

2015 DRAFTING REQUEST

Senate Amendment (SA-SB488)

Received: 1/14/2016 Received By: jkreye
For: Jennifer Shilling (608) 266-5490 Same as LRB:
May Contact: By/Representing:
Subject: Elections - campaign finance Drafter: jkreye
Addl. Drafters: phurley
Extra Copies:

Submit via email: YES
Requester's email: Sen.Shilling@legis.wisconsin.gov
Carbon copy (CC) to: joseph.kreye@legis.wisconsin.gov
peggy.hurley@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Providing the program participant's actual address under limited election-related circumstances

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	phurley 1/19/2016	aernstr 1/14/2016	_____	lparisi 1/14/2016	lparisi 1/14/2016	
/2		aernstr 1/19/2016	_____	lparisi 1/19/2016	lparisi 1/19/2016	

FE Sent For:

<END>

Kreye, Joseph

From: Tony Gibart <tonyg@endabusewi.org>
Sent: Thursday, January 14, 2016 11:30 AM
To: Pennoyer, Kara; Kreye, Joseph; Haas, Michael R - GAB
Subject: RE: Amendment to SB 488 / AB 628

Thanks, Kara. I am just noticing a typo in my suggestion. The last line should read: If a voter is enrolled in the confidential voter program under s. 6.47, the municipal clerk shall keep the program participant's actual address confidential as specified in s. 6.47.

From: Pennoyer, Kara [mailto:Kara.Pennoyer@legis.wisconsin.gov]
Sent: Thursday, January 14, 2016 11:27 AM
To: Kreye, Joseph <Joseph.Kreye@legis.wisconsin.gov>; Haas, Michael R - GAB <Michael.Haas@wisconsin.gov>
Cc: Tony Gibart <tonyg@endabusewi.org>
Subject: RE: Amendment to SB 488 / AB 628

I'm looping in Tony Gibart from End Domestic Abuse Wisconsin who will also be joining us at 1pm.

I set up a conference line that we can use:

Number: 888-273-3658
Code: 6331980

Here is the language Tony suggested that we can talk through:

- (5) USE OF ASSIGNED ADDRESS; CONFIDENTIALITY. (a) A program participant may use the assigned address provided to him or her under sub. (4) for all purposes.
- (b) No state or local agency or unit of government may refuse to use a program participant's assigned address for any official business, unless a specific statutory duty requires the agency or unit of government to use the participant's actual address. A state or local agency or unit of government may confirm with the department a person's status as a program participant.
- (c) No person who has received a notification form from a program participant may refuse to use the assigned address for the program participant, may require a program participant to disclose his or her actual address, or may intentionally disclose to another person the actual address of a program participant.
- (d) Notwithstanding (a), (b) and (c), a municipal clerk may require a program participant to provide his or her actual address for voter registration and voter verification purposes. A municipal clerk shall also require a program participant to disclose his or her actual address to enroll a program participant in confidential voter program provided for in s. 6.47. If a voter is enrolled in the confidential voter program under s. 6.47, the municipal clerk shall keep that the program participant's actual address as specified in s. 6.47.

This amendment basically creates an exception to the requirement that local government not require physical addresses. The exception applies to municipal clerks for voting registration and verification purposes. The amendment also clarifies, I think, that a program participant would have to register separately in the s. 6.47 program and that 6.47 would govern how clerks handle the actual address in terms of confidentiality.

Kara Pennoyer
Office of Senator Jennifer Shilling
608.266.5490
206 South, State Capitol



From: Kreye, Joseph
Sent: Thursday, January 14, 2016 11:12 AM
To: Pennoyer, Kara <Kara.Pennoyer@legis.wisconsin.gov>; Haas, Michael R - GAB <Michael.Haas@wisconsin.gov>
Subject: RE: Amendment to SB 488 / AB 628

I am.

Joseph T. Kreye
Legal Services Manager
Legislative Reference Bureau
608 266-2263

From: Pennoyer, Kara
Sent: Thursday, January 14, 2016 11:12 AM
To: Haas, Michael R - GAB <Michael.Haas@wisconsin.gov>; Kreye, Joseph <Joseph.Kreye@legis.wisconsin.gov>
Subject: RE: Amendment to SB 488 / AB 628

Hi Michael,

Peggy suggested we work with Joe Kreye instead. Joe – are you available to talk with us about changes to SB 488 Section 2. 6.47 (2) at 1 or 1:15 today?

Kara Pennoyer
Office of Senator Jennifer Shilling
608.266.5490
206 South, State Capitol

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From: Haas, Michael R - GAB [<mailto:Michael.Haas@wisconsin.gov>]
Sent: Thursday, January 14, 2016 11:08 AM
To: Pennoyer, Kara <Kara.Pennoyer@legis.wisconsin.gov>; Hurley, Peggy <Peggy.Hurley@legis.wisconsin.gov>
Subject: RE: Amendment to SB 488 / AB 628

How about 1:00 or 1:15? I'll be in a conference room with a couple others at 261-2029.

Michael Haas
Elections Division Administrator
Wisconsin Government Accountability Board
608-266-0136
michael.haas@wi.gov

Wisconsin law now requires a photo ID to vote. For additional information, click below.



From: Pennoyer, Kara [<mailto:Kara.Pennoyer@legis.wisconsin.gov>]
Sent: Thursday, January 14, 2016 10:55 AM
To: Hurley, Peggy - LEGIS
Cc: Haas, Michael R - GAB
Subject: Amendment to SB 488 / AB 628

Hi Peggy,

Are you available today to chat with Michael Haas from the GAB and myself about an amendment to Section 2 6.47 (2) of SB 488? I'm including Michael to discuss timing. We can do this via phone.

Kara Pennoyer
Office of Senator Jennifer Shilling
608.266.5490
206 South, State Capitol

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State of Wisconsin
2015 - 2016 LEGISLATURE

LRBa1544/1

JK...
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SENATE AMENDMENT,
TO SENATE BILL 488

Today

1-14

1 At the locations indicated, amend the bill as follows:

2 1. Page 3, line 20: after that line insert:

3 “SECTION 4m. 6.47 (8) (a) of the statutes is amended to read:

4 6.47 (8) (a) To a law enforcement officer ~~for official purposes~~ with the
5 permission of the protected individual or if the protected individual is suspected of
6 criminal activity. This paragraph does not apply to a law enforcement officer who is
7 employed at an agency that also employs a person who committed an act of abuse
8 against the protected individual.”

History: 1999 a. 49, 186; 2003 a. 265; 2005 a. 253, 277, 278; 2007 a. 20; 2009 a. 180; 2013 a. 362.

9 2. Page 8, line 24: after that line insert:

10 “(d) Notwithstanding pars. (a), (b), and (c), a municipal clerk may require a
11 program participant to provide his or her actual address for voter registration and
12 voter verification purposes. A municipal clerk shall also require a program
13 participant to disclose his or her actual address to enroll a program participant in

1 the confidential voter program provided under s. 6.47. If a voter is enrolled in the
2 confidential voter program under s. 6.47 the municipal clerk shall keep the program
3 participant's actual address confidential as provided under s. 6.47.”.

4 (END)

Hurley, Peggy

From: Pennoyer, Kara
Sent: Tuesday, January 19, 2016 10:44 AM
To: Hurley, Peggy
Subject: RE: LRB 15a1544 Topic: Providing the program participant's actual address under limited election-related circumstances

Sending back now. Thanks!

Kara Pennoyer
Office of Senator Jennifer Shilling
608.266.5490
206 South, State Capitol



From: Hurley, Peggy
Sent: Tuesday, January 19, 2016 10:43 AM
To: Tony Gibart <tonyg@endabusewi.org>; Pennoyer, Kara <Kara.Pennoyer@legis.wisconsin.gov>
Cc: Austin, Michael P - DOJ <austinmp@doj.state.wi.us>
Subject: RE: LRB 15a1544 Topic: Providing the program participant's actual address under limited election-related circumstances

Okay; I will make those changes.

Kara, I'll need the jacket back from 15a1544, unless you want me to draft a brand new amendment.

Peggy

From: Tony Gibart [<mailto:tonyg@endabusewi.org>]
Sent: Tuesday, January 19, 2016 10:41 AM
To: Pennoyer, Kara <Kara.Pennoyer@legis.wisconsin.gov>; Hurley, Peggy <Peggy.Hurley@legis.wisconsin.gov>
Cc: Austin, Michael P - DOJ <austinmp@doj.state.wi.us>
Subject: RE: LRB 15a1544 Topic: Providing the program participant's actual address under limited election-related circumstances

That is the intent. Mike and I discussed that the administrative rules will address how DOJ will handle cases in which a law enforcement agency that employs the alleged abuser asks DOJ for PP info. I think everyone agrees that DOJ would not hand over the address without taking extra precautions to prevent the individual from having access to that information.

Kara, has Vicky looked at this?

Tony

From: Pennoyer, Kara [<mailto:Kara.Pennoyer@legis.wisconsin.gov>]
Sent: Tuesday, January 19, 2016 10:30 AM
To: Hurley, Peggy <Peggy.Hurley@legis.wisconsin.gov>
Cc: Austin, Michael P - DOJ <austinmp@doj.state.wi.us>; Tony Gibart <tonyg@endabusewi.org>

Subject: RE: LRB 15a1544 Topic: Providing the program participant's actual address under limited election-related circumstances

I believe that's what we're looking at but I am looping in Tony Gibart and Mike Austin to clarify that is the intent.

To clarify: you want to remove Section 1 from the amendment to keep current law in s. 6.47 (8) (a) and you want to amend the language on page 8, lines 9-13 to read that "the department may disclose a program participant's actual address to a law enforcement officer for official purposes." Does that mean you want to remove the provision on page 8, lines 11-13 regarding a law enforcement officer who is employed at an agency that also employs an abuser?

Kara Pennoyer
Office of Senator Jennifer Shilling
608.266.5490
206 South, State Capitol



From: Hurley, Peggy
Sent: Tuesday, January 19, 2016 10:29 AM
To: Pennoyer, Kara <Kara.Pennoyer@legis.wisconsin.gov>
Subject: RE: LRB 15a1544 Topic: Providing the program participant's actual address under limited election-related circumstances

Hi Kara,

I can do that. To clarify: you want to remove Section 1 from the amendment to keep current law in s. 6.47 (8) (a) and you want to amend the language on page 8, lines 9-13 to read that "the department may disclose a program participant's actual address to a law enforcement officer for official purposes." Does that mean you want to remove the provision on page 8, lines 11-13 regarding a law enforcement officer who is employed at an agency that also employs an abuser?

Peggy

From: Pennoyer, Kara
Sent: Tuesday, January 19, 2016 10:18 AM
To: Hurley, Peggy <Peggy.Hurley@legis.wisconsin.gov>
Subject: FW: LRB 15a1544 Topic: Providing the program participant's actual address under limited election-related circumstances

Hi Peggy,

Can we change the recent SB 488 amendment (1544/1) to take out part 1 and instead amend Page 8, lines 9 through 13 to match the current law under 6.47 (8) (a)?

Here is the direction from DOJ:

I talked with the first part of the amendment with Tony. The idea with changing that language was to make it identical to what was in the bill. We'd prefer to keep current law there and instead amend Page 8, lines 9 through 13 to make it match the current law under 6.47 (8) (a).

Let me know if you have any questions!

Kara

Kara Penoyer
Office of Senator Jennifer Shilling
608.266.5490
206 South, State Capitol



From: LRB.Legal
Sent: Thursday, January 14, 2016 3:59 PM
To: Sen.Shilling <Sen.Shilling@legis.wisconsin.gov>
Subject: LRB 15a1544 Topic: Providing the program participant's actual address under limited election-related circumstances

The attached proposal has been jacketed for introduction.

A copy has also been sent to: joseph.kreye@legis.wisconsin.gov;
peggy.hurley@legis.wisconsin.gov

Hurley, Peggy

From: Pennoyer, Kara
Sent: Tuesday, January 19, 2016 10:18 AM
To: Hurley, Peggy
Subject: FW: LRB 15a1544 Topic: Providing the program participant's actual address under limited election-related circumstances

Hi Peggy,

Can we change the recent SB 488 amendment (1544/1) to take out part 1 and instead amend Page 8, lines 9 through 13 to match the current law under 6.47 (8) (a)?

Here is the direction from DOJ:

I talked with the first part of the amendment with Tony. The idea with changing that language was to make it identical to what was in the bill. We'd prefer to keep current law there and instead amend Page 8, lines 9 through 13 to make it match the current law under 6.47 (8) (a).

Let me know if you have any questions!

Kara

Kara Pennoyer
Office of Senator Jennifer Shilling
608.266.5490
206 South, State Capitol



From: LRB.Legal
Sent: Thursday, January 14, 2016 3:59 PM
To: Sen.Shilling <Sen.Shilling@legis.wisconsin.gov>
Subject: LRB 15a1544 Topic: Providing the program participant's actual address under limited election-related circumstances

The attached proposal has been jacketed for introduction.

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peggy.hurley@legis.wisconsin.gov



State of Wisconsin
2015 - 2016 LEGISLATURE

LRBa1544/1
JK:ahe

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SENATE AMENDMENT,
TO SENATE BILL 488

Handwritten: ~~1-2~~
today

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 3, line 20: after that line insert:

3 **"SECTION 4m.** 6.47 (8) (a) of the statutes is amended to read:

4 6.47 (8) (a) To a law enforcement officer for official purposes with the
5 permission of the protected individual or if the protected individual is suspected of
6 criminal activity. This paragraph does not apply to a law enforcement officer who is
7 employed at an agency that also employs a person who committed an act of abuse
8 against the protected individual."

9 **2.** Page 8, line 24: after that line insert:

10 "(d) Notwithstanding pars. (a), (b), and (c), a municipal clerk may require a
11 program participant to provide his or her actual address for voter registration and
12 voter verification purposes. A municipal clerk shall also require a program
13 participant to disclose his or her actual address to enroll a program participant in

Handwritten: Insert

1 the confidential voter program provided under s. 6.47. If a voter is enrolled in the
2 confidential voter program under s. 6.47 the municipal clerk shall keep the program
3 participant's actual address confidential as provided under s. 6.47.".

4 (END)

**2015-2016 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa1544/lins
JK:ahc

1
2
3
4

INSERT:

1. Page 8, line 10: delete “with the permission of the program participant or if the program” and substitute “for official purposes.”.

2. Page 8, line 11: delete lines 11 to 13.