing voting equipment applications is that the EAC *certifies* equipment and the G.A.B. assesses its functional capabilities and *approves* it for use in Wisconsin. Several provisions of Section 7 should be revised to reflect this terminology.

Absentee Witness Certification

Absentee ballots must be submitted in an envelope containing a certificate executed by a witness who is a U.S. citizen, and the certificate must include the witness name and

address. Under current law, absentee ballots are counted if the address is missing but not if the certificate lacks the signature of the witness.

The legislation requires election inspectors to reject any absentee ballot which is not accompanied by a certificate envelope which includes the address of the witness. While the legislation creates a clear rule for counting such ballots, the administrative question which arises is what, if any, steps a municipal clerk must take upon receiving an absentee ballot when the witness address is not indicated on the certificate envelope. Is the clerk allowed to, or is the clerk required to, contact the voter or the witness and determine the address of the witness? May the clerk, or must the clerk, complete the address information for the witness or must the witness personally complete that information?

We recommend clarifying the rules in Section 45 of the legislation for processing absentee ballots which are not accompanied by the address of the witness.

Elimination of Late-Arriving Absentee Ballots

The legislation requires all absentee ballots to be returned to the municipal clerk and delivered to the appropriate polling place or central count location by the time the polls close at 8 p.m. on Election Night. Currently, absentee ballots are counted if they are postmarked by Election Day and are received by the municipal clerk by 4 p.m. on the following Friday. That is also the deadline to submit required documentation for provisional ballots, which are expected to increase due to the implementation of the Photo ID law.

Current law permits military electors, hospitalized electors, and electors serving on a jury to request absentee ballots until 5 p.m. on Election Day. In some cases, the continuation of the absentee ballot request deadline may lead to an expectation that there will be sufficient time to return the ballot when that may be unrealistic to accomplish before the 8 p.m. deadline.

According to figures for the 2014 General Election, approximately 263,076 absentee ballots were returned to the clerk by mail, and 2,785, or 2.2%, of those ballots were returned after Election Day and by 4 p.m. on the following Friday. It is unknown whether a similar percentage of late-arriving ballots would be received and therefore not be counted if voters were aware that the deadline was changed to 8 p.m. on Election Day.

Intake Documents as Proof of Residence for Residents of Residential Care Facilities

During the last session, legislation was enacted requiring that all voter registrations must include an acceptable proof of residence document. The most common concern raised by clerks and voters following passage of that requirement was that it was more difficult for


residents of nursing homes and other residential care facilities to register to vote because they often did not possess a driver's license or other proof of residence documents. Residential leases are an acceptable form of proof of residence, but in many cases it was unclear whether the facility's document listing the individual's physical address constituted a legal lease.

The legislation resolves this issue by permitting residents of residential care facilities to use the contract or intake document prepared by the facility which specifies that the individual currently resides in the facility. This will be a welcome clarification for that population of voters and those who serve them. This is also the one provision that is specifically identified with an immediate applicability date. I would again note that Section 67 does not appear to adequately state the effective dates of all of the various provisions of the legislation.

Conclusion

Thank you for the opportunity to share my thoughts with you. I hope this testimony will help inform the Legislature's consideration of these bills. As always, we are available to answer questions and work with you in developing proposed legislation.

Respectfully submitted,

A handwritten signature in black ink that reads "Michael Haas". The signature is written in a cursive, slightly slanted style.

Michael Haas
Elections Division Administrator
Wisconsin Government Accountability Board

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Samuel Derheimer, The Pew Charitable Trusts

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Samuel Derheimer manages The Pew Charitable Trusts' voter registration portfolio, where he works with state and local election officials to bring policy and system upgrades that make voter registration more convenient, secure, and cost-effective. Prior to Pew, Samuel managed state and national political campaigns for Burnside & Associates Political Consults. In total, he has studied and worked in the field of voting and elections for well over a decade. He has a law degree from Indiana University School of Law and a B.A. from the University of Notre Dame.

ERIC

Frequently Asked Questions

Q. Which states are members of ERIC?

A. As of October 2015 Alabama, Colorado, Connecticut, Delaware, Louisiana, Maryland, Minnesota, Nevada, Oregon, Rhode Island, Utah, Virginia, and Washington. The District of Columbia is also a member. (13 states plus DC)

Q. Who controls ERIC?

A. The states. Each state has a vote and the first 20 states to join are members of the Board of Directors. The chief elections official from each member state designates a representative to the ERIC Board.

Q. What data does ERIC collect from member states?

A. Each member submits at a minimum its voter registration and motor vehicle licensee data. The data includes names, addresses, date-of-birth, last four digits of the social security number. Private data such as date of birth and the last four digits of the Social Security number are anonymized and then transmitted to ERIC. An explanation of how the anonymization process works, how it is used in the ERIC data matching process, and how privacy is protected is in the [Technology and Security Overview](#).

Q. What reports do states receive from ERIC?

A. Each member state receives reports that show voters who have moved within their state, voters who have moved out of state, voters who have died, duplicate registrations in the same state and individuals who are potentially eligible to vote but are not yet registered.

Q. Who pays for ERIC operations?

A. The member states. Each state pays annual dues, which are determined by a formula approved by the ERIC Board of Directors. The formula includes voting age population as a factor. Large states pay a bit more than small states. The annual budget as of 2015 is approximately \$600,000.

Q. Does ERIC help members save money?

A. Yes. Efficient and effective data matching and cleaner voter rolls will result in such efficiencies as less returned mail, fewer provisional ballots on election day, shorter lines at polling places, etc. In addition, ERIC uses resources such as the Social Security death index and data from the US Post Office that states now buy on their own. ERIC states share these purchases when they pay their annual dues.

ERIC at Work

ERIC improves voter registration by providing information for member states to contact potentially eligible but unregistered voters with instructions on how to register. ERIC members contact potential voters at least every two years, ahead of any federal general election.

- 2012 Seven states 5.7 million records
- 2013 One state nearly 400,000 additional records
- 2014 11 states + DC 5.5 million additional records

Nearly 12 million potential voters identified!

ERIC also provides value by identifying out-of-date records found by comparing voter registration data between states, to motor vehicle licensing agency data, and to the Social Security Administration master death index list.

ERIC began providing list maintenance data to members in July of 2013.

		Cross-state Movers	In-state Movers	In-state Duplicates	Deceased
2013	Seven states	92,322	534,814	13,857	21,823
2014	11 states + DC	186,791	1,235,023	19,996	50,571
2015 to date	11 states + DC	169,786	514,685	8,574	45,103
Total	11 states + DC	448,899	2,284,522	42,427	117,497

As of August 10, 2015

**Testimony of Samuel Derheimer
The Pew Charitable Trusts**

**Joint Hearing of the
Senate Committee on Elections and Local Government, and
Assembly Committee on Campaigns and Elections
October 13, 2015**

Chair LeMahieu, Chair Bernier and members, I am Samuel Derheimer with The Pew Charitable Trusts' Election Initiatives team. Thank you for the opportunity to discuss an important upgrade to Wisconsin's election system. The Pew Charitable Trusts is pleased to support SB 295 and AB 389, legislation that will allow the state to enact online voter registration and to join the Electronic Registration Information Center, or ERIC. These reforms will improve the integrity and efficiency of Wisconsin's voter rolls.

Specifically, section 16, 6.30 (5) allows voter registration to be conducted electronically. Online voter registration has been offered in the states for over a decade, beginning with Arizona in 2002. Today, 25 states and the District of Columbia offer their citizens the ability to register or update their existing registration record without need to sign, print, or mail a paper form. Three other states have passed legislation this year and are currently building systems, including Florida, New Mexico, and Oklahoma.. Currently, well over 100 million eligible American voters have access to online voter registration, and by the time Americans go to the polls to elect their next president, that number will likely be well over 150 million.¹

Online voter registration enhances the accuracy and integrity of the voter lists, while saving taxpayer dollars. It is also enormously popular among both voters and election officials for injecting modern expectations for convenience and security into the registration process.

By eliminating paper from the registration process, you can expect more accurate voter records while better protecting voter privacy. For example, third-party registration groups often encourage citizens to fill out paper forms by hand, and then hold those forms until they turn them in to local election officials. However, online registration empowers the voter, the individual who can best ensure that the information is correct, legible, and submitted immediately to election officials.

And because online applicants in most states provide a Driver's License or state ID number that is checked one-to-one against the voter's file on record with the state—as is proposed in Wisconsin—citizens who register to vote electronically go through additional identity verification beyond that applied to those who register with paper.

Further, the security of online voter registration systems is significantly better than that of paper registration. Unlike the paper process, no state has reported a security breach or fraudulent activity resulting from the use of its online registration system. To ensure voters' information remains private and protected, states have commonly employed security measures such as data

encryption, audit logs, CAPTCHA, and secure networks, and flag IP addresses from which unusual traffic originates for investigation. These security measures cannot be employed with paper forms.

And finally, by heavily reducing the primary cost drivers of the registration process—paper, printing, postage, and manual data entry—online registration gives citizens and election officials a much better product for a much lower pricetag. In Maricopa County, Arizona, on average each online registration application costs \$0.80 less than a paper transaction, leading to savings of nearly \$1.4 million during the four-year period between 2008-2012.ⁱⁱ In 2013, Colorado performed an exhaustive study of the costs associated with online voter registration, and found that paper applications cost about \$0.71 more to process than online voter registration transactions, leading to a savings of over \$565,000 in the previous three years.ⁱⁱⁱ

Section 28, 6.36 (ae) will authorize Wisconsin election officials to share key information with neighboring states to better maintain the state voter registration database. Joining ERIC, a multistate partnership that uses secure, state-of-the-art technology to provide election officials with the data they need to keep voter lists complete and up-to-date, will enhance Wisconsin's ability to improve the voter registration process. Through ERIC, Wisconsin will learn when its voters have moved or died, as well as be informed of newly eligible citizens.

To date, ERIC has supplied data to its members that has led to the identification of over 117,000 deceased individuals still on the rolls, over 40,000 duplicate registrations, and over 2.7 million voters who have moved, but have not updated their voter information. Additionally, the states involved in ERIC have reached out to nearly 12 million eligible but unregistered citizens identified by ERIC, and directed them toward the most efficient means to register to vote—most often, online voter registration—earlier in the election cycle.

Currently, there are 13 states plus the District of Columbia participating in ERIC. More states are expected to join in 2016 and beyond.

Because of the benefits I've mentioned, last year, the bipartisan Presidential Commission on Election Administration (PCEA), chaired by the chief campaign lawyers from the Obama and Romney 2012 Presidential campaigns, recommended that all states adopt online voter registration and team up to share vital information on voters through organizations like ERIC.^{iv} And diverse groups from civil rights and progressive groups to the Republican National Lawyers Association have echoed this support.^v

Your citizens are looking to interact with their government through the technology they use in their everyday lives. Pew commends Wisconsin's interest in improving the access and integrity of your voter registration system by considering joining the majority of states that provide electronic registration, and the growing number of states participating in ERIC.

Thank you, again, for the opportunity to address the both the Senate and Assembly Committees today. I would be happy to take any questions you may have at this time.

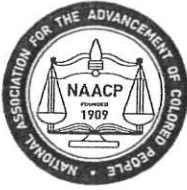
ⁱ The Pew Charitable Trusts: *Online Registration Now Available to Nearly Half of Eligible Voters*, September 30, 2014. <http://www.pewtrusts.org/en/about/news-room/news/2014/09/30/online-registration-now-available-to-nearly-half-of-eligible-voters>.

ⁱⁱ Matt A. Barreto, Bonnie Glaser, Karin Mac Donald, Loren Collingwood, Francisco Pedraza, Barry Pump: *Online Voter Registration: Case Studies in Arizona and Washington*, April 1, 2011. <http://www.pewtrusts.org/en/research-and-analysis/reports/0001/01/01/online-voter-registration>

ⁱⁱⁱ Colorado Secretary of State. *Colorado's Online Voter Registration: Cost Savings Analysis*, November 20, 2013.

^{iv} Presidential Commission on Election Administration: *The American Voting Experience: Report and Recommendations of the Presidential Commission on Election Administration*. <http://www.supportthevoter.gov/>

^v Republican National Lawyers Association: *RNLA Response to the Report and Recommendations of the Presidential Commission on Election Administration*. <http://www.rnla.org/pecaresponse.pdf>



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NAACP

Wisconsin Conference of Branches

October 13, 2015

To: Wisconsin Senate Committee on Election and Local Government
Senator LeMahieu, Chair
Senator Kapenga, Vice Chair

From: NAACP Wisconsin Conference of Branches
Greg Jones, Chair
Political Action Committee

Subj: Senate Bill 295

The NAACP has historically and continues to seek legislation and policies at the state level which advance registration and voting; seek the repeal of racially discriminatory legislation; and work to improve the administration of justice. We oppose legislation and policies which are adverse to these principles.

On behalf of State President Lillie Wilson, 1st Vice President Wendell Harris and the NAACP Wisconsin Conference of Branches in Milwaukee, Dane County, Racine, Kenosha, Waukesha, Beloit and Ozaukee, I present before this Committee, the NAACP's extreme concern with the overreaching policy effect of SB295, the omission of equal opportunity and justice in SB295, and the continuing suppression of voting opportunities on people of color in this State.

On its face, electronic registration would enhance an electors ease of registering. We know that households in urban centers made up of people of color do not own personal computers in proportion to non-people of color. While access might be enhanced through public sources such as libraries and DMV's, there remains the question of how they would transport to those sites. This is less effective than Special Registration Deputies educating electors and properly completing the required materials. There will be more electors disenfranchised through this change.

Election registration officials appointed by a municipal clerk or board of election commissioners to register voters at the polling place on Election Day furthers this State's suppressive policies which have already reduced the number of days and hours an elector can register prior to an Election.

Specifically,

- A GAB required an examination of Chief Inspectors beyond current requirements for certification is unnecessary and an unsubstantiated need in the election process. All Chief Inspectors need six hours of approved election training every two years to maintain their certification. This measure has the effect of reducing interest and participation in the election process. It places unnecessary administrative tasks on the GAB.



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NAACP

Wisconsin Conference of Branches

- The requirement that GAB create and maintain electronic poll lists on a statewide basis is seriously flawed by placing electors' records including names and addresses at risk of cyber-hacking and an infringement of privacy.
- The allowance of GAB to certify any voting device, whether approved by the Federal Election Assistance Commission is an insult to the electorate. This program certifies, decertifies and recertifies voting system hardware and software and accredits test laboratories. This allowance smacks in the face of transparency and credibility in the election process relating to over-voting. This could lead to massive human error.
- An occupant of a residential care facility may register with an election registration official by proving residency in that facility through the provision of a number of documents issued by a governmental unit. Is the allowance to use a contract or intake documents exclusive to current law?
- The date by which an elector must return and a municipal clerk must receive an absentee ballot by mail, no later than 8pm on Election Day will require many electors to be educated about this change. If not addressed, this will result in the disenfranchisement of many elderly and mobile workers in the State.
- Absentee ballots may not be counted if the qualified elector does not have the witness certificate is missing the address of a witness. This is already included in the instructions for absentee ballots, what's the point?

It is with great disappointment that I discuss this matter with you today. Taken together, the effect of these changes do not address the unproven "fraud claim" that has been espoused, instead the proposed changes segregates the electorate and further erodes Wisconsin's treasure – our government.

For Additional Information Contact:

Mr. Greg Jones, State Political Action Committee Chair
WI NAACP Conference of Branches
President
NAACP Dane County
608-274-3997

Report: 2014 Voting Machine Tampering Likely in Wisconsin, Ohio, and Kansas

By

David Yee

Wichita State University engineering professor and statistician Beth Clarkson has accused three states — Wisconsin, Ohio, & Kansas — of voting irregularities that indicate a tampering of electronic voting machines. In her recently published journal article, she reviews the statistical anomalies in the three states — including laying out her entire mathematical methodology, inviting others to replicate the study.

Clarkson has filed suit trying to gain full access to the ballots for an independent audit of the paper 'hard copies.'

"When dealing with very large numbers, finding irregularities in patterns can highlight systemic fraud."

— David Yee, IVN Independent Author

When dealing with very large numbers, finding irregularities in patterns can highlight systemic fraud. Similar statistical methodologies are used to detect accounting and tax fraud — cheating disrupts the patterns formed in such a way that it stands out and demands attention.

In particular, Clarkson claims that the machines were tampered with at least twice during the election, due to the nature of the distribution of the results.

Hacking voting machines has been a worry for many years. In 2011, a team at the U.S. Department of Energy's Argonne National Laboratory hacked a Diebold voting machine with \$26 in parts and the technical know-how of an eighth-grade science education.

The same group found that Sequoia voting machines were vulnerable to "man-in-the-middle" attacks, where a small wireless device could interfere with the vote tallies without any knowledge of the proprietary software or security designs.

The integrity of electronic voting machines is in question, especially when highly qualified mathematicians start claiming that the results don't make any sense.

Clarkson is very careful to point out:

I want to emphasize, as I always try to do, that statistics don't prove vote fraud. These statistics show that patterns exist in the data that correlate the type of electronic voting system in use with the %R vote changing with the total votes cast.

Such patterns are examples of what we might expect to see if some voting systems were being sabotaged, but that doesn't mean that no other explanations are possible for these patterns. Voting machine manipulation is, in my opinion, the most likely explanation for these patterns. The most common pattern supports Republican candidates, but Democratic candidates are sometimes the beneficiary.

The only way to prove vote fraud is through a post-election audit demonstrating significant deviations from the reported totals.

Of course, states have no interest in having their certified results challenged, and have been less than cooperative throughout the entire process.

If voting machines are going to be regularly employed in elections, then there must be better safeguards in place.

"If voting machines are going to be regularly employed in elections, then there must be better safeguards in place."

One safeguard is the immediate verification of the results in random precincts, comparing the electronic totals to the paper backups. This would at least give those who would tamper with the machines a small amount of deterrent, because at least some of the machines would be checked after the vote.

A second safeguard is to create a nationalized standard for the security of electronic voting machines. These regulations would be designed so that every single precinct follows the same security process, ensuring that no individual precincts are "easier marks" than others for tampering.

Another, more stringent safeguard could be oversight committees using the existing statistical methods created by Clarkson and others on every single election result that uses electronic voting machines, and then immediately requiring a manual recount of the paper copies if tampering is indicated.

The tampering of electronic voting machines isn't a partisan problem -- it's an American problem. ☐ The sanctity of the ballot box is one of the most fundamental anchors in our republic. Lawmakers need to set aside all partisan politics on this issue, because once the sanctity of the ballot box is gone, democracy soon follows.

To: WI Joint Election Committees
From: Ardis Cerny
Date October 13, 2015
Re: LRB 3535 Online Registration, Postcards, E-Poll Books

Obviously, the threat of hacking is by far the biggest problem with online voter registration, but there are other issues that I am concerned about and I would like you to consider.

As far as I can tell, all of the 29 states that have enacted online voter registration are "Motor-Voter" states, except for Minnesota, which offers both Motor-Voter and same-day. States with Motor-Voter stop registration 28-30 days in advance of an election so they have an entire month to make sure the registrations are "verifiable." We have an entirely different system; open-registration ends 20 days out from an election, which is not enough time for clerks to verify a registration. The postcards that are supposed to be sent out from the clerk's office to verify a registration are a waste of time and money, because it takes the post office 30+ days to return an undeliverable piece of mail which would then get the card into the clerk's hand after the election. So, the fraudulent registrant gets to vote and I lose my civil right to have my vote count.

Postal workers are mandated to deliver the verification postcard to the address even if this person is not listed as living there. So let's look at this scenario: the card gets delivered to the address given by the registrant even though the postman does not recognize the name. The people who do live there look at the name and say to themselves: "this person doesn't live here", and 9 out of 10 times the postcard goes into the garbage. Obviously, the postcard is not returned to the clerk, the registration stays in the SVRS, a fraudulent registrant gets to vote and I, once again, have had my vote suppressed.

At a previous hearing, I brought to your attention the fact that almost 29,000 people were allowed to vote in 2014 whose registrations had problems. These 29,000 registrations, when interfaced with the DOT for the federally required HAVA checks, failed in totality or were a "partial fail". If you are unfamiliar with the HAVA check, this is the requirement of the Help America Vote Act where the name, birthdate, DL, ID, or Soc. Sec. # on the registration form is compared to the DOT records. GAB has stated that many of these failures are due to spelling mistakes or transposed numbers. Whatever the case, we have a huge problem that goes unaddressed while we are spending time here discussing a bill that will further complicate this problem with online voter registration and postcards which lack common sense and viability. How many thousands of people lost their right to have their vote count and nothing is being done about it.

What this bill should say is that when the citizen/registrant receives the post card in the mail, they should be required to sign it and return it to the clerk, thereby verifying that they are, in fact, who they say they are. Once the clerk receives the signed postcard, then, and only then would they be allowed to enter the name into the SVRS; if the postcard is not returned to the clerk, the clerk should not be allowed to enter the name into the SVRS. Just think of the time and money we would save if we just implemented this simple procedure.

The bill also requires the chief election administrator to enroll Wisconsin into the Electronic Registration Information Center (ERIC). ERIC was a program originally from the Pew Center for the States, a George Soros Funded/Hillary Clinton effort whose ultimate goal was to implement Universal Voter Registration. Do not confuse these people, the Pew Charitable Trust with the Pew Research Center - they are very different organizations. When Hans von Spakovsky of the Heritage Foundation was here recently for a meeting, he stated that he had been to an event with the chairman of ERIC and that this man made the statement "I hate Republicans." So, is this the person we want to do business with and share our SVRS list with?

This bill also addresses e-poll books, but I have a question for you. If we have electronic poll books, would we still use the paper poll books, as the signature of each voter is required under state law? I hope so. Also, what would we have as backup in case a computer goes down or we lose electricity? So how do we handle this? The bill does not address these issues. When you do not clarify yourselves in legislation, bureaucrats end up making the decisions.

There are some provisions in this bill that I do approve of. I have only addressed the ones I fear may result in the loss of my constitutional right to have my vote count.
Thank you.

WISCONSIN COUNTY CLERKS ASSOCIATION

President – Karen Gibson, Dodge County

Legislative Committee Chair – Jamie Aulik, Manitowoc County

Legislative Committee Vice-chair – Lisa Freiberg, Fond du Lac County

info@wisconsincountyclerks.org

www.wisconsincountyclerks.org



DATE: October 13, 2015

TO: Members of the Senate Committee on Elections and Local Government and the Assembly Committee on Campaigns and Elections

FROM: Jamie J. Aulik - Legislative Committee Chair, Wisconsin County Clerks Association

RE: Senate Bill 295/Assembly Bill 389 – Comments on items requested by the Wisconsin County Clerks Association

Honorable members of the Senate Committee on Elections and Local Government and the Assembly Committee on Campaigns and Elections:

While Senate Bill 295/Assembly Bill 389 contains a number of items supported by the Wisconsin County Clerks Association (WCCA), below are comments on the provisions of Senate Bill 295/Assembly Bill 389.

Requires all absentee ballots to be received by 8 p.m. on Election Day in order to be counted.

- The original purpose of extending the deadline for absentee ballots was to accommodate military voters. Now that the partisan primary has been moved from September to August, that issue no longer exists; Wisconsin is in compliance with federal law in giving military voters adequate time to vote. No matter the cutoff date, some by-mail absentee ballots simply will not arrive in time to be counted.
- The cost of elections continues to increase. Because the current deadline to receive by-mail absentee ballots is 4 p.m. on the Friday following the election, anytime an absentee ballot is received, county and municipal boards of canvassers convene twice, thereby driving up election staff costs. Since only a small percentage of these ballots are actually returned and eligible to be counted, the additional cost does not seem justified.
- The return rate on late-arriving absentee ballots has historically been low; the vast majority of absentee ballots are received by, and counted on, Election Day. Few, if any, election outcomes have been decided by late-arriving absentee ballots. Even so, every election must be held open because of these ballots, unnecessarily delaying the process of finalizing elections. In fact, there has been an instance where county board members were not sworn in on time due to the shift in the time table.

Permits election inspectors to override tabulators so that overvoted ballots may be counted except for the overvoted office, rather than create a duplicate ballot.

- Errors can occur during the duplication process. We would hope all of the votes would be properly transposed by election inspectors, but human beings are human beings,

and sometimes prone to error. When transcoding errors occur, the integrity of the electoral process is eroded.

- Tabulators are capable of being programmed to ignore overvoted offices while counting other offices. A poll worker merely has to hit the “override” button on the tabulator, and the ballot is properly counted.
- As described above, the duplication process can be lengthy depending on the number of offices on the ballot, and it can absorb much needed help at the poll location especially during high turnout elections.
- High turnout elections also tend to have significantly more absentee ballots, which increases the frequency of this process being used.

Implements online voter registration for registrations submitted at least 20 days before an election when the elector has a current and valid driver’s license or state identification card.

- Every voter registration application made through an online voter registration system (OVRs) helps local government budgets, and saves local election officials’ time. According to a La Follette School of Public Affairs cost-benefit analysis, with no advertising campaign, **an OVRs could result in a \$1 million tax cut to local governments over 10 years.** In the tight budgets we operate in, *any* savings goes a long way. When a voter keys in his/her information rather than a clerk or staff, time is saved by clerks who are already at more than full capacity for their workloads.
- Clerks are very proud and protective of the data in the Statewide Voter Registration System. Oftentimes, paper applications, which are most often completed at busy polling places on Election Day, result in inaccurate data, which then triggers a report indicating that the voter’s information does not match with Wisconsin Department of Transportation or Social Security Administration records. Non-matching records need to be researched and corrected, which can sometimes be a time consuming process. If an OVRs is implemented, no one knows a voter’s data better than the voter. Registrations would occur under less stressful circumstances, and they would be guaranteed to be legible, which saves precious time in a clerk’s office.
- The future is here. OVRs has been implemented in several other states, and it seems that in a state where we have a top rated election administration system, it’s more a matter of when it’s implemented, not if it’s implemented. Election administrators take a lot of pride in the quality of our election system, and our voters deserve the best possible service and options available.

Requires that Wisconsin join the Electronic Registration Information Center (ERIC), a consortium of states which share voter data to improve the maintenance of the voter registration system and which send mailings to individuals who may be eligible to vote but are not registered voters.

- The integrity of the election process is central to our democracy. ERIC is the best system available to check other states for voter fraud, and to ensure that our voter list
-

is maintained with the highest possible accuracy with the least amount of work for clerks.

Requires the G.A.B. to facilitate the creation and maintenance of electronic poll lists.

- The WCCA supports the concept of e-poll books because they hold a lot of promise in a number of areas of election administration. Benefits include:
 - Potentially uploading voter information directly into the Statewide Voter Registration System rather than scanning barcodes or hand entering information, thereby saving a tremendous amount of time and money for local units of government while ensuring the correctness of the information.
 - Ensuring the accuracy of sequential numbering. The possibility of duplicate or missing number assignments would be eliminated. Also, depending on the type of sequential numbering system currently used at poll locations, it could also result in a significant cost savings.
 - Increased information security and integrity. In some states, e-poll books have the ability to link into the SVRS and DOT databases, allowing poll workers to scan bar codes on the back of driver's licenses to comply with the voter ID law and expedite the check-in process.
 - E-poll books can be used to register voters both prior to and on Election Day.
 - With the implementation of photo ID, voters will be required to present a driver's license or state ID and, as noted above, some e-poll books have the capacity to scan these. This method speeds up the voting process and has a greater accuracy rate.

Permits the G.A.B. to certify voting equipment regardless of whether it has been approved by the U.S. Election Assistance Commission.

- Voting equipment certification has been a very slow process. Wisconsin's requirement that voting equipment be certified by the EAC has stymied competition. By the time voting equipment is certified and can be used in Wisconsin, sometimes it's nearly obsolete.
- Replacement parts on voting equipment also require EAC certification. Things as simple as a replacement battery made by a different manufacturer have to be certified for use.
- Giving the G.A.B. ***the option*** to certify voting equipment would alleviate some of the delays so that clerks have the best tools available to administer elections.

Thank you for the opportunity to provide comments. If there are any questions, I'm more than willing to attempt to answer them.

Very respectfully,

Jamie J. Aulik
Legislative Committee Chair
Wisconsin County Clerks Association



COUNTY OF MANITOWOC

COUNTY CLERK

1010 South 8th St., Ste. 115
Manitowoc, WI 54220

Jamie J. Aulik
Manitowoc County Clerk

Telephone: (920) 683-4004
Email: jamieaulik@co.manitowoc.wi.us

DATE: October 13, 2015
TO: Members of the Senate Committee on Elections and Local Government
and the Assembly Committee on Campaigns and Elections
FROM: Jamie J. Aulik, Manitowoc County Clerk
RE: Senate Bill 295/Assembly Bill 389 – Non-Wisconsin County Clerks
Association requested items

Honorable members of the Senate Committee on Elections and Local Government and the Assembly Committee on Campaigns and Elections:

While Senate Bill 295/ Assembly Bill 389 contains a number of items requested by the Wisconsin County Clerks Association (WCCA), there are also a number of items not requested by our association. Below are comments on the provisions of Senate Bill 295/ Assembly Bill 389 in my personal capacity as Manitowoc County Clerk.

Permits residents of residential care facilities to use a contract or intake document prepared by the facility as acceptable proof of residence.

- I'm very supportive of this provision. Due to their unique circumstances, oftentimes residents of care facilities have nothing that would qualify as a proof of residence. This provision would help them establish residency, and enhance the registration process.

Eliminates Special Registration Deputies (SRDs); Creates Election Registration Officials (EROs):

- SRDs are oftentimes used to register elderly voters in residential care facilities because they are unable to get to city hall or the polls on Election Day. Eliminating SRDs would make the voting process less efficient for elderly voters.
- Election Registration Officials would register voters at the polls on Election Day, which is the same as the current policy for Election Day SRDs, except there would be a statutory requirement for training.

Requires the G.A.B. to establish a test to administer to individuals who receive training to become election officials:

- Election inspectors are the gatekeepers of our democracy, and it's the single most important job in the election administration system on Election Day. The execution of their task affects the work of clerks for weeks succeeding every election. Because of its importance, election inspectors must be properly trained to, for example, ensure they accept only specific forms of proof of residence prescribed by law.

- On the other hand, some clerks have a tough time finding poll workers. Last legislative session, Wisconsin went to a county-based system for poll workers rather than a municipal-based system with the hope of addressing the shortage of poll workers in some locations. This is the first regular election cycle with the county-based system in place.
- The implementation of the test will be key to its success or failure.

Permits counting an absentee ballot only if the witness certificate contains the address of the witness.

- I do not support this provision. I understand its purpose, but not counting a vote because of another person's error is not something I support. It will affect anyone who doesn't read instructions, which is, quite frankly, everyone.

Thank you for the opportunity to provide comments on non-WCCA items and for your consideration. If there are any questions, I'm more than willing to attempt to answer them.

Very respectfully,

Jamie J. Aulik
Manitowoc County Clerk

To: The Honorable Chair Devin LeMahieu, State Senator, The Honorable Chair Kathy Bernier State Assembly and members of the Senate Election and Local Government Committee and the Assembly Campaigns and Elections Committee
Date: October 13th, 2015
From: Kit Kerschensteiner, Disability Rights Wisconsin and John Shaw, Board for People with Developmental Disabilities
RE: SB 295

Disability Rights Wisconsin (DRW) is the designated protection and advocacy agency for people with disabilities in Wisconsin, and the Board for People with Developmental Disabilities (BPDD) is the designated state developmental disability council. Together we have worked over the past 12 years to ensure that eligible voters with disabilities understand their voting rights and are able to cast a ballot free from barriers and discrimination.

We would like to talk today about SB 295. We applaud the legislature for adding a new form of Proof of Residency for individuals who are residing in care facilities. Often times, individuals living in these facilities do not have their names on leases or bills. We feel that SB 295 will eliminate a barrier to them being able to exercise their constitutional right to vote. We also support the ability for individuals with current driver's licenses or photo id's from the Department of Transportation to register electronically.

We do however, have concerns about the elimination of special registration deputies. Individuals with disabilities may not have Identification that is eligible for the photo ID requirement that is not provided by the Department of Transportation. Often times Special Registration Deputies help to register individuals with disabilities and we are concerned that this bill would take away the option for SRD's to be used in registering individuals. Individuals with disabilities many times do not have access to computers and can be confused on the process for registration. Special Registration Deputies are able to assist individuals and make sure that they complete the registration process correctly.

If you have any questions for us, we can be reached at kitk@drwi.org (608/267-0214) or john1.shaw@wisconsin.gov (608/266-7707).

Senate Bill 294/ Assembly Bill 389
Joint Committee Hearing on October 20, 2015

Electronic Voter Registration is the primary concept being introduced. In the first paragraph of the Legislative Reference Bureau analysis it is stated "This bill...." **requires** the Government Accountability Board (GAB) to enter into agreements with other state election administrators to share information related to the registration and voting of qualified electors."

The bill requires the election commission to enter into an agreement with a cross-state voter registration entity entitled Election Registration Information Center (ERIC). This organization, for a membership fee of (when last I checked) \$25,000 per year will be the custodian of all personal information maintained in our Wisconsin voter registration system . Every 60 days the state will be required to update that personal information to ERIC. The ERIC system will be managed by ERIC. ERIC will know a great deal about Wisconsin voters through our voter registration information. 13 states participate in this program sponsored by the Pew Charitable Trust which was first started with a grant from a George Soros foundation. The purpose was to keep track of and update registrations of voters who move into or out of the State.

The security of the Wisconsin's State Voter Registration System (SVRS) is currently under the control of the GAB who have a responsibility to maintain the security and the integrity of a voter registration system for the citizens/voters of Wisconsin

There is another such voter cross check system called the Kansas System which does not charge for doing the cross checking once a year and returns the voter registration list to the State for any updating or changes.

I ask our legislators will not enter into the ERIC cross check sponsored by the Pew Project on the States. I urge our legislators not to give our personal voter registration information to a 3rd party.

I would support initiating a process that would permit the use of Wisconsin's DOT data base to enable more timely verification of a voter registration which would be a big step in the right direction. The verification of new and changed voter registrations has been a time-consuming responsibility for clerks. More rapid verification of Election Day voter registrations has long been needed.

The change of returning to a uniform deadline of 8:00 p.m. on Election night for the return of all by-mail absentee ballots is good . Originally, this time frame was extended due to the difficulties of the military and overseas voters receiving their ballots in time to return their ballots by the 8:00 p.m. Election Day deadline but it was extended to all by-mail absentee voters.

To change the title of Special Registration Deputies (SRD) to Election Registration Officials is, also, a positive clarification of the responsibility for voter registration. Election Registration Officials would be trained and accountable to the clerk in that municipality. Potential voters have numerous opportunities to register to vote in Wisconsin and clarifying that the process is conducted under the auspices of the Municipal clerk can help ensure voter registration accuracy and help avoid the duplicate voter registrations that required clerks to expend time and money correcting.

There is the move to change Wisconsin's voting to an on-line process that is clearly a big part of this bill. Wisconsin has had uniformity of its election process as one of the standards of statute and rules. Not all Wisconsin municipalities want to or can move to the electronic systems. It would be a very good idea for members of the new Election Commission to have a good background in internet technology as they will be called upon to make informed decisions regarding these electronic changes as this movement persists. The security of our voting and our election equipment depends on the security built into the

electronic processes chosen. Internet technology has been shown to not be as secure as we were all led to believe. The new commissioners will be entrusted with a tremendous responsibility to safeguard the security of our voting process and the information contained in the State's voter registration system. They need to recognize and understand the pitfalls of an electronic system.

I am concerned about the use of electronic poll books. Two duplicate paper poll books under the control of two trained election inspectors has been the uniform standard in Wisconsin for some time. The paper poll books enable a hand-written voter signature as opposed to an electronic signature as the voter receives a ballot. When I sign my name electronically at Pick and Save each week, I am always amazed at what it looks like and that my credit company accepts it. My signature on a paper document is a clear, consistent replication of "my signature". That is an important verification of who received and voted that ballot.

If at the polls, there is a problem due to electronic failure or user error, paper poll books will still need to be quickly available so the line of waiting voters is not held up until the electronic poll book is "back on line". How the use of electronic poll books will impact on the canvass procedure and a recount needs to be evaluated and understood before the election cycle of 2016-17 begins.

The testing of Chief Inspectors is a very good step in the right direction. Testing should be expanded to all election officials so that each voter is confident that those conducting the election at their polling place have demonstrated competence. It, also, verifies that training was offered and that the poll worker took the training.

Thank you for considering my views.
Mary Ann Hanson
3740 Mountain Drive
Brookfield, Wisconsin

Joint Hearing of Senate and Assembly Elections Committees re GAB Reform and other election laws

October 20, 2015

I support changes to the governance, structure and operations of the current Government Accountability Board. I support separating the agency into an elections commission and an ethics commission.

I have, since October of 2008, attended most regular meetings of the GAB where I offer my public comments on agenda items as a Wisconsin voter and concerned citizen.

Wisconsin voters need and want to be able to trust those who govern our elections. We depend on these people to be impartial and to define and follow the rules administering our elections process based on state statutes. Voters deserve to have absolute confidence in that agency and those chosen to oversee that agency. I do not have that confidence at this time.

The proposed format of the election commission is of concern to me. I support the concept of the two majority parties nominating partisans to serve on the commission. Our elections process has at its core the concept of the two majority parties, serving as election officials and observers, working together to conduct our elections and together protecting the integrity of the process. The proposed makeup of the election commission does not follow that core concept as it proposes that two former election clerks serve on the commission.

It will take 4 votes to pass any motion of the commission. The two clerks can determine the outcome of each vote. As the commission chairman will be chosen from that pool of 6 people, it is conceivable that the same person from the same party could remain chairman for all 5 years of service.

I understand and appreciate the considerable experience of the 185³ Wisconsin municipal clerks and the county clerks and recognize the contribution their experience has made over the years to the Government Accountability Board as it considered the testimony of the numerous clerks who do attend GAB meetings and do comment on the agenda items. The clerks have the benefit of their Municipal Clerks Association which meets with GAB staff and includes staff members in their state conferences. There is a sharing of ideas and information that has benefitted both and provided both parties with a cooperative relationship. Currently, clerks regularly serve in an advisory capacity to the GAB.

The idea for making the changes in the configuration of the GAB was to not consolidate power in the hands of a few board members. The proposed configuration will consolidate power in the hands of two of the voting members of the commission. I suggest each majority Party

nominate an additional partisan to the 6-member commission. If one more political party gains membership on the commission, the balance of power will change again.

I, also, suggest that the position of Chairman rotate each year based on party affiliation. One year a Democrat serves as Chairman and the next year a Republican serves as Chairman. If there is to be a vice Chair, a member of the opposite party should serve in that office. The commissioners would be forced to work together knowing that the next year, leadership will again change. In addition, to pass a vote, at least one member of the opposite party would need to vote "yea" to provide the deciding vote.

Commissioners should have a history of demonstrated experience and knowledge of current election law as a requirement of their appointment. No one appointed to the election commission should currently be holding public office or be able to run for public office while serving. Experience with and understanding of internet technology and the security of IT systems should be considered as required criteria for appointment as well.

Copies of the minutes and votes taken at closed meetings of the commission should be regularly forwarded to the Attorney General of Wisconsin. As that is the office that will need to provide legal assistance to the commission, the Attorney General should be kept well informed prior to any legal situation requiring the services of that office.

Mary Ann Hanson
3740 Mountain Drive
Brookfield, Wisconsin

1
Statement of
Karen Edson
Re: SB 294 + 29
AGAINST

I am a retired business executive who grew up in Wisconsin, was educated in Michigan and worked for many years in California, Ohio, and Illinois before returning to Wisconsin. I hold a Master of Business Administration Degree,

SB294 is a recipe for gridlock! It expects an even number of Republicans and Democrats to agree on an "independent" administrator! A similarly split FEC cannot agree on what to order for lunch.

SB294 is so complex that Leg. Counsel and members of the committee cannot agree on the number of commissioners! Surely a delay is in order for additional debate and review?

over Finally, re SB 294, any agency

to the legislature is not
 accountable for financing twice
 as this bill requires is not
~~also~~ independent.

Re: SB 295

Wisconsin has over 2000 municipal
 entities working on elections. Many
 clerks are part-time (often working only
 ONE day per week). I have visited
 many clerks offices as a part of
 witnessing the recall recounts and the
 GAB post-election audits. These local
 officials are dedicated!

Electronic voter list purges to "remove"
 felons based on neighboring states
 runs the risk of removing VALID
 voters far more because of name
 similarity (has happened all over
 the South). This also is an expensive
 process that sends taxpayer
 \$ to the private sector

Regarding voting equipment: there are a limited number of vendors approved by the FEC. The newest machines have a method that allows rapid ~~or~~ review of election results by any number of independent reviewers quickly after the close of an election.

Requirement for a witness on an absentee ballot in SB 295 increases the complexity of voting. If this is the intent of this law, and if increasing the difficulty of voting decreases the turnout, then this bill will be a great success.

Elimination of the SRD further restricts access to the ballot box, since so many areas have part time clerks and/or registration is restricted by law to office hours only.

For voters who work, SRDs who are able to go to a place where folks gather (such as public libraries) are frequently the best option for registering.

Wendy Underhill

Wendy Underhill is a program manager with the Legislative Management program at NCSL. She provides research and analysis on elections issues such as online voter registration, voter ID, voting technology, early voting, election metrics and more. She edits NCSL's elections newsletter, *The Canvass*; everyone is welcome to subscribe to it by sending contact information to thecanvass@ncsl.org.

Ms. Underhill has recently become NCSL's liaison to the Wisconsin legislature. She holds a B.A. in English literature from Northwestern University and a master's degree in Public Administration from Wichita State University, where she focused on state and local government.



Testimony before Wisconsin's
Senate Committee on Elections and Local Government and
Assembly Committee on Campaigns and Elections

Wendy Underhill, Program Manager, National Conference of State Legislatures
October 13, 2015

Thank you, Madam Chairman and members of the committee. I appreciate the opportunity to talk with you today.

SLIDE I am Wendy Underhill, representing the National Conference of State Legislatures, a bipartisan organization with its headquarters in Denver, Colorado. NCSL has served the legislators and legislative staff throughout the nation for over 40 years.

At NCSL I am the program manager for elections policy. In that role, I provide research and analysis regarding voter registration, election management, voting technology and more. I also serve as NCSL's liaison to the Wisconsin General Assembly.

I have prepared remarks today covering online voter registration and voter list maintenance. I am not advocating for any of the ideas that I will mention. Instead, I am providing information about election policies that other legislatures have considered or enacted.

SLIDE The next five slides will address online voter registration. In both 2014 and 2015, this has been the number one trend in election policy across the nation.

Online voter registration is simply an alternative to—not a replacement for—a paper-based registration system.

In fact, an online voter registration application functions just like a paper application. The online application asks for the same information, and the application is treated just like a paper application in terms of determining its eligibility. The online application also is verified against information already stored in the department of motor vehicles' records. The signature at the DMV becomes the signature of record for voter registration as well.

Other than that, any eligibility checks that are currently in place for paper applications can be used for online applications as well.

SLIDE You can see on this slide that the largest single source of voter registrations around the nation is the DMV. The next largest category is mailed, faxed and emailed registrations. The in-person category, in grey, includes same-day registrations. In 2014, when fewer than 20 states had implemented online voter registration, six percent of voter registration applications were completed online. In states that have had online registration for longer, the percentage is higher. Georgia and Indiana were at 12 percent, Colorado was at 10 percent and Arizona was at 30 percent.

This information comes from the U.S. Election Assistance Commission's report, Election Administration and Voting Survey for 2014.

The "other" category on this slide includes military and overseas voters who use a federal form that works in all states as a voter registration application. The number of requests for that form has declined since 2010. There may be several causes for that drop-off, but the availability of online voter registration is one key factor. The director of the Federal Voting Assistance Program at the Department of Defense, Matt Boehmer, is quoted as saying, "If their state has an online system, that's where we want them to go. We promote the use of states' online systems."

SLIDE Now I would like to turn to the history of online voter registration. Currently 28 states plus the District of Columbia have, or have authorized, online voter registration.

Arizona was the first state, in 2002. Washington was the second state, with implementation in 2008. Then, in 2009, Kansas "went online."

In 2010, five more states (Colorado, Indiana, Louisiana, Oregon and Utah) implemented online voter registration. In 2011, New York did so. In 2012, five more states (California, Connecticut, Maryland, Nevada and South Carolina) joined the group. In 2013, Minnesota and Virginia implemented online registration.

In 2014, four more states (Delaware, Georgia, Massachusetts and Missouri) implemented systems.

And so far this year, the legislatures in Florida, New Mexico and Oklahoma have authorized online voter registration, although their systems are not yet active. In addition to these, the District of Columbia, Hawaii, Nebraska, Pennsylvania and West Virginia have activated online voter registration systems within the last two months. Pennsylvania did so without legislative action.

SLIDE The questions NCSL has gotten about online voter registration have included the cost of implementing and running a system, benefits, and security for systems. On the first point, in

2012 NCSL conducted an informal survey of states that had online voter registration systems. Kansas indicated that it had no direct start-up costs and that staff time used for implementation was absorbed into the existing budget. Utah said its initial launch cost \$37,000.

Most states put the price between \$100,000 and \$750,000. Once the systems were in place, most states responded that there were no additional costs directly associated with maintaining online voter registration.

A more thorough report on costs and other aspects of online voter registration is available from The Pew Charitable Trusts. In "Understanding Online Voter Registration," Pew reports that California's system cost \$1.8 million to implement.

SLIDE What does a state get with these costs? Online voter registration reduces data entry errors because the voter is, in a sense, the data entry clerk. So, the cost of processing an online registration application is much lower than for a paper-based application.

More importantly, voter registrations that go through an online system are cleaner, which helps run smooth voter check-in lines on Election Day.

SLIDE I'd like to turn now to security for online voter registration because minimizing any risk is a key goal in developing an online system. I am not a computer security expert. What I can offer are a few ideas gleaned from conversations with computer.

These experts suggest that the system must require the applicant to provide personal information that is not easy for others to obtain, such as date of birth, the last four digits of the social security number, the driver's license number or even the date of issue for the license. This information can then be matched to the information on record at the department of motor vehicles.

Other approaches include creating the online application with multiple screens which makes it harder for hackers to break in; encryption of the data; rigorous security testing before the system goes live; and using real-time monitoring that can detect any unusual activity.

NCSL has an archived webinar, *Online Voter Registration: The Bipartisan Trend in Elections*, that provides more details on security for online voter registration. It is free and available on our website.

SLIDE Regardless of how a new registration is initiated, they all end up in the same place: on the statewide voter registration database. Legislators have been looking at these databases recently with an eye toward accuracy, timeliness and cost savings. Clean rolls reduce printing and mailing costs associated with bad addresses, lead to fewer slow-downs during voter check-in, and reduce the use of provisional ballots, which are costly in terms of staff time to process.

SLIDE One way to keep voter registration rolls clean is to match them against other data sources.

The first place to look is at data sources within a state, such as the information held at the Department of Motor Vehicles, Department of Health and the Department of Corrections.

In some cases, legislation is needed to authorize access for these separate lists. For instance, in 2014 Minnesota enacted HB 2265, which gives permission to the secretary of state to periodically receive lists of people who have updated or cancelled their driver's licenses or state ID cards.

Some states are now authorizing the use of jury duty information as a source for crosschecking voter rolls. Potential jurors are asked about citizenship, so the data they provide can be useful. Louisiana enacted a law to do so this year, and Kansas did in 2013.

SLIDE The second place to look is at federal data sources. The Social Security Administration has death records that can identify people who died out of state, and the U.S. Postal Service has a National Change of Address database. States may need legislation either to permit data-matching with these sources, or to require data-matching. For instance, in 2015, Illinois enacted SB 172, which included a requirement for twice-yearly cross-referencing of its voter registration list with the NCOA database.

SLIDE We have looked at data-matching within a state, and with specific federal sources. Now some states are beginning to compare their voter lists with other states' information as well. I know of two systems designed to do this: the Interstate Crosscheck system and the Electronic Registration Information Center, also known as ERIC. The Interstate Crosscheck system compares voter registration lists from participating states once every two years, for the purpose of finding people who may be unlawfully registered in two or more states. ERIC is a more comprehensive data checking service, and includes checking against the National Change of Address information and Social Security information as well as the voter rolls and DMV records from participating states. ERIC provides a monthly report to participating states, so list maintenance is spread out throughout the year. These two systems are not mutually exclusive; a few states use both systems.

With either, participating states use the information they glean to take appropriate action to update their records. Neither system automatically removes anyone from the voter rolls.

SLIDE Legislation may or may not be required to participate in either ERIC or the Interstate Crosscheck. On this screen you'll see some of the states that have gone the legislative route recently.

I'll mention just the 2015 legislation. This year, Alabama's HB 254 authorized the Secretary of State "to enter into agreements to share information with other states in order to maintain the statewide voter registration database."

Illinois' SB 172 referred to "an agreement the State Board of Elections has entered into with a multi-state voter registration list maintenance system," and explicitly mentions ERIC.

And Texas' SB 795 says that to "maintain the statewide voter registration list and to prevent duplication of registration in more than one state or jurisdiction, the secretary of state shall cooperate with other states and jurisdictions to develop systems to compare voters, voter history, and voter registration lists to identify voters whose addresses have changed." It uses the phrase "Interstate Voter Registration Crosscheck Program."

At NCSL we have noted that referring to the Interstate Crosscheck program or ERIC by name is uncommon in legislation, perhaps to give administrators flexibility as times change.

SLIDE With that, I will conclude my remarks. I look forward to hearing from the other speakers, and will answer any questions you may have. Thank you for the opportunity to talk with you today.

#

ONLINE VOTER REGISTRATION

10/1/2015

- Overview
- Costs and Savings
- Security
- Recent Action
- States with Online Voter Registration
- Additional Resources

CONTACT

- Wendy Underhill, Katy Owens Hubler
- For more information: 303-364-7700

Overview

As of Oct. 1, 2015 a total of 25 states plus the District of Columbia offer online registration, and another three states have passed legislation to create online voter registration systems, but have not yet implemented them. See the table below for details.

Online voter registration systems supplement the traditional paper-based process, by which new voters fill out a paper form that is submitted to election officials, who confirm the registration is valid, and enter the information from the paper application into the registration system.



Online voter registration follows essentially the same process, but instead of filling out a paper application, the voter fills out a form via an Internet site, and that paperless form is submitted electronically to election officials. In most states the application is reviewed electronically; if the request is confirmed to be valid, the new registration is added to the state's voter registration list. That validation step is done by comparing the information on the online registration form against the information provided by the same individual when he or she received a driver's license or other state-issued identification card. The signature already on record with the state becomes the signature on record for

voting. When the information does not match, the application is sent to officials for further review or action.

Online systems are not equipped to register voters who do not have state-issued driver's licenses or identification cards. Those voters, or any voters who care to, can use a paper registration form.

Arizona was the innovator in paperless voter registration, having implemented its system in 2002. Washington followed with authorizing legislation in 2007 and implementation in 2008. Since then, more and more states have gone live with online voter registration. While most states have enacted specific legislation to authorize online voter registration, some have made online voter registration available without enabling legislation. See the table below for details.

View the Nov. 12, 2013 webinar *Online Voter Registration: The Bipartisan Trend in Elections* for details about online voter registration, including history, implementation and security.

The Pew Charitable Trusts has two reports of note: *Online Voter Registration: Trends in Development and Implementation*, released in May 2015, and *Understanding Online Voter Registration*, released in June 2013.

Costs (and Savings) With Online Voter Registration

According to the 2010 report, *Online Voter Registration: Case Studies in Arizona and Washington*, Arizona experienced a reduction in per-registration costs from 83 cents per paper registration to 3 cents per online registration. Other states have also experienced significant cost savings in processing registrations. Implementation costs have in some cases been absorbed within existing budgets, been paid for with Help America Vote Act funds or have required one-time appropriations, ranging from \$250,000 to \$750,000 for more elaborate systems.

For more background on online voter registration, see the April 2014 issue of NCSL's elections newsletter, *The Canvass*, or contact NCSL's elections team.

Security

While no fraud or security breaches are known to date, security for online voter registration is an essential element of system design. Several approaches can and are used to ensure system security and prevent fraud or breaches by hackers.

- The registrant provides his or her driver's license number or the last four digits of a Social Security number, information that others will not have.
- Systems often include "captcha" boxes, where registrants must decode images that a computer cannot decode, to prevent hacking by programmers.
- Data is encrypted and data logs highlight unusual activity that can be investigated.
- Multi-screen systems, that offer just one question on a screen, are harder to hack.

Read this interview with cybersecurity expert, J. Alex Halderman, as he talks about security for online registration.

Recent Action

West Virginia: Online voter registration, which was enacted in 2013, was implemented in September 2015.

Nebraska: Online voter registration, which was enacted in 2014, was implemented in September 2015.

Pennsylvania: The governor announced the launch of the online voter registration system in August 2015. The system was developed without specific enabling legislation.

Hawaii: Online voter registration, which was enacted in 2012, was implemented in August 2015.

Florida: Online voter registration was enacted in May 2015 (SB 228).
Oklahoma: Online voter registration was enacted in April 2015 (SB 313).
New Mexico: Online voter registration was enacted in April 2015 (SB 643).
District of Columbia: Online voter registration was enacted in October 2014 (B20-0264).
Illinois: Online voter registration became available in June 2014.
Massachusetts: Legislation to create online voter registration was enacted in May 2014.
Delaware: Full online voter registration became available in April 2014.
Nebraska: Legislation to create online voter registration was enacted in March 2014.
Georgia: Online voter registration became available in March 2014.
Minnesota: Online voter registration became available in October 2013, without enabling legislation. In 2014, the legislature authorized the use of the system.
Connecticut: Online voter registration went "live" in December 2013.
Illinois, Virginia and West Virginia: Legislation to create online voter registration was enacted in 2013.

State	Year Enacted	Bill Number	Year Implemented	Website
Arizona	n/a	No legislation required	2002	EZ Voter Registration
California	2011	SB 397	2012	California Online Voter Registration
Colorado	2009	HB 1160	2010	Go Vote Colorado
Connecticut	2012	HB 5024	2014	Connecticut Online Voter Registration
Delaware	n/a	No legislation required	2014	I Vote Delaware
District of Columbia	2014	B20-0264	2015	District of Columbia Online Voter Registration
Florida	2015	SB 228	n/a	Not implemented yet
Georgia	2012	SB 92	2014	Georgia Online Voter Registration
Hawaii	2012	HB 1755	2015	Hawaii Online Voter Registration
Illinois	2013	HB 2418	2014	Illinois Online Voter Registration
Indiana	2009	HB 1346	2010	Indiana Online Voter Registration
Kansas	n/a	No legislation required	2009	Kansas Online Voter Registration
Louisiana	2009	HB 520	2010	Geaux Vote
Maryland	2011	HB 740	2012	Maryland Online Voter Registration
Massachusetts	2014	HB 3788	2015	Massachusetts Online Voter Registration
Minnesota (a)	2014	HF 2096	2013	MN Votes

State	Year Enacted	Bill Number	Year Implemented	Website
Missouri (b)	n/a	No legislation required	2014	Vote Missouri
Nebraska	2014	LB 661	2015	Nebraska Online Voter Registration
Nevada	2011	AB 82	2012	Nevada Online Voter Registration
New Mexico	2015	SB 643	n/a	Not implemented yet
New York (c)	n/a	No legislation required	2011	New York Electronic Voter Registration
Oklahoma	2015	SB 313	n/a	Not implemented yet
Oregon	2009	HB 2386	2010	OreStar
Pennsylvania	n/a	No legislation required	2015	PA Online Voter Registration
South Carolina	2012	HB 4945	2012	S.C. Online Voter Registration
Utah	2009	SB 25	2010	Utah Online Voter Registration
Virginia	2013	HB 2341	2013	Virginia Voter Registration
Washington	2007	HB 1528	2008	MyVote
West Virginia	2013	SB 477	2015	West Virginia Online Voter Registration

STATES WITH ONLINE VOTER REGISTRATION

(a) Minnesota in 2013 made online voter registration available without enabling legislation but the legislature in 2014 authorized the state's system.

(b) In Missouri, a person can register to vote online and electronically provide a signature using a mobile device, tablet computer or touchscreen computer, but not a standard desktop computer. The state reviews the information and prints out the registration form, which it sends to the person's local elections office for verification.

(c) In New York, the registration system is not fully paperless. Voters can submit a voter registration application online, through a system run by the Department of Motor Vehicles, but paper is exchanged between the motor vehicle system and the statewide database. This creates a paperless experience from the voter's perspective, but administrative processes are still paper-based.



Wisconsin Voter Registration Application Instructions

Each section on the front side of this document corresponds to the sections below (1-12)

These documents constitute proof of residence if they:

Contain the voter's current and complete first and last name and residential address, and are valid on the day used to register to vote.

- A current and valid WI Driver License / ID Card
- Any other official identification card or license issued by a Wisconsin governmental body or unit
- An employee ID card with a photograph, but not a business card
- A real property tax bill or receipt for the current year or the year preceding the date of the election
- A residential lease (Does not count as proof of residence if elector submits form by mail)
- A picture ID from a university, college or technical college coupled with a fee receipt
- A picture ID from a university, college or technical college coupled with an on-campus housing listing provided by the university, college or technical college to the municipality that denotes US Citizenship
- A utility bill for the period commencing not earlier than 90 days before the day registration is made
- (Homeless voters only) A letter from an organization that provides services to the homeless that identifies the voter and describes the location designated as the person's residence for voting purposes
- A bank statement • A paycheck • A check or other document issued by a unit of government

- | | |
|-----------|--|
| 1 | <ul style="list-style-type: none"> • Fill in the circle (New WI Voter, Name Change, Address Change) describing why you are completing this form. • A "New WI Voter" is anyone who is not currently registered to vote in Wisconsin. You can check your voter registration status at Wisconsin's Voter Public Access website (https://vpa.wi.gov) • Indicate your county and municipality of residence (e.g. Village of Cambridge, Dane County). |
| 2 | <ul style="list-style-type: none"> • If you have been issued a WI driver license and it is current and valid, you must provide the number and expiration date. • If you have been issued a WI driver license or WI DOT-issued ID and it is currently revoked, suspended, or expired, please provide the number and the last 4 digits of your Social Security number. • If you have not been issued a WI driver license, you must provide either your WI DOT-issued ID number or the last 4 digits of your Social Security number. • If you do not have a WI driver license, a WI DOT-issued ID, or a Social Security number, indicate that fact by filling in the appropriate circle. • If you are registering to vote on Election Day and have been issued a WI driver license, but are unable or unwilling to provide the number, your vote will not be counted unless you provide the number to the election inspectors by 8:00 p.m. on Election Day or to your municipal clerk by 4:00 p.m. the Friday following Election Day. |
| 3 | <ul style="list-style-type: none"> • Provide your current and complete name including your last name, first name, middle name or initial, and suffix (Jr, Sr, etc), if any. Please verify you have provided your name as it appears on the document, the number of which you provided in Box 2, if that document is still your current and complete name. • Provide your month, day and year of birth. • Providing your phone number and/or email address is optional and is subject to open records requests. • A "military elector" is a person, or the spouse or dependent of a person who is a member of a uniformed service or merchant marine, a civilian officially attached to a uniformed service and serving outside the United States, or a Peace Corp volunteer. Military electors are not required to register as a prerequisite to voting at any election. • A "permanent overseas elector" is a US citizen, at least 18 years old, who does not qualify as a resident of this state, but who was last domiciled in this state or whose parent was last domiciled in this state immediately prior to the parent's departure from the United States, and who is not registered to vote in any other state. |
| 4 | <ul style="list-style-type: none"> • Provide your home address (legal voting residence) in Wisconsin. • Provide your full street name, including the type (St, Ave, etc) and any pre- and/or post-directional (N, S, etc.). • Provide the city name and zip that appears on mail delivered to your home address. • <u>You may not enter a PO Box as a residential address.</u> A rural route box without a number should not be used. |
| 5 | <ul style="list-style-type: none"> • If your mailing address is different from your home address, provide it here. A PO Box is acceptable as a mailing address. Overseas electors should provide their complete overseas address here. |
| 6 | <ul style="list-style-type: none"> • Provide your previous first, last and middle names, along with a suffix, if any. |
| 7 | <ul style="list-style-type: none"> • Provide the most recent address where you were previously registered to vote, if any. |
| 8 | <ul style="list-style-type: none"> • If you need assistance when voting, you may describe the assistance required (e.g. curbside voting, braille materials). • If you are interested in being a poll worker for your municipality, you may fill in the circle to indicate your interest. • If you do not have a street address, use the map to show where you live. |
| 9 | <ul style="list-style-type: none"> • If you answer "No" to either question in this section, you are not eligible to vote in Wisconsin. • Please note, for question 2, you must either be at least 18 years old, or will be at least 18 years old at the time of the next election to be eligible to vote. If you are completing on election day you must be 18 years old today. |
| 12 | <ul style="list-style-type: none"> • Assistant: If you are unable to sign this form due to a physical disability, you may have an assistant do so on your behalf. That assistant must provide his or her signature and address in the space provided. By signing, the assistant certifies that he or she signed the form at your request. |



Wisconsin Voter Registration Application

Submitted by Mail
(Official Use Only)

Confidential Elector ID#
(HINDI - sequential #) (Official Use Only)

SVRS ID #
(Official Use Only)

Instructions

- Instructions for completion are on the back of this form. Return this form to your municipal clerk, unless directed otherwise.**
- Please use uppercase (CAPITAL) letters only. Fill in circles as appropriate.
 - If you have not previously voted in WI and are submitting this form by mail, you must also provide a copy of your proof of residence (see reverse).
 - NOTE: If this is a change of address, then upon completion of this application your voting rights will be cancelled at your previous residence.

1

New WI Voter
 Name Change
 Address Change

Municipality Town
 Village
 City

County

2

WI Driver License or WI DOT-issued ID (DL # required if issued) _____ Expiration Date _____

Social Security Number - Last Four Digits (if driver license not issued or not current and valid) **X X X - X X -**

I have neither a WI Driver License/ ID nor a Social Security Number.

3

Last Name _____ First Name _____

Middle Name _____ Suffix (e.g. Jr, II, etc.) _____ Phone # _____

Date of Birth (MM/YYYY) _____ Email Address _____

If you are a military or permanent overseas elector, fill in the appropriate circle (see instructions for definitions): Military Permanent Overseas

4

Residence Address: Street Number & Name _____

Apt. Number _____ City _____ State & ZIP _____

5

Mailing Address: Street Number & Name _____

Apt. Number _____ City _____ State & ZIP _____

6

Last Name _____ First Name _____

Middle Name _____ Suffix (e.g. Jr, II, etc.) _____

7

Previous Address: Street Number & Name _____

Apt. Number _____ City _____ State & ZIP _____

8

Accommodation needed at poll location (e.g. wheelchair access): I am interested in being a poll worker.

If you do not have a street number or address, use the map to show where you live.

- Mark crossroads
- 'X' where you live
- Use dots for landmarks

9

Please answer the following questions by filling in "Yes" or "No":

1. Are you a citizen of the United States of America? Yes No

2. Will you be 18 years of age or older on or before election day? Yes No

If you filled in "No" in response to EITHER of these questions, do not complete this form.

10

I hereby certify, to the best of my knowledge, that I am a qualified elector, a U.S. citizen, at least 18 years old or will be at least 18 years old at the time of the next election, having resided at the above residential address for at least 28 consecutive days immediately preceding this election, with no present intent to move. I am not currently serving a sentence including incarceration, parole, probation, or extended supervision for a felony conviction, and not otherwise disqualified from voting. I certify that all statements on this form are true and correct. If I have provided false information I may be subject to fine or imprisonment under State and Federal laws. **If completed on Election Day:** I further certify that I have not voted in this election. **Please sign below to acknowledge that you have read and understand the above.**

11

Signature of Elector **X**

Today's Date (MM/YYYY) _____

Election Day Voter # _____
(Official use only)

Falsification of information on this form is punishable under Wisconsin law as a Class I felony.

12

Assistant Signature: _____ Assistant Address: _____

Proof of Residence type (Official use only) _____

Proof of Residence # (Official use only) _____

Official's Signature: _____ SRDs printed name and SRD#: _____

Ward _____ Sch. Dist. _____ Alder _____ Cty. Supr. _____ Ct. of App. _____ Assembly _____ St. Senate _____ Congress _____

To: Assembly and Senate Elections Committees
From: Paul Malischke malischke@yahoo.com
4825 Bayfield Terrace, Madison 53705
Date: October 13, 2015

Amend bills AB-389/SB-295 to remove three items.

1) Remove section 7 that lowers our standards for voting equipment. Wisconsin cannot cost-effectively duplicate all the extensive security and accuracy testing that is done by the labs designated for this by the Election Assistance Commission. Taxpayer dollars should only be spent on high quality equipment. Security and accuracy must be assured and the most cost-effective way is through EAC testing and certification. The 2015 EAC standard has over 300 pages of performance and testing requirements.

There already is an exception built in to our administrative rules that can handle unusual circumstances. *"For good cause shown, the board may exempt any electronic voting system from strict compliance with ch. GAB 7."*

2) Remove the two items that will result in many more rejected absentee ballots.

a) Currently, absentee ballots that are postmarked by Election Day and received by the Friday after the election are counted. With postal service getting slower, this buffer is needed. The bills will force rejection of all ballots that arrive later than 8 pm on election night. Don't punish voters because the post office is slow. Section 58 and others

There is one flaw in the present process – Boards of Canvassers are required to meet even if there are no outstanding ballots. This law could easily be changed while still protecting the vote.

b) Under these bills, an absentee ballot will not be counted if the certificate envelope is missing the address of the witness. A ballot should not be rejected due to this technical error. Section 45

This clause was previously in a bill discussed at a June 4, 2013 Assembly hearing. At the 2:09:40 mark on Wisconsin Eye, Kimberly Bushey, Walworth County Clerk, a Republican, spoke eloquently against this same clause that appears in this bill in section 45. She started her testimony by stating, "As a county clerk in my county, I am charged with the responsibility of protecting the votes of the voters in my county." She was opposed to using a missing witness address as a cause for rejection.

She described seeing absentee certificate envelopes without the witness ^{address} ~~signature~~, when the spouse was the witness. She surmised that the witness sees their address already on the envelope, since they live together, so the spouse does not add the address a second time. Don't punish these voters.

Instead of legislating more ways to reject absentee ballots, let's look at why people are not correctly filling out the certificate envelope that holds the absentee ballot. The certificate envelope is hard to decipher since statute 6.87 lists specific wording, and requires substantially equivalent wording on the certificate envelope. That wording is hard to comprehend, and so lengthy that the font size is too small for many to read.

The first sentence on the current version of the certificate envelope is 100 words. It has four commas and two semicolons. According to the Flesch-Kincaid readability test, the grade level is 16.7, a little higher than a bachelor's degree. Let's change statute 6.87 and design a user-friendly certificate envelope.

3) Remove the item that eliminates Special Registration Deputies.

These bills authorize a new method of electronic registration, but only for those with a Wisconsin driver license or DOT ID card. There are hundreds of thousands of eligible voters who do not have these ID's. Therefore, all existing methods of registration need to be maintained for these voters.

However, the bill would eliminate Special Registration Deputies (SRD). There would no longer be trained volunteers who could reach out to voters and complete their registration.

Many other states have electronic registration, but few if any other states have simultaneously reduced opportunities to register for those who do not have the ID listed above. If SRD's are eliminated, volunteers will still be able to do outreach, but they will not be able to complete the registration for those without the ID's mentioned above. If SRD's are eliminated, training and accountability will be eliminated. Currently SRD's sign each registration form, and enter their printed name and individual SRD number. This accountability measure would be eliminated.

Currently, clerks are not required to appoint SRD's. After the launch of electronic registration, jurisdictions that do not need SRD's can simply not make appointments. But don't take away the ability to have SRD's for those municipalities that need them.