

WISCONSIN STATE
LEGISLATURE
COMMITTEE HEARING
RECORDS

2005-06

(session year)

Assembly

(Assembly, Senate or Joint)

**Committee on
Campaigns &
Elections
(AC-CE)**

File Naming Example:

Record of Comm. Proceedings ... RCP

- > 05hr_AC-Ed_RCP_pt01a
- > 05hr_AC-Ed_RCP_pt01b
- > 05hr_AC-Ed_RCP_pt02

Published Documents

> Committee Hearings ... CH (Public Hearing Announcements)

> **

> Committee Reports ... CR

> **

> Executive Sessions ... ES

> **

> Record of Comm. Proceedings ... RCP

> **

*Information Collected For Or
Against Proposal*

> Appointments ... Appt

> **

> Clearinghouse Rules ... CRule

**

> Hearing Records ... HR (bills and resolutions)

> **

> Miscellaneous ... Misc

> **05hr_AC-CE_Misc_pt38**

Griffiths, Terri

From: Richard, Rob
Sent: Thursday, February 03, 2005 11:55 AM
To: Griffiths, Terri
Subject: FW: Voter ID

-----Original Message-----

From: Sen.Stepp
Sent: Thursday, February 03, 2005 10:23 AM
To: 'Jenny and Steve'
Cc: Rep.Freese
Subject: RE: Voter ID

Rep. Freese,

Am forwarding the following from a constituent in my district. Jenny wants to share her views regarding voter ID.

Thanks.

Cathy

Senator Cathy Stepp
Wisconsin State Senate
21st Senate District

-----Original Message-----

From: Jenny and Steve [mailto:jennyandsteve@aaahawk.com]
Sent: Thursday, February 03, 2005 10:11 AM
To: Sen.Stepp
Subject: Fw: Voter ID

Is it too late to get this for the hearing? I received an e-mail requesting testimony could be sent to Rep. Freese, but I can't get this to go through to that address. I understand the hearing started at 10:00. Is it too late?

Thanks--
Jenny

----- Original Message -----

From: Jenny and Steve
To: Rep.Frees@legis.state.wi.us ; Cathy Stepp
Sent: Thursday, February 03, 2005 9:57 AM
Subject: Voter ID

After living most of my life in a state that required rather copious procedures for citizens casting ballots (including pre-registration and presentation of ID at the polls), I was amazed to move to Wisconsin 5 years ago and discover how lax the state treats the sanctity of our votes.

Do we want to be the next Florida? The next Ohio? Do we want people questioning Wisconsin's ability to conduct sound elections because we don't enact and enforce prudent restraints necessary to curb fraud?

Do we want to be "Chicago II" -- vote early and vote often?

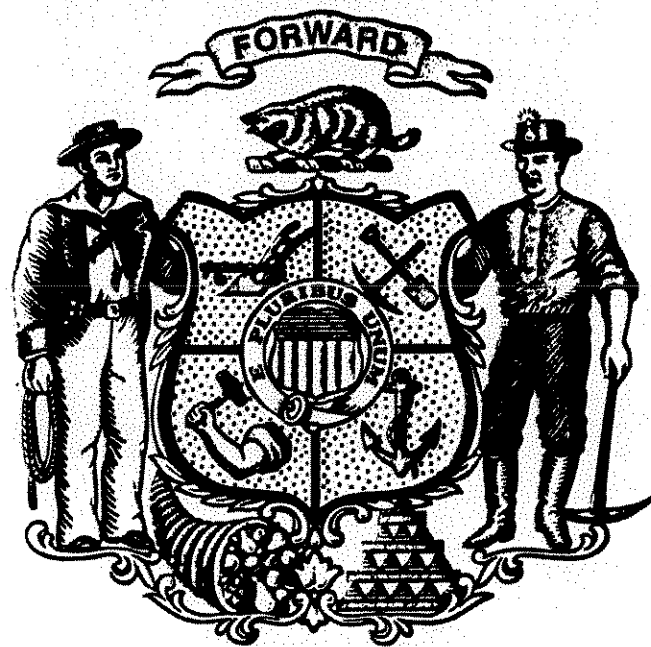
The razor-thin margins in our last elections could mean that projected voter fraud in one major city alone could have swayed our state's presidential winner. That's intolerable.

Wisconsin is a state of decent, hard-working citizens with heartland values. We can't let ourselves be made fools of on the national scene simply because we equivocate on the most fundamental right our citizens have: the right to vote.

Presenting ID at the polls doesn't compromise a person's integrity or the privacy of their choices in an election. It merely protects the rights of the citizenship in this state to have their true and valid voices heard.

Please protect our rights by putting in the safeguards necessary to ensure voting in our state does not become fodder for late night television monologues!

Very truly yours,
Mrs. Jenny Rubinson
2821 Rebecca Dr
Racine, WI 53402



Griffiths, Terri

From: Richard, Rob
Sent: Thursday, February 03, 2005 3:00 PM
To: Griffiths, Terri
Subject: FW: Requiring a photo I.D. to vote

-----Original Message-----

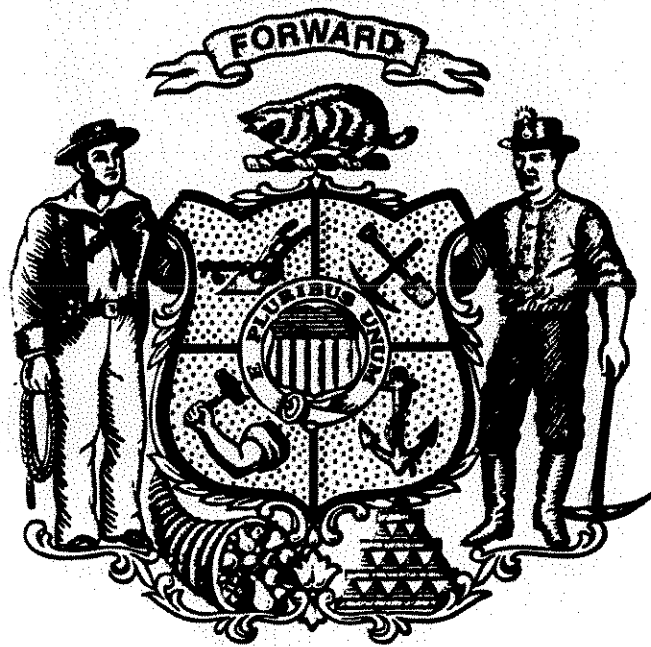
From: kwenban@powercom.net [mailto:kwenban@powercom.net]
Sent: Thursday, February 03, 2005 2:33 PM
To: Rep.Freese
Cc: Rep.Gundrum; Ambiguous Address Rep.Wood; Rep.Vos; Rep.Travis; Rep.Kessler
Subject: Requiring a photo I.D. to vote

Honorable representatives:

I went to the hearing this morning, but there was no room to get in to the hearing, and out in the hall we could not hear. So I registered in opposition to the bill.

This is blatantly an attempt to keep poor people from voting, because many of them do not have a driver's license, or the time to find and to pay for a photo ID.

While there were some fraudulent votes cast in Milwaukee County, I'm sure that there are a few in any election in the U.S. and in other countries too. But disenfranchising f thousands of voters to punish for the irregularities in Milwaukee is very unfair. It smells to me like a reincarnation of the outlawed and evil poll tax. This bill should be killed.



Griffiths, Terri

From: Richard, Rob
Sent: Thursday, February 03, 2005 3:02 PM
To: Griffiths, Terri
Subject: FW: Drop ID bill; Create real electoral reform

-----Original Message-----

From: Justin Mog [mailto:justinmog@terra.com.net]
Sent: Thursday, February 03, 2005 12:25 PM
To: Rep.Freese; Rep.Gundrum; Rep.WoodJ; Rep.Vos; Rep.Travis; Rep.Kessler
Subject: Drop ID bill; Create real electoral reform

Dear Assembly Campaigns and Elections Committee,

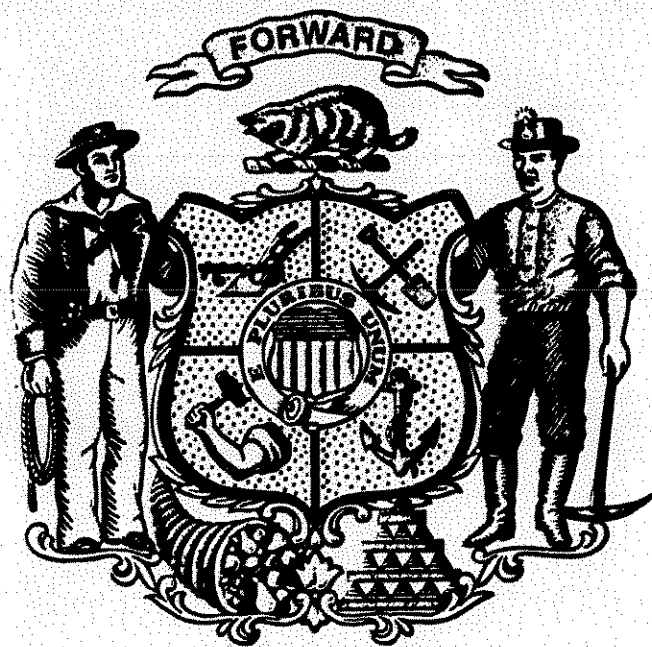
I was unable to attend today's public hearing, but I wanted to express my deep regret at your committee's current direction for electoral reform. It would seem that you seek to make it HARDER for Wisconsinites to vote, when voting rates continue to be much lower than what we need for a truly participatory democracy.

Let's be frank. Wisconsin is not known for electoral fraud. We do not need to require photo ID at the polls. On the contrary, Wisconsin is known throughout the country for its wonderfully inviting electoral system which allows voters to register at the polls and to vote without having to present any ID. This is silly.

Wisconsin DOES need serious reform in its electoral system. As we stated at the 1,100-member citizen assembly known as "The People's Legislature," what the people of Wisconsin truly want in terms of electoral reform are those measures which would restore competitive elections, clean-up campaigns, and create independent ethics enforcement to reopen the public square to ordinary citizens. We need to INCREASE citizen participation and DECREASE the influence of corporate and special-interest money.

I urge you to drop the discussion of photo IDs at the polls and begin discussing real electoral reform that would pursue these goals.

Sincerely,
Dr. Justin Mog
315 N. Ingersoll St.
Madison, WI 53703-1611



Griffiths, Terri

From: Richard, Rob
Sent: Thursday, February 03, 2005 3:02 PM
To: Griffiths, Terri
Subject: FW: Voter ID

Importance: High

-----Original Message-----

From: Bette Duncan [mailto:betteduncan@controlproductscorp.com]
Sent: Thursday, February 03, 2005 12:42 PM
To: Rep.Freese
Subject: Voter ID
Importance: High

Rep: Freese:

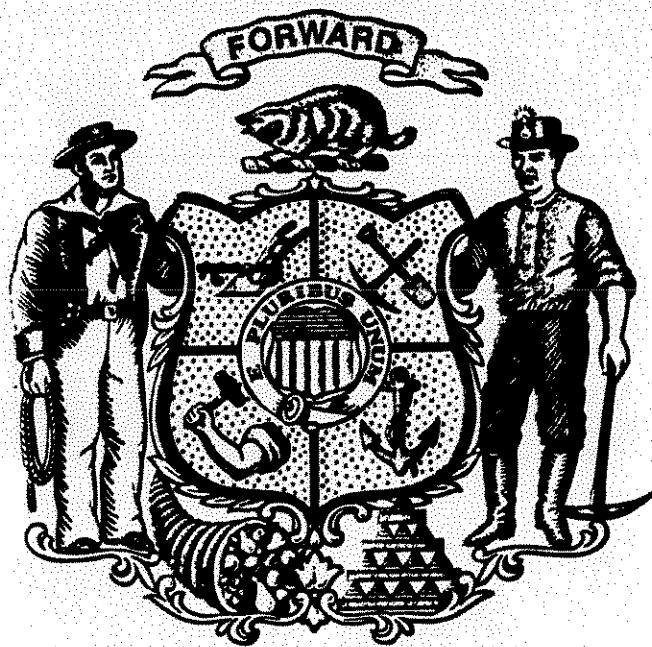
I know that I am probably too late with this email, but I feel very strongly that Wisconsin must institute a photo voter ID at the very minimum. I recently attended training to become an election worker in Wisconsin after many years serving as a poll watcher. All I can say is that the Wisconsin election system is **BROKEN!** We were trained that we must allow every voter to vote, even if they refuse to provide any sort of ID upon registration. This is just ridiculous.

Furthermore, I believe that same day registration must be eliminated. City and County Clerks should have the courtesy of at least 30 days to validate new registrations. My daughter recently moved to New York and they require **TEN POINTS** of ID to register to vote. And registration must be submitted 29 days in advance of the election. A driver's license with her picture was worth only **TWO** points. She also had to produce her birth certificate, her marriage license (prove name change), electric bill, bank statement, etc. In addition she had to sign the voter roll, just as she had to in New Jersey. She had lived in NJ for about 6 years and there she had to sign the voter roll **EVERY** time she voted and the poll worker would compare signatures with all the previous times she had voted. My other daughter in Virginia reports the same procedure in place there.

Wisconsin's lax rules and lack of enforcement of the few rules we have is simply an invitation for fraud. A County Supervisor in Ozaukee County reported that the streets in Port Washington near his polling place were lined with cars and vans with Illinois license plates on election day. I heard the same thing reported in Kenosha and Racine. There have been reports of bus loads of students being recruited on Democrat websites to vote in both Wisconsin and Minnesota. This must stop, or we will lose our Republic.

Sincerely yours,

Elizabeth B. Duncan
Mequon, Wisconsin



Griffiths, Terri

From: Richard, Rob
Sent: Friday, February 04, 2005 8:44 AM
To: Griffiths, Terri
Subject: FW: Real electoral reform

-----Original Message-----

From: janice czyscon [mailto:jczyscon@charter.net]
Sent: Thursday, February 03, 2005 7:50 PM
To: Rep.Freese; Rep.Gundrum; Ambiguous Address Rep.Wood; Rep.Vos; Rep.Travis; Rep.Kessler
Subject: Real electoral reform

I oppose your plan to require a photo id to vote. You are making voting harder by requiring photo ID to cast a ballot. Please focus on fair and effective ways to reform the electoral process, including:

Comprehensive campaign finance reform that includes public financing of state election campaigns, and full disclosure of political contributions that restores the state's ban on corporate campaign contributions;

Independent ethics enforcement by combining the state Elections Board and Ethics Board into a single enforcement agency under the direction of a politically independent board;

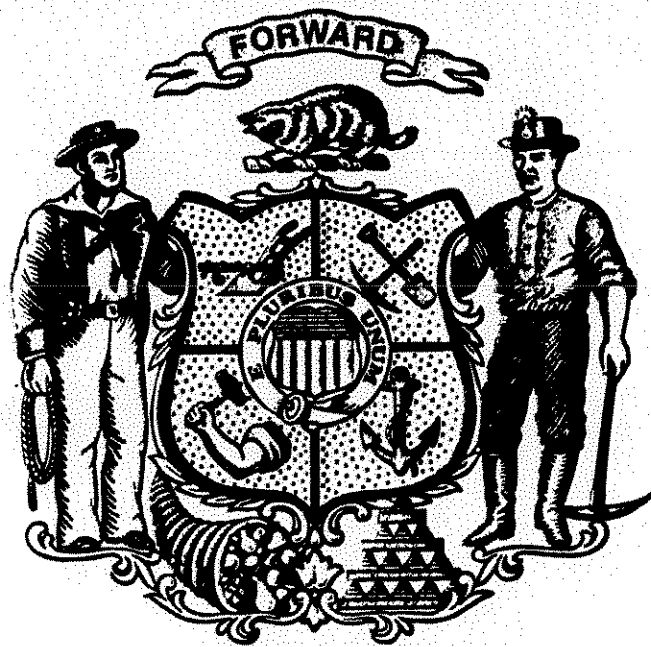
Competitive elections through reform of legislative redistricting modeled after the system used in Iowa, and;

Preservation of local fiscal control to prevent arbitrary and centralized budget limits on local units of government.

Sincerely,

Janice Czyscon
4313 Rolla Lane
Madison, WI 53711

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Griffiths, Terri

From: Richard, Rob
Sent: Friday, February 04, 2005 8:45 AM
To: Griffiths, Terri
Subject: FW: For responsible and fair elections, don't blame the people

-----Original Message-----

From: Rick Ruecking [mailto:ruecking@hotmail.com]
Sent: Thursday, February 03, 2005 5:16 PM
To: Rep.Freese
Subject: For responsible and fair elections, don't blame the people

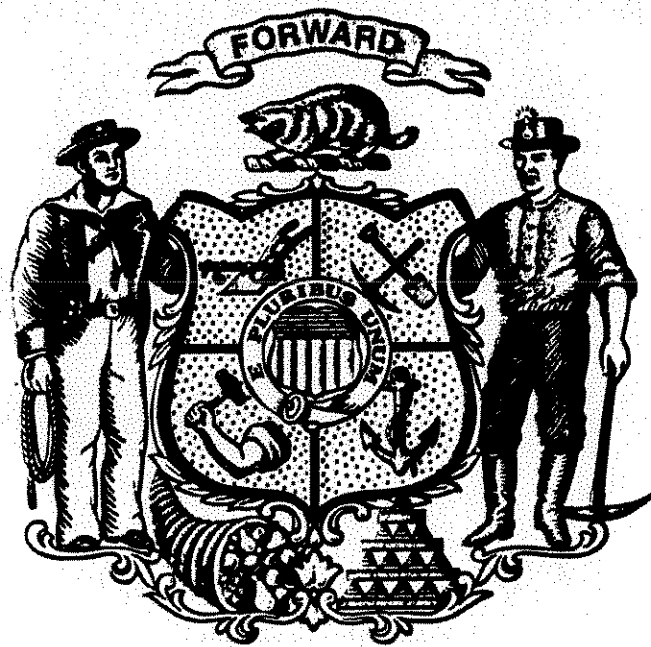
Rep. Freese,

When I moved to Wisconsin 35 years ago, I fell in love with the openness and cleanliness of the elections and politics. I was able to go vote that first time just by joining a neighbor who vouched for me in Millville township, Grant County, at the town hall. I think I joined about 62 others in that first ballot. From then on we knew who we could expect to see every first Tuesday in April or November.

The idea of requiring an added burden to the free process of voting is misdirected. I don't like the idea of some SOB voting twice, but I don't think it happens much and the loss is surely out-weighed by those who otherwise might not vote at all.

Cleaning-up elections should start with the way we fund and conduct our electoral campaigns not by blaming the people. If you want a few ideas along those lines, I would be happy to brainstorm with you or your staff.

Thanks
Rick Ruecking
608-838-8540



Griffiths, Terri

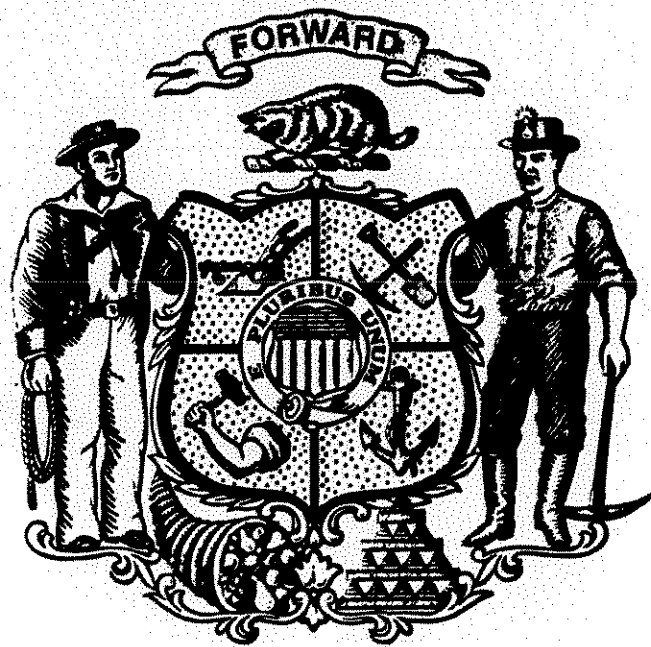
From: robert geason [bob46jackie40@yahoo.com]
Sent: Sunday, February 06, 2005 9:34 PM
To: JournalSentialEditorial
Subject: Voter ID Letter to the Editor

Calling HONEST Voters

This is a call to all the HONEST voters in Milwaukee and this state. I listened to the mini-filibuster by the lady Senator from Milwaukee at the photo ID hearings. You know what that is. When a politician talks a lot and says nothing. It became apparent to me that the HONEST voters are being disenfranchised. Saying that the ID bill is a solution looking for a problem just shows that the HONEST voters in this state are second rate citizens in the eyes of this Senator and many of the Representatives in this area. The so called non problem started 4 years ago when the fraudulent vote number around Milwaukee alone was 3000 plus. Four years later the number is over 14,000 and climbing. If anyone sees this as NOT a problem they must have their collective heads in the sand. That's 14,000 HONEST votes that were canceled by fraud. Or for the politically correct among us clerical error. I urge every HONEST voter in the Milwaukee area and the state to call their legislators like Colon, Cullen, Field, Grigsby, Kessler, Krusick, Richards, Sinicki, Staskunas, Toles, Wasserman, Williams, Young and Zepnick. All from the Milwaukee area. Ask a yes or no question. Do you support the HONEST voter?? Don't let them pull the wool over your eyes with the mini-filibuster. Tell them you expect them to vote in favor of the photo ID bill. The apparent reason for some legislators as well as the Governor to be against this good idea is that they didn't think of it. Tell them to go against the party line if they have to. Tell them YOU are tired of being disenfranchised. Or maybe they feel the need for the fraud vote to get elected. Call and ask them.

Bob Geason
440 Edward St.
Burlington, Wisconsin 53105
262-763-8503

Do you Yahoo!?
Yahoo! Search presents - [Jib Jab's 'Second Term'](#)



Eagle Forum of Wisconsin

Doris Moore, President
3500 Studio Court
Brookfield, WI 53045
262-781-2918

February 7, 2005

Dear Legislator,

Under separate cover, your office will receive recent issues of the Education Reporter which we hope you and your staff will find valuable.

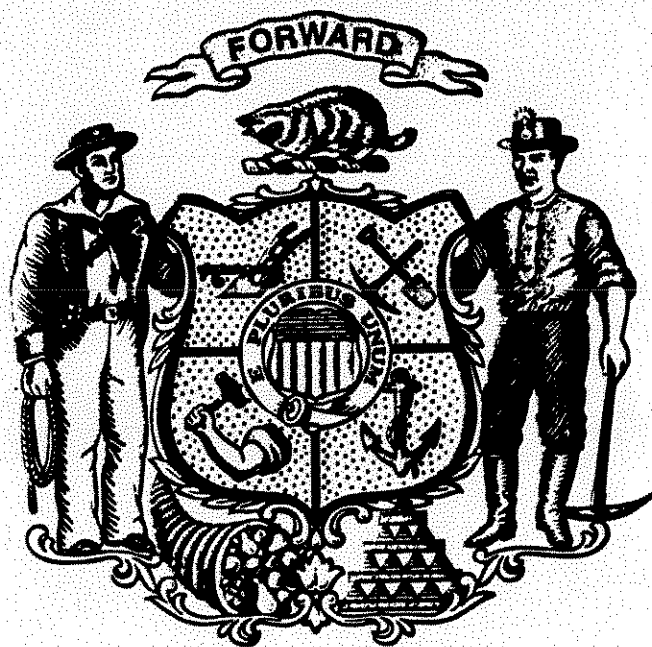
Please be advised Eagle Forum supports the use of a photo I.D. to ensure the integrity of elections in the State of Wisconsin.

We appreciate your assistance to avoid potential voter fraud by supporting legislation mandating the use of identification while voting.

Thank you for your consideration of this matter.

Sincerely,

Doris Moore
President
Eagle Forum of Wisconsin



Griffiths, Terri

From: Richard, Rob
Sent: Monday, February 07, 2005 7:14 AM
To: Griffiths, Terri
Subject: FW: Voter ID

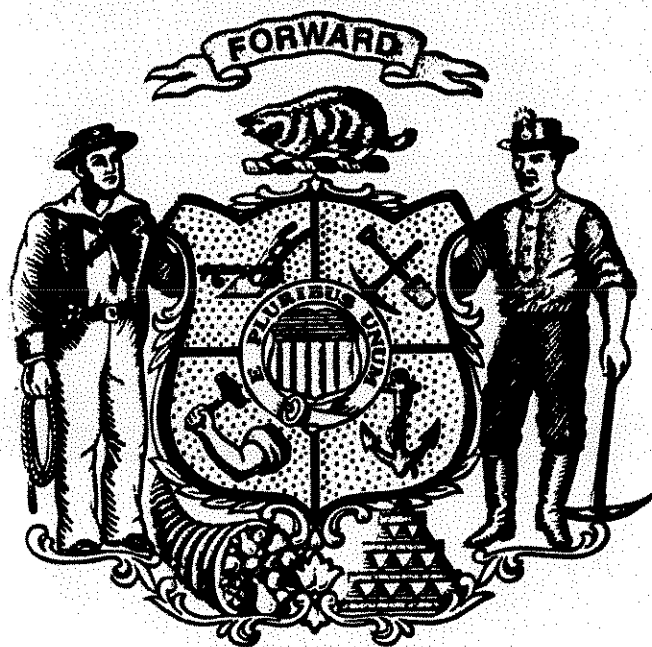
-----Original Message-----

From: Betty Greiner [mailto:beegee@palacenet.net]
Sent: Saturday, February 05, 2005 12:58 PM
To: Rep.Freese
Subject: Voter ID

Although we do not reside in your district, as chairman of the committee I want you to know we fully support the voter ID proposal.

John and Elizabeth Greiner
118 Dyke Ave
Westfield, WI

beegee@palacenet.net



Griffiths, Terri

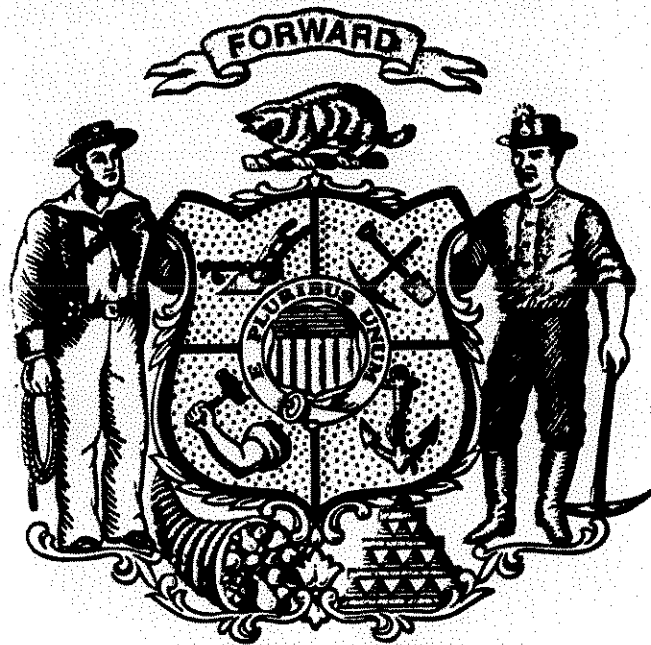
From: Richard, Rob
Sent: Monday, February 07, 2005 7:15 AM
To: Griffiths, Terri
Subject: FW: Voter ID

-----Original Message-----

From: amacher [mailto:amacher@execpc.com]
Sent: Friday, February 04, 2005 9:51 PM
To: Rep.Freese
Subject: Voter ID

It is absolutely **essential** to have voter ID mandated before the next election! We urge you to fight for the passage of this first step toward cleaning up the shoddy, if not fraudulent, practices that routinely occur in metropolitan areas of the state.

Forbidding a bounty for registering voters is another important issue that needs to be made into law.
Don & Ann Amacher
Wauwatosa, WI



Griffiths, Terri

From: Richard, Rob
Sent: Monday, February 07, 2005 7:20 AM
To: Griffiths, Terri
Subject: FW: Photo ID to cast a ballot

-----Original Message-----

From: Esther Hedfield [mailto:EstherHedfield@charter.net]
Sent: Saturday, February 05, 2005 1:55 PM
To: Rep.Freese
Cc: rep.gundrum@legis.state.i.us; Ambiguous Address Rep.Wood; Rep.Vos; Rep.Travis; Rep.Kessler
Subject: Photo ID to cast a ballot

Gentlemen and Legislators:

Please reconsider your vote on requiring photo ID to cast a ballot. This requirement would prevent many poorer voters without cars, or without easy access to photo facilities, from voting. It would become a kind of poll tax for some.

Voting should be the right of all, unencumbered by getting a photo taken, or getting a driver's license photo.

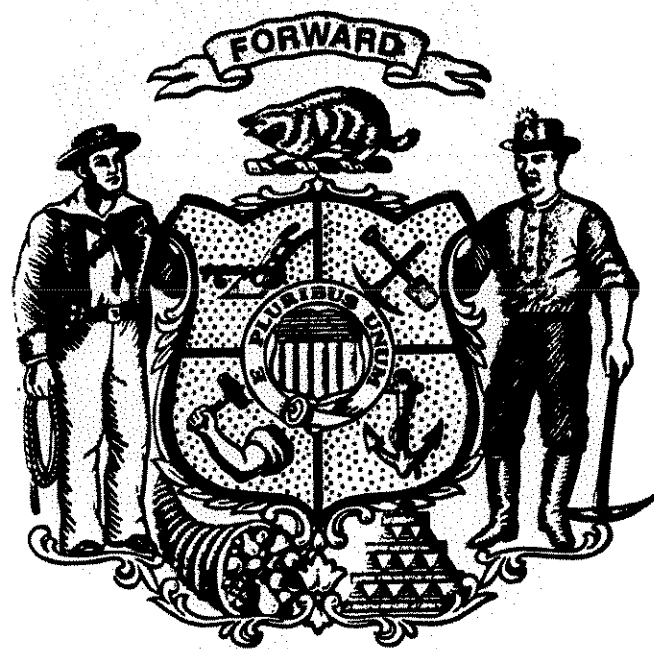
If a photo is the only answer, and is it?, would you supply photo booths at each precinct?

The poorer may or may not have a party preference, but should that affect the right to vote?

Vote no to this unfair requirement for voting.

(Would the Iraqis vote if they had this requirement?)

Esther Hedfield



Griffiths, Terri

From: Simatic, Kurt
Sent: Monday, February 07, 2005 2:24 PM
To: Griffiths, Terri
Subject: FW: photo IDs

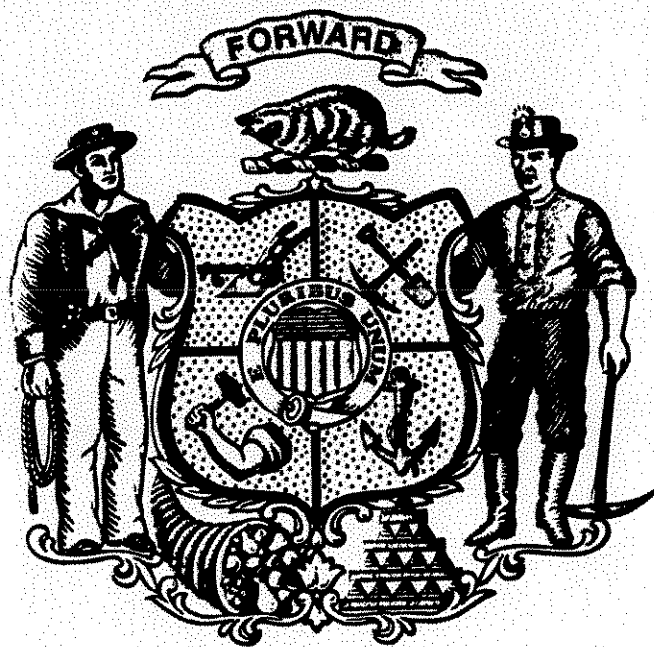
-----Original Message-----

From: Rita H. Rausch [mailto:rausch2tr@yahoo.com]
Sent: Monday, February 07, 2005 12:17 PM
To: Rep.Freese; rep.gundrem@legis.state.wi.us; Ambiguous Address Rep.Wood; Rep.Vos; Rep.Travis;
Rep.Kessler
Subject: photo IDs

Dear Committee members: Although I am a strong supporter of Wisconsin Democracy Campaign, I support photo IDs. We need them for so many identification incidents that I am amazed they haven't been required long ago for voting. The State already has a process where non-drivers can get a photo ID. Let people know how to access the process....or set up a photo booth at the polling places. Bring some proof of birth or citizenship. I don't think this is too much to ask to help keep elections clean. (Other election day speed bumps are quite another issue.)

Rita H. Rausch
5809 Anchorage Ave.
Madison, WI 53705

Do you Yahoo!?
Yahoo! Search presents - [Jib Jab's 'Second Term'](#)



Griffiths, Terri

From: Simatic, Kurt
Sent: Monday, February 07, 2005 3:55 PM
To: Griffiths, Terri
Subject: FW: Voter ID

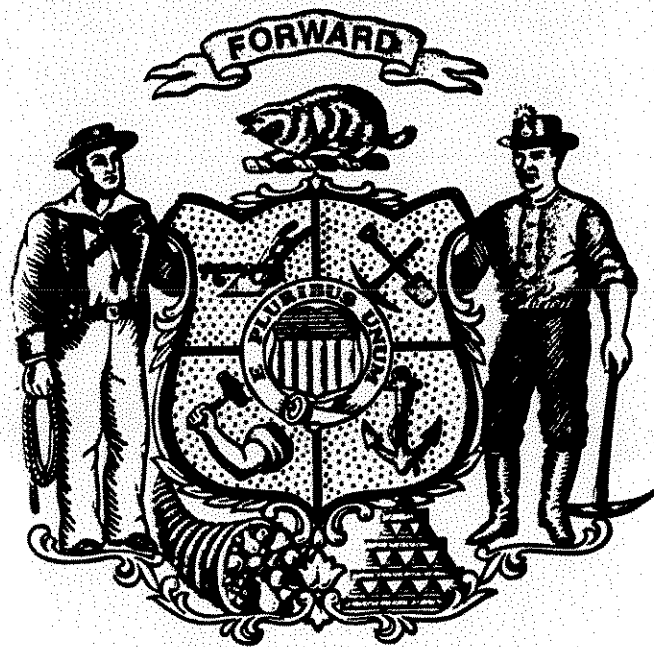
-----Original Message-----

From: Nancy Honadel [mailto:applenancy@milwpc.com]
Sent: Monday, February 07, 2005 3:40 PM
To: Rep.Freese
Cc: Rep.Honadel
Subject: Voter ID

As a pollworker who has experienced a number of voter events, I am fully in favor of requiring voters to have a picture ID. I do not think it is a hardship and it protects the validity of our process. Thank you for your efforts to bring this about.

I also belong to the General Federation of Women's Clubs which represents thousands of women and just today at our Fourth District meeting we drafted a resolution to require voters to have an ID. Our Wisconsin Federation already has that resolution on record.

Thank you,
Mrs. Nancy Honadel
8304 So. 27th St.
Oak Creek, WI 53154



Richard, Rob

From: Richard, Rob
Sent: Monday, March 07, 2005 5:01
To: 'Dawn & Craig Stinebrink'
Subject: RE: We Support Your Efforts.
Mr. and Mrs. Stinebrink:

Thank you for contacting Rep. Freese to express your frustration with the ever-growing property tax burden in this state. He understands that something has to be done to control them while not devastating the schools and vital public services. That is what the Legislature is trying to tackle this session.

Rep. Freese is helping to lead the way on trying to get a Voter ID Bill signed into law, but unfortunately, Governor Doyle has said he will once again stand in the way of that happening. The reforms are coming, just more slowly than we had hoped for when the problems surfaced after the 2000 elections.

Again, thank you for contacting Rep. Freese and please feel free to call or write if we can be of assistance to you in the future.

Sincerely,

Rob Richard, Legislative Aide
Office of Rep. Steve Freese

-----Original Message-----

From: Dawn & Craig Stinebrink [mailto:thefarm@merr.com]
Sent: Thursday, March 03, 2005 10:12 AM
To: Rep.Freese
Subject: We Support Your Efforts.

Dear Representative Freese:

We just wanted to let you know we support your efforts in the legislature, especially holding the line on property taxes and requiring voter identification at the polls.

Our property taxes rose 35% last year even though we had a slight decrease in assessed value. An increase of over \$1,100 in one year is staggering. Property taxes can be one of the most regressive of all taxes by eventually forcing many seniors from their homes when they can no longer afford the taxes. I hope you will search for ways to fund our public schools other than continually placing the expense on the backs of property owners. We would support an increase in the sales tax as an alternative to ever escalating property taxes to fund schools.

It's no secret that voter fraud is present in Wisconsin. President Bush likely carried the legal votes in our state. We must do everything we can to assure clean elections, and requiring photo identification at the polls is a step in the right direction. It is not an inconvenience, and we can supply photo id's to those with no drivers licenses. We hope you will continue to work on this requirement even though Gov. Doyle may veto it. The next step to assure clean elections is to eliminate same day registration at the polls.

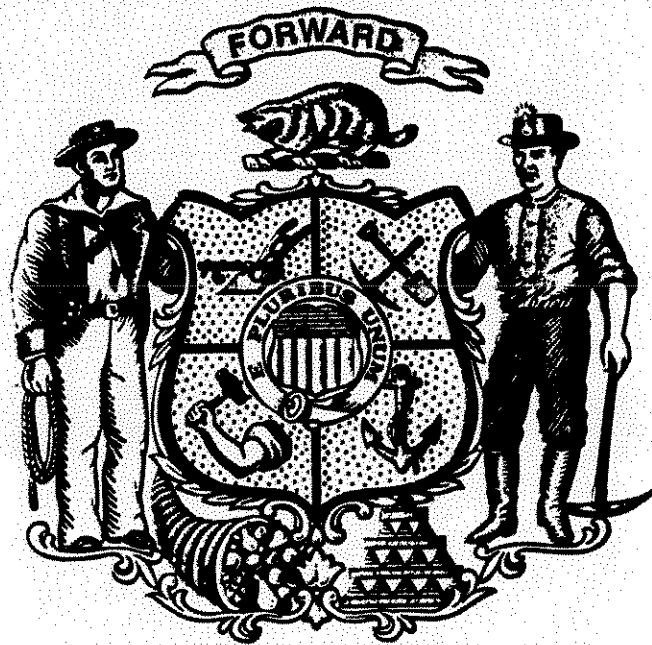
Thank you again.

Sincerely,

Craig Stinebrink
Dawn Stinebrink
26578 CTH T

03/07/2005

Hillpoint, WI 53937





WISCONSIN LEGISLATIVE COUNCIL

*Terry C. Anderson, Director
Laura D. Rose, Deputy Director*

TO: REPRESENTATIVE STEPHEN FREESE

FROM: Robert J. Conlin, Senior Staff Attorney *RJC*

RE: Proposal Regarding Military Ballots

DATE: April 8, 2005

This memorandum summarizes a proposal you are considering regarding the treatment of certain absentee ballots cast by certain military electors.

SENDING BALLOTS TO MILITARY ELECTORS

Under the proposal, a municipal clerk would be required to automatically send an absentee ballot for each subsequent election to each military elector who applies for, and qualifies for, an absentee ballot at any election. This requirement would continue until such military elector requests that ballots no longer be sent, until such time as the clerk receives reliable information that the elector no longer qualifies as a military elector, or until such time as a military elector fails to cast an absentee ballot for three successive general elections. The proposal would require the municipal clerk to notify, in writing, a military elector who fails to cast any absentee ballot in a four-year period to determine whether the elector wishes to continue to receive ballots or whether the elector remains qualified to receive an automatic ballot under the proposal.

The proposal would define a "military elector" to be a member of the uniformed services on active duty who, by reason of that duty, is absent from the residence where the member is otherwise qualified to vote in Wisconsin; a member of the merchant marine, who, by reason of service in the merchant marine, is absent from the residence where the member is otherwise qualified to vote in Wisconsin; or the spouse or dependent of any such member who, by reason of the duty or service of the member, is absent from the residence where the spouse or dependent is otherwise qualified to vote in Wisconsin. "Active duty" status will be determined as of election day.

The proposal would also extend the deadline for sending absentee ballots by fax and email to these military electors. Under the proposal, a municipal clerk would be required to respond to requests for absentee ballots by military electors by fax or email up until 5 p.m. on election day.

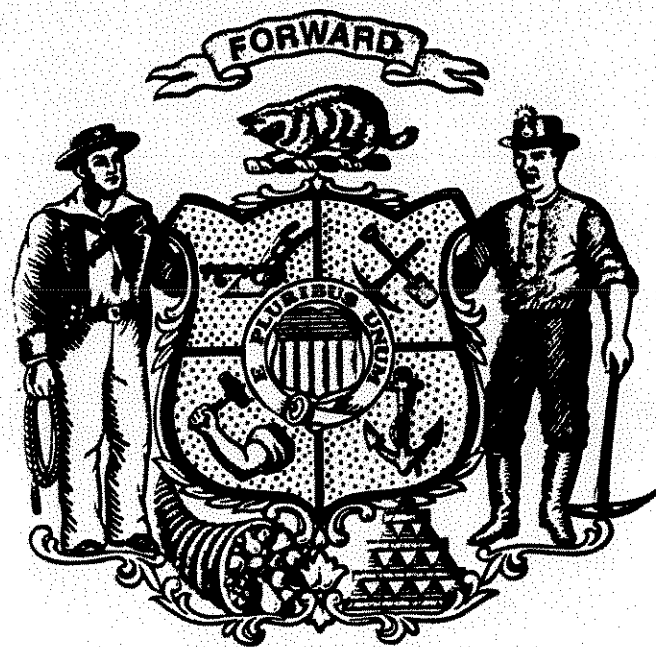
LATE ARRIVING MILITARY BALLOTS

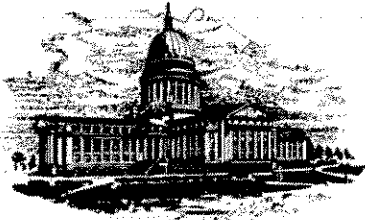
Under the proposal, an absentee ballot cast and sent by mail from any location by a military elector for the September primary or November general election could be counted if it bears a postal cancellation mark dated on or before the date of the election for which the ballot was cast and if it is received by the municipal clerk by mail not later than the 7th calendar day after the September primary or not later than the 10th calendar day after the November general election.

The proposal would require that the municipal clerk post notice of the number of these military ballots outstanding as of the close of the polls. The names of military electors who have not returned ballots by the close of the polls must be withheld.

If you have any questions about this matter, please contact me at the Legislative Council staff offices.

RJC:rv





Wisconsin State Assembly

P.O. BOX 8952 MADISON, WI 53708

FOR IMMEDIATE RELEASE

April 12, 2005

For more information contact:

Rep. Davis 608 266-1192

Rep. Freese 608-266-7502

Speaker Gard 608-266-3387

Assembly GOP to Ensure Votes of Active Duty Military Personnel Are Counted

MADISON – State Representative Brett Davis (R-Oregon) announced his intention today to introduce legislation to ensure that all the ballots of active military personnel and their families are counted by extending the amount of time ballots can be accepted after the Fall General and Primary elections.

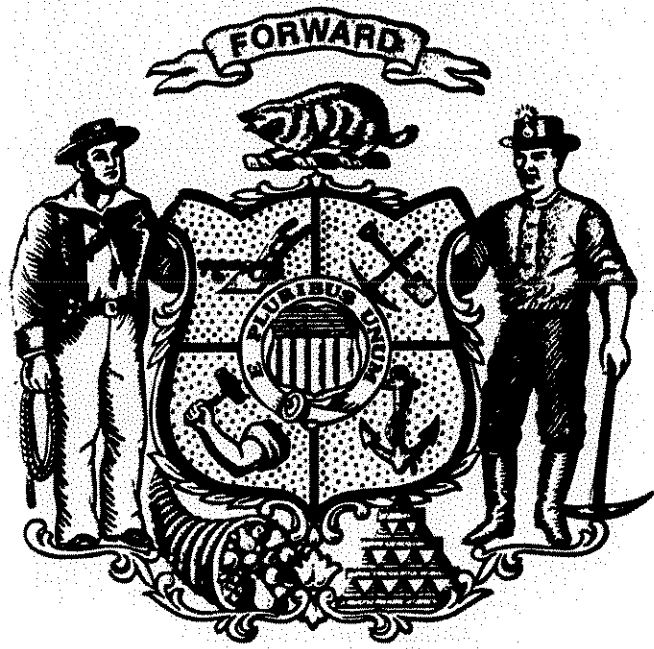
Davis, along with State Representative Steve Freese (R-Dodgeville) and Assembly Speaker John Gard (R-Peshtigo), believe that we should make it easier to vote in Wisconsin and that every vote should count. However, for many active military personnel and their families, this is not always the case.

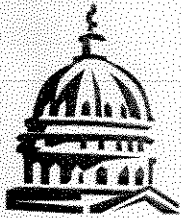
“Many times, our fighting men and women serving our nation overseas and spreading freedom around the world are denied their fundamental right to vote,” said Davis. “It’s wrong, and this legislation will go a long way towards fixing that. These brave men and women deserve no less.”

“Service men and women, especially those in Iraq and Afghanistan, do not have daily mail service that we take for granted,” said Freese. “Right now, military personnel may mail their ballots three weeks before an election, and through no fault of their own, still be denied their right to vote because their ballots were a day or two late. We have it within our power to correct this so that every vote counts.”

Under the legislation proposed by Davis, Freese and Gard, as long as a military elector sends his or her ballot on or before the Election Day, it will be counted up to 7 days after the September primary and up to 10 days after the November general election. The proposal would also include a spouse or dependent that is with the serviceperson on active duty.

“A survey by the non-profit National Defense Committee estimates that the votes of 29% of those in the military who requested absentee ballots either were not returned or counted in the 2004 election,” said Gard. “It’s clear we have a problem here, and I don’t think it’s too much to ask to give our military personnel a few more days to cast their vote. They are putting their lives on the line to protect that right.”





BRETT H. DAVIS

WISCONSIN STATE REPRESENTATIVE

80TH ASSEMBLY DISTRICT

April 20, 2005

Representative Stephen Freese
State Capitol
Room 115 West
Madison, WI 53708

RECEIVED

APR 20 2005

Stephen J. Freese
Speaker Pro Tempore
WI State Assembly

Dear Representative Freese:

I am writing to respectfully request that the Assembly Committee on Campaigns and Elections hold a public hearing regarding why Green County and other counties in Wisconsin have not received state funding to transition from punch card voting machines to updated election technology.

As you know, the 2001-2003 Wisconsin State Budget included a provision that authorized the State Elections Board to help counties with the transition to new voting technologies by providing training assistance and funding. For counties to receive funding, the State Elections Board was to request the appropriate amount from the Joint Committee on Finance.

According to Green County Clerk Mike Doyle, Green County has spent approximately \$180,000 to transition to updated voter machines. Despite this expenditure due to compliance with the state mandate, it is my understanding that no funding has been provided to Green County to assist with the transition.

It is important we clearly understand why the state mandated counties to change their voting technology without providing adequate funding that counties were led to believe they would receive. In this regard, I appreciate your consideration of holding a public hearing on this important issue.

Thank you for your prompt attention to this matter. Please contact me at 608-266-1192 if you have any specific questions.

Sincerely,

Brett Davis
State Representative
80th District

CC: Kevin Kennedy, Executive Director, State Elections Board
Mike Doyle, Green County Clerk
Green County Finance and Accounting Committee Members

Terri:

The 2001-03 budget presented to the Governor eliminated punch card ballots as an acceptable voting device effective January 1, 2002. In addition, the budget created a voting system transitional assistance appropriation for the Elections Board to assist counties and municipalities in eliminating punch card voting systems. The funds were to be used to assist municipalities that used punch card systems at the spring election in 2001 to enable the municipalities to use other types of voting systems and provide training for election officials in the use of replacement systems.

The Board was to work with DOA to arrange, through the state's master lease, the acquisition of different voting systems for those municipalities and the Board was to make the payments for the municipalities. The Board was to request funds from Joint Finance. The appropriation and associated statutory language was to be repealed on July 1, 2008.

Subsequently, the Governor vetoed a portion of the above. After the veto, the Board was to help with the transition and help provide training and was authorized to request funding from JFC.

The only other bill that I could find that was introduced that session that dealt with punch cards was AB 309, which was introduced by Rep. Powers and, it appears, died in committee.

Hope this helps.

Bob
S

- May 12 -

10:00
300 NE

offers the recall petition for filing may appear by counsel and the court may take testimony with respect to the petition. If the circuit court determines that the allegations in the petition are true and constitute cause for the recall, require the court to issue a certificate directing that a recall election be held. If the court determines that the allegations in the recall petition are not true or do not constitute cause, the court could not issue a certificate directing that a recall election be held.

e. Within 15 days after entry of a circuit court judgment either issuing or not issuing a certificate directing that a recall election be held, provide that either party could file an appeal to the Court of Appeals, which would be given precedence over other matters not accorded similar precedence by law. Provide that the appeal would stay the holding of a recall primary and election under a certificate issued by the circuit court until the Court of Appeals determined the validity of the certificate, but other acts required to prepare for the recall primary and election would be required to proceed while the appeal was underway.

f. Provide that these changes would first apply to recall petitions offered for filing on the effective date of the bill.

Veto by Governor [E-18]: Delete provision.

[Act 16 Vetoed Sections: 94f thru 94s, 3828m and 9359(11q)]

6. ELIMINATION OF PUNCH CARD VOTING SYSTEMS

Assembly/Legislature: Provide that no voting system could be used in Wisconsin that employs any mechanism by which a ballot is punched or punctured to record the votes cast by an elector, effective January 1, 2002. Create a voting system transitional assistance biennial GPR appropriation under the Elections Board to assist counties and municipalities in eliminating punch card voting systems. Provide that funds from the appropriation be used to assist municipalities that used punch card electronic voting systems at the 2001 spring election to enable the municipalities to employ another type of electronic voting system, and provide training for election officials in the use of replacement systems.

Require the Department of Administration to enter into a master lease on behalf of the Elections Board to obtain sufficient electronic voting system equipment suitable for use with an electronic voting system in municipalities that employed a punch card voting system at the 2001 spring election, with master lease payments made from the newly-created voting system transitional assistance appropriation. Repeal this appropriation and associated statutory language on July 1, 2008.

Require the Elections Board to sublease the equipment to any county in which municipalities using punch card electronic voting systems at the 2001 spring election are wholly or partly contained at nominal cost to the county.

Provide that, if the Elections Board requests a supplemental appropriation from the Joint Committee on Finance for the purpose of providing voting system transitional assistance, no finding of emergency is required. Provide that if the Elections Board requests a supplement for this purpose from the Joint Committee on Finance under sections 13.10 and 13.101(3) of the statutes and the Co-Chairpersons of the Joint Committee on Finance do not notify the Elections Board that a meeting of the Committee has been scheduled to discuss the request within 14 working days of the date that the request is made, the request would be considered approved by the Committee.

Under current law, the Department of Administration is authorized to enter into a master lease without the appropriation of moneys to pay for payments required under the master lease if the master lease contains a statement in substance that its continuance beyond the limits of funds already available is contingent upon appropriation of the necessary funds.

Veto by Governor [E-19]: Delete: (a) the requirement that the Department of Administration enter into a master lease on behalf of the Elections Board to obtain sufficient electronic voting system equipment for use in municipalities that employed a punch card electronic voting system at the 2001 spring election; (b) the requirement that the Elections Board sublease the equipment to any qualifying county at nominal cost to the county; and (c) the requirement that the Elections Board make master lease payments from the newly-created appropriation. Under the Act, therefore, the prohibition on punch card voting systems becomes effective on January 1, 2002, and the authority remains, through June 30, 2008, for the Elections Board to: (a) provide assistance to municipalities that used punch card electronic voting systems at the 2001 spring election to enable the municipalities to employ another type of electronic voting system and provide training for election officials in the use of replacement systems; and (b) request a supplemental appropriation from the Joint Committee on Finance for this purpose, without a finding of emergency, that could be approved through a 14-day passive review process.

[Act 16 Sections: 2m thru 9y, 29p thru 69s, 76ab, 76ac, 81m, 87o thru 87s, 94sm thru 96m, 906m, 906n, 1994m, 9129(1x) and 9415(2x)&(2y)]

[Act 16 Vetoed Sections: 906m, 9101(20x), 9115 and 9129(1x)]

7. TRAINING AND CERTIFICATION OF CHIEF INSPECTORS

| | |
|-----|----------|
| GPR | \$45,000 |
|-----|----------|

Assembly/Legislature: Provide \$45,000 in 2001-02 for the training of chief inspectors in a newly-created biennial training of chief inspectors appropriation. Require daily compensation to be provided to chief inspectors for attendance at chief inspector training sessions and associated examinations required by the Elections Board.

Provide that it would be the responsibility of the municipal clerk, in coordination with the Elections Board, to instruct election officials in their duties. Under current law, it is the responsibility of the municipal clerk to instruct election officials in their duties. Require the Elections Board to: (a) prescribe, by rule, requirements for certification of individuals to serve as

**Presentation of Kevin J. Kennedy
Executive Director
State Elections Board**

*Green
Walworth
St. Croix*

**Funding For Counties Transitioning From Punch Card Voting To Other
Technology**

*Provision
is still active
Can ask
JFC
under
13.10 -*

The 2001-2003 Budget included a provision that authorized the State Elections Board to help counties with the transition to new voting technologies by providing training assistance and funding. 2001 Wisconsin Act 16, Section 76ab. This provision expires on July 1, 2008.

2001 Wisconsin Act 16, Section 9415 (2y). By the terms of the legislation this provision only applied to counties using punch card voting at the 2001 spring election. Green County is the only county that met this criteria.

On November 29, 2000, the State Elections Board revoked the approval of all punch card voting systems for use in the State of Wisconsin effective December 31, 2001. No electronic voting system may be used in the State of Wisconsin without the approval of the State Elections Board. Section 5.91, Wis. Stats. At the time of the Board's action, 73 municipalities in three counties (Green, St. Croix and Walworth) had used punch card voting systems in the 2000 presidential election. St. Croix and Walworth Counties had already contracted to convert the municipalities using punch card to an optical scan voting system beginning with the February 2001 nonpartisan primary election. Green County planned to continue using punch card voting as long as it was permitted in the state.

The 2001-2003 Budget also effectively ratified the action of the State Elections Board by removing all references to punch card voting from the statutes. 2001 Wisconsin Act 16 Section 9415 (2x). In September 2001, Green County spent \$178,950 to acquire an optical scan electronic voting system to replace their punch card voting system.

Following the 2000 presidential election several pieces of legislation were introduced at the federal level to either force or reimburse states and counties to eliminate the use of punch card voting and the use of lever voting machines. On October 29, 2002, President Bush signed the Help America Vote Act of 2002 (HAVA) into law. Among its provisions was funding for payments to the states to pay for the costs of replacing punch card voting systems and lever voting machines that had been used in the 2000 presidential election. HAVA Section 102. The amount of funding available to each state was based on its pro rata share of \$325,000,000. Each state's share was determined by the number of precincts (wards) using punch card or lever machine voting systems in the 2000 presidential election.

Eighty-eight (88) municipalities with a total of 410 wards in 13 counties qualify for HAVA, Section 102 voting equipment replacement payments. Fifteen municipalities in 10 counties are still using lever machines. Wisconsin has received \$1,308,000 in funds to replace punch card and lever voting machine systems. The amount of funding available per ward is approximately \$3,190. The amount of HAVA, Section 102 funding available for Green County is approximately \$162,690.

HAVA also provides the State with funding (HAVA, Section 251) to meet the requirement that each polling place have an accessible voting system component that enables an individual with disabilities to vote privately and independently. HAVA, Section 301 (a)(3)(A). The State Elections Board has allocated \$6,000 per polling place to meet this requirement.

The State Elections Board has not requested any funding from the Joint Committee on Finance to assist Green County with the transition from punch card voting. Following the

enactment of 2001 Wisconsin Act 16, the agency lost sight of this provision. It was identified in our analysis of the 2001-2003 Budget. However, the events following the enactment of the 2001-2003 Budget shifted the agency's focus to addressing the Administration's directives to reduce state spending. As Executive Director, I focused on meeting the requirements to reduce the State Elections Board's GPR budget by developing base spending reduction plans requested by the Administration. These reductions were reflected in 2001 Wisconsin Act 109.

In addition the agency was focused on the resolution of the caucus scandal, the aftermath of September 11th, redistricting activity and the development of state and federal legislation responding to the 2000 presidential election. At this point it is speculation, but there is a legitimate question whether funding would have been available or forthcoming from the Joint Committee on Finance for Green County in Fiscal Years 2 and 3 (July 2001 through June 2003).

The State Elections Board has \$162,690 in HAVA, Section 102 funding available to reimburse Green County for the replacement of its punch card voting system pursuant to the terms of HAVA, Section 102. The key element of that provision is that the replacement voting system must meet the voting system standards set out in HAVA, Section 301(a). See HAVA, Section 102 (a)(2)(C). What Green County and every other jurisdiction in the state need to meet the HAVA voting system standards is an accessible voting system component that enables an individual with disabilities to vote privately and independently. HAVA, Section 301 (a)(3)(A).

The State Elections Board has not approved an accessible voting system component because until recently no accessible voting systems had been qualified to the federal guidelines required by the State Elections Board. ElBd Section 7.01 (1)(e), Wis. Adm Code. The agency expects to approve qualifying voting systems this summer, so that counties and municipalities can select the equipment that best fits their current voting system by the end of 2005. The State Elections Board has allocated \$6,000 per polling place to enable counties and municipalities to meet this requirement. The State Elections Board has also applied for a grant under HAVA Section 261 to enable the agency to pay the programming costs for the accessible voting equipment in 2006.

At its April 22, 2005 meeting, the State Elections Board discussed the fact that the agency has not requested any funding from the Joint Committee on Finance to assist Green County with the transition from punch card voting. The Board has directed me to work with the Assembly Committee on Campaigns and Elections and the Joint Committee on Finance to secure a satisfactory resolution of this matter.

Resolution

Whereas, in 1999 the Wisconsin State Elections Board promulgated administrative rules concerning the approval of electronic voting equipment to ensure that voting equipment used in Wisconsin meets statutory standards;

Whereas, the Wisconsin State Elections Board finds that the use of punch card voting systems undermine the confidence of voters and candidates in the integrity of the tabulation of votes in Wisconsin Elections;

Whereas, the Wisconsin State Elections Board through its staff have been working with municipalities and counties to encourage the acquisition of more reliable voting systems;

Whereas, the number of municipalities using punch card voting has decreased from more than 400 municipalities in 1993 to 51 municipalities following the November 7, 2000 election;

Now, Therefore Be It Resolved That, the Wisconsin State Elections Board directs its staff to develop and implement a plan to revoke the approval of punch card voting systems for use in the State of Wisconsin effective December 31, 2001.

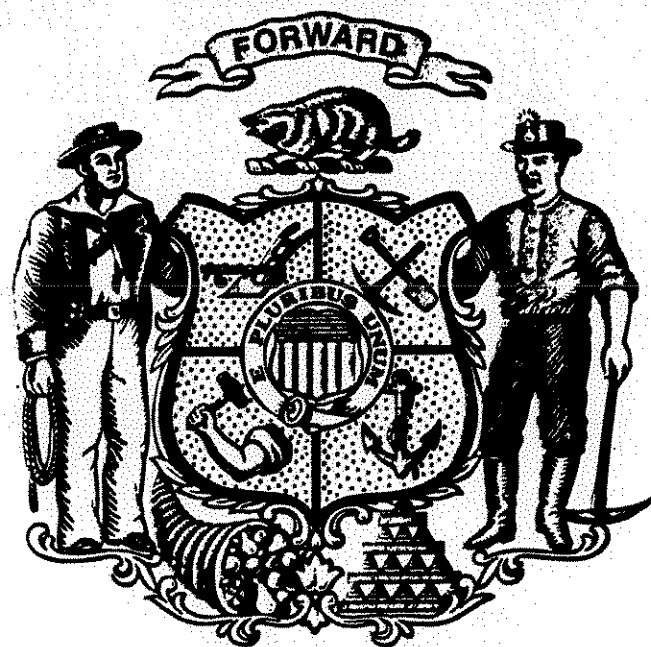
**Wisconsin Municipalities Using Lever Equipment
at the November 2000 General Election**

| County | Municipality | # of Wards |
|-------------------|---------------------------|-------------------|
| Ashland | City of Ashland | 11 |
| Bayfield | City of Washburn | 8 |
| Dunn | City of Menomonie | 11 |
| Juneau | Town of Necedah | 3 |
| Kenosha | City of Kenosha | 35 |
| Outagamie | Town of Center | 3 |
| | Town of Ellington | 3 |
| | Town of Freedom | 5 |
| | Town of Grand Chute | 10 |
| | Village of Combined Locks | 3 |
| | City of Seymour | 4 |
| Pepin | City of Durand | 7 |
| Portage | Village of Whiting | 4 |
| Shawano | City of Shawano | 12 |
| Washington | City of Hartford | 45 |
| | Total | 164 |

H:\LEGISLATION\2002 Federal Legislation\wards using lever_Nov 2000

Wisconsin Municipalities Using Punch Card Equipment at the November 2000 General Election

| Green Co. | # of Wards | St. Croix Co. | # of Wards | Walworth Co. | # of Wards | Grand Total |
|-----------------|------------|-----------------|------------|-----------------|------------|-------------|
| Towns | | Towns | | Towns | | |
| Adams | 2 | Baldwin | 2 | Bloomfield | 6 | |
| Albany | 2 | Cylon | 2 | Darien | 4 | |
| Brooklyn | 2 | Eau Galle | 1 | Delavan | 8 | |
| Cadiz | 2 | Emerald | 1 | East Troy | 5 | |
| Clarno | 2 | Erin Prairie | 1 | Geneva | 8 | |
| Decatur | 2 | Forest | 1 | Lafayette | 4 | |
| Exeter | 1 | Glenwood | 1 | LaGrange | 3 | |
| Jefferson | 2 | Hammond | 2 | Linn | 5 | |
| Jordan | 1 | Hudson | 9 | Lyons | 11 | |
| Monroe | 2 | Kinnickinnic | 2 | Richmond | 3 | |
| Mt. Pleasant | 2 | Pleasant Valley | 1 | Sharon | 2 | |
| New Glarus | 2 | Richmond | 3 | Spring Prairie | 3 | |
| Spring Grove | 2 | Rush River | 1 | Sugar Creek | 6 | |
| Sylvester | 1 | St. Joseph | 5 | Troy | 3 | |
| Washington | 2 | Somerset | 4 | Villages | | |
| York | 1 | Springfield | 1 | Darten | 2 | |
| Villages | | Stanton | 2 | East Troy | 5 | |
| Albany | 2 | Star Prairie | 3 | Genoa City | 2 | |
| Brownstown | 1 | Troy | 6 | Sharon | 2 | |
| Monticello | 2 | Warren | 2 | Williams Bay | 3 | |
| New Glarus | 2 | Villages | | Cities | | |
| Cities | | Baldwin | 3 | Delavan | 9 | |
| Brodhead | 6 | Hammond | 2 | Elkhorn | 11 | |
| Monroe | 10 | North Hudson | 5 | Lake Geneva | 11 | |
| | | Roberts | 1 | | | |
| | | Somerset | 2 | | | |
| | | Star Prairie | 1 | | | |
| | | Woodville | 1 | | | |
| | | Cities | | | | |
| | | Glenwood City | 2 | | | |
| | | Hudson | 12 | | | |
| Total | 51 | Total | 79 | Total | 116 | 246 |





**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~~. *JK*
5. Persons whose identities were used to vote, but who in subsequent *JK* 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 66 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