
State of Wisconsin
Office of the Governor

April 8, 2022

The Honorable, the Senate:

I am vetoing 2021 **Senate Bill 943** in its entirety.

This bill would require the Elections Commission to submit copies of documents and communications that it provides to local election officials that would qualify as guidance documents and submit this collection to the Joint Committee for Review of Administrative Rules weekly. It extends this same obligation to certain guidance documents previously issued. The committee would then determine if any of the documents constituted a rule as defined in statute and if so, require the commission to retract its guidance and promulgate an administrative rule instead.

The right to vote is fundamental to our democracy; it should not be subject to the whim of politicians who do not like the outcome of an election. Elected officials should not be able to abuse their power to cheat or control the outcomes of our elections or to prevent eligible voters from casting their ballots. This legislation is among many that have been sent to my desk during this legislative session, each passed under the guise of needing to reform our election system because elected officials in this state have enabled disinformation about our elections and election processes. I have and will object to each and every effort by this Legislature and its members to undermine our democracy, to erode confidence in our elections, and to demean and harass dedicated clerks, election administrators, and poll workers.

I am vetoing this bill in its entirety because I object to giving a single legislative body the authority to hinder the normal day-to-day operations of the Elections Commission. The risk that this could be used by partisan politicians to interfere in elections administration is significant. This bill would require the Commission to be under constant monitoring and second-guessing by a partisan legislative committee, which could force the Commission to retract guidance, even accurate guidance, that it did not like.

To try and micromanage elections policy through the administrative rules process is an attempt at avoiding the checks and balances between the legislative and the Elections Commission and is inherently undemocratic, which is why the Wisconsin Supreme Court found a similar guidance document provision in 2017 Act 369 unconstitutional. This is yet another political bill that fails to improve our elections systems and instead tries to assert more partisan control over nonpartisan elections administration. For these reasons, I must veto this bill.

Respectfully submitted,
TONY EVERS
Governor