

# Government Accountability Board

## State of Wisconsin

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FOR IMMEDIATE RELEASE:  
August 29, 2012

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## G.A.B. Approves Electronic Documents for Voter Registration

Madison, WI – People registering to vote can now show either paper or electronic documents to prove Wisconsin residency, the Government Accountability Board has ruled.

The Board voted unanimously at its meeting Tuesday to allow people to show electronic documents displayed on electronic devices such as smart phones, tablets and laptops to prove they meet Wisconsin residency requirements when registering to vote.

“Encouraged by both Federal and State government, many people today have gone paperless in their lives, including banking, utilities and taxes,” said Kevin J. Kennedy, director and general counsel of the G.A.B. “The Board’s decision recognizes that documents from these secure electronic transactions are just as valid on a screen as they are on a piece of paper.”

When people register on Election Day, they must provide an identifying document to prove residency before they can vote. The same is true when they register in their municipal clerk’s office less than 20 days before an election. Most people use a driver license or state ID card if their address is current. People who have moved can use many other documents for proof of residence, including a property tax bill, current lease, bank statement, utility bill or other government document that includes their full name and current address.

Previously, the staff of the Government Accountability Board interpreted the state law to require that a proof of residence document must be a paper record. The Board was asked to consider accepting electronic documents as proof of residence because many voters now receive most bills and correspondence electronically and may not have ready access to a printer.

At the meeting Tuesday, clerks told the Board that some of them have been accepting electronic documents because they do not want to prevent eligible Wisconsin residents from voting simply because they do not have access to a printer. Clerks said that at some polling places, volunteers bring in laptop computers and printers to allow registering voters to print a document. One clerk asked the Board to act immediately so clerks have enough time to include the electronic proof of residence option in their poll worker trainings for the November 6, 2012 General Election.

Kennedy said the G.A.B. staff recognized the popularity and efficiency of using of electronic documents as proof of residence, but had recommended against it for the November General Election because the agency would prefer to first obtain feedback from local clerks about the proposed change, and it might be too much of a change for Wisconsin’s overburdened local election officials to deal with so close to the election.

Responding to comments questioning whether electronic documents could be faked, Kennedy said that a faked document can just as easily be printed.

“Our biggest concern is that local election officials require proper documentation when people register to vote,” Kennedy said. “We have not received any reports about people using faked documents to register, but we have received some reports that unacceptable documents such as business receipts have been accepted for proof of residence. We would much rather have someone show a bank statement on a smart phone than try to use an oil change receipt on paper.”

After hearing testimony Tuesday from clerks, attorneys and students, the Board of former Wisconsin judges discussed what it means to “provide an identifying document that establishes proof of residence,” as required by state law (Wis. Stat. Sec. 6.34(2)). State law does not require or permit the clerk to keep or make a copy of the document.

“Providing means showing,” Judge Thomas Cane said at the meeting. “The only question is whether what you show is an identifying document. I don’t see the difference.”

The Board did clarify in its decision that municipalities are not required to provide computers or internet access so people can show electronic documents.

Kennedy emphasized that proof of residence to register to vote is different than proof of identification (photo ID) to receive a ballot. “The voter photo ID law is on hold due to court orders,” Kennedy said. “Currently, voters are not required to present a photo ID to vote, but individuals registering at polling places must present an identifying document establishing their voting residence.”

Elections Division Administrator Nat Robinson said G.A.B. staff will be communicating with municipal clerks around the state to let them know about the new policy. “We will be developing detailed educational materials for clerks and poll workers as part of our Back to Basics initiative,” Robinson said.

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The Government Accountability Board (G.A.B.) is responsible for administration and enforcement of campaign finance, elections, ethics and lobbying laws in Wisconsin. The G.A.B. is made up of six non-partisan, former judges and is supported by an agency of non-partisan staff members.