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An Examination of Early Voting in Wisconsin

An In-depth Review and Analysis

Introduction

In 2000, Wisconsin changed its absentee voting statutes to allow electors to cast an absentee ballot in the office of their municipal clerk without an excuse. This option is popular with many voters and the percentage of electors who cast their ballot by absentee has increased dramatically. Wisconsin's statutes, however, limit absentee voting to a single site per municipality; thereby, resulting in long lines. Statutes requiring the use of an absentee application and an absentee ballot envelope have also increased the burden of paperwork on clerks, and confusion for the voter. Editorials, elected officials, elections administrators and the voting public have called for the institution of true early voting in Wisconsin.^{1,2,3}

True early voting allows voters to cast ballots early, without absentee applications, and at multiple locations for convenience. This system would shorten lines, lighten the burden of municipal clerks, and reduce spoiled ballots because voters would have a chance to correct some incorrectly marked ballots, since they would be cast immediately. The implementation of early voting also raises issues such as continuing Wisconsin's traditional municipality-based administration of elections; whether current voting machines are up to the task of processing early ballots from an entire city or county; and, how the Statewide Voter Registration System (SVRS) would handle these voters.

The Government Accountability Board's (G.A.B.) staff has studied the feasibility of implementing true early voting in Wisconsin. This review discusses G.A.B.'s objectives, challenges and opportunities for implementing early voting in Wisconsin. Additionally, this review highlights best practices gathered from states that offer early voting. This examination also recommends three viable options for discussion and debate for adapting early voting to Wisconsin. This analysis proposes a pilot program to collect data and identify challenges around implementing early voting.

Issues

The following issues will need to be addressed as true early voting in Wisconsin is considered. This examination of other states' early voting best practices is intended to provide guidance as the public discussion and debate as to whether to institute true early voting in Wisconsin continues.

1. Should the Wisconsin Legislature and Governor adopt legislation to implement true early voting?

2. Assuming early voting is recommended, what sort of legislation would be required to ensure voter convenience while controlling costs and workloads of county and municipal clerks? (Refer to Appendix A for examples).

Definitions

1. **Early Voting**: A voter completes and casts a ballot by placing it in a tabulating machine or other receptacle before Election Day. Ballots are not necessarily counted immediately. No absentee application or envelope is required.
2. **Casting a ballot**: For early voting purposes, casting a ballot means putting a ballot into a tabulating machine or other secured receptacle before Election Day.
3. **Counting ballots**: Counting ballots means using the tabulating machine to determine the total numbers of votes for each candidate or issue.
4. **Absentee In-Person**: Voting absentee in-person means voting by absentee ballot in the clerk's office before Election Day.
5. **Absentee by Mail**: Voting absentee by mail means an absentee ballot is requested by mail, email, or fax, and returned by mail.

Goals that Electors Expect Early Voting to Address

- Increase voter satisfaction by reducing lines in the municipal clerks' offices for voting before and on Election Day.
- Maintain integrity of the vote-counting process by protecting the accuracy, secrecy, and security of ballots and counting methods.
- Relieve the workload on local election officials by reducing the burden of absentee paperwork.
- Control costs so that expenditures are justified by benefits to voters and election officials.

Challenges

Implementation of early voting in Wisconsin raises several practical issues. First, uniform implementation of early voting is made a challenge by Wisconsin's highly decentralized elections system. There are 1850 municipalities in Wisconsin, ranging from large cities to townships to villages, many of which have only a few hundred voters. Small villages and townships may not have the resources to host early voting within the municipality, meaning that early voting sites would have to cover multiple municipalities and be organized at a county or regional level.

Early voting will increase costs for voting machines. Many tabulating machines currently in use are only capable of tabulating a small number of ballot styles. The City of Madison, for example, would need approximately 50 tabulating machines for a citywide early voting site,

unless this municipality purchased new tabulators capable of accepting ballots for the entire city. Costs would also increase for staff at early voting sites.

Printing and distributing poll lists and ballots to early voting locations is likely to cause logistical challenges. Using our Statewide Voter Registration System (SVRS) as an electronic poll list is one possibility for addressing some of the logistical challenges, but that would require expensive modifications. Electronic poll lists could possibly require internet access which is not available at many polling sites around the State.

Other issues exist as well. There may be very little time between when printed ballots arrive and when early voting begins, and voting machines must be tested during that time. Security for ballots must be maintained over weeks, rather than a single day. Local election officials and voters would have to be educated in the new early voting procedures.

Background

Absentee voting in general, and in-person absentee voting in particular, has become increasingly popular in Wisconsin since no-excuse absentee voting was implemented prior to the 2000 General Election, culminating with the 2008 General Election. In the last three presidential election years, absentee voting increased from 6.12% of the total vote in 2000 to 12.09% of the total vote in 2004, and to 21.1% of the total vote in 2008.

Of the 2,997,086 voters in the 2008 General Election, a total of 633,610 cast absentee ballots. An estimated 475,649 of those absentee voters cast their ballots in-person, or approximately 16% of all ballots cast. This population of voters may be seen as most likely to participate in early voting. Based on numerous news reports, voters in some locations waited in line for hours to cast absentee ballots, resulting in a lighter than expected turnout and shorter lines on Election Day.

G.A.B.'s staff reviewed studies of early voting procedures in other states and examined best practices. In particular, the question that G.A.B. examined is, if Wisconsin were to pass early voting legislation, how could it best adapt other states' statutes and best practices given Wisconsin's history of Election Day registration and municipal control of elections? G.A.B.'s study includes some background concepts behind early voting, best practices found in several early voting states, and recommendations for adapting early voting to Wisconsin.

1. Positive Impacts of Early Voting

A report from the Caltech/MIT Voting Technology Project strongly recommended early voting in-person as opposed to absentee voting in-person or by mail. The study noted that absentee and mail-in voting present concerns over coercion, because voter privacy may be compromised by family members, or staff at a nursing home, for example. The report also raised concerns about the security of the mail, and potential fraud.⁴ Another concern that the authors acknowledged was the potential for absentee ballots to be more likely to be uncounted, unmarked, or spoiled. However, when the study was completed, it found that absentee ballots may actually be slightly more accurate than ballots cast in-person: "...any correlation between the rate of absentee voting in counties and the rate of uncounted, unmarked, and spoiled ballots in 2000.... was slight and negative."⁵ Finally,

the report noted that voting absentee or by mail tended to “eliminate the ceremonial aspects of voting.”⁶

The Caltech/MIT Project was glowing in its praise of in-person early voting. It found that “these techniques promise greater administrative control over elections -- not because they simplify elections per se, but because they provide more time for election administrators to handle the increasingly complex problems that arise in running elections.”⁷ It also stated that “[e]arly voting can provide nearly equal convenience with significantly greater controls against fraud and coercion.”⁸

A study entitled “Early Voting and Turnout” touted in-person early voting for “a test-run of new voting machines, relief of Election Day crowds, lower staffing costs, and extra hands-on training opportunities for poll workers.”⁹ It emphasized that early voting (compared to voting on Election Day) has been found to result in a more accurate count (but absentee voting and vote by mail have as well).¹⁰ Other studies have found that early voting can also have a positive psychological impact on the electorate. For example, voters prefer and are happier with the opportunity to vote early (even if it results in longer waits), because they are allowed to choose their time for voting. In Texas, rates of early voting increased from 24% in 1988 to 38% in 2000.¹¹ In Tennessee, the rate went up from 5% in 1994 to over 35% in 2000.¹²

2. Negative Impacts of Early Voting

Many studies noted issues or limitations with the institution of early voting. Hopes of increased turnout do not seem to be borne out by some observation. There is evidence that in-person early voting increases turnout only very slightly, if at all.¹³ Some studies suggest that early voting does not bring new voters to the polls, but may “encourage regular voters to participate in lower intensity contests they might otherwise skip.”¹⁴

Early voting is also not always as convenient or problem-free as it should be or is thought to be. In a study of early voting in Florida in 2004, several technical problems were revealed.¹⁵ First, the use of optical scan machines, in which paper ballots were generated, marked, and fed into a tabulation machine, was very inefficient. Previously, Florida had used Direct Recording Equipment (DRE) because of “the capacity of DREs to produce multiple types of ballots virtually instantaneously”.¹⁶ With optical scan equipment, Florida’s counties found themselves with a choice between “pre-printing and stocking huge quantities of hundreds/thousands of ballot types,”¹⁷ or printing ballots as each voter appeared to vote. They chose to print ballots on site, which required purchase of several additional printers, and each page took “approximately 20-30 seconds compared with 2-3 seconds to prepare the access card for a DRE system.”¹⁸

In addition, some counties’ tabulating equipment required that poll workers manually input the voters’ precinct number, adding between “7-15 seconds.”¹⁹ Some counties found that because their machines “lacked enough memory to store all of the ballot forms needed to address each of the different local issues, only half of the machines at any one site could be used for ballots appropriate for local residents. The remaining machines... [designated for users in the rest of the county]... largely went unused.”²⁰ These practical issues have meant long lines at Florida early vote centers, and an emergency extension of

polling place hours in 2008.²¹

3. Early Voting's Impact on Political Campaigns

Early voting also affects campaigns. Candidates and parties find themselves facing not an Election Day but election weeks. Some argue effort and expense may be wasted if campaigns cannot easily get a list of early voters who no longer need to be contacted. "The results are consistent over time and across each type of reform, early voting reforms increase candidate uncertainty and raise candidate costs. The worst case scenario for campaigns is what already exists in many states and localities: a "mixed" system where large portions of the electorate choose to cast an absentee or early vote and the rest vote on Election Day."²² But other campaigns, with better information about who has voted, may relish the opportunity to focus on non-voters, or pull early voters into their GOTV activities.²³

Another significant, though rare, result of early voting is its impact on "second-string" campaigns, in which the first candidate dies or is otherwise disqualified, and then replaced. There may be no way for voters to cast an updated ballot if their early vote has already been recorded, whereas an absentee voter in Wisconsin currently may cast a valid ballot on Election Day if the absentee ballot has not been processed.

4. Early Voting Costs

Early voting will cost more. It is very difficult to generalize how much it costs, because different states pay poll workers different amounts, have different hours, and a different number of locations. One study found that "early voting required considerably more staffing than traditional precinct voting."²⁴ States and localities with outmoded voting machines may have to purchase new ones capable of processing dozens or hundreds of different ballot styles; some states already have equipment able to do this. Electronic poll lists may be required for larger counties and municipalities. Studies confirm that early in-person voting and liberalized absentee balloting do not clearly result in cost saving."²⁵

Early Vote States- Best Practices

The initial assessment of early voting incorporates several academic studies on early voting and comparisons of early voting procedures in several states. From these sources, we have selected the best practices and envisioned how these practices could be implemented in Wisconsin.

1. **Period:** Generally in other states early voting starts between 45 and 15 days before an election, and ends 5 to 3 days before an election. We found that the very best practice is to begin early voting 20 days before an election, or the day after Wisconsin's close of early voter registration. Early voting should end at least 3 days before an election in order for clerks to process early ballots, update poll lists, and prepare for Election Day.
2. **Hours:** Current statutes regarding absentee voting do not specify required hours which have led to widely varying opportunities for absentee voting based solely on the availability or willingness of the municipal clerk to accommodate it. Generally hours for early voting locations include regular business hours, but temporary locations can have

varying hours depending on the clerk's discretion. Saturday hours are usually included. The best practice we found is to set minimum hours at permanent early vote locations that can be extended upon the clerks' discretion. Some Saturday hours should be required and Sunday hours should be optional. The hours of operation for temporary locations should be up to the clerk.

3. Staff: Most states leave staffing up to the clerks' discretion. The best practice we found is to staff early vote locations similarly to that of polling place locations on Election Day, with a minimum of 2 poll workers. If parties designate poll workers, then at least one poll worker from each major party should be used.
4. Same Day Registration: None of the early vote states we surveyed have same day registration. However, the best practice for Wisconsin is to continue to allow same day registration at all early vote locations. By applying same day registration to early voting, Wisconsin continues its tradition of allowing late registration at the municipal clerk's office twenty days before an election. Same day registration will require a little more time to identify voters' correct ballot styles, as voters may be registering from several different wards or municipalities. There is also a security concern that voters could register more than once at multiple early voting locations, but this same risk exists with Election Day registration, and double-voting has proven extremely rare in Wisconsin.
5. E-Poll List: Five out of the seven states we surveyed use electronic poll lists in some or all of their early vote locations. This is very helpful because the use of electronic poll lists allows poll workers to immediately mark the poll list when an early vote is cast; thereby, preventing any duplicate voting on Election Day. It also saves clerks from printing and distributing an immense amount of paper.
6. Voting Equipment: Most states use a mixture of optical scans, paper ballots and DRE systems. It is the G.A.B.'s position that using DRE systems with a paper audit trail is the best practice because the DRE systems can hold an unlimited number of ballot styles and there is no need for a printed ballot.
7. Security: No early vote states surveyed allowed voters that use the early voting option to also vote on Election Day. Some states do not tabulate early vote ballots until Election Day, while others have set standards in place for tabulating early vote ballots before the election. States that do tabulate early have provisions that restrict releasing results before Election Day. Studies show the best practice is to restrict early voters from receiving a second ballot on Election Day, and wait to tabulate results until Election Day.
8. Secrecy: A good example of possible ballot secrecy issues arose in Nevada, which reports early voting returns separately unless a precinct has fewer than ten votes cast. The best practice we found is to always combine early vote returns with Election Day returns in order to continue giving priority to the secrecy of the ballot. However, there is some academic interest in seeing returns reported separately.
9. Accessibility: Other states have a variety of special measures to insure accessibility to older voters, and voters with disabilities. New Mexico and Nevada also have language interpreter requirements, and New Mexico has mobile vote locations. Generally, the best

practice we found is to apply the same accessibility standards on Election Day and during early voting.

10. Other: Other best practices include making electioneering, election observer, and ballot challenges follow the same rules as on Election Day, scaling the number of early vote locations by voter population, and posting the names of early voters online.

Recommendations

Based on the aforementioned best practices, G.A.B. developed recommendations for public discussion and consideration. G.A.B. has explored three options for implementing early voting in Wisconsin. Both Options A and B would implement true early voting in Wisconsin. Option C would modify the State's existing absentee in-person voting policies and practices.

First, presented are core early voting guidelines that would be incorporated in both Options A and B. Then, details of all three options are discussed.

Core Early Voting Guidelines

1. Early voting would run from the 3rd Thursday before the election (the day after close of registration) until the Friday before the election. No early voting or in-person absentee voting would be allowed after that Friday.
2. Early vote locations would be open from 7am to 8pm on weekdays. Weekday hours could be extended and weekend hours could be added at the discretion of the appropriate election officials.
3. Early vote locations would be designated by local election officials, 60 days before the September/November elections or 30 days before the February/April elections, with appropriate provisions to add or change a location in order to accommodate last minute emergencies such as flooding, street repairs, heating problems, or security threats.
4. New poll list functionality would be added to enable early voting. One option is to make on-line electronic poll lists available through the SVRS software. This will require extensive technical development of the SVRS software (as further described in the recommend Pilot Program below). Early voters' participation would be marked in SVRS, and poll lists printed for Election Day would note that the voter had already voted.

Another option is to have poll workers use a spreadsheet program to create an electronic supplemental poll list at early voting locations. This list would include the voters name, address, and other information as required. Supplemental lists would then be alphabetized and distributed to Election Day polling places.

5. Early vote locations would meet the same accessibility, staffing, and training requirements as Election Day polling places.
6. Statutes and rules on challenging electors, election inspectors, and electioneering would be the same. However, no provisional balloting would be allowed until Election Day.

7. A list of early voters, like the list of absentee voters, would be made public by statute (see Wis. Stats. §6.89). The best practice is to put a list of all early voters on-line, which could serve as a deterrent against voter fraud and help candidates focus their efforts in reaching the electorate.

Option A: Regional Early Voting Districts

Early vote statutes would provide for regional districts consisting of counties and/or municipalities that would offer early voting at designated locations. Municipal, county, or state staff members would organize the machines, staff and supplies necessary. This would provide uniform access for voters interested in early voting. However, for the first time, it would encourage greater sharing of pre-Election Day election administration responsibilities and duties between local and county clerks.

Option A Guidelines:

1. Option A would implement all of the core guidelines listed above.
2. County staffers rather than local municipal officials would administer pre-Election Day procedures.
3. Early vote locations would be staffed by a minimum of 2 poll workers who reside within the regional district.
4. Regional districts would count early ballots on Election Day, by central count. Totals would be forwarded to reporting units for combined reporting on Election Day.

Option B: Municipalities May Opt into Early Voting as Desired

The early voting statutes would state that the municipality's governing body could opt into early voting instead of offering no-excuse absentee voting in the clerk's office. Clerks may choose one or more early vote locations, and the clerk's office may be included, but is not required to be. This would provide maximum flexibility for municipalities, but would not place a priority on statewide uniformity, possibly leading to some confusion and an impression of a patchwork approach.

Option B Guidelines:

1. Option B would implement all of the core guidelines listed above.
2. Early vote locations would be staffed by a minimum of 2 poll workers, and clerks could deputize staff members who do not live in their municipality.
3. Municipalities would count early ballots on Election Day, by central count. Totals would be forwarded to reporting units for combined reporting on Election Day.

Option C: No Early Voting, but Absentee Voting Process is Streamlined

Wisconsin does not change to true early voting. Instead, Wis.Stats. §6.855, the statute covering alternate absentee ballot sites, is changed to allow absentee voting in multiple locations. No absentee application would be required. Instead of placing the ballot in an envelope, the ballot would be placed in a secure carrier, to be fed into a voting machine and tabulated on Election Day. SVRS would also need to be altered to allow for easier absentee processing which may involve additional costs to upgrade current software.

Option C Guidelines:

1. Option C would not implement true early voting, so the core guidelines listed would not apply.
2. Instead, a more streamlined absentee voting process would be in place from the 3rd Thursday before the election (the day after close of registration) until Monday, the day before Election Day. Currently, absentee voting can begin up to 30 days before the election. In practice, this is inconsistently implemented because municipalities receive their printed ballots at different times and may even receive them less than 30 days before the election.
3. Absentee vote locations would be open during business hours. Hours could be extended at the discretion of the municipality. The current statute limits absentee voting to when the clerk's office is open, which can vary widely throughout the state. For example, during the 2008 Presidential Election, some part-time municipal clerks' offices were open only for very limited hours, leading to different opportunities to vote depending upon location.
4. Locations would be designated by the municipal clerk, 60 days before the September/November elections, or 30 days before the February/April elections, with appropriate provisions to add or change a location in order to accommodate last minute emergencies. Clerks may choose one or more absentee early vote locations, and the clerk's office may be included but is not required to be. The current statute limits each municipality to one site, which may or may not be the clerk's office.
5. Absentee vote locations would meet the same accessibility requirements as Election Day polling places.
6. In-person absentee voters would not be required to fill out an absentee application. Instead, an electronic list of all voters who have cast an absentee ballot will be maintained on site. This list will be alphabetized and distributed to polling places on Election Day. Poll workers would be required to check the absentee vote list before allowing anyone to vote on Election Day.
7. Once ballots are voted and returned to municipal staff, instead of being placed in an absentee envelope, they would be placed in a sealed and secured ballot box. The boxes would be transported to the central count facility or polling place and opened on Election Day.

Pilot Program

In order to address questions, identify issues, and plan for a statewide implementation of early voting, we recommend the State conduct an early voting pilot program for the April 2010 Spring Election, which would invite voluntary participation by local elections officials and help ameliorate the cost of required equipment and staff. A pilot program would involve one or more of the early vote options described above. Municipalities of varying sizes and population densities would be included. Municipalities with a high percentage of absentee early voting and a variety of voting equipment would also be included. Another consideration will be whether the municipalities’ elections are run by the municipal clerk, an elections commission, with county involvement, or shared between respective participating local election officials.

The cost of the pilot program will vary depending on which proposed early vote option recommendation is chosen, and the number of early voting sites. Preliminary rough estimates of the costs of a pilot program for each option are as follows. Note however, we are not recommending that the G.A.B. absorb any of the elections costs currently incurred and borne by municipalities, specifically expenditures for ballot printing, staffing (including poll workers) or voting systems acquisitions. G.A.B. is not in a financial position to assume these costs.

| Costs | Option A | Option B | Option C |
|-------------------------------------|-----------------------------|-----------------------------|-----------------------------|
| Voting Equipment | \$6,000 per location (5) | \$6,000 per location (5) | \$0 |
| Staff | \$7,020 per location (5) | \$7,020 per location (5) | \$7,020 per location (2) |
| Software Development/New Technology | \$384,000 | \$384,000 | \$384,000 |
| Estimated Total | \$449,100 | \$449,100 | \$398,040 |

Option A:

We have estimated

costs that would be absorbed by municipalities if a pilot program for Option A were implemented, utilizing 5 early voting sites.

1. Each site would require a new tabulating machine, costing roughly \$6,000.
2. Each site would incur staff costs of up to \$7,020, computed using 15 days of early voting, 2 election officials, 13 hours a day, and a \$12 per hour pay rate.
3. If electronic poll lists are used, laptops and internet access would be required, but the G.A.B. currently has enough training laptops to conduct a pilot program.

Anticipated G.A.B. Costs: Modifications to SVRS would be the most costly item. Extensive modification of the SVRS software code would require up to 6 months of dedicated work by 3 technical staff members. This would amount to roughly \$384,000, not including the time dedicated by other GAB staff to design and test the necessary changes. Total cost would be roughly \$449,100.

Option B:

Although a pilot program for Option B would be based in municipalities rather than at a county or regional level as in Option A, pilot costs would be similar, costs that would be absorbed by municipalities if a pilot program for Option B were implemented, utilizing 5 early voting sites, actual statewide implementation of Option B would be much less than Option A.

1. We have again utilized 5 early voting sites.
2. Tabulating machines would be roughly \$6,000 per site, and staff costs would be roughly 7,020 per site.

Anticipated G.A.B. Costs: Modifications to SVRS would again amount to roughly \$384,000. Total cost would be roughly \$449,100.

Option C:

Since Option C simply alters the current absentee in-person voting process, no additional tabulating machines would be required for a pilot program.

1. Most municipalities would continue to conduct absentee voting in the clerk's office, so additional staff would not be required.
2. Budgeting for a minimum of two absentee voting locations, have been included as part of this analysis. Larger municipalities, however, may choose to conduct voting in more than one location and the pilot program should include one or two of these cities.
4. The staff cost to be absorbed by municipalities would amount to approximately \$14,040.

Anticipated G.A.B. Costs: Although the changes to the software would be different, the cost of modifying the SVRS would remain at roughly \$384,000. Total cost would be roughly \$398,040.

Dissemination/Communication Plan

G.A.B. will continue to actively gather comment, feedback and input from (including but not limited to):

- Local election officials around the State, including Municipal and County Clerks representing large/small and urban/rural populations and diverse demographics;
- Wisconsin Electorate (the public);
- Statewide Elected Officials;
- Community Partners;
- Wisconsin Ballot Political Parties, i.e., Republican Party of Wisconsin; Democratic Party of Wisconsin; and, Green and Libertarian Parties of Wisconsin;

- Wisconsin Counties and Towns Associations; League of Wisconsin Municipalities and the Wisconsin Alliance of Cities; and,
- League of Women Voters, and other interested and concerned individuals and groups.

Footnotes

¹ "Editorial: Early voting another way for state to shine," Wisconsin Rapids Tribune, 16 Nov. 2008, 23 Nov. 2008 <http://www.wisconsinrapidstribune.com>.

² "Editorial: Early voting has a plus side," The Sheboygan Press, 13 Nov. 2008, 23 Nov. 2008 <http://www.sheboyganpress.com>.

³ Larry Sandler, "Barrett pushes for early-voting changes," Milwaukee Journal Sentinel, 18 Nov. 2008, 23 Nov. 2008 <http://www.jsonline.com>.

⁴ "Voting: What Is, What Could Be," Report of the CalTech/MIT Voting Technology Project, July, 2001, 38.

⁵ "Voting: What Is, What Could Be," 40.

⁶ "Voting: What Is, What Could Be," 39.

⁷ "Voting: What Is, What Could Be," 38.

⁸ "Voting: What Is, What Could Be," 41.

⁹ Gronke, Paul, Eva Galanes-Rosenbaum, and Peter Miller, "Early Voting and Turnout." PS: Political Science and Politics XL (4) 2007, 8.

¹⁰ Gronke et al., "Early Voting and Turnout," 10-11.

¹¹ Gronke, Paul, "Early Voting Reforms and American Elections," Prepared for the American Political Science Association, September 2-5, 2004, 5.

¹² Gronke, Paul, "Early Voting Reforms and American Elections," 6.

¹³ Gronke et al., "Early Voting and Turnout," 11.

¹⁴ Gronke, Paul, "Early Voting Reforms and American Elections," 9.

¹⁵ McCormack, Conny B., "Florida's Transition from Touch Screens to Op Scan Paper Ballots for Early Voting – A Snapshot Review in Two Counties," Prepared for Pew Charitable Trusts' Make Voting Work Initiative, 23 Sep. 2008.

¹⁶ McCormack, 2.

¹⁷ McCormack, 3.

¹⁸ McCormack, 2.

¹⁹ McCormack, 15.

²⁰ Gronke, Paul, Benjamin Bishin, Daniel Stevens, Eva Galanes-Rosenbaum, “Early Voting in Florida, 2004,” Prepared for American Political Science Association, 1 Sep. 2005, 7.

²¹ Maguire, Kirstin, Amy Sherman, Marc Caputo and Mary Ellen Klas, “Gov. Crist extends early voting hours statewide,” The Miami Herald, 28 Oct. 2008, 10 Dec. 2008
<http://www.miamiherald.com/1374/story/744742.html>.

²² Gronke, Paul, “Early Voting Reforms and American Elections,” 12.

²³ Gronke et al., “Early Voting in Florida, 2004,” 3.

²⁴ Gronke et al., “Early Voting in Florida, 2004,” 6.

²⁵ Gronke et al., “Early Voting and Turnout,” 11.

Appendix A

Potential Changes to Wisconsin Statutes for Early Voting

Following is a working draft, listing select statutory changes that would be required if early voting were to be adopted in Wisconsin.

- §5.02 requires a new definition for early voting, change to definitions of municipality and municipal clerk for early voting purposes. New definition for poll list for early voting. “Election day shall include early voting dates only when specified.” “Ward or election district,” for early voting purposes, shall include all districts who report to the same polling place for early voting.
- §5.15 (6) needs a new section describing how early voting locations are to be selected and publicized.
- §5.55 specifies that non-voting machine ballots include the name of the polling place (which would potentially result in two sets of ballots).
- §5.84 and §10.66(4)(gm); (etc) would have to move testing of electronic voting equipment to 10 days before early voting begins.
- §5.85 and §5.89 may need alteration if early ballots are tallied before Election Day. (And §6.88 may have to be altered if absentee ballots are to be tallied before Election Day).
- §6.15(6) and §6.21 cover how to deal with absentee/presidential only ballots if the elector dies before Election Day. If ballots are counted, these would need to be altered.
- §6.15(d)(2) and other statutes would be affected, depending upon whether or not returned absentee ballots could be processed in the early vote count.
- §6.29 would need another section covering registration at early voting sites.
- §6.36 would require a new section about electronic poll lists or a change to subsection (2) about the registration list prepared for use as a poll list.
- §6.45(1m) specifies that the registration list at the polling place be open for public inspection. If SVRS is used for this, it cannot be open to public inspection. VPA might work, but a space would need to be added for ID Required and an Absentee watermark.
- §6.76 currently gives voter 3 hours off “while polls are open,” which should be restricted to Election Day.
- §6.79 includes a provision for electronic poll lists, but the current configuration of SVRS makes subsection (4) (entry of proof of residence information) difficult to comply with.
- Under §6.79(6) confidential electors could only be found by name, not confidential number. This has been identified as a bug in SVRS, but would need to be fixed. It is not a problem with paper poll lists.

- §6.86(1)(b) (in-person application for absentee ballot) would have to be changed if the deadline for absentee/early voting is moved to Saturday before Election Day, and §6.875(6) would also be affected (nursing home absentee voting).
- §6.97 would allow provisional balloting only on Election Day and not during early voting, as an early voter without proof of residence would have the opportunity to return another day.
- §§7.08 to 7.15 (duties of G.A.B., county clerks, and municipal clerks) may have to be altered to allow early voting to be administered by county or regional staff.
- §7.25(6) would have to be adjusted if early voting machines would not have to be zeroed out each day. §7.37(3) similarly would be revised to address emptying of the ballot boxes for early voting.
- §7.30(2) may need to be revised to allow more than 2 exceptions to the non-residency requirement for poll workers.
- §7.41 should explicitly state that observers are welcome at early voting locations.
- §7.51 should require canvassing procedures to be followed after close of polls for early voting, except that tally sheets should be certified by reporting unit and forwarded to the correct polling places (modification of §7.51(4)), along with supplemental poll lists of everyone who voted. If canvassing of absentee ballots takes place before Election Day, §7.52 may also have to be modified.
- §8.35(3) and (4) would require a provision that if a death and renomination occur after early ballots have been cast, there will be no opportunity to vote another ballot, and votes will be counted as cast by early voters.
- §10.01(2)(e) should specify that notices regarding early voting should must either be combined with the Type E notice, or given in a separate notice, Type F.
- §§10.01(2)(b) and (c) and (d); §10.04(3); §10.06; should require publication dates for Type B, C, and D notices to be moved up to the day before early voting, instead of the day before the election, and possibly require these notices to be reposted before Election Day.
- §§10.62 to 10.82 would require changes to add commencement of early voting, change dates for testing voting equipment to 10 days before early voting, change dates for posting and publishing notices to before early voting occurs.
- §12.07(2) should specify whether the requirement that employers must allow an employee to serve as an election official applies only on Election Day, or to early voting days as well.

