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## WISCONSIN LEGISLATIVE COUNCIL

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### ELECTION LAW REVIEW

Legislative Council Conference Room  
Madison, Wisconsin

March 2, 2005

9:00 a.m. – 4:00 p.m.

[The following is a summary of the March 2, 2005 meeting of the Special Committee on Election Law Review. The file copy of this summary has appended to it a copy of each document prepared for or submitted to the committee during the meeting. A digital recording of the meeting is available on our Web site at <http://www.legis.state.wi.us/lc/2004studies.htm>.]

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#### Call to Order and Roll Call

Chair Leibham called the meeting to order. The roll was called and a quorum was determined to be present.

COMMITTEE MEMBERS PRESENT: Sen. Joseph Leibham, Chair; Sen. Jon Erpenbach; Reps. Stephen Freese, Marlin Schneider, and Steve Wieckert; and Public Members Marilyn Bhend, Joyce Buechel, Janice Dunn, Kevin Kennedy, Kathy Nickolaus, James Troupis, and Mike Wittenwyler.

COMMITTEE MEMBER EXCUSED Public Member Cindi Hesse.

COUNCIL STAFF PRESENT: Bob Conlin, Senior Staff Attorney; and Nick Zavos, Staff Attorney.

#### Approval of the Minutes of the January 5, 2005 Meeting

*Representative Freese moved, seconded by Kathy Nickolaus, to approve the minutes of the January 5, 2005 meeting of the Special Committee.*

#### Description of Materials Distributed

Mr. Conlin briefly described the materials that were distributed. Senator Leibham provided a brief summary of the audit and various investigations relating to the November election.

## **Continued Discussion of to Pre-Election, Election Day, and Post Election Issues Raised by Committee Members and Summarized in Memo Nos. 4, 5, and 6**

The committee resumed discussion of the issues presented in Memo No. 4. The committee agreed that staff should prepare drafts that do the following:

1. Direct the Elections Board to determine by rule, the fee for copies of the statewide voter registration list. The fee must be set, after consultation with counties and municipalities, at an amount sufficient to cover the costs of maintaining the list, and the fee must be shared with municipalities.
2. Set the deadline for mail-in registration at 29 days before the election.
3. Require that the municipal clerk must verify an elector's address by mailing a card or letter within 10 days of receiving a mail-in registration.
4. Require two poll workers to conduct same-day registration. The poll workers must ensure that the information provided is legible, and both poll workers must sign the card.
5. Eliminate corroboration as a means of providing proof of residence for registration.
6. Provide that homeless individuals may register to vote by providing a letter from a social service agency. The address of the social service agency shall function as the homeless voter's address.
7. Eliminate registration by the register of deeds, high school personnel, and special registration deputies.
8. Provide that all registration not done in-person is considered mail-in registration for purposes of HAVA verification.
9. Eliminate the requirement that registration forms contain prepaid postage.
10. Authorize registration to be conducted by county clerks and the Milwaukee County Election Commission, and their paid employees.
11. Prohibit the paid gathering of registration cards on a per-registration basis.
12. Require that the registration form contain a space to provide an out-of-state driver's license number, if any. The Election's Board shall use the out-of-state license numbers to verify with the chief election official in each state whether the individual has voted in the other state.
13. Establish a list of items that are acceptable proof of residence for same-day registration and for first-time voters under HAVA.
14. Change the terms of poll workers so that they begin in January of the even-numbered year.
15. Provide that high school students can be appointed as poll workers for a particular election.

16. Eliminate the minimum grade point average (GPA) requirement for high school workers serving as poll workers, and authorize the school to develop a criterion for approving students to work at the polls.

17. Require the Elections Board to establish an election equipment oversight committee with membership consisting of county and municipal election officials, and Elections Board staff.

18. Require the Elections Board to submit a report to the Legislature regarding state and local preparedness for election day natural disaster or terrorist attack.

19. Require that all electronic voting machines produce a “paper ballot” that the voter can verify before casting his or her vote.

20. Require that circulators of nomination papers and petitions be qualified electors.

21. Authorize the publication of required election notices to be satisfied by including the notice in a municipal or county newsletter that is sent to all residents of the jurisdiction.

22. Require that a copy of all school district referendum questions be sent to each county clerk of a county with territory affected by the referendum.

23. Require that school district referendums be conducted at regularly scheduled elections.

### **Plans for Future Meetings**

The next meeting of the Special Committee will be held on *Wednesday, March 23, 2005, at 9:00 a.m., in the Legislative Council Conference Room.*

### **Other Business**

There was no other business brought before the committee.

### **Adjournment**

The committee adjourned at 4:00 p.m.

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