



Tony Evers

Office of the Governor | State of Wisconsin

April 8, 2022

TO THE HONORABLE MEMBERS OF THE SENATE:

I am vetoing Senate Bill 935 in its entirety.

This bill would make a series of changes to election administration, including banning the use of private grant funds, creating a personal care voting assistant in a nursing home facility during a pandemic, and disallowing clerks from curing errors on an absentee ballot.

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 objecting to this bill in its entirety because I object to the ban on governments using private grant funds for election administration. Despite the COVID-19 pandemic, our state and local election officials performed admirably to ensure that in each of our communities, the 2020 elections were conducted as safely as possible. To assist with this unprecedented effort, many counties, towns, villages, and cities — both big and small, urban and rural — received nongovernmental grants, designed to help them offset new and unanticipated costs. In the past, local governments have used private grants for other projects, such as making voting spaces accessible to those with disabilities. Regardless of the source of additional funding for election administration, election administrators must always run elections according to state and federal law. By prohibiting donations or grants to election agencies, this bill unnecessarily restricts the use of resources that may be needed to ensure elections are administered effectively.

I also object to the prohibition on the current, long-standing practice of clerks correcting minor ballot defects, and believe that this bill will almost certainly result in valid ballots not being counted. The bill also creates severe penalties for a clerk making the most minor of corrections to an otherwise properly completed absentee ballot certificate, such as fixing the zip code. There is a clear difference between a ballot where the witness simply missed the zip code portion of the address, though the rest was complete, and a ballot that has no witness at all. This bill would treat all errors the same, requiring all ballots with even the most inconsequential mistake to either be discarded or sent back to the voter if the clerk has time.

For example, a witness could fill out their entire name, street name, signature, and municipality, but forget to include their house number. This inadvertent omission by the witness would invalidate the voter's ballot.

Because the bill prevents any person but the voter or witness from correcting their respective mistakes, and because ballots will be discarded if not corrected, the method of notifying voters of an error becomes critically important. The bill establishes a method of notifying voters via the MyVote Wisconsin website and gives clerks the option to contact voters as well. While it may be practical for a clerk to call a small number of voters who have made an error, it is unrealistic for clerks to call large numbers of voters to warn them that their ballot is being discarded if they do not correct it. A person in a community with fewer people, and therefore, fewer absentee voters, may be likely to receive such a warning call, but a person in a more populated area is unlikely to be called and warned. Furthermore, by only requiring voters to be warned via a website that their vote will not be counted, this bill disadvantages populations throughout the state that may have difficulty using or accessing the Internet.

While this bill allows for the possibility that a voter could correct an error, the correction process requires multiple steps under a difficult timeframe, and it is an unnecessarily burdensome process for voters who did not commit fraud, but merely made a minor error in filling out their certificate. Surely disqualifying a ballot based on such trivial technicalities is contrary to the spirit of democracy and I cannot support this type of legislation.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tony Evers", written over a horizontal line.

Tony Evers
Governor