

# State of Wisconsin\Government Accountability Board

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**DATE:** For the December 17, 2009, Meeting

**TO:** Members, Wisconsin Government Accountability Board

**FROM:** Kevin J. Kennedy  
Director and General Counsel  
Wisconsin Government Accountability Board

Prepared and Presented by:  
Edward Edney and Adam Harvell  
Elections Division Trainers and Co-Authors

**SUBJECT:** Final Report: The Examination of Early Voting in Wisconsin

## Report Synopsis

Following the November 2008 presidential election, the Government Accountability Board (Board) noted concerns from voters, elected officials, and election administrators, as well as critical editorials, on the inefficiencies experienced with in-person absentee voting. In particular, election administrators felt overwhelmed with managing in-person absentee applications and ballot logs before Election Day, while voters complained of long lines at in-person absentee voting sites. In addition, municipalities complained that processing large amounts of in-person absentee envelopes caused delays in counting absentee ballots on Election Day.

As a result of these inefficiencies experienced with in-person absentee voting, Board Director and General Counsel, Kevin J. Kennedy, assigned staff to investigate early voting as a possible remedy. This investigation resulted in a 16 page in-depth analysis, entitled "An Examination of Early Voting in Wisconsin," which reported on the best practices and impacts of early voting in states that have already adopted early voting. The analysis also contained three general options of how Wisconsin might implement early voting while retaining Wisconsin's traditions of same day voter registration and municipal control of elections. The alternatives included establishing regional districts to conduct early voting (Option A), allowing municipalities to opt into early voting as desired (Option B), and streamlining the current in-person absentee voting procedures at the municipal clerk's office (Option C).

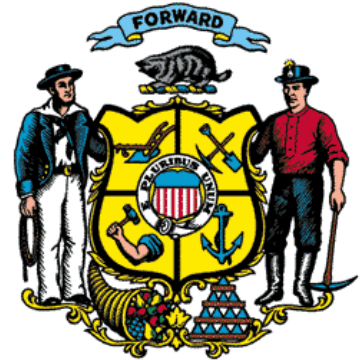
The Board accepted the analysis on March 31, 2009, and directed staff to conduct a series of listening sessions throughout the state to gauge the opinion of the public, municipal clerks and county clerks on early voting. In response to this directive, several listening sessions were scheduled between July 7, 2009 and August 13, 2009 with municipal and county clerks and the public. Additional meetings were also held with the League of Women Voters and with Milwaukee Area Labor Council representatives.

Based on comments and feedback received from these listening sessions and the examinations of early voting procedures in other states, staff is pleased to submit this final report on early voting in Wisconsin to the Board for consideration. Staff recommends that the Board not pursue true early voting in Wisconsin at this time, but maintain in-person absentee voting and pursue procedures that will streamline the in-person absentee balloting process.

# State of Wisconsin Government Accountability Board



## AN EXAMINATION OF EARLY VOTING IN WISCONSIN



A Final Staff Report and Recommendations  
submitted to the

**Government Accountability Board**  
(For consideration during its December 17, 2009, meeting)



Prepared by

**Adam Harvell and Edward Edney**  
Elections Division Trainers and Co-Authors  
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- Kevin J. Kennedy, Director and General Counsel  
Government Accountability Board

*Guiding Principles and Values for Early Voting in Wisconsin*

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## Early Voting Final Draft Report An Examination of Early Voting in Wisconsin

### Guiding Principles and Values

Any proposed transition to early voting in Wisconsin must include at least the following four core policy principals and values:

1. Improving the Wisconsin Voter's Experience

- An effort to reduce the time required for citizens to vote in advance of Election Day.
- An outline of clear and uniform standards, processes, procedures and guidelines for voting in advance of Election Day.

2. Voting Integrity

- A commitment to protect the accuracy, security, and secrecy of the ballots cast in the voting process.

3. Administrative Efficiency

- An effort to reduce administrative burdens on local election officials and workers.
- An effort to control costs so that expenditures are justified by benefits to voters and election officials.
- A strategic plan for implementation which includes a clear timeline and accurate cost analysis.

4. Balancing Local and State Interests

- A commitment to respect self-determination and control of elections at the municipal level while making early voting accessible and consistent statewide.
- A commitment to consult, collaborate with, and seek advice and counsel from local election officials (county and municipal clerks), members of the state legislature, voters, and other concerned and interested parties, elected officials, and advocacy groups.

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## **Early Voting Final Report An Examination of Early Voting in Wisconsin**

### **Part 1: Background**

#### **Introduction**

In Wisconsin, Election Day, November 4, 2008, ran very smoothly. The days leading up to the election, however, were not necessarily as trouble-free. Due to the large volume of voters who cast their ballots before Election Day, clerks and voters experienced a number of problems. First, there were long lines, some lasting more than three hours, for voters waiting to cast their ballots at the clerk's office. Second, many clerks and staff had to work late into the night on election eve to enter voter registrations and absentee applications in the Statewide Voter Registration System (SVRS), and prepare absentee ballot logs for the next day. In a few cases, municipalities were unable to enter all of their absentee applications on election eve, and found themselves playing catch up, entering absentee applications in SVRS even as they tried to administer voting on Election Day. Post-election numbers showed that the percentage of voters voting via absentee ballot had jumped from about 6 percent in 2000, to about 12 percent in 2004, to more than 21 percent in 2008, a trend that appears significant and consistent with developments nationwide.

Before and after the November 2008 General and Presidential Election, many municipal clerks, elected officials, and registered voters began to question whether Wisconsin's current system of no-excuse, in-person absentee voting was the best system to handle the strain of a large election. Specifically, some questioned whether early voting systems in place in other states could better serve the people of Wisconsin. It was suggested that if early voters could cast their ballots directly into a machine, it would save time and the expense of an absentee ballot envelope. On Election Day, votes could be tabulated much more efficiently. Editorials appeared in the Sheboygan Press, the Badger Herald, the Wisconsin Rapids Tribune, and the Racine Journal Times suggesting that the state could benefit from a switch to early voting. Many local and statewide officials endorsed early voting and called on the Governor and Legislature to adopt it in Wisconsin.

In November 2008, Kevin J. Kennedy, Director and General Counsel of the Government Accountability Board, (the Board) directed staff to begin a study of early voting. The study's objective was to determine whether early voting in Wisconsin could increase voter satisfaction, maintain the integrity of the vote-counting process, relieve the workload of local elections officials, and control election costs. The review examined academic studies of early voting and procedures in other states, identified best practices, and recommended adapting those practices to Wisconsin's unique election environment. This analysis was presented to the Board on March 31, 2008, posted on the Board website for comment, and presented at more

than 20 separate listening sessions where Board staff received comments and responded to questions.

Attendees included county and municipal clerks, voting rights groups, members of the Legislature, political scientists, and other interested and concerned citizens. Surveys were distributed and collected to gather opinions on the current in-person absentee voting procedure, the demand for early voting, whether clerks could conduct early voting with current voting machines and staff, and what the costs of early voting might be.

This document combines the Board's previous examination of early voting with suggestions and comments from many of the 1,922 county and municipal clerks who administer Wisconsin elections, and the state's 3.4 million registered voters. This report discusses whether change is necessary, how early voting in Wisconsin might work, and what the costs of implementing early voting might be. This report presents policy questions raised when considering changes to the current in-person absentee balloting system. Finally, this report presents a series of recommendations on what changes should be made.

### **Current Procedure and Definitions**

Wisconsin is a state of medium-sized population (5.6 million) with an estimated voting-age population of 4,294,976, of which about 3.4 million are registered to vote. The State is made-up of 72 counties and 1,850 municipalities – towns, villages and cities. Wisconsin has eight U.S. Representatives, two U. S. Senators, and 10 Electoral votes.

<b>Municipality Size</b>	<b>Number of Municipalities</b>	<b>Aggregate Population</b>
<b>&lt;5,000</b>	1,673	1,981,157
<b>5,000-20,000</b>	139	1,317,360
<b>20,000-50,000</b>	25	758,361
<b>50,000-100,000</b>	10	671,950
<b>&gt;100,000</b>	3	919,341
<b>Total</b>	1,850	5,648,169

Wisconsin has a rich history of its residents participating in the electoral process. Our system is arguably the most complex, decentralized system in the nation. Elections are administered at the municipal level by 1,850 municipal clerks, many of whom serve part-time. Wisconsin's 72 county clerks coordinate certain election administration functions and report election results to the State. In terms of voter participation, Wisconsin traditionally has one of the highest voting rates in the nation.

Wisconsin currently allows voters to vote in their municipal clerk's office before Election Day, via absentee ballot. Since 2000, no excuse has been necessary to obtain an absentee ballot, and since 1976 voters have been able to register at the same time they vote. Voters fill out an absentee ballot application, receive and mark their ballot, and then enclose it in a certificate ballot envelope. The certificate on the ballot envelope is signed by the voter, and that signature is witnessed by another elector. All certificate ballot envelopes are held and secured in a large carrier envelope or container by the municipal clerk before the election. The ballot envelopes are then transported to the polling place or central count facility on Election Day.

At the polling place or central count facility, the ballot envelopes are removed from the large carrier envelope or container, and each absentee elector's name is announced as it appears on the ballot envelope. Each ballot envelope is then reviewed by the poll worker to determine if it was opened or resealed, and whether it meets the signature requirements. Once the ballot envelope is found to be sufficient, it is opened and the absentee ballot is removed for tabulation. The absentee ballot can be challenged before it is processed for tabulation at the polling place or central count facility on Election Day.

- **Absentee In-Person:** Voting absentee in-person means voting by absentee ballot in the clerk's office before Election Day. An absentee application and envelope are required. This report only discusses changes to procedures for voting absentee in-person, not voting absentee by mail or other methods.
- **Absentee by Mail:** Voting absentee by mail means an absentee ballot is requested by mail, email, or fax, delivered to the voter by mail, email or fax, and returned by mail. This report does not propose any changes to voting absentee by mail.
- **Other Absentee Voting Methods:** Other methods of voting absentee include voting via a special voting deputy at a nursing home, retirement home, or community-based residential facility; and special procedures for hospitalized electors and sequestered jurors. This report does not propose any changes to voting absentee using these methods.
- **Early Voting:** In true early voting, a voter completes and casts a ballot by placing it in a tabulating machine or other secure receptacle before Election Day. No absentee application or envelope is required. Unless an absentee voter number is written on the back of the ballot, there would be no way to retrieve the ballot if the voter dies or changes his or her mind. There would be no way to challenge a ballot after it has been placed in the machine. Ballots are not tabulated until Election Day.

### **Preliminary Examination of Early Voting Options**

The Board's initial report on early voting set out a framework of how early voting might be implemented in Wisconsin. Early voting options were designed to meet several goals, including improving the voter's experience, protecting the accuracy, secrecy, and security of the ballot, reducing the burden of unnecessary paperwork on election officials, and controlling costs.

There are several challenges to implementing early voting in Wisconsin. Wisconsin administers elections at the municipal level, rather than at the county level as in most other states. Since most municipalities have smaller populations, budgets, and staff than counties, they may not have the resources to offer early voting, or enough interested voters to justify the expense.

Other challenges include the fact that current voting equipment may only be capable of processing ballots for a few districts, and thus be unable to handle early voting for a large city or entire county without requiring additional equipment. Also, early voters must be marked on the poll list on Election Day, or identified some other way, in order to prevent the possibility of double voting. Programming and testing of voting equipment would have to be done earlier than current practice to accommodate early voting.



Fourteen states have some form of true early voting, and three combine in-person absentee voting with early voting. From those states, Board staff gathered best practices that could be applied to Wisconsin. Areas of consideration included the period and hours of early voting, staffing, same-day registration, electronic poll lists, voting equipment, security, secrecy, and accessibility.

### **Options**

Given the goals and challenges above, Board staff came up with possible options for implementing early voting in Wisconsin. One option that was ruled out was requiring every individual municipality to offer early voting with their own staff and at their own expense. This would be an unacceptable burden on smaller municipalities, some of which have only a few hundred voters, and no problem processing the handful of absentee ballots they receive. Instead, Board staff proposed the following three options:

- **Option A:** Early voting would be offered at a county or regional level. Every county or region would have at least one early voting site where voters could cast their ballots. Counties and municipalities would share staff and expenses. This option would offer statewide uniformity, so every Wisconsin voter would have the same early voting opportunity.
- **Option B:** Early voting would be offered at the municipal level, but only in selected municipalities. Either there could be a requirement based upon population size, or each municipality could choose to opt in to or opt out of early voting procedures. This option would limit early voting to municipalities that need it and make the decision to absorb the extra cost. However, the lack of uniformity might confuse some voters.
- **Option C:** Absentee voting could be streamlined, with or without implementing early voting. By changing the current absentee voting process, Wisconsin might be able to meet some of the goals of early voting without the cost of new voting machines or extra staff. One option is to eliminate the absentee application, and substitute a sign-in sheet for absentee voters. This is similar to recording voter names at the polls on Election Day. Another option is to eliminate the absentee envelope, and have the voter deposit his or her ballot directly into a ballot box. This could, in effect, become early voting, because without an envelope or identifying number, the clerk could not retrieve a voter's ballot once it has been cast. Moreover, without an absentee envelope or identifying ballot number there would be no paper trail to follow if there were questions about or challenges to the ballot.

### **Early Voting Listening Sessions Logistics**

After being presented with the options above, the Board accepted staff's recommendation to conduct listening sessions around the state to gather feedback on early voting. Each session lasted approximately two hours. Board staff presented the background and options discussed above, with time for comments, feedback and questions. Surveys were distributed to collect information and opinions.

Board staff conducted 11 listening sessions with municipal or county clerks, 10 listening sessions with the public, one combined clerk and public session, and one session with members of the Political Science Department at the University of Wisconsin – Madison. Clerk and

public meetings were held in Fitchburg, La Crosse, Kenosha, West Allis, Green Bay, Wausau, Eau Claire, and Rice Lake. Clerk-only meetings were held in Prairie du Chien, Madison, and Washburn. Additional public meetings were held with the League of Women Voters and with Milwaukee Area Labor Council representatives. The number of attendees at each meeting ranged from five to more than 80. The total number of attendees exceeded 500.

Returned surveys were entered into an online survey tool, which allows analysis of the opinions of those who responded. Results of these surveys are summarized in the next sections, and a list of questions, with detailed data on responses, is available in the Appendices.

### **Responses Outside of the Early Voting Listening Sessions**

About 100 people who were unable to attend early voting listening sessions submitted comments to the Board via phone or email. These included over 50 responses from county and municipal clerks, approximately 20 comments from members of the public, about 15 comments from non-clerk elected officials, and a few comments from voting rights groups and poll workers. Comments generally tracked the survey responses. More than half the responses mentioned that early voting would cost too much, and about a third commented that it was unnecessary. Another third of respondents stated that security would be a significant concern with any implementation of early voting.

Approximately a dozen comments were positive about early voting, with Option B and Option C being recommended about equally. Cost reduction, efficiency, and voter convenience were cited most often as possible benefits.

Many comments did not address Options A, B, or C. The most common of these comments was the need for the cut off date for in-person absentee voting to be moved to earlier than 5:00 p.m. the day before the election. Nearly as many people cited the need for photo identification and the elimination of same-day registration. Other comments suggested that a reason be required to vote absentee, that voting be limited to only one day, and that 13-hour days are too long and unnecessary, both for early voting and on Election Day.

## **Part 2: Results of the Early Voting Listening Sessions**

### **General Concerns**

#### **Necessity**

Listening session audiences questioned whether adopting true early voting is necessary. Beyond the budgetary concerns previously mentioned, both the clerks and the public suggested that Wisconsin elections are well-run and that Wisconsin electors are generally satisfied with the current in-person absentee system. A “Big Ten Battleground” poll sponsored by eight universities, including the University of Wisconsin Political Science Department, reported on the experience of Wisconsin voters following the November 4, 2008 elections. The report found that 90 percent of Wisconsin voters expressed satisfaction with their voting experience, 4 percent higher than the national average.

Survey data collected during the early voting listening sessions found that 94 percent of respondents who had previously voted early in their clerk’s office were satisfied with their experience. These surveys also found that 22 percent of the public and 28 percent of clerks supported keeping in-person absentee voting as is without any changes, reflecting a belief that the current system is working and that changes would be unnecessary. Many others wondered why we should make changes to all elections when challenging elections occurred only once every two or four years.

Other clerks reported extremely long lines on the last days of in-person absentee voting, and talked about the difficulty of processing voter registrations, absentee applications, and performing other election administration tasks on the day before the election. For these clerks, generally from mid-sized to large cities, the current procedures made it difficult to produce poll lists that had all absentee voters correctly identified. Absentee votes were processed and counted correctly, but documents such as absentee ballot logs and supplemental voter lists were often incomplete and confusing for poll workers.

#### **Cost**

Though their experiences with elections and election administration are very different, both clerks and the public are extremely concerned about the potential costs of adopting any form of early voting. Most clerks reported that their municipalities and counties are experiencing budget shortfalls, and that they have to cut services, force employees to take furloughs and even lay off employees. These clerks strongly believe their municipalities and counties cannot afford to take on any extra expenditure while the economy remains in the current recession. In many ways, the clerks felt that the timing of these proposed changes was poor. Some comments, such as wanting to hold off any pilot programs or early voting implementation until after 2010 or even 2012, seem to indicate that resistance to early voting might not be as strong in a different economic climate. The public, though not as aware of the financial details, is equally concerned with the potential price tag associated with early voting.

### Uniformity vs. Local Control

Whether early voting should be uniform throughout the state or whether it should be a municipal choice was a topic of great interest and discussion during the early voting listening sessions. Opinions varied greatly as to the importance of uniformity. Some felt that it was extremely important to have a uniform system for all citizens of the state that offered equal access to early voting, and thus, they could not support anything that would allow municipalities to opt in to or opt out of a system of early voting. On the other hand, some commented that the widely varying situations of different municipalities throughout the state meant that a one-size-fits-all solution was impractical, if not impossible, and therefore, felt that an early voting system should remain as flexible as possible to allow for these municipal differences.

It is worthwhile to also consider the broad policy questions that would be raised if Wisconsin adopted early voting. The creation of early voting districts under Option A would remove control of elections from the municipalities, which is a major deviation from Wisconsin's tradition of election administration. Since elections are currently run on a municipal level, there is no existing administrative framework for creating these early voting districts. However, proponents felt that if elections are organized at the county level, consolidation would mean less total cost and more uniform election administration.

The implementation of Option B would allow municipalities to opt in to or opt out of early voting, potentially creating a patchwork of different procedures in neighboring municipalities. This brought up concerns of lack of uniformity and voter confusion. One attempt at compromise that was suggested at several meetings was the idea of a "population floor," where early voting would be mandatory once a municipality had more than a certain population. The population at which this would happen was widely debated, with the lowest suggestion being 10,000 and the highest being 100,000. It was felt that instituting a system tied to population would provide clear guidance as to which municipalities had early voting and which did not, as opposed to the possibility of a patchwork approach that an opt-in/opt-out system would cause.

### Voter Convenience and Voter Confusion

Some clerks commented that voters were just getting used to the no-excuse absentee voting rules that took effect in 2000. They were not looking forward to educating voters about further changes. Many spoke out against Option B because it allows for the possibility of neighboring municipalities having different procedures, meaning that voters would be more likely to get confused. Most clerks disliked the idea of changing voting locations from the clerk's office to another voting site, especially one outside of the municipality, because it would likely confuse voters. Option A was also criticized because if there were only one early voting site per county, it might mean a two-hour or more round trip for some voters to vote.

As for the public, those who support early voting felt that it will help engage new voters and result in greater voter convenience. Others felt that Wisconsin already does enough to enable voters to vote, and that further efforts, in the form of early voting, are wasteful and accommodating the "lazy."

## **Specific Policy Areas to Consider**

### **Period/Cut-Off Dates**

During discussions with clerks, the current cut-off of absentee in-person balloting on Monday at 5:00 p.m. was considered one of the most onerous challenges. Overwhelmingly, clerks requested that the last day for in-person absentee voting be pushed back to the prior week. The early voting proposals suggested a cut-off date of the Friday before the election. In discussions with clerks, this seemed to be the minimum time needed for them to appropriately and reasonably prepare for Election Day. Suggestions for Thursday or Wednesday before the election were heard frequently, with some even suggesting up to a week prior to Election Day as the desired cut-off date. Clerk response also favored moving the beginning of the early voting period to coincide with the beginning of late registration, which is 20 days before an election, rather than continuing with the current start time of 30 days before an election.

The public did not express strong objections to moving the beginning of the early voting period to coincide with the beginning of late registration, nor were there strong objections to moving the end of the early voting period to at least the Friday before Election Day.

### **Hours**

Initial best practices suggested that early voting should be staffed similar to Election Day and with the same hours. Reaction to this proposal was sharply negative among clerks. Clerks who serve part-time were particularly opposed to having to staff early voting locations, as it would require considerable hardship. Even among full-time clerks, there was a great amount of resistance to 13-hour early voting days.

Eight-hour voting days were better received, but even then, the issues with part-time clerks remain. Full-time clerks also noted that they have a multitude of responsibilities beyond election administration, and thus, eight hours a day would be a significant commitment of resources for them. Many clerks asked for a degree of flexibility with hours that reflected the widely different needs of their communities, and the vastly different amount of resources available to their municipalities.

### **Staff**

The various early voting options, as formulated by Board staff, included suggestions for expanding the available pool of poll workers for municipalities. During the early voting listening sessions, clerks stated that one of their greatest issues with election administration was finding enough election workers to meet demand. Many stated that staffing an early voting location for 15 days with trained poll workers would be impossible, even if they were able to draw workers from the entire county. Part-time clerks working for smaller municipalities noted that they themselves had other, full-time jobs, and would not be available during the entire early voting period.

### **Same Day Registration**

Wisconsin has established a tradition of Same Day Registration (SDR) since 1976, and Board staff recommended that this tradition should be continued with the adoption of any early voting

proposal. However, SDR was heavily discussed as a point of contention at the early voting listening sessions. Many clerks expressed displeasure with SDR under current in-person absentee voting procedure. It was repeatedly suggested that the reason long lines occurred for in-person absentee voting in November 2008 was not the absentee voting process, but was instead a result of too many “early voters” also needing to register before casting their ballot. Some clerks felt that SDR should be eliminated entirely.

Others felt that early voting should only be open to those who registered prior to the late registration period, 20 days prior to the election, but suggested keeping SDR for Election Day. The public generally expressed more support for SDR, though concerns that SDR seemed more vulnerable to voter fraud were expressed by some audience members.

Feedback was not unanimously in opposition to SDR and early voting. Some clerks have expressed the belief that Same Day Registration is actually less work than the alternative, which would be large numbers of provisional ballots. The fact that Wisconsin has SDR also exempts it from some requirements of the National Voter Registration Act, including collecting registrations from the Department of Motor Vehicles. Also, there are rare occasions when a voter who registered properly is not found in the poll book due to error and should have the opportunity to register and vote without casting a provisional ballot. Some members of the public and voter advocacy groups have strongly supported SDR, believing it to be critical to engage voters. They believe this is reflected in the high percentage of Wisconsin electors who vote when compared to national turnout.

### E-Poll Lists

Originally, Board staff proposed that e-poll lists be adopted as part of early voting to allow for real-time updating of poll lists. This would help prevent duplicate voting and ease administrative burdens upon clerks. Though many clerks and the public expressed interest in e-poll lists, they noted several difficulties with the actual implementation of an e-poll list system. The less expensive option, modifying SVRS to function as an e-poll list, would require high-speed internet access, which is not available in many regions of the state. Other e-poll list systems would be more expensive, and some municipalities noted that an e-poll list would require them to either upgrade their current computers or buy new computers, an expense that many felt they could not afford at the present time. Other concerns included issues of security and reliability.

### Voting Equipment

Most clerks were concerned with whether or not their current voting equipment would be able to handle the number of ballot styles necessary for early voting. There are a few clerks who believe that using Direct Record Electronic (DRE) voting equipment, and eliminating the need for most printed ballots, will help cut down on election administration costs. Other clerks pointed out that it takes longer to vote on a DRE machine, and anticipated large costs, because it would take many DRE's to replace one optical scan tabulator.

A few clerks liked the idea of placing early voting ballots directly into the tabulating machine, and saving the bother of an absentee envelope. Some also liked the idea that the use of voting machines would reduce the number of “spoiled” ballots, because an elector could make changes immediately if the machine rejects his or her ballot. This is in contrast to the current system where absentee ballots are rejected and unable to be fixed because the voter is not

present on Election Day when the error is discovered. In such cases the absentee ballot will not be counted.

The early voting listening sessions made it clear that a mandatory solution for every municipality would not take into account the differences in equipment between municipalities. Given the wide variation in responses, the only consistent message from the clerks was that flexibility on the municipal level in terms of equipment would be greatly appreciated.

### Security/Secrecy

The security of the ballot, and the related topic of ballot secrecy, was heavily discussed by both clerks and the public during the early voting listening sessions. At some public sessions, those who attended were extremely concerned that early voting would result in more opportunities for voter fraud. A major concern for clerks was keeping machines and ballots secure for many days at a time without having to move them every morning and evening. Other concerns involved tracking the early voting ballot for purposes of security and ballot integrity. Many, however, spoke out against tracking ballots in such a way that a ballot could be matched to a particular voter.

Some security issues, such as being able to prevent a person from registering in multiple locations and voting multiple times, were noted in connection with early voting. These issues also exist under current procedures because of Election Day Registration, and enforcement procedures are in place to ensure that any person voting twice would be detected and prosecuted after the fact. This concern led many members of the public, and a few clerks, to suggest a requirement to present photo ID, at the very least for early voting, as a method to mitigate this perceived threat to voting integrity.

At its October 2009 meeting, the Board also expressed security concerns. In particular, some members of the Board were concerned by the potential for vulnerabilities securing and protecting the secrecy of the in-person absentee ballot before an election. These same vulnerabilities currently exist on Election Day and are specifically addressed and protected against in the proposed revisions to Wis. Admin. Code GAB Ch. 5, which the Board approved at its November 2009 meeting.

### Accessibility Concerns

Both the public and clerks had some concerns about establishing regional early voting districts when considering accessibility. It was noted that in areas that are distant from a county seat, it could be very difficult for elderly and disabled voters to secure transportation to a regional early voting site. Particularly as compared to current practice, where a voter would not have to travel beyond their home municipality, this could be a major barrier that would make it harder to vote. The other options, which would retain municipal self-governance of elections, did not cause concerns for either clerks or the public in terms of accessibility.

## **Discussion of Options Presented at Listening Sessions**

### **Discussion of Option A:**

**Definition:** Early voting would be offered at a county or regional level. Every county or region would have at least one early voting site where voters could cast their ballots. Counties and municipalities would share staff and expenses. This option would offer statewide uniformity, so every Wisconsin voter would have the same early voting procedure.

**Clerk Response:** At least among the population of election professionals, sentiment was strongly against Option A. Of 340 clerks who responded to the survey, only seven stated that they preferred Option A over the other options. Most negative comments cited the costs, with a typical response being “With budget constraints we are facing, this is totally unrealistic.” Counties generally stated that they do not have the resources to expand into this area of election administration, and municipalities stated that they could not afford even to share the cost of offering early voting.

Concerns over staffing included staffing costs, as well as the difficulties of recruiting poll workers for an extended early voting period. Currently, some municipalities have trouble finding poll workers to work on one day. Even with the ability to recruit workers at the county level, several clerks were concerned that they would “not [have] enough manpower.”

Many people questioned whether Option A would be of use to voters in their area. In many rural counties, the use of in-person absentee voting is very low, so the staff and equipment costs may not be justified. Examples of this type of comment are “Costly for county, might have 5 voters per day,” and “Only needed for 1 election every 2 years.”

Several dozen clerks also believed that their voters would not travel for early voting. According to one clerk, “People want to vote locally – they won’t want to drive to the county seat or even the village hall.” Other comments noted that in some counties, voters would have to drive up to 60 miles to vote early, and compared this to the convenience of requesting an absentee ballot in the mail.

The few clerks with positive comments about Option A stated that it would shift the burden of early voting away from rural clerks and smaller municipalities. They also advocated for uniformity across the state, which is a feature of Option A.

**Public Response:** The public also generally disapproved of Option A. Of 102 public surveys returned, only four stated that Option A was the best option. Many of them echoed the criticism that this was costly, and stated that there was little need for statewide early voting. One person stated that this was “totally unnecessary in Northern Wisconsin and smaller townships.” Several stated that regional early voting centers would be too far away, especially for rural people.

Several others felt that “voting should be locally controlled and managed.” One person commented on the difficulties of sharing election-related duties between the county and municipality by asking “Who’s in charge - everybody or nobody?”



Finally, many members of the public were concerned with a lack of security. Comments included that 14 days is too long to protect ballots, DRE machines were difficult to secure, and security procedures needed to be discussed more. Some individuals were concerned that the combination of early voting and Same Day Registration and lack of voter ID requirements could lead to voter fraud.

The few responses that spoke positively about Option A expressed a need for uniform procedures and to reduce long lines.

### **Discussion of Option B**

Definition: Early voting would be offered at the municipal level, but only in selected municipalities. Either there could be a requirement based upon population size, or each municipality could choose to opt in to early voting procedures. This option would limit early voting to municipalities with a need for early voting, and the ability to absorb the extra cost. The lack of uniformity, however, might confuse some voters.

Clerk Response: County and Municipal Clerks were slightly more interested in Option B than Option A, but still generally disapproved of this alternative. Seventeen of the 340 clerks stated that Option B was the best choice provided, and several others proposed a combination of Option B and Option C.

Again, most clerks who objected to Option B cited cost. These clerks brought up both equipment and staff costs. A typical comment was “We do not have the money to take care of things now!” Clerks in some larger municipalities stated they would opt out because of cost and other concerns.

Another prominent concern with Option B was the lack of uniformity. Since some municipalities would offer early voting and others would not, voters from neighboring municipalities might get confused. People who work together and get the same radio and television stations and newspapers would have different voting methods available, depending on what municipality they lived in. One clerk stated that this option would “confuse the media and all voters will think they can vote early.” Many clerks made similar statements, with some fearing that they would not be able to opt out because “there will be considerable pressure put on [us] to offer it because it can be done somewhere else.”

Other clerks critical of this option cited security concerns because of the need to keep voted ballots secure over many days. They also expressed concern over the cost of staffing and the difficulty of recruiting staff for a long period.

Most people in favor of Option B remarked on the ability of municipalities to opt in or opt out. Clerks who stated they would opt in to Option B were generally from larger municipalities. Many expressed interest in Option B because it would allow them to offer early voting without requiring small municipalities and counties to offer it as well. A few stated that there was definitely a need for early voting, at least in their cities, and feared that their voices would be drowned out by the large number of small municipalities without the same needs.

Other clerks in favor of Option B liked the ability to retain municipal control of elections and the ability for voters to vote locally. A few had voting equipment capable of handling early voting and did not think added staff costs would be that great.

**Public Response:** Only eight of the 102 members of the public who responded to the surveys selected Option B as the best option offered.

Many respondents wrote that Option B was too costly. A typical response was “Cost per vote could be very high.” Other comments expanded this to discuss voting machine costs and staff costs. Several other responses suggested that “voting procedures should be exactly the same across the state,” and that Option B would cause voter confusion. Others described the lack of uniformity with words like “confusing” and “chaos.”

A few people expressed concerns about security of the ballots and possible voter fraud, including the inability of poll watchers to challenge voters at the polling place.

The small number of public survey responses in favor of Option B discussed the benefits of local control. A typical response was “I feel municipalities are varied, and so are their needs.” Others stated that the municipalities that did not need early voting would not have to pay for it.

### **Discussion of Option C**

**Definition:** Wisconsin would not convert to true early voting. Instead, Wis. Stats. §6.855 would be changed to allow absentee voting in multiple locations in addition to the municipal clerk’s office. In addition, the procedures for voting in-person absentee would be streamlined in the following three ways:

1. The absentee application for in-person absentee voting would no longer be required. Instead, a sign-in sheet, which would include a certification, would be allowed for in-person absentee voters. This is similar to recording voter names at the polls on Election Day.
2. Instead of placing the absentee ballot in a certificate envelope, municipalities may choose to have in-person voters place their absentee ballot in a secure container, to be fed into a voting machine and tabulated on Election Day.
3. The start of in-person absentee voting would be changed from 30 days to 20 days before the election, and the deadline would be moved from 5:00 p.m. the Monday before the election to 5:00 p.m. the Friday before the election.

**Clerk Response:** Option C was the option best liked by clerks. One hundred sixty of the 340 clerks who responded to the survey selected Option C.

Clerks were almost unanimous in their desire to move the in-person absentee voting deadline forward from 5:00 p.m. the day (Monday) before the election. Most suggested the Wednesday or Thursday before the election, to allow time to prepare for Election Day.

A large percentage of clerks liked Option C because there would be relatively little additional cost to municipalities, and municipalities could keep the same hours and staff that they have now. Some expected cost savings if paper applications and envelopes were eliminated.

Many described the current process as “cumbersome” and expressed a desire for paperwork to be reduced. Some clerks stated that applications could be eliminated but envelopes should be

retained for privacy and security. One creative suggestion was to incorporate a streamlined application onto the absentee envelope itself. Some wanted to get rid of envelopes entirely, and others wanted to keep the envelopes but eliminate the witness requirements, since municipal staff end up witnessing nearly every ballot.

Another large group liked Option C because it would be less confusing to voters and staff. Little extra voter outreach would be required because Option C does not change the location or hours where voters can cast their ballot. Local staff members might have to be trained on a few new procedures, but this is “not too big of a change.” Uniformity was cited as a virtue of this option.

Some clerks did criticize Option C, discussing concerns about ballot security and recount procedures if there is no absentee envelope used.

**Public Response:** Option C was also the option best liked by the public. Thirty of the 98 survey respondents selected Option C. Members of the public stated that Option C seemed more cost effective, that it was a good idea to reduce paperwork, and that it was the best option of the three presented.

The biggest concern with Option C for members of the public was the security and integrity of the ballot. Because streamlining the absentee process might change the application form or eliminate the envelope, respondents were concerned that there would not be a paper trail to follow if there were any questions about a ballot. Some also expressed fear that one receptacle holding many ballots would be less secure than each ballot in an individual envelope.

Another concern about Option C included unnecessary cost. A few people stated that absentee voting is difficult and undesirable, and early voting may be a better alternative.

### **A Combination of Options**

On survey responses, 28 clerks and seven members of the public supported a combination of options. The most common suggestion was combining Option B and Option C. These respondents felt that while early voting was necessary, at least for some municipalities, the idea of streamlining the absentee process would be beneficial even for municipalities that would not wish to offer early voting.

### **Other Options**

Twelve clerks and seven members of the public suggested we explore other options on their survey responses. Expansions of voting procedures included vote by mail and electronic voter registration, reforms the Board has committed to study under its five-year election administration plan. Several respondents suggested we eliminate same day registration or require an excuse to vote absentee, pointing out that this would reduce paperwork for clerks and lines for absentee voting in the clerk’s office. Several other respondents talked about the need for photo ID to prevent fraud.

### **Keep Absentee Voting “As Is”**

A sizable portion of clerks’ survey responses (93 of 333) and the public’s responses (22 of 98) supported keeping in-person absentee voting unchanged. They generally argued that changes

were unnecessary, citing cost, confusion of voters and poll workers if changes were made, and a few stated, “This is only Madison and Milwaukee, so don’t penalize us for their problems.” Several people stated that problems occurred only once every two years or four years, and cities should simply hire staff for one or two elections, rather than change the procedure for every election.

## **Part 3: Considerations for the Government Accountability Board**

### **Analysis**

Based on discussion of Options A, B and C and other possible combinations, the Board has several alternatives to consider for deciding what recommendations it wishes to make to the Wisconsin Legislature.

#### **The Board may choose to recommend Option A.**

##### **Advantages:**

- Early voting would be offered at a county or regional level, and every region would have at least one early voting site where voters could cast their ballots.
- Counties and municipalities would share staff and expenses, taking away some of the burden for smaller municipalities.
- This option offers statewide uniformity, so every Wisconsin municipality can offer the same early voting procedure and voters can have the same early voting opportunity.

##### **Disadvantages:**

- Most clerks and members of the public oppose this option.
- Concerns expressed included costs and lack of related resources, such as staffing.
- Because rural voters would have to travel greater distances to cast their vote, voting may become less convenient.
- This option takes away some local control over elections and requires many new procedures to share responsibilities between counties and municipalities.

#### **The Board may choose to recommend Option B.**

##### **Advantages:**

- Decisions about early voting would remain under local control. Municipalities could be the judge of whether early voting is needed and what expenses they were willing to incur.
- In municipalities with early voting, voters would vote within their municipality.
- In municipalities with little need for early voting, there would be no change in procedures and no additional cost.

##### **Disadvantages:**

- Most clerks and members of the public oppose this option.
- Concerns expressed included costs and lack of related resources, such as staffing.
- Because neighboring municipalities might have different early voting procedures, residents may be confused as to how they vote.

**The Board may choose to recommend Option C.**

Advantages:

- A plurality of clerks and the public support this option.
- This represents the least amount of change, so election staff and voters will not have to learn completely new procedures.
- This is the least expensive option, requiring no new machines or increase in staff, unless municipalities choose to add satellite voting locations.
- Paperwork will be reduced, and municipalities will have more time to prepare for Election Day.
- Voting absentee in the clerk's office or at satellite sites should take less time.

Disadvantages:

- Municipalities that decide not to use certificate envelopes for their in-person absentee ballots will require new procedures to ensure security.
- If municipalities have flexibility not to use certificate envelopes or to use voting machines for in-person absentee voting ballots, neighboring municipalities may have different procedures and voters may be confused.
- Voters will have fewer days to cast their in-person absentee ballots before Election Day since the deadline would move from 5:00 p.m., Monday, the day before the election, to 5:00 p.m. the Friday before the election.

**The Board may choose to recommend no change.**

Advantages:

- A significant number of clerks and the public support this option.
- No extra cost and no extra education on new procedures would be required.

Disadvantages:

- In high-turnout elections, many municipalities will have difficulty processing the large number of in-person absentees.
- Voter convenience problems, such as long lines and lack of satellite locations, will remain unaddressed.

The Board may choose to recommend a combination of options, or other options, attempting to minimize the disadvantages and maximize the advantages described above. Other options not discussed may require further study and public feedback.

## **Part 4: Recommendations**

### **Overview of Recommendations**

Based on the information discussed above, Board staff recommends pursuing a modified version of Option C, streamlining in-person absentee voting. Option C is desirable because it retains basic voting and security safeguards equivalent to Wisconsin's current in-person absentee procedure. Wisconsin voters are happy with these procedures, and generally they have worked very well, only showing signs of strain in extremely high turnout elections in larger cities. Option C allows for minimum changes which would speed up in-person absentee voting and the clerks' processing of ballots, but would not change procedures significantly enough to require wholesale retraining of poll workers or extensive voter education. Finally, Option C is the most cost-effective option. No purchase of new voting machines would be required, and most municipalities would not have to add any additional staff.

To mitigate the disadvantages in pursuing Option C as originally proposed, however, and to protect the security, secrecy, and integrity of the current in-person absentee voting process, Board staff recommend streamlining only in ways that will:

- Move the start of in-person absentee voting from 30 to 20 days before the election.
- Allow for multiple in-person absentee voting locations outside of or in addition to the municipal clerk's office.
- Simplify the application process for in-person absentee voters.
- Remove the certification and signature requirements for the absentee envelope, but retain the use of a simplified ballot envelope.
- Eliminate the requirement for issuing the Certificate of Registration for same day registrants who vote absentee in the clerk's office.

### **Discussion: Retention of Monday Deadline**

Before describing the above recommendations more specifically, a more detailed discussion is warranted regarding the current deadline for in-person absentee voting. This was one of the main concerns, if not the primary concern, of municipal clerks. Board staff do not recommend changing the deadline for in-person absentee voting from 5:00 p.m. the day (Monday) before the election.

Staff recognize that there is a real and significant administrative burden placed on municipal clerks and their staffs by maintaining the current statutory deadline of the evening before Election Day. The high level of public service by municipal clerks is integral to Wisconsin's reputation for quality administration of elections. Municipal clerks made clear in listening sessions their strong desire to have more time to process in-person absentee ballots before Election Day. The volume of in-person absentee voters can be great for November general elections. Finishing a two or three week period with a large number of absentee voters while completing all the tasks necessary to prepare for Election Day can place great stress on municipal clerks and their staffs.

While empathetic to the significant impact of the current deadline on local election officials, and the concerns articulated by clerks that have been previously summarized in this report, Board staff have also given careful consideration to Wisconsin residents' opportunity to vote in-person absentee up until the day before the election. The privilege of absentee voting until 5:00 p.m. on the Monday prior to a Tuesday election has been accorded to Wisconsin voters since 1965. Moving up the deadline for in-person absentee voting in the days leading up to Election Day would restrict opportunities to vote that the public has relied upon for over 44 years.

In developing its recommendation on this issue, Board staff balanced the concerns expressed by clerks with the strong historical trend and intent of Wisconsin election law to encourage and accommodate the greatest possible voter participation. Wisconsin laws and election procedures have consistently resolved such legitimate and competing concerns in favor of putting the voter first, and this has been a key reason why Wisconsin is often recognized as a leader in election administration.

Wisconsin and 14 other states give their citizens the opportunity to vote via no-excuse, in-person absentee or by early voting up to the day before an election. Changing the current deadline would move Wisconsin away from the forefront in providing access to voting opportunities. Absent any legislative mandate to the contrary, staff believe the Board should continue to endorse measures that uphold Wisconsin's heritage and tradition of advancing voter participation, rather than measures that will restrict opportunities to vote.

Therefore, weighing all of the persuasive and compelling considerations on both sides of this policy issue, Board staff recommend preserving the elector's opportunity to vote in-person absentee up until 5:00 p.m. the day before the election as provided for by current law, while implementing other measures in an attempt to relieve some of the administrative burden on municipal clerks.

As noted above, most municipal clerks strongly disagree with this recommendation, although the Board received some comments from clerks in support of it, as summarized on pages 24-25 of this report.

### **Specific Recommendations**

After weighing all of the considerations and input of both election officials and the public as described in this report, staff recommends that the Board adopt and pursue a modified version of Option C in accordance with the following guidelines:

1. Effective Date: Commencement of the new procedures should not take effect sooner than February 2011, to allow time for clerks and election workers to become familiar with the new procedures and for municipalities to budget for any changes. A pilot should be run in November 2010, as described beginning on page 22 of this report.
2. Time Period - Start Date: Move the start of in-person absentee voting from 30 days before Election Day to 20 days before Election Day, to coincide with the beginning of late voter registration. Currently, voters who vote between 30 and 21 days before the election are able to register without proof of residence, while all other in-person absentee voters must provide that proof. This requirement should be standardized. Moving the



start date will have the effect of requiring all in-person absentee voters who have not registered to provide proof of residence before registering. Moving the start date will also allow more time for ballots to arrive if there is a printing problem or a contested primary race. Few in-person electors vote this far ahead of the election, so they should not be significantly impacted. Also, the option to vote absentee by mail 30 days before the election should continue.

3. Time Period - End Date: Retain the current deadline for in-person absentee voting at 5:00 p.m. the Monday before the election.
4. Locations: Few municipalities in Wisconsin expressed a need to conduct absentee in-person voting at more than one site, since the greatest demand to vote absentee in-person is more likely to exist in large municipalities. Municipalities which determine that multiple sites are necessary, however, should be able to use them. Current state law already permits municipalities to use a single alternate absentee voting location in place of the municipal clerk's office. This authority should be expanded to allow for multiple satellite sites in addition to the municipal clerk's office as determined by the clerk.
5. Hours: Keep the hours for in-person absentee flexible, and under municipal control. This will allow large municipalities to be open extended hours and weekends if necessary, and allow small municipalities with part-time clerks to be open only part-time.
6. Same Day Registration: Maintain the voter's ability to register on the same day he or she votes in-person absentee at the municipal clerk's office or at a satellite location.
7. Electronic Poll List: Due to the fact that voting under Option C takes place in the clerk's office, using absentee procedures, there is no need to have an electronic poll list. Sites with high-speed internet access could use SVRS, however, as an electronic poll list to verify whether or not voters are registered, and that they have not already been issued absentee ballots. Under current law, the Board has the authority to approve the use of electronic poll lists.
8. Absentee Application: Simplify the absentee application process for in-person absentee voting. Permit the use of a simplified application form for in-person absentee voters. The basic format of the simplified application form should contain:
  - Statement requesting absentee ballot.
  - Date or type of election.
  - Voter's name, address, and year of birth, for rare cases when two people with the same name live at the same address (since date of birth is confidential, but year of birth is not).
  - Voter's signature.

This recommendation does not require a statutory change. Current law only requires a written request signed by the voter.

9. Absentee Certificate Envelope: Eliminate the certificate statement and witness signature requirements for the absentee ballot envelope when voting in-person absentee. Require

that the elector's name, address and ward appear on the envelope. Staff do not recommend completely eliminating the use of any envelope as that would make it difficult to retain the privacy and security of the absentee ballot, and to challenge an in-person absentee voter at the polling place or central count facility on Election Day. Also, if absentee ballot envelopes were completely eliminated, the ballot of an elector who died before Election Day could not be retrieved and could be potentially counted like other ballots.

10. Ballot Security and Secrecy: At the Board's November 9 meeting the Board approved staff recommendations regarding security provisions for processing absentee ballots. These ballot security and secrecy provisions enumerated in Chapter 5 of the Board's administrative rules will also be applicable to the new streamlined procedures.
11. Accessibility: Accessibility requirements would not change from current law, which means absentee voting in the municipal clerk's office or satellite location would require the facility to be fully accessible unless absentee voting takes place in the clerk's home.
12. Tabulation: No absentee ballots received in the municipal clerk's office or satellite location may be tabulated until Election Day.
13. The Certificate of Registration: The requirement for the Certificate of Registration should be eliminated. Currently, this document must be issued to all voters who register in the clerk's office in the 20 days before Election Day. The voter then presents the certificate to poll workers on Election Day as proof of registration. This is an unnecessary step where the voter is casting a ballot immediately following registration in the clerk's office.

### **Special Note: Optional Extension to True Early Voting**

Note that some municipalities with the necessary equipment might like the option to have the voter deposit the ballot directly into the optical scan tabulator, or cast a ballot on a DRE machine. Other municipalities may become interested in this option once their current voting machines are updated. This would, in effect, combine Option C and Option B in those municipalities and allow for true early voting. This however, raises a number of concerns. Voting practices would not be uniform statewide, resulting in possible voter confusion. Paper ballots cast in this manner would either have to have a unique voter number written on the back, or they could not be retrieved. Ballots cast on DRE machines could not be retrieved.

There would be extra programming costs, and public tests of the voting machines would have to take place much earlier. Security concerns may arise because machines cannot be easily moved to a locked room, and removing voted ballots from the machine would require special procedures. For these reasons, staff recommend that the Legislature allow municipalities to pilot this form of true early voting in one or more elections under a methodology approved by the Board. Staff suggest that the ability to cast the ballot immediately using a machine not be included in legislation until after the pilot has been evaluated.

## **Pilot Program**

### **Basic Structure:**

In order to identify unknown issues, learn best practices, measure effectiveness and plan for a statewide implementation of Option C, Board staff recommend the Legislature authorize a pilot program for the November 2010 Fall Election under a methodology approved by the Board. Should the Legislature decide not to pursue a statewide implementation of Option C, staff still recommend a pilot program be established based on whatever options and changes the Legislature decides to adopt.

Under the recommended pilot program, participating municipalities would conduct an election following the procedures described above. The pilot program would invite voluntary participation by local election officials and would assist with the cost of any required additional equipment and staff. The pilot program should be assessed by an independent evaluator with assistance from the Board staff. Municipalities of varying sizes and population densities would be encouraged to participate. If the Legislature authorized voters to cast their ballots directly on a DRE or into an optical scan tabulator, the pilot should include a variety of voting equipment.

During the early voting listening sessions, the cities of Brookfield, Fitchburg, Sun Prairie, Wauwatosa, Rice Lake and Waukesha expressed interest in an early voting pilot program. Other municipalities may be interested depending on availability of funds and staff.

### **Costs**

At least one municipality in the pilot should have an additional in-person absentee voting site, to examine the logistics involved when conducting absentee voting at more than one location. If the municipality does not have the staff necessary, this will be an additional expense. The pilot program should reimburse the municipality or municipalities for this expense, which would require additional funding from the Legislature. Cost would be variable depending on the number of staff at the satellite voting location and the number of hours the voting location was open. Staff do not recommend that the pilot program absorb any of the normal costs currently associated with elections, specifically expenditures for ballot printing, other staffing (including poll workers) or voting systems acquisitions.

For the pilot program, modifications to the Statewide Voter Registration System (SVRS) would have to be made. Currently, clerks must issue labels and scan the barcode on each label to record in-person absentee ballots as having been issued and returned. The software code should be modified to automatically mark in-person absentee ballots as having been issued and returned, whether or not the clerk prints out a label. SVRS currently allows clerks to issue an absentee label directly from the voter record, but vital fields are missing. For example, there is no place to indicate whether the absentee ballot was cast in-person or via mail. The software code should be modified to make this feature work correctly.

Costs for upgrading the current application software would also be variable. Staff are currently examining cost effective ways to implement these changes. Costs may be lower or higher depending on the scale of changes necessary and the possibility of combining this project with other projects requiring changes to the absentee functionality. These costs will be paid from the Board's current resources.

It should be noted that changes made for the pilot program would benefit not just the pilot municipalities, but every clerk in the state who uses SVRS to track absentee ballots. The Elections Division has committed to making these changes as a part of its five-year plan regardless of whether any changes to absentee voting are implemented.

## **Part 5: Public Response to Final Draft Report**

### **Introduction**

From November 6 to November 30, 2009, the Board staff posted the Early Voting Final Draft Report online. Board staff sent out a news release to the public and distributed a memorandum to clerks notifying them that the report was posted and that public comments were being accepted. Thirty-four comments were received. The comments below are a representative sample of responses to four of the recommendations discussed above. Also, an additional recommendation was made to change requirements for issuing the EB-133 Certificate of Registration form based on public comments. These recommendations were the ones most commonly discussed in the responses we received. The full text of all comments are available on the Board's website, <http://elections.state.wi.us>.

#### **1. Move the start of in-person absentee voting from 30 days before Election Day to 20 days before Election Day, to coincide with the beginning of late registration.**

##### **Public Comment:**

- Moving the deadline for in-person absentee voting to 20 days and leaving the mailing of absentee ballots to 30 days is a good idea because it allows clerks more time to process and mail out the ballots before being over run with in-person voters.

#### **2. Retain the current deadline for in-person absentee voting at 5:00 p.m. the Monday before the election.**

##### **Public Comment:**

- While an earlier deadline would be nice, the City of La Crosse Clerk's Office agrees with the G.A.B assessment that changing the 5:00 Monday deadline for absentee voting would cause more confusion and aggravation and possibly less participation by the voter.
- In implementing Option C, the Monday deadline should be retained. The University of Wisconsin Political Science Department and La Follette School of Public Affairs' statistical analysis of the 2008 general election shows that the length of time that the "window" is open for voters to both register and cast their ballots has a direct effect on voter turnout. This suggests that shortening the period of time in which absentee voting is permitted just before Election Day could result in lower levels of voter participation.
- Maintaining in-person absentee voting up until the day before the election is very important for voters. The report wisely recommends against decreasing the opportunity for voting. However, consideration could be given to changing the closing time to 1 p.m. on the Monday before the election, to give clerks more time to process the absentee ballots.
- Voters can be retrained and will understand and respect an earlier cut off to ensure data accuracy.

- More and more requirements and regulations simply CANNOT be placed on municipal clerk staffs with the expectation that they will be properly carried out if more time to complete these tasks is not also provided. Simply put, NEW DEADLINES must be created for registering to vote or voting by absentee ballot prior to an election. More and more work cannot reasonably be expected to be accomplished in the same time frame. An earlier cut-off for in-person absentee voting – i.e., 5 p.m. the Friday prior to an election – needs to be established. The time has come to admit that Wisconsin can't "have it both ways." Wisconsin can't keep imposing complicated, time-consuming requirements on municipal clerks, with the expectation that all tasks will be timely completed and error-free, and still allow registration and voting right up until 5 p.m. the day before an election. We're people, not machines.
- In the discussion portion of the report it was said that the privilege to vote until that point before an elections has been in place since 1965 and they wouldn't want to change something the public has come to expect over that length of time. I would like to point out that 44 years ago there wasn't a push by political parties and action groups encouraging people to vote absentee by mailing out pre-addressed postcards and using the media to tell people to "vote early." Also, until 2002 people needed a specific reason to vote absentee in Wisconsin. Due to these changes we experienced record numbers of absentee voters during the last two presidential elections.
- Deadline should be moved back to 5:00 p.m. on Friday. If there is pushback on this request, you need only bring up the many sincere and documented comments of clerks regarding the potential for errors when rushed and the inability to properly follow procedures when there simply isn't enough time or manpower.
- By not setting back the last date of absentee voting, there is a continuation to implement unfunded mandates to the municipalities. By setting the last day to vote absentee with "no excuse" voting back to the Thursday or Friday before Election Day, this would provide the clerks time to complete the documentation and administrative tasks that is required the day before the election. Somewhere the GAB is forgetting that elections aren't the only thing the clerks have to do for our municipalities, we still have our "regular" clerk duties to perform during absentee voting– meeting agendas, minutes, budgets, licensing, and all the other duties the clerk position entails. There doesn't seem to be a realistic understanding of the other duties the clerk's office is also responsible for that coincide with elections. The comment is often made that Wisconsin can not eliminate absentee voting the day before an election because it would disenfranchise a voter. The municipality should not have to bear the burden for procrastination by the voters. By eliminating the day before voting, we would not be disenfranchising them, we would be retraining them not to procrastinate at the municipality's expense.
- The GAB has ignored the overall reason early voting was being considered which was to ensure the accuracy of the voting process and to make the absentee voting process manageable for municipal clerks and efficient for the voters. By the GAB recommending continuing to allow the in-person absentee ballot voting to take place until 5:00 p.m. on the Monday before the Election, accuracy is not being

ensured. Municipal Clerks, staff, and election workers will continue to have a huge burden put on them to try to process all of the absentee ballots prior to 7 a.m. on Election Day which leads to mistakes being made and exhaustion on those who are upheld to administer the Elections on Election Day.

**3. Eliminate the absentee application for in-person absentee voting. Allow a sign-in sheet for in-person absentee voters, rather than requiring a separate application from each voter.**

Public Comment:

- Using sign-in sheets – as opposed to individual application forms – will make it virtually impossible to ever find someone’s name on a sheet should that become necessary.
- A list is not much better and in some respects is more of a problem. Unless it is kept electronically, it won’t be alphabetized. No one will read the certification statement. How is the list to be maintained when you have two or three lines of voters or for that matter, two or more locations? The lists create more work, not less.
- Exchanging the Absentee Ballot Request form for a sign-in sheet doesn’t seem to make any sense or add any value to the process. It appears to be switching from one form to another.
- A sign in sheet is very confusing. Why would I resort to a hand written list, when SVRS should be able to print off a certification for the voter to sign? How can you have a sign-in list that all voters sign that will show previous individuals name, address and date of birth? Why would GAB not streamline this feature on SVRS? I had a legacy system that printed off the EB-121 with all the voter’s information and the voter just had to sign the form. Then I generated a list of individuals that had voted absentee. If we could create this in our legacy system, why can’t SVRS do the same thing?
- If there is one sign-up sheet, only one person can complete it at a time, and the rest wait. In large municipalities with many absentee voters, multiple voters may complete an application at the same time.

**4. Eliminate the certificate statement and witness signature requirements for the absentee ballot envelope when voting in-person absentee. Require that the elector’s name, address and ward appear on the envelope.**

Public Comment:

- I think it is important to retain the date of the election and name of the municipality on the certificate envelope, in addition to the voter’s name, address and signature. I concur with the elimination of the witness certification. However, I am concerned that absentee voters risk having their votes not count when they make a mistake and over-vote, or in the case of the Partisan Primary, cross-over.

- We disagree with eliminating the certificate statement and witness signature for the envelope when voting in person. This means we will have to print two versions of the certificate envelope; one to mail and another for in-person.
- Eliminating the witness signature would be helpful. Why, however, would I want to have two different types of envelopes to accommodate in-person and mailed absentee? We all use 4 different envelopes as it is; two for mailing out and two for returns to accommodate regular and military voters.
- Changing the info required on the in-person absentee envelope from what it is currently, but leaving the info required on the mail-in envelope as it is, I believe will add layers of confusion to the work of the election inspectors at the polls when asking them to process envelopes using two sets of standards.

**5. Eliminate the EB-133 Certificate of Registration currently required to be issued to each voter who registers in the clerk's office after the close of normal registration, or limit it to voters who register after poll books are printed.**

Public Comment:

- Keeping the issuance of certificates for in-person absentee voting. This has been and remains a ridiculous exercise in record keeping. I suggest eliminating the certificates. As you have been informed, some just don't issue them, others do issue them (I do), many voters do not know what to do with them once issued, even when told, and some do present them at the polls. Having separate pages for them on the poll lists has created an entire additional level of confusion.



## Summary and Additional Resources

More information on early voting and Board staff's initial early voting proposals can be found on the Board's Elections Division website, <http://elections.state.wi.us>, and within the appendices listed below.

- **Appendices A-B:** Clerk and Public Responses to G.A.B Early Voting Surveys
- **Appendix C:** Comparative Listing of Other States' In-Person Absentee and Early Voting Practices
- **Appendices D-F:** Representative Communications from Municipalities about Early Voting
- **Appendix G:** In-Person Absentee Voting Statistics – November 2008 Election

Wisconsin has a proud tradition of making voting opportunities widely available and accessible, decentralization and local control of elections, high voter satisfaction with elections, and overall excellent election administration. The recommendations described in this report are drawn from a combination of voting procedures found in other states and the thoughtful suggestions of Wisconsin's election administration professionals and its voters. The goal of these recommendations is to continue those traditions while ensuring that they can be adapted to changing patterns of voting.

## Appendix A: Clerk Responses to G.A.B Staff Early Voting Survey

**Question 1: Name**

**Question 2: Position**

**Question 3: Are you a municipal or county clerk?**

County Clerk: 67

Municipal Clerk 266

**Question 4: How satisfied are you with current in-person absentee voting?**

Completely Satisfied:	108	32.4%
Somewhat Satisfied:	72	21.6%
Neither:	27	8.1%
Somewhat Unsatisfied:	84	25.2%
Completely Unsatisfied:	24	7.2%
No Response:	18	5.4%
Total Responses:	333	100.0%

**Question 5: In your opinion, how much demand would there be for early voting in your county/municipality?**

No Demand:	76	22.8%
Little Demand:	145	43.5%
Moderate Demand:	76	22.8%
High Demand:	24	7.2%
No Response:	12	3.6%
Total Responses:	333	100.0%

**Question 6a: In your opinion, what are the pros of adopting Option A, Regional Early Voting Districts?**

Less burden/impact on small municipalities:	19	35.2%
Voter Convenience:	18	33.3%
Uniformity:	4	7.4%
Other:	13	24.1%
Total Responses:	54	100.0%

**Question 6b: In your opinion, what are the cons of adopting Option A, Regional Early Voting Districts?**

Cost/Expense:	143	44.0%
Voter Inconvenience/Travel/Confusion:	52	16.0%
Staffing:	32	9.8%
Loss of Local Control/Hard to Share Control:	28	8.6%
Unnecessary:	27	8.3%
Security/Integrity:	17	5.2%
Other:	26	8.0%
Total Responses:	325	100.0%

**Question 7a: In your opinion, what are the pros of adopting Option B, Municipalities Opt In to Early Voting?**

Local Control/Flexibility:	34	40.0%
Ability to Opt Out:	16	18.8%
Need in Larger Cities:	10	11.8%
Voter Convenience:	4	4.7%
Staffing:	4	4.7%
Other:	17	20.0%
Total Responses:	85	100.0%

**Question 7b: In your opinion, what are the cons of adoption Option B, Municipalities Opt In to Early Voting?**

Cost/Expense:	96	38.1%
Inconsistency/Confusion:	84	33.3%
Not Necessary:	21	8.3%
Staffing:	21	8.3%
Security:	14	5.6%
Other:	16	6.3%
Total Responses:	252	100.0%

**Question 8a: In your opinion, what are the pros of adopting Option C, Streamlining Absentee Voting?**

Best Option/Could Work:	64	29.2%
Paperwork/Efficiency:	55	25.1%
More Cost Effective:	37	16.9%
Consistency for Voter/Staff:	22	10.0%
Earlier Cut Off Date:	16	7.3%
Other:	25	11.4%
Total Responses:	219	100.0%

**Question 8b: In your opinion, what are the cons of adoption Option C, Streamlining Absentee Voting?**

Cost/Expense	18	16.1%
Security/Integrity	18	16.1%
Not Necessary	13	11.6%
Staffing	11	9.8%
Confusion/Sign In Sheets:	11	9.8%
Doesn't Go Far Enough:	4	3.6%
Other:	37	33.0%
Total Responses:	112	100.0%

**Question 9: What early voting option would you prefer?**

Option A:	7	2.1%
Option B:	17	5.1%
Option C:	161	48.3%
Combination of Options:	28	8.4%
Keep Absentee As Is:	93	27.9%
Another Option	12	3.6%
No Response:	15	4.5%
Total Responses:	333	100.0%

**Question 10: Why did you choose your answer to the above question?**

Major Changes Unnecessary:	93	26.7%
Cost/Expense:	85	24.4%
Need to Curtail Voting Period/Same Day Registration/Require Excuse for Absentees:	32	9.2%
Efficiency/Reduce Paperwork:	32	9.2%
Uniformity/Consistency:	19	5.5%
Staffing:	16	4.6%
Voter Convenience:	15	4.3%
Security:	13	3.7%
Flexibility:	8	2.3%
Other:	35	10.1%
Total Responses:	348	100.0%

## Appendix A: Clerk Responses to G.A.B Staff Early Voting Survey

### **Question 11:** Do you have any other comments on Early Voting?

Many comments repeated the concerns detailed above. Some other comments were:

The time between the Primary and Election is too short.

We need plenty of lead time to budget and plan for any changes.

Concern about how to treat the ballot if the voter is deceased.

Please do not impose weekend voting!

My municipality or county would be willing to help with a pilot (but only if the state pays).

Consider having Election Day over a two-day period.

Counties should run (and pay for) elections, rather than municipalities.

Thank you for the opportunity to give input.

DRE's are not practical, because they take too long to vote on.

Consider changes to central count procedures.

## Appendix B: Public Responses to G.A.B Staff Early Voting Survey

### Which meeting did you attend?

Fitchburg:	14	14.3%
La Crosse:	4	4.1%
Kenosha:	4	4.1%
West Allis:	16	16.3%
Wausau:	11	11.2%
Green Bay:	13	13.3%
Eau Claire:	11	11.2%
Rice Lake:	23	23.5%
Not Reported:	2	2.0%
Total:	98	100.0%

### Question 1: Age:

18-29:	6	6.1%
30-49:	10	10.2%
50-69:	54	55.1%
70+:	26	26.5%
No Response:	2	2.0%
Total:	98	100.0%

### Question 2: County:

### Question 3: Municipality:

#### City/Town/Village:

Town:	34	34.7%
Village	3	3.1%
City	21	21.4%
None selected:	40	40.8%
Total:	98	100.0%

### Question 4: Approximately how often do you vote?

Never:	0	0.0%
Every four years:	1	1.0%
Every two years:	1	1.0%
Almost every election:	21	21.4%
Every election:	74	75.5%
None selected:	1	1.0%
Total Responses:	98	100.0%

### Question 5: Have you previously voted in-person absentee at your clerk's office before Election Day?

Yes:	53	54.1%
No:	45	45.9%
Total:	98	100.0%

### Question 6: How often do you vote in-person absentee in your clerk's office?

Rarely:	23	43.4%
Occasionally:	14	26.4%
Most elections:	9	17.0%
Every election:	7	13.2%
None selected:	0	0.0%
Total:	53	100.0%

### Question 7: If you circled Yes for question 5: When voting in-person at the clerk's office, have you been satisfied with the experience?

Yes:	49	94.2%
No:	3	5.8%
Total:	52	100.0%

### Question 8a: In your opinion, what are the pros of adopting Option A, Regional Early Voting Districts?

Voter Convenience:	6	27.3%
Less burden/impact on small municipalities:	4	18.2%
Uniformity:	3	13.6%
Security	2	9.1%
Other:	7	31.8%
Total Responses:	22	100.0%

### Question 8b: In your opinion, what are the cons of adopting Option A, Regional Early Voting Districts?

Cost/Expense:	32	35.2%
Security/Integrity:	14	15.4%
:Loss of Local Control/Hard to Share Control:	12	13.2%
Voter Inconvenience/Travel/Confusion	9	9.9%
Unnecessary:	8	8.8%
Staffing:	5	5.5%
Other:	11	12.1%
Total Responses:	91	100.0%

### Question 9a: In your opinion, what are the pros of adopting Option B, Municipalities Opt In to Early Voting?

Local Control/Flexibility:	11	44.0%
Ability to Opt Out:	6	24.0%
Need in Larger Cities:	1	4.0%
Voter Convenience:	1	4.0%
Staffing:	1	4.0%
Other:	5	20.0%
Total Responses:	25	100.0%

### Question 9b: In your opinion, what are the cons of adoption Option B, Municipalities Opt In to Early Voting?

Inconsistency/Confusion:	22	38.6%
Cost/Expense:	18	31.6%
Security:	6	10.5%
Staffing:	3	5.3%
Other:	8	14.0%
Total Responses:	57	100.0%

### Question 10a: In your opinion, what are the pros of adopting Option C, Streamlining Absentee Voting?

Cost Effective:	10	24.4%
Paperwork/Efficiency:	8	19.5%
Best Option:	7	17.1%
Consistency for Voter/Staff:	3	7.3%
Oppose No Excuse/In-Person Absentee:	3	7.3%
Local Control:	2	4.9%
Voter Convenience	2	4.9%
Other:	6	14.6%
Total Responses:	41	100.0%

## Appendix B: Public Responses to G.A.B Staff Early Voting Survey

### Question 10b: In your opinion, what are the cons of adoptin Option C, Streamlining Absentee Voting?

Security/Integrity:	7	20.6%
Cost/Expense	6	17.6%
Not Necessary	4	11.8%
Absentee Voting is difficult/undesirable:	3	8.8%
Voter can't change mind:	2	5.9%
Other:	12	35.3%
Total Responses:	34	100.0%

### Question 11: What early voting option would you prefer?

Option A:	4	4.1%
Option B:	8	8.2%
Option C:	30	30.6%
Combination of Options:	7	7.1%
Keep Absentee As Is:	22	22.4%
Another Option	9	9.2%
No Response:	18	18.4%
Total Responses:	98	100.0%

### Question 12: Why did you choose your answer to the above question?

Major Changes Unnecessary:	17	20.2%
Cost/Expense:	17	20.2%
Security:	12	14.3%
Need to Curtail Voting Period/Same Day		
Registration/Require Excuse for Absentees:	9	10.7%
Efficiency/Reduce Paperwork:	7	8.3%
Flexibility:	5	6.0%
Uniformity/Consistency:	4	4.8%
Voter Convenience:	3	3.6%
Other:	10	11.9%
Total Responses:	84	100.0%

### Question 13: What suggestions do you have for implementing early voting?

Many comments repeated the concerns detailed above. Some other comments were:

By mail may be a better option.

In the larger cities, add more polling places to shorten lines (on Election Day).

In the future – electronic voting.

Wait until current voting machines are obsolete.

Focus instead on Voter ID

.Move slowly, continue to get word out and ask for more feedback.

Implement online registration instead of Early Voting.

Don't give poll workers another list to look through.

### Question 14: Besides being a voter, do you have an additional role in administering or evaluating elections?

No other role:	16	16.3%
Poll Worker:	38	38.8%
Municipal/County Clerk:	5	5.1%
Other Government Official:	16	16.3%
Interest/Community Group:	19	19.4%
Member of a Political Party:	24	24.5%
Poll Watcher/Observer:	4	4.1%
Other:	1	1.0%
Total:	98	100.0%

### Question 15: In terms of your additional election administration role(s), how would early voting in Wisconsin affect your area(s) of interest?

Increase Cost/Strain Budget:	16	33.3%
Increase Voter Convenience:	8	16.7%
Increase Fraud/Decrease Security:	6	12.5%
No Benefit/No Change:	5	10.4%
Create Confusion/Inconsistency:	2	4.2%
Would Create Staffing Issues:	2	4.2%
Other:	9	18.8%
Total:	48	100.0%

# Comparative Listing of States' In-person Absentee and Early Voting Practices

State	NEIPA vs TEV	Same Day Reg?	Jurisdiction Level	Start Date	End Date	End Time	Hours	Sat/Sun	Staff	E Poll Lists?	Type Voting Equipment
Alabama	Excuse	NO	COUNTY	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Alaska	NEIPA	NO	COUNTY*	E-15	E-1	COB	Vary	Optional	Not Specified	No	Optical Scan
Arizona	NEIPA	NO	COUNTY	E-33	E-4	5:00pm	Vary	Optional	Not Specified	No	Optical Scan and DRE
Arkansas	TEV	NO (Updates ok)	COUNTY	E-15	E-1	5:00pm	M-F 8 to 6, S 10-4	Sat Required	At Least One	No	Optical Scan and DRE
California	TEV	NO	COUNTY	E-29 (set by county)	E-1 (set by county)	COB	Vary by county	Optional	Not Specified	Some	Optical Scan and DRE
Colorado	TEV	NO	COUNTY	E-15 or E-10	E-4	COB	Reg business hrs	Optional	3 (partisan elections)	Yes	Optical Scan, DRE, Paper
Connecticut	Excuse	YES (pres only)	MUNI	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Delaware	Excuse	NO	COUNTY	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
DC	Excuse	NO	COUNTY*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Florida	TEV	NO	COUNTY	E-15	E-2	7:00pm	M-F 8 hrs/day	8 hrs/wknd	Not Specified	Yes	Optical Scan and DRE
Georgia	TEV	NO	COUNTY	E-45 or E-8	E-4	COB	Vary by county	No	Not Specified	Yes	DRE
Hawaii	NEIPA	NO	COUNTY	E-15 (10 working days)	E-7	4:30pm	Vary by county	Sat Required	Not Specified	No	Optical Scan and DRE
Idaho	NEIPA	NO* (but EDR)	COUNTY	Not Specified	E-1	COB	Vary by county	Optional	Not Specified	No	Optical Scan and Paper
Illinois	TEV	NO* (see note)	COUNTY	E-22	E-5	5:00pm	M-F 8hrs, S-N 4hrs	Required	At Least One	Some	Optical Scan and DRE
Indiana	NEIPA	NO	COUNTY	E-29	E-1	12:00pm	M-F ? Sat 4-7 hrs	Sat Required	Not Specified	Some	Optical Scan and DRE
Iowa	NEIPA	YES	COUNTY	E-40	E-1 (E-0 if polls open late)	COB	Reg business hrs	Sat Required	Not Specified	No	Optical Scan, DRE, Paper
Kansas	NEIPA and TEV	NO	COUNTY	E-20 to E-7	E-1	12:00pm	Vary by county	Optional	Not Specified	Some	Optical Scan, DRE, Paper
Kentucky	Excuse	NO	COUNTY	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Louisiana	TEV	NO	COUNTY*	E-14	E-7	6:00pm	8:30 to 6, M-S	Sat Required	Not Specified	No	DRE
Maine	NEIPA	YES	MUNI	E-45 to E-30	E-1	COB	Vary by Muni	Optional	Not Specified	No	Optical Scan and Paper
Maryland	TEV	NO	COUNTY	E-14 (varies)	E-1 (varies, max 10 days)	8:00pm	M-S 10 to 8	Sat Required	Not Specified	Yes	DRE
Massachusetts	Excuse	NO	MUNI	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Michigan	Excuse	NO	COUNTY	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Minnesota	Excuse (bill pending)	YES	COUNTY	E-30 (proposed)	E-4 (proposed)	4:30pm	M-F 8-4:30, 1 Sat 8-12	Sat Required	At Least 2	N/A	N/A
Mississippi	Excuse	NO	COUNTY	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Missouri	Excuse	NO	COUNTY	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Montana	NEIPA	YES	COUNTY	E-30	E-1	12:00pm	Vary by county	Optional	Not Specified	No	Optical Scan and Paper
Nebraska	NEIPA	NO	COUNTY	E-35	E-1	COB	Vary by county	Optional	Not Specified	No	Optical Scan
Nevada	TEV	NO	COUNTY	E-16	E-4	COB	M-F 8-6, S 4 hrs	Sat Required	At Least One	Some	DRE
New Hampshire	Excuse	YES	MUNI	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
New Jersey	NEIPA	NO	COUNTY	E-40	E-1	3:00pm	Vary by County	Optional	Not Specified	No	DRE
New Mexico	TEV	NO	COUNTY	E-28	E-3	6:00pm	T-F 12-8, S 10-6	Sat Required	At Least 2	No	Optical Scan, DRE, Paper
New York	Excuse	NO	COUNTY	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
North Carolina	NEIPA AND TEV	YES	COUNTY	E-19	E-3	1:00pm	Vary by County	Sat Required	Not Specified	No	Optical Scan, DRE, Paper
North Dakota	NEIPA AND TEV	YES (no reg)	COUNTY	E-40 or E-15	E-1 (for IPA), optional for TEV	COB	Vary by county	Optional	At Least 3	No	Optical Scan, DRE, Paper
Ohio	NEIPA	NO* (E-35 to E-30)	COUNTY	E-35	E-1	COB	Vary by county	Optional	Not Specified	Some	Optical Scan and DRE
Oklahoma	NEIPA	NO	COUNTY	E-4	E-1	6:00pm	F,M 8-6, S 8-1 (gen only)	Sat Req (gen)	Not Specified	No	Optical Scan
Oregon	By Mail	NO	COUNTY	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Pennsylvania	Excuse	NO	COUNTY	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Rhode Island	Excuse	NO	COUNTY	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
South Carolina	Excuse	NO	COUNTY	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
South Dakota	NEIPA	NO	COUNTY	E-? (ballots ready)	E-1	COB	Vary by county	Optional	Not Specified	No	Optical Scan, Paper
Tennessee	TEV	NO (Updates ok)	COUNTY	E-20	E-5	8:00pm	M-F 4:30-8, S 8-4 (gen)	Sat Required	At Least One	Some	Optical Scan, DRE
Texas	TEV	NO	COUNTY	E-17	E-4	COB	Vary by population	Required	Not Specified	Some	Optical Scan, DRE, Paper
Utah	TEV	NO	COUNTY	E-14	E-4	5:00pm	M-F (4 hrs)	Optional	Not Specified	No	DRE
Vermont	NEIPA	NO	MUNI	E-30	E-1	5:00pm	Vary by Muni	Optional	Not Specified	No	Optical Scan, Paper
Virginia	Excuse	NO	COUNTY	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Washington	By Mail	NO	COUNTY	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
West Virginia	NEIPA	NO	COUNTY*	E-20	E-3	COB	Vary by county	Optional	Not Specified	No	Optical Scan, DRE, Paper
Wisconsin	NEIPA	YES	MUNI	E-30	E-1	5:00pm	Vary by Muni	Optional	Not Specified	No	Optical Scan, DRE, Paper
Wyoming	NEIPA	NO (but EDR)	COUNTY	E-40	E-1	COB	Vary by county	Optional	Not Specified	No	Optical Scan, DRE
* E minus number is the amount of days before an election.											

NEIPA = No Excuse In-person Absentee Voting  
TEV = True Early Voting  
Excuse = Excuse In-person Absentee Voting  
Same Day Reg = Electors can register on same day they vote absentee.  
Election Day Reg = Electors can register on Election Day

# CITY OF GILLETT

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GOVERNMENT  
ACCOUNTABILITY BOARD

## City of Gillett Resolution No. 21-2009

### City of Gillett Resolution in Opposition to the Early Voting suggestion

WHEREAS, the City of Gillett is in compliance with all State of Wisconsin approved voting system requirements; and

WHEREAS, the State of Wisconsin and City of Gillett have made available for all residents, the ability to cast early votes via the no reason Absentee Ballot; and

WHEREAS, regional districts for early voting throughout the state could disenfranchise elderly voters by forcing them to travel outside their municipality to cast their early ballot; and

WHEREAS, the City of Gillett, as with other municipalities, cannot afford the hiring of poll workers to be present during the proposed early voting period; and

WHEREAS, the public perception in implementing a new voting system could be considered a waste, due to the fact system proposed to be replaced has been used successfully; and

WHEREAS, the State of Wisconsin already has a comprehensive audit program and the federal government should accommodate the unique needs of individual states; and

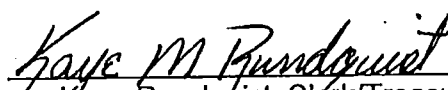
WHEREAS, the early voting suggestions, will put a great deal of burden on local governments to adequately meet the new requirements and security issues as proposed; and

NOW THEREFORE BE IT RESOLVED, that the City of Gillett urges the State Government Accountability Board Leaders to oppose the passage of provisions that would provide undo hardships to local governments; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Assemblyman Gary Tauchen and Senator Robert Cowles for their consideration in voting on the proposed bill.

Dated this 2nd day of July, 2009

  
Thomas Lietz, Mayor

  
Kaye Rundquist, Clerk/Treasurer

## City hopes to pilot early voting

By ALAN HAMARI

Posted: Oct. 28, 2009 1:44 p.m.

Brookfield could be one of a handful of municipalities to participate in a trial early voting program for next spring's elections, pending a decision by the state's Government Accountability Board in December.

After the 2008 fall elections, the state started studying early voting, and the Government Accountability Board this summer held a series of listening sessions with county and municipal clerks and members of the public to gather input.

The board is looking at three options: creating regional early voting districts, allowing municipalities to opt into on-site early voting as desired or streamlining the absentee voting process.

In other states, early voting starts anywhere from 45 to 15 days before an election and ends five to three days before the election. The proposal for Wisconsin would be to start early voting 20 days before the election and end it at least three days before the election. Currently, Wisconsin offers absentee voting, which can begin up to 30 days prior to an election and continues until the day prior, and requires an application for a ballot. Early voting would not have such a requirement.

Brookfield City Clerk Kris Schmidt said part of the reason the city volunteered for a pilot program was because Brookfield dealt with so many absentee ballots during the 2008 election.

Nearly 9,000 Brookfield voters cast absentee ballots, with about 2,000 of those coming in the Friday and Monday before the election, Schmidt said. That means extra work for poll workers who would usually be focusing on Election Day duties.

"I do think that we really need to take a look at some changes," Schmidt said.

She would like to see the deadline for absentee voting pushed back to the Thursday before Election Day, giving clerks more time to process ballots and reducing concerns about potential problems.

"It's not about fraud, it's about errors," she said. "When you back up your (ballots) to the two days before election, you're going to have errors."

Still, Schmidt said, the only two races that ever would cause a deluge of absentee ballots are the races for governor and president.

The GAB will make a recommendation about early voting in December.





**Board of Election Commissioners**

**Commissioners**  
Stephanie Findley  
David H. Redemann  
Robert F. Spindell, Jr.

**Executive Director**  
Susan M. Edman

September 23, 2009

Kevin J. Kennedy  
Director & General Counsel  
Wisconsin Government Accountability Board  
212 East Wisconsin Avenue, Third Floor  
P.O. Box 7984  
Madison, WI 53707

Dear Kevin,

In a letter dated November 18<sup>th</sup>, 2008, Mayor Barrett wrote to you calling for the adoption of true early voting. Recently, the GAB has held statewide public hearings and the consensus from municipal clerks, as well as from the Milwaukee Election Commission, has been that while there are benefits to implementing true early voting, the required cost to upgrade vote tabulating technology exceeds these benefits.

The City of Milwaukee, however, believes that it remains critical to make reforms to the current in-person absentee ballot voting process in order to ensure accuracy and cost efficiency in future elections. These reforms will expand access and opportunities for citizens to exercise their right to vote, while providing municipalities with more cost-efficient and manageable systems for administering absentee voting. These suggested election reform measures include:

1. Allowing municipalities to operate additional satellite in-person absentee ballot locations. Under Wis. Stat. s. 6.855(1), municipalities are only allowed to have one satellite location to accommodate the demand for in-person absentee voting. During high turnout elections, such as last November's Presidential election, we witnessed wait times of three hours or longer at the Zeidler Municipal Building satellite location. Providing municipalities with the authority to establish additional satellite locations would provide voters with greater accessibility to community-based voting and reduce wait times.
2. Eliminating the use of Certificate Envelopes (Form GAB-122) for in-person absentee voters. These envelopes are costly, confusing to the elector, and are duplicative to information already secured by the absentee ballot application. Rather, an in-person absentee voter's ballot could be placed directly into locked

3. ballot boxes and stored until pre-election sorting and the tabulation of ballots on Election Day. This would streamline the absentee voting process and significantly reduce associated costs.
4. Change the deadline for in-person absentee voting from the Monday preceding the election to the Thursday preceding the election. This change would ensure sufficient time for clerks to record all in-person absentee voters in the Statewide Voter Registration System (SVRS) and to prepare ballots for processing on Election Day. This change to the deadline for in-person absentee voting should include an allowable exception for people with valid unforeseen circumstances that may otherwise prevent them from voting on Election Day.
5. Allow election officials to review (for completeness) and open the certificate envelopes of mail-in absentee voters and to sort all absentee ballots (including by-mail and in-person) during the period after the close of in-person absentee voting and prior to Election Day. This process should require appropriate public notice and be open to the public. This would ensure that clerks have sufficient time to record most absentee voters in SVRS (so that a notation appears in poll books that the elector has already voted) and prepare ballots for processing.
6. Change the first day for in-person absentee voting so that it coincides with the close of registration (20 days prior to each election). This change would create a uniform proof of residency identification requirement for anyone registering to vote and simultaneously voting an in-person absentee ballot. It would also allow clerks sufficient time to organize ballots prior to the start of in-person absentee voting.
7. Lastly, I ask that the deadline for applying for a by-mail absentee ballot be moved ahead two days, from the current Thursday before the election to the Tuesday (one week prior) before Election Day. Currently, the Milwaukee Election Commission receives hundreds of returned absentee ballots after an election. This change would provide a more plausible amount of time for a municipality to mail a ballot and, of greatest importance, for the elector to vote and return their ballot prior to the election.

I am proud of the historic participation of City of Milwaukee residents in elections. I believe that an adoption of the reforms listed above will improve accessibility for voters to participate in the electoral process, and will provide municipalities with the systems needed to effectively and efficiently administer elections.

Sincerely,



Sue Edman  
Executive Director  
City of Milwaukee Election Commission

## Appendix G

### Absentee Voting Statistics - 2008 Presidential and General Election

#### **2008 PRESIDENTIAL AND GENERAL ELECTION**

**Table 2 -- Alphabetically by Municipality**

**In-Person** is the approx. number of electors by municipality voting **No-Excuse Absentee** in the clerk's office before Election Day.

**All Absentee** is the total number of electors voting by absentee, including in-person, via mail, and other.

MUNICIPALITY	In-Person	All Absentee	MUNICIPALITY	In-Person	All Absentee
CITY OF AMERY - 49201	277	634	TOWN OF ALGOMA - 71002	1396	3028
CITY OF ANTIGO - 34201	610	1014	TOWN OF BRISTOL - 13012	376	497
CITY OF APPLETON - 45201, 08201, 71201	5201	9189	TOWN OF BROOKFIELD - 68002	912	1478
CITY OF BARABOO - 57206	1099	1617	TOWN OF BUCHANAN - 45006	568	863
CITY OF BROOKFIELD - 68206	6086	9174	TOWN OF CENTERVILLE - 36004	20	47
CITY OF CHILTON - 08211	182	432	TOWN OF FREEDOM - 45018	455	661
CITY OF CHIPPEWA FALLS - 09211	1130	1619	TOWN OF GRAND CHUTE - 45020	2560	4416
CITY OF CLINTONVILLE - 69211	205	357	TOWN OF GREENVILLE - 45022	1026	1632
CITY OF DARLINGTON - 33216	7	138	TOWN OF HARRISON - 08010	991	2251
CITY OF DE PERE - 05216	3737	7363	TOWN OF HAZEL GREEN - 22022	12	288
CITY OF DELAFIELD - 68216	1377	2107	TOWN OF KEWASKUM - 67016	32	153
CITY OF DODGEVILLE - 25216	333	528	TOWN OF LANARK - 50022	58	100
CITY OF EAU CLAIRE - 18221 & 09221	6514	9219	TOWN OF LEDGEVIEW - 05025	1291	2747
CITY OF ELKHORN - 65221	1306	1897	TOWN OF MAPLE GROVE - 36022	2	23
CITY OF EVANSVILLE - 54222	559	782	TOWN OF MENASHA - 71008	2403	5163
CITY OF FITCHBURG - 13225	3530	4718	TOWN OF MUKWONAGO - 68016	1059	1487
CITY OF FOND DU LAC - 20226	3105	5329	TOWN OF NECEDAH - 29028	22	167
CITY OF FORT ATKINSON - 28226	1340	1659	TOWN OF PESHTIGO - 38024	144	405
CITY OF GREEN BAY - 05241	4379	8335	TOWN OF ROCHESTER - 52014**	52	296
CITY OF JANESVILLE - 54241	6161	9189	TOWN OF ROME - 01030	324	435
CITY OF KENOSHA - 30241	9735	13272	TOWN OF ST. JOSEPH - 56030	57	262
CITY OF LA CROSSE - 32246	8718	10821	TOWN OF SUMMIT - 68028	321	532
CITY OF MADISON - 13251	17298	31660	TOWN OF VERNON - 68030	1269	1871
CITY OF MANITOWOC - 36251	2727	4453	TOWN OF WESCOTT - 59048	262	364
CITY OF MARINETTE - 38251	359	692	TOWN OF WEST BEND - 67026	469	978
CITY OF MARSHFIELD - 72251 & 37250	1571	1983	TOWN OF WHEATLAND - 30016	263	373
CITY OF MAUSTON - 29251	215	360	VILLAGE OF ALLOUEZ - 05102	2215	3448
CITY OF MENASHA - 71251 & 08251	1324	2633	VILLAGE OF ASHWAUBENON - 05104	1629	3101
CITY OF MILTON - 54257	363	580	VILLAGE OF BAYSIDE - 41106 & 46105	978	1373
CITY OF MILWAUKEE - MAIN - 41251	31974	49200	VILLAGE OF BONDUEL - 59107	74	109
CITY OF MUSKEGO - 68251	3316	5346	VILLAGE OF DEFOREST - 13118	786	1280
CITY OF NEENAH - 71261	3564	4879	VILLAGE OF ELM GROVE - 68122	1116	1636
CITY OF NEW BERLIN - 68261	5952	8417	VILLAGE OF ELMWOOD - 48122	1	1
CITY OF OMRO - 71265	271	419	VILLAGE OF FOX POINT - 41126	1668	2182
CITY OF ONALASKA - 32265	3158	4061	VILLAGE OF FRANCIS CREEK - 36126	14	27
CITY OF OSHKOSH	5628	8264	VILLAGE OF GRANTSBURG - 07131	37	94
CITY OF PEWAUKEE - 68270	2119	2857	VILLAGE OF HOLMEN - 32136	19	990
CITY OF PLYMOUTH - 60271	1289	1602	VILLAGE OF HOWARD - MAIN - 05136	1700	2868
CITY OF PORTAGE - 11271	802	1091	VILLAGE OF HOWARDS GROVE - 60135	423	544
CITY OF RACINE - 52276	8137	10149	VILLAGE OF KEWASKUM - MAIN - 67142	354	541
CITY OF REEDSBURG - 57276	942	1634	VILLAGE OF KIMBERLY - 45141	862	1285
CITY OF RIPON - 20276	608	969	VILLAGE OF LITTLE CHUTE - 45146	1282	1826
CITY OF SEYMOUR - 45281	200	406	VILLAGE OF MAPLE BLUFF - 13151	267	338
CITY OF ST. FRANCIS - 41281	585	1086	VILLAGE OF MARSHALL - 13152	326	403
CITY OF STEVENS POINT - 50281	2850	3735	VILLAGE OF NECEDAH - 29161	6	56
CITY OF SUN PRAIRIE - 13282	4894	5956	VILLAGE OF NORTH HUDSON - 56161	456	547
CITY OF TWO RIVERS - 36286	667	1175	VILLAGE OF REEDSVILLE - 36176	12	45
CITY OF WASHBURN - 04291	115	206	VILLAGE OF ROCHESTER - 52176	8	126
CITY OF WATERLOO - 28290	172	312	VILLAGE OF ROSHOLT - 50176	16	20
CITY OF WAUKESHA - 68291	6442	9941	VILLAGE OF SAUK CITY - 57181	476	557
CITY OF WAUSAU - 37291	4323	6325	VILLAGE OF SHERWOOD - 08179	290	414
CITY OF WAUWATOSA - 41291	4900	7666	VILLAGE OF SUAMICO - 05178	1518	2355
CITY OF WEST ALLIS - 41292	4144	6303	VILLAGE OF WAUNAKEE - 13191	2212	2739
CITY OF WISCONSIN RAPIDS - 72291	1133	2091	VILLAGE OF WEST MILWAUKEE - 41191	201	335
TOWN OF ADDISON - 67002	193	305	VILLAGE OF WESTON - 37192	1790	2293

	<b>In-Person</b>	<b>All Absentee</b>
<b>* STATEWIDE TOTALS</b>	<b>224,906</b>	<b>348,199</b>

\* The statewide total includes municipalities that track absentees using SVRS, plus the cities of Green Bay, Racine, and Oshkosh. The true statewide total of absentee ballots in November 2008 is 633,610.

\*\* The Town of Rochester has now merged with the Village of Rochester.