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Details:

(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2007-08

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on ... Elections and Constitutional Law (AC-ECL)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**
- Record of Comm. Proceedings ... **RCP**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt**
- Clearinghouse Rules ... **CRule**
- Hearing Records ... bills and resolutions
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

CONTACT: Jay Heck - 608/256-2686
FOR RELEASE: Jay Heck - 608/256-2686

Multi-Bills
Date ?

WILL ASSEMBLY REPUBLICANS BLOCK ANY AND ALL CAMPAIGN FINANCE REFORM?

Assembly Republicans seem determined to either block any and all campaign finance reform measures, or simply not consider them at all if their actions (or lack of them) recently is any indication of how they intend to end the 2007-2008 legislative session as well as the Special Session on Campaign Finance Reform, called on November 30, 2007 by Governor **Jim Doyle** at the behest of Common Cause in Wisconsin.

Meanwhile, the Democratic-controlled State Senate continues to consider and pass meaningful reform legislation -- most recently yesterday -- when it unanimously approved SENATE BILL 463, which would force outside special interest groups to disclose their donors in they make a widely disseminated communication that depicts the name, likeness or office being sought of a candidate up for election during the period of 60 days or less prior to the election date. This measure is a rewrite of SENATE BILL 77 which passed in the State Senate last May 9th by a 26 to 7 margin. The rewrite was necessary in order to reflect an opinion rendered last June by the U.S. Supreme Court regarding the regulation and disclosure of similar campaign ads masquerading as issue advocacy in federal elections -- which in turn affects state statutes and reform measures.

The key question now is whether or not the Assembly will consider and vote on Senate Bill 463. In the past Assembly Speaker **Mike Huebsch** has publicly said that disclosure of the donors to outside groups who engage in electioneering activities, including phony issue ads, might be desirable. Now he needs to make Senate Bill 463, which has no fiscal note whatsoever, a priority or he and Assembly Republicans will be responsible for continuing to keep Wisconsinites in the dark about who is paying for so many of the campaign communications being made in legislative and state elections (including State Supreme Court elections) in Wisconsin currently.

Likewise, Assembly Republicans are stalling on even scheduling a public hearing on the so-called "Impartial Justice" legislation SENATE BILL 171 that passed 23 to 10 last month in the State Senate and which would provide 100 percent public financing to candidates for the State Supreme Court who qualify for it and who agree to limit their campaign spending to \$400,000. Neither Senate Bill 171 nor its Assembly companion legislation ASSEMBLY BILL 250 have been on Assembly Republican radar screen, despite the obscene, record-setting \$6 million State Supreme Court election last year in which **Annette Ziegler** prevailed over **Linda Clifford** -- or the very nasty and expensive contest currently being waged

between sitting Supreme Court Justice **Louis Butler** and his challenger, Burnett County Judge **Dan Gabelman**.

Finally, to add insult to injury, Assembly Republicans on the Assembly Committee on Elections and Constitutional Law yesterday defeated another important bipartisan reform measure whose main sponsors were both Republicans (Rep. **Mark Gottlieb** of Port Washington and Sen. **Sheila Harsdorf** of River Falls)! ASSEMBLY BILL 61, legislation first proposed by Common Cause in Wisconsin in 1997, would prohibit campaign fundraising while the biennium state budget is under consideration. This common sense reform measure, again with no fiscal note whatsoever, is in place and works wonderfully in other states such as Minnesota and even in Texas. But incredibly, the five Assembly Republicans on the Elections Committee -- including the committee Chair, Rep. **Sheryl Albers** (R-Loganville) who was a co-sponsor of Assembly Bill 61 -- voted to block it. The three Democrats on the committee: **Fred Kessler** and **Annette Polly Williams**, both of Milwaukee and **Louis Molepske** of Stevens Point all voted for it. Albers was joined by Republicans **Robin Vos** of Racine, **Phil Montgomery** of Ashwaubenon, **Jim Ott** of Mequon and **Bill Kramer** of Waukesha in favor of continuing to raise campaign case while the state budget is being considered. Amazing.

Unless they change their tune very quickly, Assembly Republicans -- who hold a narrow 52 to 47 majority in the Assembly -- can and should be labeled as the guardians of the corrupt *status quo*. To conclude otherwise is foolish.

Had Sicj Sick and Tired of Corrupt Politics?

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LRB-0980/1 NON RESIDENT REGISTRANTS

REPS.

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LEMAY

McLORMACK

~~BALLWEG~~

PETROWSKI

~~GUMPERTSON~~

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LOEFFELHOLZ

AINSWORTH

ALBERS

JESKEWITZ

Vos

OTT (~~III~~)

SENATOR

ROESSLER

Cowles

~~HARSDORF~~ lead?

REYNOLDS

ERENBACH



1999-2000 ASSEMBLY GOP AGENDA

From Speaker
Scott Jensen

GOP
Point

and
Jason Kratochwill
Director - Assembly Republican Caucus

FALL AGENDA

Assembly GOP says Wisconsin voters should decide elections

There is a disturbing trend emerging in Wisconsin politics - and it's not the radical left wing agenda of Chuck Chvala's Senate Democrats. Something far more sinister - the growing power those organizations outside of Wisconsin have on our campaigns.

In 1998, the Washington DC- based Democratic Legislative Campaign Committee pumped \$271, 000 into unregulated "SuperPACs" here in Wisconsin despite the fact that they reported raising only \$25,000 from state residents. Their actions undermine the very foundations of Wisconsin political tradition.

Assembly Republicans want to bring elections back to the people of this state by taking steps now to stop the influence of outsiders on our elections.

Building on our strong record of passing bi-partisan campaign finance proposals such as

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Date
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FALL AGENDA - CAMPAIGN FINANCE

continued from front

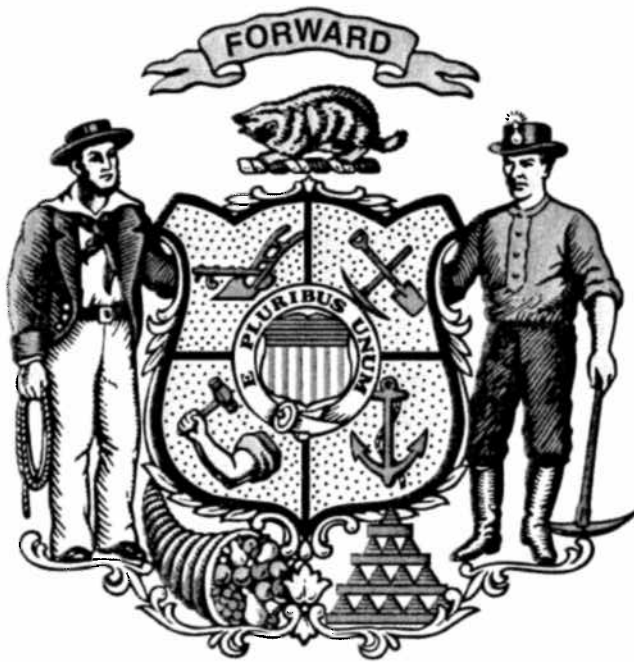
electronic filing of campaign finance reports and prohibiting contributions from foreign nationals, the Assembly Republicans will undertake an aggressive agenda of passing common sense campaign finance legislation this fall.

Taking aim at the "SuperPACs," Assembly Republicans will require out-of-state PACs to prove they raise their money in compliance with Wisconsin campaign finance laws. Under current law, these groups are unregulated by state or federal election officials.

Another proposal will limit PAC to PAC contributions to \$100. Today, PACs engage in a sophisticated form of money laundering that makes it nearly impossible for voters to know who is influencing their local elections.

These changes build on five measures already passed by Assembly Republicans this year. In addition, we will pass another eight bills during the fall floor period.

Assembly Republicans believe elections belong to the people - not special interest groups. Our proposals are common sense, bi-partisan reforms that will take the first steps in cleaning up our elections.



No Date?

CAMPAIGN FINANCE REFORM -- ASSEMBLY REPUBLICAN RESULTS

Since Republicans won the majority, the state Assembly has taken steps toward keeping elections clean in Wisconsin:

2001-2002 Session

Polling Hours – 2001 Assembly Bill 41 (Campaigns and Elections)

Assembly Bill 41 requires the polls at every election to be open from 7 a.m. to 8 p.m. in all municipalities. **Passed the Assembly 90-9 on January 30, 2001. The Senate has not take action on the bill.**

Electoral Reform – 2001 Assembly Bill 49 (Campaigns and Elections)

Assembly Bill 49 requires the Elections Board to develop and submit recommendations for reforming the electoral process through providing additional training and pay to poll workers, assisting local governments eliminate punch-card ballots, developing a statewide voter registration list, and requiring some form of photo identification from voters at the polls. **Passed the Assembly 63-36 on February 1, 2001. The Senate has not take action on the bill.**

1999-2000 Session

Restricting distribution of taxpayer-funded materials - 1999 Assembly Bill 110 (Suder)

This bill would have prevented taxpayer-financed materials from influencing the outcome of an election by prohibiting an elected official not seeking reelection from distributing 50 or more of the same publicly-funded materials during a campaign. **Passed the Assembly 83 - 13 on March 25, 1999. The Senate did not take action on the bill.**

False information from campaign questionnaires - 1999 Assembly Bill 208 (Montgomery)

Special interest questionnaires often tell candidates that if they fail to respond to their survey, the non-response will be counted as a particular answer. This bill would have made the practice illegal. **Passed the Assembly on a voice vote, May 19, 1999. The Senate did not take action on the bill.**

Prohibiting Contributions from Foreign Nationals – 1999 Assembly Bill 215 (Jensen)

AB 215 would have prohibited foreign nationals from making contributions to any candidate for state or local office in this state, or to any individual, committee or group attempting to influence an election for state or local office or a referendum. **Passed the Assembly 95 - 0 on March 23, 1999. The Senate did not take action on the bill. (Also passed March 24, 1998 as 1997 AB 925 on a 91-4 vote. The Senate did not take action on the bill)**

Qualifying for public financing – 1999 Assembly Bill 216 (Kaufert)

This bill required legislative candidates, in order to be eligible to receive a grant from the Wisconsin Election Campaign Fund (WECF), to raise at least 50 percent of their qualifying money from residents in a county having territory within the district which the candidate seeks to represent. **Passed the Assembly 76 -18 on March 23, 1999. The Senate did not take action on the bill.** *(Also passed on a voice vote March 19, 1998 as 1997 AB 508. The Senate did not take action on the bill)*

Disbursements by former personal campaign committees - 1999 Assembly Bill 217 (Carpenter). If a candidate died or ceased to be an active candidate, their committee could not transfer to another campaign any funds it received prior to filing notice with the elections board. **Passed the Assembly 70 -25 on March 23, 1999. The Senate did not take action on the bill.**

Public funding grants for Supreme Court elections – 1999 Assembly Bill 234 (Campaigns and Elections Committee)

Assembly Republicans voted to fully fund public grants for Supreme Court candidates at \$97,031. **Passed the Assembly 68-31 on October 6, 1999. The Senate did not take action on the bill.**

Recording of votes received by write-in candidates in certain elections 1999 Assembly Bill 240 (Skindrud)

This bill eliminated the requirement that municipal clerks record all of the individual names written in for any given election if that individual had not filed a declaration of candidacy. **Passed the Assembly on a voice vote on September 28, 1999. The Senate did not take action on the bill.**

‘Crybaby Protection’ for Property Taxpayers – 1999 Assembly Bill 337 (Jensen)

Local governments and their property taxpayers would be protected from the costs of frivolous election recounts demanded by sore losers who lost in a landslide. **Passed the Assembly 97-1 on September 28, 1999. The Senate did not take action on the bill.**

Poll List Confidentiality for Victims of Abuse 1999 Wisconsin Act 49 (Kreibich)

This bill protects the addresses of people who are in fear of someone and need to keep as much information confidential as possible. **Passed the Assembly 97-0 on September 29, 1999. Concurred by the Senate on March 7, 2000. Signed by the Governor on April 13, 2000.**

Board of Canvasser Composition 1999 Assembly Bill 363 (Ott)

This bill would have removed municipal clerks from the politically problematic position of certifying elections for which they are charged with administering. **Passed the Assembly on a voice vote on September 28, 1999. The Senate did not take action on the bill.**

Curb the influence of “SuperPACs” – 1999 Assembly Bill 416 (Seratti)

The public has the right to know which outside groups are attempting to influence their local elections. That’s why the Assembly Republicans voted to require out-of-state “SuperPACs” to

show that all the money they spend in Wisconsin is raised in compliance with our state election laws. **Passed the Assembly on a voice vote September 28, 1999. The Senate did not take action on the bill.**

Election Law Changes – 1999 Wisconsin Act 182 (Campaigns and Elections)

The State Elections Board presented draft legislation to the Assembly Committee on Campaigns and Elections. Through bipartisan effort, the committee introduced AB 700. AB 700 was a series of election changes aimed at cleaning up and simplifying the election process for municipal clerks. Some of those changes related to: registration and voter participation; the role of political parties and candidates; elections administration and campaign financing. **Passed the Assembly 97-0 on February 9, 2000. Concurred by the Senate, as amended on March 7, 2000. Signed by the Governor on May 18, 2000.**

Consensus Kettl Reform – 1999 Assembly Bill 701 (Campaigns and Elections)

Republicans incorporated substantial portions of the reforms recommended by Governor Thompson's bi-partisan Commission on Campaign Finance Reform, chaired by UW-Madison professor Don Kettl. The package eliminated secret out-of-state money, curbed the influence of "SuperPACs" and reduced the influence of special interests in elections. **Passed the Assembly 52-45 on February 9, 2000. The Senate did not take action on the bill.**

1997-1998 Session

Electronic Filing of Campaign Finance Reports - 1997 Wisconsin Act 230 (Baldwin, AB 150)

For better public access, 1997 Wisconsin Act 230 requires committees (including candidates) that register with the Elections Board to file their reports electronically if they have received contributions in excess of \$20,000. In addition, the law also requires the Elections Board to accept a report electronically from any registrant, regardless of whether or not the registrant meets the \$20,000 threshold. Finally, the bill requires the Elections Board to make available (at a price not to exceed cost) to registrants software that will assist them in filing their reports electronically. **Passed as part of the state budget.**

False Reporting of Independent Expenditures – 1997 Assembly Bill 277 (Seratti)

Under 1997 Assembly Bill 277, an individual or committee which overstates or understates by more than \$5,000 the amount of an independent expenditure made during the last seven days prior to a primary or general election would be required to forfeit an amount equal to the amount overstated or understated in excess of \$5,000. **Passed the Assembly on a voice vote on March 19, 1998. The Senate did not take action on the bill.**

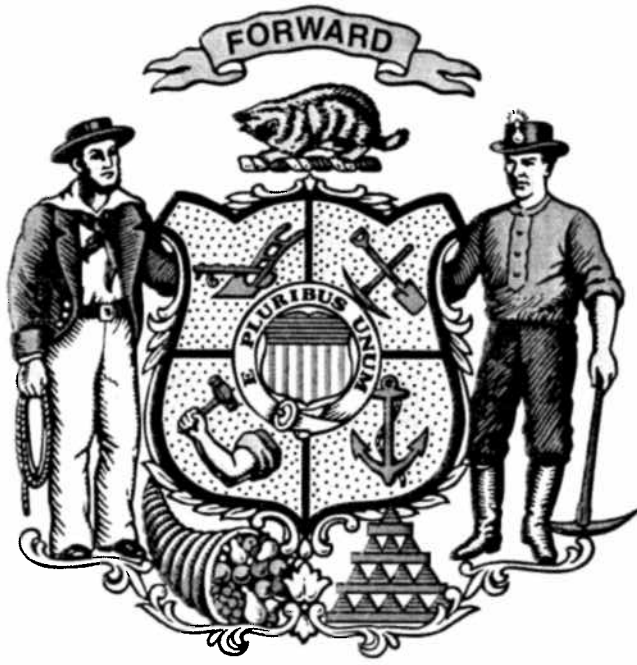
1995-1996 Session

Omnibus Campaign Finance Reform - 1995 Assembly Bill 37 (Walker)

This proposal reduced the influence of special interests by strengthening political parties and public financing, and by providing greater disclosure to the public. The bill:

- reduced the amount of PAC money that a public financing recipient could receive and restricted PAC to PAC transfers;
- curbed the influence of independent expenditures by allowing a publicly-financed candidate to exceed spending limits in order to offset independent expenditures. It also allowed candidates targeted by independent expenditures to exceed the limit on contributions they may accept from political parties;
- required paid or volunteer telephone operators to provide a script to the Elections Board within 24 hours of commencing multiple phone calls that promote the election or defeat of a candidate;
- required candidates to include on their campaign finance reports not only the individual that gave through a conduit, but also the name of the conduit; and
- prohibited employers and unions from automatically deducting from an employee's wage, without the employee's prior consent, money which is earmarked for a PAC or a conduit.

Passed the Assembly 50-48 on February 28, 1995. The Senate took no action on the bill.



MINNESOTA'S PUBLIC SUBSIDY PROGRAM



Jeff Sigurdson
Assistant Director
Campaign Finance and Public Disclosure Board

Date ?

Objectives of Program

- To reduce the reliance of candidates on large contributors by providing an alternate source of financing.
- To limit the overall spending for state election campaigns.
- To encourage small contributors to participate in the political process.
- To assist political parties.

Public Subsidy Agreement

- The voluntary agreement is available to legislative and constitutional office candidates.
- Under the agreement the Candidate agrees to:
 - Limit campaign expenditures.
 - Limit personal contributions to their campaign.
- The State agrees to:
 - Pay a public subsidy payment (if candidate qualifies)
 - Allow the candidate to issue Political Contribution Refunds.
- Public subsidy agreements may not be cancelled, agreements expire at end of election cycle.

Release from Agreement

- Candidate who signs public subsidy agreement may be released from spending limit if viable opponent does not sign agreement.
- Candidate still receives public subsidy payment and may issue Political Contribution Refund Receipts

Qualification for Subsidy

- To Qualify for a Public Subsidy Payment the Candidate must:
 - Appear on the General Election ballot (win primary election).
 - Raise a qualifying amount of \$50 contributions during the election year from eligible voters of the state.
 - \$1,500 House \$3,000 Senate \$35,000 Governor
 - Face an opponent at Primary or General Election.

Public Subsidy Funding

- Funds for public subsidy payments comes from two sources.
 1. “General Account” is a \$1.1 million dollar appropriation per biennium from state general fund.
 2. “Party Account” is money accumulated from a check off program on the state income and property tax forms.
 - Major and minor parties are listed on the tax forms
 - A check off is worth \$5 for the selected party.
 - Designating a \$5 payment does not affect the persons tax liability.
 - In tax year 2005, 8.4% of tax payers participated in check off
 - Ninety percent to candidates, ten percent to political party.

Distribution of Public Subsidy Funds

- General Account funds are divided evenly within an office type. Provides an even base for all candidates for a given office.
- Party Account funds are allocated by a formula that takes into account the legislative district of the taxpayer and the relative strength of a given political party in the taxpayers county. Party payments vary significantly.

Example Public Subsidy Payments

- General account payment in 2006
 - Senate \$6,700
 - House \$3,080
- Party Account Range (Republican and DFL)
 - Senate \$16,300 to \$2,000
 - House \$8,600 to \$580
- Total Payments
 - Senate \$23,000 to \$8,850
 - House \$11,760 to \$3,895

Public Subsidy Payments

- Average 2006 payments (DFL and RPM)
 - House \$6,276 or 21% of Base Spending Limit
 - Senate \$13,454 or 22% of Base Spending Limit
 - Governor \$660,388 or 27.5% of Base Spending Limit
 - Note: no spending limit for Governor in 2006
- In 2006, 96.7% of the candidates who filed for office signed the public subsidy agreement, slightly lower than historical 98%.

Example 2006 Spending Limits

- Spending limits are adjusted by CPI.
- Base Spending Limit
- First Time Candidate Limit
- Contested Primary Limit
- 2006 Senate
 - Base \$59,900
 - First Time \$65,900
 - Contested Primary \$71,880
 - First time and Contested \$79,080 (32% increase over base)
- Non election year limits are much lower.

Political Contribution Program

- Political Contribution Refund Receipts may be issued by candidates who sign public subsidy agreement and by political parties.
- State will reimburse individual contributor up to \$50 per year (\$100 per couple) .
 - In 2006, candidates issued receipts for \$2,500,000
 - Political parties issued receipts for \$3,500,000

Total Public Funding

- From 1994 through 2006
 - Over \$26,000,000 in payments to candidates.
 - Over \$1,300,000 in payments to political parties.
 - Over \$61,000,000 in refunds to contributors.
- Total funding \$88,800,000

**PUBLIC FINANCING
DIRECT PAYMENTS AND POLITICAL CONTRIBUTION REFUNDS**

Political parties and candidates for state offices who agree to limit their campaign spending during an election cycle may receive direct payments (public subsidy program) and issue contribution receipts that are reimbursable to contributors up to established limits (political contributions refund program). The state's expenditures on these programs are shown in the following table. (Minn. Stat. §10A.322.)

1994 and 1998 – Constitutional Office (C) and House of Representative Candidates (H)
 1996 and 2000 – Senate (S) and House of Representative Candidates (H)
 2002 and 2006 – Constitutional Office (C), Senate (S), and House of Representative
 Candidates (H)
 2004 – House of Representative Candidates (H)

ELECTION	YEAR	CANDIDATES		PARTIES		TOTAL
		Direct Payments	Pol. Contr. Refunds	Direct Payments	Pol. Contr. Refunds	
C-H	1994	\$4,029,600	\$2,590,062	\$138,481	\$1,174,142	\$7,932,285
--	1995	0	1,251,212	102,922	1,718,890	3,073,024
S-H	1996	3,985,332	2,423,185	141,794	2,119,361	8,669,672
--	1997	0	1,320,330	104,068	2,113,268	3,537,666
C-H	1998	3,891,560	2,732,657	96,645	2,223,207	8,944,069
--	1999	0	1,391,596	100,583	2,420,940	3,913,119
S-H	2000	3,227,600	2,498,986	72,630	2,757,914	8,557,130
--	2001	0	1,377,521	86,891	2,818,433	4,282,845
C-S-H	2002	4,442,832	3,379,344	110,002	3,138,637	11,070,815
--	2003	0	1,276,023	115,312	3,334,953	4,726,288
H	2004	1,736,166	2,176,837	106,024	4,167,619	8,186,646
--	2005	0	1,672,912	107,736	3,230,838	5,011,486
C-S-H	2006*	4,799,603	2,500,000	95,424	3,500,000	10,895,027
TOTALS		\$26,112,693	\$26,590,665	\$1,378,512	34,718,202	\$88,800,072

*Political contribution refund amounts for 2006 are estimates
 December 2006



Date ?

Albers

Photo ID Bill Supplemental Talking Points

1. Since at least the 2000 General Election, Wisconsin's open election system has been under attack – that is indisputable and beyond debate.
 - a) In 2000, there was a paid political operative from New York offering cigarettes to homeless people in exchange for their vote and college students in Milwaukee bragging about how many times they had voted;
 - b) Questionable voting at bingo parties marked the 2002 General Election;
 - c) In 2004, we had the voting fiasco in Milwaukee (see below); and
 - d) the State Elections Board recently sent information to District Attorneys asked them to consider prosecuting 82 felons who illegally voted in the 2006 General Election.

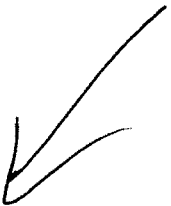
2. In recent days, there has been a lot of media attention paid to the prosecutions, or the lack thereof, of voter fraud by United States Attorney Steven Biskupic in conjunction with the 2004 Presidential Election in the City of Milwaukee. Not surprisingly, there are some facts that are being overlooked. They include:
 - a) the catalyst for the investigations of the voting irregularities in the City of Milwaukee during the 2004 General Election was the in-depth reporting and subsequent stories by the Milwaukee Journal-Sentinel in January and February, 2005. No one can ever accuse this paper of being a card-carrying member of the vast right-wing conspiracy;
 - b) In response to these reports, United States Attorney Steven Biskupic collaborated with the local FBI Office in Milwaukee, the Milwaukee County District Attorney E. Michael McCann and the Milwaukee Police Department to investigate alleged voting irregularities during the November 2004 elections. Again, to suggest that D.A. McCann and Police Chief Nan Hegerty were part of a Republican witch hunt is ludicrous;
 - c) The bulk of the investigative work done by the Joint Task Force Investigating Fraud was actually conducted by Milwaukee Police Officers and an investigator in the Milwaukee D.A. Office. If you want to suggest that these officers were partisan, be my guest;
 - d) The task force reported their preliminary findings in May, 2005 and the report found ***“widespread record-keeping failure and separate areas of voter fraud. These findings impact each other. Simply put: it is hard to prove bank embezzlement if the bank cannot tell how much money was there in the first place. Without accurate records, the task force will have difficulty proving criminal conduct beyond a reasonable doubt in a court of law.”***

3. The findings from the report suggest that a Photo ID requirement could have helped to prevent or minimize such occurrences in the future. More specifically, of the more than 100 instances where votes were cast in a manner suggesting fraud, a Photo ID requirement could have helped address:
 - a) persons who live outside Milwaukee, but who used non-existent City addresses to register and vote in the City;
 - b) persons who registered and voted with identities and addresses that cannot in any way be linked to a real person;
 - c) persons listed as voting under a name and identity of a person known to be deceased; and
 - d) persons whose identities were used to vote, but who in subsequent interviews told task force investigators that they did not, in fact, vote in the City of Milwaukee.

4. In addition to the Joint Task Force Investigating Possible Election Fraud, the non-partisan Legislative Audit Bureau conducted an evaluation of the state's Voter Registration system for the November, 2004 General Election. The noteworthy findings included:
 - a) One-fifth of Wisconsin voters registered and voted on Election Day – demonstrating the popularity of same-day registration;
 - b) Of the 348,000 records from the voter registration lists of eight municipalities reviewed by the LAB, the lists contained 3,116 duplicate records, 783 deceased individuals, and 453 ineligible felons. In addition, the audit identified 105 instances of voting irregularities in six municipalities, including 98 ineligible felons who may have voted

5. Elections, particularly at the legislative level, are often hotly contested with the margin of victory often below 50 votes – 2002 Leibham v. Baumgart; 2006 Towns v. Hixson. To be sure that the voters elected the intended winner requires us to take all reasonable steps to make sure that it is easy to vote and hard to cheat.

Computers
System -
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up to us to
provide opportunity
C.





**Preliminary Findings of Joint Task Force
Investigating Possible Election Fraud**

May 10, 2005

A. Background

On January 26, 2005, the Milwaukee Police Department, Milwaukee County District Attorney's Office, Federal Bureau of Investigation, and the United States Attorney's Office formed a task force to investigate alleged voting irregularities during the November 2004 elections. The purpose of the task force was to determine whether evidence of criminal fraud existed in the irregularities and, if evidence of fraud was found, to pursue criminal prosecutions. A memorandum signed by the head of each of the agencies stated, "This task force is committed to conducting its work in a thorough, non-partisan manner." The memorandum also indicated that federal authorities would not be involved in any evaluations of election procedures outside of potential criminal violations.

Since the task force began its work, it has received further investigative assistance from the United States Postal Inspection Service and the Social Security Administration - Office of Inspector General. The task force has also received assistance from Milwaukee City Attorney Grant Langley and his staff.

As explained below, the task force work to date has focused on an examination of original records, primarily because data base information has proven unreliable and may not otherwise be admissible in court. This has involved the review of thousands of

registration cards and the information contained on such cards. As a result, the task force, particularly members of the Milwaukee Police Department, has expended well over 1,000 work hours. (The work has been slow, painstaking and is far from complete.) Still, the task force commends the Milwaukee Police Department for committing these resources and particularly notes the investigative work conducted by Detective Michael Sandvick and Officers Neil Saxton and Michael Perez. We also specifically note the work of Investigator Aaron Weiss of the Milwaukee County District Attorney's Office.

B. Summary of Findings

Based on the investigation to date, the task force has found widespread record keeping failures and separate areas of voter fraud. These findings impact each other. Simply put: it is hard to prove a bank embezzlement if the bank cannot tell how much money was there in the first place. Without accurate records, the task force will have difficulty proving criminal conduct beyond a reasonable doubt in a court of law.

With that caveat, the task force has made the following specific determinations based on evidence examined to date:

1. The task force has developed evidence of more than 100 individual instances of suspected double-voting, voting in names of persons who likely did not vote, and/or voting in names believed to be fake. Those investigations continue.
2. In addition, the task force has determined that more than 200 felons voted when they were not eligible to do so. In order to establish criminal cases, the government must establish willful violations in individual instances.

3. Also, the task force has found that persons who had been paid to register voters as "deputy registrars" falsely listed approximately 65 names in order to receive compensation for the registrations. The evidence does not indicate that these particular false registrations were later used to cast votes.

4. The number of votes counted from the City of Milwaukee exceeds the number of persons recorded as voting by more than 4,500.

C. Findings Related to Fraud

Phantom voter identities/addresses/votes. The task force has individually reviewed hundreds of names and addresses associated with the various data bases suggesting that thousands of people registered *and* voted using suspect names and/or addresses. To date, the investigation has concentrated on the 70,000+ same-day registrations. To date, we have found that a large majority of the reported errors were the result of data entry errors, such as street address numbers being transposed. However, the investigation has found more than 100 instances where votes were cast in a manner suggesting fraud. These include:

1. Persons with the same name and date of birth recorded as voting more than once.
2. Persons who live outside Milwaukee, but who used ~~non-existent~~ City addresses to register and vote in the City.
3. ~~Persons who registered and voted with identities and addresses that cannot in any way be linked to a real person.~~ A

4. ~~Persons~~ listed as voting under a name and identity of a person known to ~~be deceased~~.
5. Persons whose identities were used to vote, but who in subsequent interviews told task force investigators that they did not, in fact, vote in the City of Milwaukee.

Voter-drive fraud. In separate instances, persons who were paid money to obtain registrations allegedly falsified approximately 65 names on registration forms, allegedly to obtain more money for each name submitted. There is no evidence gathered to date that votes were cast under these specific false names.

Felons. The investigation has found more than 200 felons who were not eligible to vote in the 2004 election, but who are recorded as having done so. Not all felons are ineligible to vote. In order for such action to constitute a criminal offense, the prosecution must establish, beyond a reasonable doubt, that the felon was ineligible to vote under state law and that the felon knew that he or she was ineligible to vote. As a result of this standard, the task force is proceeding cautiously in its charging decisions and is evaluating each case on the individual facts. We note, however, that we have expanded our investigation to include felons who may have voted in suburban areas as well.

In each of the alleged cases of potential fraud, the task force will not be releasing any further details in order to protect the integrity of the continuing investigation.

D. Vote Total Discrepancy

An additional finding of the task force to date is that the number of votes cast far exceeds the total number of recorded voters. The day after the November 2, 2004 election, the City of Milwaukee reported the total number of votes as 277,344. In late November an additional 191 previously uncounted absentee ballots were added, for a total of 277,535 votes cast. Still later, an additional 30 ballots were added, bringing the total number of counted votes to 277,565. City records, however, have been unable to match this total to a similar number of names of voters who cast ballots – either at the polls (under a prior registration or same day registration) or cast absentee ballots. At present, the records show a total of 272,956 voter names – for a discrepancy of 4,609.

The task force will continue to investigate this discrepancy. There remains an open question of how certain absentee ballots were handled or recorded. We further note that no geographic pattern exists for these over-votes, and multiple wards had discrepancies in excess of 100 votes. In addition, some wards had the opposite: more voters than votes. We believe that one explanation for this latter circumstance is that individuals were allowed to register and vote from a specific ward even though they were supposed to register and vote in a different ward. When a data base was later compiled, the voter name was moved to the correct ward, but the vote number remained in the incorrect ward.

A further analysis of this situation continues, but the investigation is hampered by widespread record keeping errors with respect to recording the number of voters. At each polling place, the name and number of voters was supposed to be checked by two

identical poll books, as well as by the voter number (the pink slip). In a preliminary analysis of individual wards, the task force has found: poll books that do not match voter numbers; voter numbers that were skipped; and voter numbers that were used more than once.

E. Additional Record Keeping Problems

As indicated, the task force has been hampered by numerous instances of inadequate record keeping. Any criminal prosecution will depend on access to and the available use of original records accurately recording the names of voters and the corresponding vote numbers. As indicated above, records regarding vote numbers have been inconsistent and conflicting. In addition, for criminal purposes, proof of the identity of the person voting often is best established by the original (green) voter registration card. Yet in the November 2004 election, same-day registrations were accepted in which the card had incomplete information that would help establish identity. For example: 48 original cards for persons listed as voting had no name; 548 had no address; 28 did not have signatures; and another 23 cards had illegible information. These were part of approximately 1,300 same-day registrations for which votes were cast, but which election officials could not authenticate as proper voters within the City.

Included in this 1,300 were 141 same-day registrants from addresses outside the City of Milwaukee, but who voted within the City of Milwaukee. In several instances, the voter explicitly listed municipality names other than Milwaukee on the registration cards.

These included cards that listed "West Allis," "Oak Creek," "Ashland," "Reedsburg," and "Hayward."

Another record keeping procedure hampering the investigation appears to be the post-election misfiling or loss of original green registration cards that were considered duplicates, but that in fact corresponded to additional votes. These cards were used to record votes, but approximately 100 cards of interest to investigators can no longer be located. In addition, other original green registration cards continue to be found. As late as April of this year, an additional box of green registration cards was located by election officials.

F. Future Investigations

Although many hours already have been undertaken, we realize that much more investigation is still to be done. There are many leads and interviews that still must be pursued. If individual members of the public believe that they have information on specific instances of election fraud, they are asked to call the Milwaukee Police Department, Election Task Force at 414-935-7802.

James Finch
Special Agent in Charge
Federal Bureau of Investigation

Nannette Hegerty
Chief, Milwaukee Police Department

E. Michael McCann
Milwaukee County District Attorney

Steven M. Biskupic
United States Attorney



WISCONSIN STATE LEGISLATURE

Joint Legislative Audit Committee

Committee Co-Chairs:
State Senator Carol Roessler
State Representative Suzanne Jeskewitz

For Immediate Release

September 16, 2005

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Audit Finds Significant Problems With Voter Registration Practices

(Madison) Today, the nonpartisan Legislative Audit Bureau (LAB) released an audit of voter registration in Wisconsin. Representative Suzanne Jeskewitz (R-Menomonee Falls) and Senator Carol Roessler (R-Oshkosh), co-chairpersons of the Joint Legislative Audit Committee, stated that the audit addresses 11 specific recommendations to the State Elections Board to improve administration of the voter registration process.

Roessler stated, "We want to strictly adhere to the Legislative Audit Bureau's recommendations to eliminate statutory conflicts and provide uniform voter registration procedures training."

Voter registration is required by statute in only 172 large municipalities. Another 167 smaller municipalities have chosen to maintain voter registration lists. LAB surveyed municipal clerks from the 172 large municipalities and found great variation in the implementation of existing voter registration laws. For example, although address verification cards are the primary tool available to municipal clerks for verifying the residency of registered voters and detecting improper registrations, 46.0 percent of municipalities responding to the survey did not send address verification cards to individuals who registered by mail or at the polls on Election Day in November 2004.

"I was stunned to learn that our statutes do not set a clear statewide process regarding voter registration," remarked Jeskewitz. "Wisconsin is only one of six states that allows same day voter registration and when one-fifth of voters register on Election Day that is inviting additional problems for our poll workers and municipal clerks."

Although statutes require municipal clerks to provide district attorneys with the names of Election Day registrants whose address verification cards were returned as undeliverable, the audit found that only 17, or 24.3 percent of the municipalities that reported mailing address verification cards to Election Day registrants, reported forwarding the names from returned cards to the district attorney after the November 2004 elections.

"I don't know how we can expect municipal clerks to do their jobs properly when we not only allow same day registration, but have also not given them a clear process to follow for how to register someone in the first place," declared Jeskewitz.

The audit also found that current voter registration practices are not sufficient to ensure the accuracy of voter registration lists used by poll workers or to prevent ineligible persons from registering to vote. LAB reviewed 348,000 records from the voter registration lists of 8 municipalities and found the lists

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contained 3,116 duplicate records, 783 deceased individuals, and 453 ineligible felons. In addition, the audit identified 105 instances of voting irregularities in six municipalities, including 98 ineligible felons who may have voted.

Roessler reacted, "I fully expect the Elections Board will implement LAB's recommendation to require registrants to certify they are not currently serving a sentence or on probation or parole for a felony sentence. Surely, this will inform felons of the voting laws, put law enforcement in a better position for prosecuting felons if they vote, and eliminate ambiguity for our clerks and citizenry."

The audit, which was requested by Senator Joe Leibham (R-Sheboygan), Representative Jeff Stone (R-Greendale), and a number of other legislators, was approved by the Joint Legislative Audit Committee in February 2005. The audit was prompted, in part, by concerns about voting irregularities in the City of Milwaukee in the November 2004. However, Milwaukee voter registration data and address verification cards were not made available to LAB due to an ongoing investigation by the Milwaukee County District Attorney and the U.S. Attorney.

Co-chairs Roessler and Jeskewitz indicated that the Joint Legislative Audit Committee will hold a public hearing on Tuesday, October 18th, to consider the audit findings and review LAB's recommendations. The co-chairs also look forward to working closely with the 2004 Joint Legislative Council Study Committee on Election Law Review as they bring forward recommendations for change to the full Legislature. The audit report is available on the website of the Legislative Audit Bureau at www.legis.state.wi.us/lab or by calling (608) 266-2818 and requesting a copy of report 05-12.

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An Evaluation:
Voter Registration
Elections Board
 September 2005

Report Highlights ■

Voter registration requirements differ depending on how and when individuals register.

Address verification cards are not consistently used as required to verify residency or investigate improper registrations.

Current efforts to maintain accurate voter registration lists are insufficient.

Wisconsin's voter registration process will change significantly beginning January 1, 2006.

Voter registration helps to ensure that qualified electors are allowed to vote and to prevent ineligible persons from voting. In Wisconsin, it is required by statute in 172 municipalities with populations of more than 5,000, and locally in 167 smaller municipalities. Currently, 28.9 percent of the voting-age population is not required to register before voting. However, beginning in January 2006, the federal Help America Vote Act (HAVA) of 2002 and 2003 Wisconsin Act 265 will require voter registration statewide.

Individuals whose names appear on the voter registration list are presumed to meet all eligibility requirements and, in general, are neither required to provide identification or proof of residence nor to otherwise demonstrate eligibility at the polls. Following the November 2004 elections, concerns were raised about voter registration in the City of Milwaukee and elsewhere, including the use of address verification cards to confirm residency; the use of special registration deputies, who are appointed by municipal clerks to assist in registering voters; and the adequacy of processes in place for verifying voter eligibility. To address these concerns, and at the direction of the Joint Legislative Audit Committee, we evaluated:

- voter registration requirements and the methods by which voters register, including requirements in other states;
- the address verification process, including the use of address verification cards to confirm the residency of those who register by mail or at the polls;
- procedures and practices for updating voter registration lists; and
- the role of the Elections Board.

Key Facts and Findings

Voter registration was required for 71.1 percent of Wisconsin's voting age population in the November 2004 elections.

The Elections Board spent \$4.7 million on election administration and campaign finance in FY 2004-05.

Wisconsin received \$50.4 million to implement the federal Help America Vote Act of 2002, including a computerized statewide voter registration system.

For the November 2004 elections, one-fifth of Wisconsin voters registered on Election Day.

Address verification cards were not sent by 46.0 percent of municipalities responding to our survey.

We found 105 potentially improper or fraudulent votes in six municipalities.

Registration Methods

To encourage voter participation, Wisconsin allows qualified electors to register in person, by mail, or with a special registration deputy before Election Day, and at the polls on Election Day. In municipalities where registration is required by statute, 20.3 percent of Wisconsin voters registered at the polls on Election Day in November 2004.

Municipal clerks rely on registrants to affirm their eligibility, including citizenship and age. However, requirements for providing identification or proof of residence vary depending on when an individual registers and by which method.

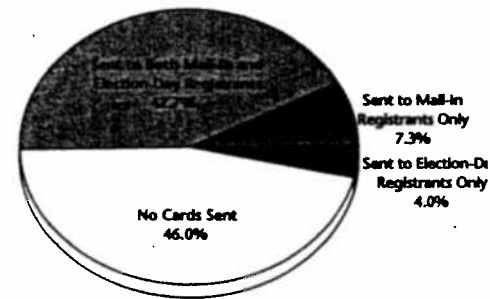
Municipal clerks may appoint special registration deputies to assist with voter registration, but they are not required to track which individuals register through special registration deputies. Some special registration deputies are municipal officials, but many work for interest groups or political parties. Problems have been identified with registrations completed by some special registration deputies, including inaccurate, illegible, and falsified registration forms.

Of the 150 municipalities responding to our survey, 95 indicated they had appointed special registration deputies before the November 2004 elections. Those appointing the most were Milwaukee (2,597), Green Bay (1,500), and Madison (824).

Address Verification Cards

Address verification cards are the primary tool available to municipal clerks for verifying the residency of registered voters and detecting improper registrations by mail or at the polls. Statutes require that clerks send cards to everyone who registers by mail or on Election Day. However, only 42.7 percent of the 150 municipalities we surveyed sent cards to both groups, and 46.0 percent did not send any address verification cards.

Address Verification Cards Sent
November 2004 Elections



Statutes also require clerks to provide the local district attorney with the names of any Election Day registrants whose cards are undeliverable at the address provided. However, only 24.3 percent of the clerks who sent cards also forwarded names from undeliverable cards to district attorneys. District attorneys we surveyed indicated that they require more information than is typically provided to conduct effective investigations.

Sufficient information was available to analyze undeliverable address verification cards in four municipalities: the cities of Madison,

ia, and Eau Claire and the of Ashwaubenon. These alities sent 45,864 address ion cards to Election Day ts; 1,887 were returned. re undeliverable because ad moved after the er 2004 elections.

Registration Lists

ve that voter registration tain only the names of l electors, municipal e required by statute to or inactivate the names of als who have not voted in rs, to update registration tion for individuals who hange their names, and to or inactivate the names of d individuals. They are also l to notify registered voters emoving their names from ion lists.

nd that statutory require-re not consistently followed. our survey respondents:

85.3 percent of municipal-removed the names of tive voters from their r registration lists;

71.4 percent sometimes lways notified registered rs before removing their es; and

54.0 percent reported owing the names of ible felons.

Because of such inconsistencies, registration lists contain duplicate records and the names of ineligible individuals. For example, when we reviewed more than 348,000 electronic voter registration records from eight municipalities, we identified 3,116 records that appear to show individuals who are registered more than once in the same municipality.

In six municipalities where sufficient information was available, we identified 105 instances of potentially improper or fraudulent voting in the November 2004 elections. These included:

- 98 ineligible felons who may have voted;
- 2 individuals who may have voted twice;
- 1 voter who may have been underage; and
- 4 absentee ballots that should not have been counted because the voters who cast them died before Election Day.

We have forwarded names to the appropriate district attorneys for investigation.

For Future Consideration

Wisconsin's voter registration process will change significantly beginning January 1, 2006, when all new registrants will be required by federal law and Wisconsin Statutes to provide their Wisconsin

driver license number, a Wisconsin Department of Transportation identification card number, or the last four digits of their Social Security number, and a computerized voter registration system will be implemented statewide.

Elections Board officials believe the new computer system will improve the accuracy of voter registration lists by standardizing registration procedures, preventing duplicate registrations across municipalities, and enhancing the ability of local election officials to detect improper registrations and ineligible voters.

However, the system alone will not be sufficient if municipal clerks and other local officials do not detect and prevent common data entry errors, appropriately revise and update voter registration information, and follow uniform procedures for identifying improper registrations and ineligible voters. We include a number of recommendations to address these concerns.

In addition, the Legislature may wish to consider:

- adjusting the early registration deadline to provide clerks more time to prepare registration lists;
- establishing more stringent requirements for special registration deputies, including prohibiting compensation based on the number of individuals registered;
- establishing uniform requirements for demonstrating proof of residence for all registrants;

- providing municipal clerks with more flexibility in the use of address verification cards;
 - authorizing civil penalties for local election officials and municipalities that fail to comply with elections laws; and
 - implementing mandatory elections training requirements for municipal clerks.
- ☑ revise the voter registration form to require disclosure of felony conviction status (p. 48);
 - ☑ promulgate rules to minimize data entry errors, and automate processes for identifying ineligible voters (p. 53);
 - ☑ promulgate rules to clarify the responsibilities of election officials and, if authorized by statute, specify civil penalties for noncompliance (p. 53); and
 - ☑ provide voter registration training designed specifically for municipal clerks (p. 57).

Recommendations

Our recommendations address the need for the Elections Board to use its existing authority to:

- ☑ promulgate rules for the appointment and training of special registration deputies (p. 28);
- ☑ promulgate rules for the use of address verification cards (p. 38);

In addition, we include a recommendation for the City of Milwaukee Election Commission to:

- ☑ report to the Joint Legislative Audit Committee on its implementation of recommendations from the mayor's task force for improving the election process in Milwaukee (p. 58).

The Legislative Audit Bureau is a nonpartisan legislative service agency that assists the Wisconsin Legislature in maintaining effective oversight of state operations. We audit the accounts and records of state agencies to ensure that financial transactions and management decisions are made effectively, efficiently, and in compliance with state law, and we review and evaluate the performance of state and local agencies and programs. The results of our audits, evaluations, and reviews are submitted to the Joint Legislative Audit Committee.

Additional Information

For a copy of report 05-12, which includes a response from the Elections Board, call (608) 266-2818 or visit our Web site:



www.legis.state.wi.us/lab

Address questions regarding this report to:

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State Auditor

OUR VIEWS

Voting should require photo identification

It's tough to function as an adult in American society without photo identification. You're likely to need it to cash a check. Depending on your age, you might need it to buy a beer. You'll also probably need it to rent a DVD.

So when the need for photo ID is so prevalent and it's needed for matters that are serious and not-so-serious, it isn't too much to ask to show proof of identification to do something as important as voting.



THE POST-CRESCENT

Our editorial board's list of the area's 10 most critical issues

CITIZENSHIP

The state Legislature again has a bill that would require that voters show a photo ID at the polls before voting. It passed the Legislature a year and a half ago, but Gov. Jim Doyle vetoed it. Since then, we've had another presidential election filled with charges and countercharges of voter fraud. It's time to pass this bill and it's time for Doyle to sign it into law.

There are several arguments against voter ID. People would be less likely to vote. It will lead to longer lines at the polls. It discriminates against senior citizens who don't have a driver's license anymore, non-drivers, minorities, the poor and the homeless.

It's true that requiring identification to vote could be an inconvenience for the groups mentioned. But they still can get an identification card that they can use, not just for voting, but for all the other purposes. And they can get it for free if they can show the need.

As for people being less likely to vote, think about it. Does the need to show an ID make people less likely to go grocery shopping or buy a pack of cigarettes?

And as for the longer lines, how much time does it take a clerk to look at your ID in a store? A few seconds?

This bill makes the process easy. If you're registered, you whip out your ID and you're on your way. If you're registering at the polls, you'll need it, too, as well as the current requirement of a proof of residence. Absentee voters would have to send in photocopies of their IDs.

Does that sound like an overwhelming obstacle to something as crucial as voting?

If we're really serious about improving the security of our elections, this is the first step.

EDITORIAL

Photo ID a big step to reduce growing ballot fraud trend

Experience shows we should have listened when Milwaukee students told us during the 2000 elections how vulnerable our state's election system was to fraud.

Now, in the 2004 presidential election, bigger problems happened in Milwaukee that

proper photo identification could have solved. A few thousand ballots had issues, intentional or otherwise. State government committees and the Milwaukee County district attorney with the U.S. attorney offices are investigating matters.

Perhaps this increased level of problem voting will sway a reluctant Gov. Jim Doyle. A bill proposed by state Rep. Jeff Stone, R-Greendale, and state Sen. Joe Leibham, R-Sheboygan, appears to cure the problems with a previous bill.

One of those had been that homeless people might not be able to get identification. Stone-Leibham waives the fee for people who can't afford a non-driver's license photo identification from the state Department of Transportation.

Another reason to support Stone-Leibham would reflect the increased availability of ballots without equal increases to protect the process. Options to vote absentee or early haven't been met by more requirements for ballot integrity. To buy a beer requires higher identification than casting a ballot before Election Day. Something is wrong with this picture.

We lose very little to enact this into law. We can lose bigger without it. Requiring photo identification before handing out ballots can catch our state from falling down the slippery slope into ballot problems that may be prevented.

The Final Thought: Wisconsin should reduce ballot fraud by requiring photo identification before voting.

To buy a beer requires higher identification than casting a ballot before Election Day. Something is wrong with this picture.

Photo ID bill can cultivate faith in our elections

From Milwaukee's electoral bungle, we're learning something useful: The political left can accept faith-based initiatives.

Such as vote counting.

After the queasiness of the 2000 presidential election, when this newspaper reported that at least 361 felons improperly voted in the city, the line was that such accusations were from Republicans and so not worth worrying about.

"A truly partisan ploy," said then-state Sen. Gwen Moore, the Milwaukee Democrat now in Congress. She was speaking in 2003 of one proposed reform, stronger identification rules, which she said merely "would help to continue to secure the Republican encroachment into Milwaukee County."

Four years later, facts intruded. This newspaper found 7,000 unaccounted votes in Milwaukee and more than 1,200 votes recorded from invalid addresses. The Milwaukee County district attorney, the U.S. attorney and the FBI are sniffing around. A state audit is in the works.

The line taken by many Democrats and their allies now is: It all could have been human error, so it's just creepy Republicanism to worry.

"I don't see any large-scale violation of voting laws," said Rep. Robert Turner of Racine.

"Fraudulent Republican claims," brayed one Milwaukee poll-watcher in an essay in a Madison newspaper, saying it was all a plot hinging on faulty voting machines.

It's all about "harassment and disenfranchisement," huffed a Racine newspaper editorialist.

A little scenario: It's 3 a.m. The smoke detector wakes you. It could be your 19-year-



Patrick McILHERAN

old making pizza. Do you assume this, pull the battery and go back to bed?

Faith in the vote is important. But insisting that gaps in the count can't be anything but error, unworthy of investigation, does not cultivate that faith.

And insisting it's oppressive to ask people to better identify themselves as legitimate voters leaves one in doubt that Democrats really want to clear up the smoke.

A wary watch on procedure is part of Wisconsin's governmental genes. Municipal races are non-partisan, lest loyalty trump service. We have open records laws not because we assume officials are doing wrong but to keep us from having to suspect it.

The bill that would require voters to show identification with a picture at the polls is in this tradition.

Identity is intrinsic to voting. Where and whether you can vote is a function of who you are: your age, your residency, whether you've already been through the line.

In the November vote, these questions were found to be unanswerable for perhaps thousands of people, even now, months later. Reasonable observers have noted that Wisconsin's practice of letting anyone vote on the mere say-so of another voter — such is the present law — opens an unguarded door for anyone who puts winning ahead of honesty. We seldom leave such doors open in our government. By not closing it here, we have left election

officials vulnerable to legitimate suspicion, and we taint the legitimacy of all voters.

Democrats have countered that requiring a photo ID isn't a cure-all. "Asking people to properly identify themselves is not the total answer," said Sen. Joe Leibham of Sheboygan. Note, however, that Leibham is a Republican sponsoring the ID bill. No panacea claims there.

Critics also claim this is all an attack on Milwaukee. But the bloggers who first drove this issue cited problems elsewhere, too — De Pere, for instance. Rep. Jeff Stone of Greendale wrote in this paper that Milwaukee's size makes it a priority but that its solutions can be used "in any city or village in Wisconsin."

The critics' chief argument is that a photo ID is one more thing to lack. The new bill answers that, too, with free IDs for the unwheeled poor and exemptions for the disabled or religious objectors. The bill's earnestness is nearly palpable.

Gov. Jim Doyle opposes the bill. "He wants more people to vote, not fewer," said a spokeswoman.

But when peak turnout means a third of voters stay home, how can growing doubts about the honesty of elections do anything but discourage voting?

As Jeff Plale, the South Milwaukee Democrat who backs the ID bill, told a reporter, "If people don't have the confidence that their vote is actually counted and counted accurately, how can they have any confidence in what those they elect do?"

Patrick McIltheran is a columnist for the Journal Sentinel and works on the newspaper's design desk. His email address is patrickmciltheran@yahoo.com

If you want to vote, show a little effort

We're a convenience-oriented society and becoming more so every day.

That's OK. It's called progress. The list of ways it has made our lives easier is endless, and we haven't seen anything yet.

But sometimes maybe we make things too easy, and voting appears to be one of them. Wisconsin is one of many states that allows voters to register at the polls. For many small communities this isn't a big deal, but the recent presidential election illustrated how cumbersome this process can be when there's a large voter turnout (by our standards, anyway).

An investigation by the Milwaukee Journal Sentinel found that some 2,800 verification cards mailed to Milwaukee voters who registered at the polls came back as undeliverable.

Editorial Another 1,300 same-day registration cards couldn't be processed because they lacked names, addresses or other pertinent information.

Now consider that John Kerry outpolled President George W. Bush by only 11,000 votes statewide, and the legitimacy of the entire presidential election in Wisconsin is cast into doubt.

Many of us remember the "old" system of being required to register before the election. A deadline was set, and if you didn't register in time you didn't get to vote. The advance deadline was needed so officials could prepare the voting list by election day. As long as you didn't change residences you didn't have to re-register.

Some people griped this system wasn't convenient

The issue:
Should voter registration rules be tightened.

Our view:
Yes, evidence shows same-day registration too vulnerable to fraud.

enough and was unduly harsh on those without transportation or who couldn't get to city hall on weekdays. So registration at the polls was implemented. But the potential for fraud is obvious, as these recent revelations prove.

A proposal on the table in Madison is to require voters to show a photo ID at the polls. That still would require extra poll workers and increase confusion. And how many people actually look like the disgusting mug shot on their driver's license?

Producing an ID is preferable to what we have now, but what is so difficult about pre-registration? Most people seem to have no problem getting to the mall, grocery store, bank, the movies or to a ballgame. Why is it asking so much for people to make one trip to register to vote to help ensure the process is on the up-and-up?

Cynics in the crowd might surmise that the people who run campaigns are after voters who are ignorant and/or easily manipulated. What an easy target — someone who can't be bothered to pre-register. Anyone that lazy probably won't study the candidates or issues either. They're also most likely to believe the ridiculous prattle they've had drilled into their heads from countless TV ads paid for largely by special interests with paper-thin agendas.

The Iraqi people recently trudged long distances and stood in long lines with a death threat hanging over their heads to participate in an election. And to keep it honest, they dipped their fingers in ink afterward to prevent double voting.

In America, we can't even get off our duffs and register ahead of time to help keep the process clean. Oh well, what's that line about getting the kind of government we deserve? Think about it.

— Don Huebscher, editor

OUR VIEWS

Restore integrity in Wisconsin's election system

The state Assembly is poised to pass a bill that would require voters to show photo identification at the polls. A final vote is expected Thursday.

That would be one big step to enhance integrity in Wisconsin's election system. Two more steps would remain.

The Senate then must approve the bill and send it to Gov. Jim Doyle. The governor earlier indicated he would veto the legislation. We urge him to change his mind.

Democrats and Doyle fear the legislation will discourage minorities, the poor and the elderly from voting. But Republicans pushing the legislation have worked hard to address concerns that Doyle expressed when he vetoed a photo ID bill in the last session.

Rep. Debi Towns, R-Janesville, told the Gazette on Monday that more than 95 percent of eligible voters already have valid photo IDs.

"Most senior citizens I've spoken with at senior centers tell me that the fact someone could vote without verifying who they are ... is a weakness in the system," Towns said. "It chips away at the integrity of the system and makes them wonder how valid their vote is."

Republicans pushing the legislation have worked hard to address concerns that Doyle expressed when he vetoed a photo ID bill in the last session.

Milwaukee had significant voting problems last fall. Thousands of votes have been questioned.

The FBI is one of four agencies investigating possible fraud. Smaller problems popped up across the state.

A voter would have to show a Wisconsin driver's license or military ID. A person with neither could get a \$9 photo ID card at Department of Motor Vehicles offices. Those unable to pay could get the cards free through a federal Help America Vote Act grant. Those confined to nursing homes could have election officials sign to certify absentee ballots rather than send in copies of photo IDs.

A voter's address wouldn't have to match the photo ID address. But the person would have to show proof of residence, such as a utility bill.

Voters could still register on election day, but the bill would ban vouching for fellow voters. Permitting both practices can risk fraud, said Towns and Rep. Brett Davis, R-Oregon.

Mike McCabe of the Wisconsin Democracy Campaign told the Gazette in November that such legislation would suppress turnout. In addition, "anyone who's been on a college campus on a Friday night or Saturday night knows that photo IDs are hardly foolproof," he said.

Davis acknowledges that the legislation wouldn't make voting foolproof.

"It's not a cure-all for state elections, but it's a good first step for bringing more integrity," he said.

Sen. Jeff Plale is a South Milwaukee Democrat who supports the bill. He told a reporter that if Wisconsinites don't have confidence that their votes count, how can they have confidence in the people they elect?



EDITORIAL: Freshman legislator off mark this time

It's not too much to ask that voters be prepared to prove their identity.

WE HAVEN'T SEEN any polls, but even so it's a fairly safe bet to assume most people would favor the idea that voters ought to be able to prove they are who they say they are, and that they're entitled to cast a legal ballot.

The Wisconsin Assembly passed a bill last week which would require most voters to present a photo ID - driver's license, military card and so forth - before being allowed to exercise their right. Coupled with a proposal to deny driver's licenses to illegal aliens, this bill would go a long way toward assuring that non-citizens cannot vote. It also would verify the identities of legal voters and, hopefully, head off instances of apparent voter fraud such as happened in Milwaukee last November.

The bill passed the Assembly 64-33 and now goes on to the Senate.

AMONG THOSE voting to defeat the measure was Beloit's freshman Assemblyman, Democrat Chuck Benedict. Presumably, he fell for the partisan argument put forth by Democrats, who insisted the requirement would hinder voting by seniors, the poor and students - reliable Democrat voters.

It is disappointing when elected representatives turn every issue into a partisan match for advantage.

It's even more disappointing when our rookie legislator - who could try to change the partisan tone - falls right into line behind his party bosses. (It's worth noting, by the way, that four other Democrats voted with the majority.)

TO CAST A BALLOT - the greatest privilege of American freedom - one ought to accept a little responsibility. It seems to us the minimum standard is the ability to prove one's identity and legal eligibility to vote.

The Senate should pass the measure. The governor should sign it.

<http://www.beloitdailynews.com/articles/2005/02/28/editorials/edit01.prt>

OUR VIEW

Voter identification bill is a reasonable precaution

Although they have not yet demonstrated widespread voter fraud, Republicans pushing for a bill to require voters to present photo identification cards do have a better bill this time than last time.

And their argument about the potential for voter fraud, given Wisconsin's same-day registration and the current divisive partisan climate, is making more sense.

Under those circumstances, the voter identification bill seems to us more a sensible precautionary move rather than something that will disenfranchise thousands of voters, as critics contend.

What this bill does that the last one in 2003 did not is exempt the disabled and people living in nursing homes

from the photo ID requirement. Instead, they would need to have a witness vouch for them.

Current law requires those who are registering at the polls to present some sort of identification, often a utility bill, showing residency. But there is no requirement to show a photo identification. Under the new law, that person would be required to show a driver's license, ID card issued by a uniform service, or a photo ID issued by a state Division of Motor Vehicles office.

Cost of the state ID card is \$9, and the cards are available at any DMV office where driver's licenses are available. The cards would be free of charge for the indigent.

The Wisconsin Department of Transportation has estimat-

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ed that nearly 123,000 state residents lack a photo ID card. Providing free cards for the indigent would cost about \$1 million.

We are moving toward more documentation needed in elections. Already, federal elections after 2006 will have a tougher identification requirement. Voters will have to show a photo ID or copy of another legal document giving current name and address.

It's possible that individuals or private agencies might have

to help some people get to the courthouse for a birth certificate, or to the DMV office for a driver's license. But the numbers are so small as opposed to the state population as a whole that it would be possible to make sure everyone has a chance to get the necessary identification.

In an era when you have to present a photo ID to rent a movie, having a requirement to present one to vote need not be an abridgement of anyone's rights.

Fond du Lac Reporter
March 4, 2005

Editorial: Between voter ID and tobacco, Doyle seems at odds with views

In Wisconsin, it is illegal for anyone under the age of 18 to buy cigarettes or to vote.

But in Gov. Doyle's view, only one of these actions should be verified with a valid photo ID: buying cigarettes.

While it is not an apples-to-apples comparison, we can't help but question Doyle's resistance to support a voter ID law, given his fervent pursuit of ensuring legal tobacco purchases.

Doyle vetoed the voter ID bill in 2003 and has vowed another veto if a bill currently in the state Senate reaches his desk.

Yet Doyle wants to tighten laws on Internet tobacco vendors to require age verification of buyers. He is correct in verifying the ages and identities of buyers. So why not voters?

Doyle said the voter photo ID law could hurt the voting rights of 85,000 seniors who lack photo IDs. He also balked at the \$1 million price tag. Seniors make up the bulk of about 123,000 state residents who do not have driver's licenses or state-issued photo IDs.

That means there are 123,000 people in our state who potentially cannot buy alcohol or tobacco, get a video rental card, cash a check, get a library card, complete an apartment rental application, be hired legally for a job or take a commercial airplane flight.

Let's face it, in post-9/11 America, a valid photo ID is essential to functioning in society.

Photo IDs would encourage people to get a valid form of ID, thus ensuring every vote cast is legitimate. In Milwaukee alone, more than 1,500 ballots were tossed out because the identities of the voters couldn't be verified.

Currently, registered voters only have to give their names and addresses before voting. People not on the voter rolls can register in person up to and including Election Day if they have their utility bills, leases or other official documents with corresponding names and addresses.

IN OUR VIEW

Photo IDs safeguard voting

Citing apparent voting irregularities in recent statewide elections, Republican lawmakers are strongly supporting a bill that would require Wisconsin residents to have a photo identification to vote.

Most Democrats oppose the bill, however, arguing that it would discourage voter turnout and disenfranchise thousands of people, particularly minorities, students and senior citizens.

Let's be honest about it. This is as much a debate about the two parties seeking political advantage on Election Day as it is a concern for the integrity of the state's election system. But, that

Issue

Voter-identification bill

Our view

Until a better statewide system is available, photo IDs should be required of people voting in Wisconsin elections

aside, photo IDs are a logical way to safeguard the system from fraud.

Wisconsin has one of the most open election systems in the country. A person must provide only his or her name, address and proof of residence to register and vote on Election Day. The law now also allows an eligible voter to cast a ballot if somebody else confirms his or her identity

and address.

But these minimum requirements diminish trust in the system and invite voter fraud.

The bill in the Legislature requires a photo ID. In most cases, it would be a Wisconsin driver's license but a state-issued identification card or military ID also would do. To quiet concerns about disenfranchising low-income people, the bill sets aside about \$1 million to provide free state ID cards for people who do not have other photo identification and cannot afford to get it. It also requires that people voting absentee include with their ballots copies of their photo IDs or witness verifica-

tion of who they are.

Passage of the voter ID bill would take Wisconsin's election system from one of the most open to one of the most stringent, a change that opponents say will diminish voter participation.

Gov. Jim Doyle, a Democrat, vetoed a similar bill in 2003 and has promised to veto this one as well. He prefers better voting technology to a photo-ID requirement.

That's a legitimate goal. But it's going to take time for uniform technology to be available throughout Wisconsin, where some places are still using paper ballots.

In the short run, photo IDs are the answer.