



WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

Memo No. 3

TO: MEMBERS OF THE SPECIAL COMMITTEE ON ELECTION LAW REVIEW

FROM: Robert J. Conlin, Senior Staff Attorney, and Nicholas Zavos, Staff Attorney

RE: Election Issues Raised by Committee Members to Date

DATE: December 7, 2004

This Memo lists the issues that committee members have raised regarding election law reform. The list is comprised of issues that were raised for the first time at the November 17 meeting of the committee and issues that had been previously identified and discussed in Memo No. 2, dated November 10, 2004. The issues have been organized into three categories: Pre-Election Issues; Election Day Issues; and Post-Election Issues. Each category will have a separate Memo prepared for it in which background material will be supplied concerning the listed issues. These Memos will be the basis for future committee discussions.

PRE-ELECTION ISSUES

- Absentee voting
 - ◆ Early voting
 - ◆ Timing of sending ballots
 - ◆ Military ballots
 - ◆ Reason for voting
 - ◆ Digital signatures
 - ◆ Where ballots can be sent*
 - ◆ Who can provide assistance*
 - ◆ Who can deliver*
 - ◆ Request by email or fax*
 - ◆ Limit power of attorney authority*

- ◆ Date of the partisan primary*
- ◆ Age of witness*
- Registration issues
 - ◆ Acceptable identification
 - ◆ Deadline for registration*
 - ◆ Registration deputies (including issues on page 5 of Memo No. 2)*
 - ◆ Corroboration (vouching)
 - ◆ Same-day registration
 - ◆ Validity of registration list
 - ◆ Fee for state registration list
 - ◆ County clerk registration*
 - ◆ Cost to municipalities of statewide voter registration *
- Poll workers
 - ◆ Political party representation
 - ◆ Sufficient numbers
- Equipment
 - ◆ Cost of HAVA-mandated machines*
 - ◆ Require paper trail
- Miscellaneous
 - ◆ Qualification of circulators*
 - ◆ Timing of certification and ballot delivery*
 - ◆ Publication of election notices*
 - ◆ Notice of school district referenda*

ELECTION DAY ISSUES

- Poll hours
 - ◆ Status quo* vs. uniformity
 - ◆ Extended or weekend voting
- Conduct at polls
 - ◆ Activities of observers

- ◆ Challenges
- ◆ Electioneering activities (including get out the vote drives)
- ◆ Use of interpreters/translators
- ◆ Misleading election-related material distributed to electors
- Voter identification
 - ◆ Required
 - ◆ Department of Transportation license information
 - ◆ Harmonize acceptable forms*
- Miscellaneous
 - ◆ Provisional ballots
 - ◆ Font size used on ballots

POST ELECTION ISSUES

- Counting write-in votes
- On-line reporting of results
- Inspector's statements in duplicate*
- Enforcement of election laws*
- County clerk participation in canvass*
- Recall petitions*
- Preferential voting*
- Recount

NOTE: * Indicates that issue is discussed in Memo No. 2 (dated November 10, 2004).

RJC:NZ:tlu