



State of Wisconsin  
2001 - 2002 LEGISLATURE

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LRB-1301/B

RJM&JTK&JK:cs:km

*AGW*

*pm nk*

DOA:.....Uecker - Various election law changes

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

*DNOTE*

*Do NOT GO ON*

1 AN ACT ...; relating to: administration of elections, granting rule-making  
2 authority, providing a penalty, and making an appropriation.

*Analysis by the Legislative Reference Bureau*

**STATE GOVERNMENT**

**OTHER STATE GOVERNMENT**

***Elections administration***

*Voter registration.*

Under current law, every municipality with a population of greater than 5,000 is required to maintain a voter registration list. This bill expands current law to require voter registration in every municipality. This bill also establishes a centralized, state-wide voter registration list that is compiled and maintained by the state elections board (board). Under the bill, the centralized registration list must be electronically accessible by any person, but no person other than the board or an authorized election official may change the list. The bill permits the board to change the list only for the purpose of deleting the registration of certain individuals who have registered to vote in another state, territory, or possession or whose registrations are required to be cancelled as the result of a municipal canvass required under current law. Under this bill, each municipal clerk must electronically enter valid registrations or changes of registration on the centralized list maintained by the board. The town clerk of any town having a population of not more than 5,000

may designate the county clerk of the county where the town is located as the town clerk's agent for entry of this data onto the centralized list. Each municipality must retain the original registrations or changes of registration as provided under current law. Under the bill, the original forms are controlling whenever there is a discrepancy between the centralized list and the original forms.

Currently, if registration is required, any individual who qualifies as an elector of a municipality but who is not registered to vote may register in person at various locations within the applicable municipality or may mail to the appropriate municipal clerk a completed registration form. With certain exceptions, the deadline for voter registration is 5 p.m. on the second Wednesday preceding the election. Registrations made by mail must be delivered to the office of the municipal clerk or board of election commissioners or postmarked not later than this deadline. However, under current law, voters may also register in person at the office of the municipal clerk or board of election commissioners up to 5 p.m. on the day before the election or, in most cases, may register at the proper polling place on election day. In addition, voters may register at any time after the deadline if the municipal clerk determines that the registration list can be revised to incorporate the registration in time for the election.

Currently, an individual who makes a late or election day registration must complete a registration form and a certification of eligibility and must present acceptable proof of residence. If an individual attempting to vote under these late registration or election day registration procedures is not able to present acceptable proof of residence, as an alternative, current law permits another qualified elector who resides in the same municipality to corroborate the information contained in the individual's registration form or certification. The corroborating elector currently must provide acceptable proof of residence. Currently, there is no limit on the number of times a person may act as a corroborating elector.

This bill requires any elector who registers to vote under the late registration or election day registration procedures to present a valid Wisconsin driver's license or valid Wisconsin identification card containing the elector's photograph and current street address (preferred identification). If the elector is unable to present preferred identification, the bill permits the elector to present any identification card that contains the photograph and current street address of the elector (alternate identification). If the elector is unable to present preferred or alternate identification, the bill permits the elector to present any identification card that contains the name and photograph of the elector and an identifying number. For each elector that presents an identification card that is not preferred or alternate identification, the registration official must record on the elector's registration form the type of identification card presented and the identifying number listed on the card.

Any elector who is unable to present any satisfactory identification may have his or her identity and registration information corroborated by another elector as provided under current law. However, under this bill, a corroborating elector may not corroborate more than two registrations in one day. The bill also requires a corroborating elector to present identification.

This bill makes certain other changes to the laws relating to voter registration. The bill permits the town clerk of any town with a population of not more than 5,000 to designate the county clerk of the county where the town is located as the town clerk's agent for receiving registrations under the late registration procedure. The bill also permits the board, by rule, to specify additional information that must be provided on registration forms. In addition, the bill provides that any election official who fails to exercise due care to lawfully register an elector to vote is subject to a forfeiture (civil penalty) of not more than \$1,000.

*Identification required to vote.*

With certain limited exceptions, before being permitted to vote at any polling place, an elector currently must provide his or her name and address. If registration is required in order to vote and the elector is not registered, the elector must provide a specified form of proof of residence in order to register. If registration is not required, the elector may be required to provide this proof. Where registration is not required, the election officials keep a poll list indicating which electors have voted. Where registration is required, elections officials create a poll list by marking a prepared registration list.

With certain limited exceptions, this bill requires each elector attempting to vote at any polling place to present preferred identification. If the elector is unable to present preferred identification, the bill permits the elector to present alternate identification. If the elector is unable to present preferred or alternate identification, the bill permits the elector to present any identification card that contains the name and photograph of the elector and an identifying number. Any elector who is unable to present any identification authorized under the bill may have his or her identity and address corroborated in a statement signed by any other elector who resides in the municipality and who has not, during that day, corroborated the identity and address of more than one other person.

The bill requires the election officials to verify that the name and address on the identification provided by an elector or corroborated for an elector are the same as the elector's name and address on the poll list. The elections officials must also verify that the photograph contained in any identification presented reasonably resembles the elector. If the elector presents an identification card that is not preferred or alternate identification or that contains an address that is different from that on the poll list, the bill requires the elections officials to verify that the name and identifying number on the identification presented are the same as the elector's name on the poll list and identifying number on any identification card that the poll list indicates the elector is able to present. If the poll list does not indicate the elector is able to present an identification card or if the identifying number presented is different from that indicated in the poll list, the elections officials must enter on the poll list, after the elector's name, the type of identification presented and the identifying number contained in that identification.

This bill does not affect absentee voting or voting by military electors.

*Supervision of local election practices.*

Currently, following each general election, a municipality where registration is required must complete a canvass to identify each qualified elector who has failed

to vote within the previous 4 years, attempt to notify each such elector, and revise and correct its registration list accordingly. This bill requires each municipality to complete this canvass within 90 days following the general election. In addition, if a municipality has not completed the canvass within 120 days following the general election, this bill permits the board to conduct the canvass and submit a statement to the municipality for the costs incurred. If a municipality fails to reimburse the board for the costs within 30 days after receiving the statement, the bill permits the board to direct that the municipality's next shared revenue payment from the state be reduced by the amount of the costs.

In addition, under the bill, if an inspector (poll worker) repeatedly and materially fails to substantially comply with the election laws or rules of the board in performing his or her functions, the board may remove the inspector and appoint a qualified replacement inspector to serve the remainder of the inspector's unexpired term. The replacement inspector must be compensated by the municipality on the same basis as other inspectors and, like other inspectors, is subject to the supervision of the municipal clerk or board of election commissioners but, unlike most other inspectors, may be appointed without regard to party affiliation. The bill also permits the board to appoint a special master to assume all functions of the municipal clerk or board of election commissioners if the board finds that a municipality has repeatedly and materially failed to substantially comply with the election laws or rules of the board in administering elections. The initial term of the special master may not exceed one year, but is renewable for additional periods of not more than one year if the board finds that the municipality is incapable of substantial compliance or unwilling to substantially comply with the election laws or rules. The bill requires the board to submit a statement to the municipality for the costs incurred relating to the special master. If a municipality fails to reimburse the board for the costs within 30 days after receiving the statement, the bill permits the board to direct that the municipality's next shared revenue payment from the state be reduced by the amount of the costs.

Under current law, the board may promulgate rules to interpret or implement the laws relating to the conduct and administration of elections and election campaigns. This bill expands the board's rule-making authority, permitting the board to promulgate rules to promote the efficient and fair conduct of elections.

*Prohibited election practices by election officials.*

This bill doubles the maximum penalty that applies to an election official who, with respect to an election for which the election official has a duty, violates certain laws relating to false representations affecting elections, election restrictions on employers, or the denial of government benefits or other election laws specified in the bill.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 5.02 (1) of the statutes is renumbered 5.02 (1c).

2           **SECTION 2.** 5.02 (1a) of the statutes is created to read:

3           5.02 (1a) “Alternate identification,” when used in reference to any individual,  
4 means any identification card other than preferred identification that contains the  
5 photograph and current street address of the individual.

6           **SECTION 3.** 5.02 (15m) of the statutes is created to read:

7           5.02 (15m) “Preferred identification,” when used in reference to any  
8 individual, means a valid operator’s license issued to the individual under ch. 343  
9 that contains the photograph and current street address of the individual or a valid  
10 identification card issued to the individual under s. 343.50 that contains the current  
11 street address of the individual.

12           **SECTION 4.** 5.02 (17) of the statutes is amended to read:

13           5.02 (17) “Registration list” means the list of electors who are properly  
14 registered to vote ~~in municipalities in which registration is required.~~

15           **SECTION 5.** 5.05 (1) (f) of the statutes is amended to read:

16           5.05 (1) (f) Promulgate rules under ch. 227 applicable to all jurisdictions for the  
17 purpose of promoting the efficient and fair conduct of elections, interpreting or  
18 implementing the laws regulating the conduct of elections or election campaigns or  
19 ensuring their proper administration.

20           **SECTION 6.** 5.15 (6) (b) of the statutes is amended to read:

21           5.15 (6) (b) No later than 60 days before each September primary and general  
22 election, and no later than 30 days before each other election the governing body of  
23 any municipality may by resolution combine 2 or more wards for voting purposes to  
24 facilitate using a common polling place. Whenever wards are so combined, the  
25 original ward numbers shall continue to be utilized for all official purposes. Except

**SECTION 6**

1 as otherwise authorized under this paragraph, every municipality having a  
2 population of 35,000 or more shall maintain separate returns for each ward so  
3 combined. In municipalities having a population of less than 35,000, the governing  
4 body may provide in the resolution that returns shall be maintained only for each  
5 group of combined wards at any election. Whenever a governing body provides for  
6 common ballot boxes and ballots or voting machines, separate returns shall be  
7 maintained for each separate ballot required under ss. 5.62 and 5.64 at the  
8 September primary and general election. The municipal clerk shall transmit a copy  
9 of the resolution to the county clerk of each county in which the municipality is  
10 contained. In municipalities having a population of less than 35,000, the resolution  
11 shall remain in effect for each election until modified or rescinded, or until a new  
12 division is made under this section. Whenever a municipality combines wards or  
13 discontinues any ward combination under this paragraph, the municipal clerk shall  
14 promptly notify the board in writing or by electronic transmission.

15 **SECTION 7.** 5.40 (6) of the statutes is amended to read:

16 5.40 (6) A municipality which utilizes voting machines or an electronic voting  
17 system at a polling place may permit use of the machines or system by electors voting  
18 under s. 6.15 only as authorized under s. 6.15 (3) (b).

19 **SECTION 8.** 6.15 (2) (title) of the statutes is amended to read:

20 6.15 (2) (title) APPLICATION FOR BALLOT PROCEDURE AT CLERK'S OFFICE.

21 **SECTION 9.** 6.15 (2) (a) of the statutes is amended to read:

22 6.15 (2) (a) The elector's request for the application form may be made to the  
23 proper municipal clerk either in person or in writing ~~any time during the 10-day~~  
24 ~~period in which the elector's residence requirement is incomplete, but not later than~~  
25 ~~the applicable deadline for making application for an absentee ballot.~~ Except as

1 provided in par. (e), application may be made not sooner than 9 days nor later than  
 2 5 p.m. on the day before the election, or may be made at the proper polling place in  
 3 for the ward or election district in which the elector resides. The application form  
 4 shall be returned to the municipal clerk after the affidavit has been signed in the  
 5 presence of the clerk or any officer authorized by law to administer oaths. The  
 6 affidavit shall be in substantially the following form:

7 STATE OF WISCONSIN

8 County of ....

9 I, ....., do solemnly swear that I am a citizen of the United States; that prior to  
 10 establishing Wisconsin residence, my legal residence was in the .... (town) (village)  
 11 (city) of ....., state of ....., residing at .... (street address); that on the day of the next  
 12 presidential election, I shall be at least 18 years of age and that I have been a legal  
 13 resident of the state of Wisconsin since ....., .... (year), residing at .... (street address),  
 14 in the [... ward of the .... aldermanic district of] the (town) (village) (city) of ....., county  
 15 of ....; that I have resided in the state less than 10 days, that I am qualified to vote  
 16 for president and vice president at the election to be held November ....., .... (year),  
 17 that I am not voting at any other place in this election and that I hereby make  
 18 application for an official presidential ballot, in accordance with section 6.15 of the  
 19 Wisconsin statutes.

20 Signed ....

21 P.O. Address ....

22 Subscribed and sworn to before me this .... day of ....., .... (year)

23 ...(Name)

24 ...(Title)

25 **SECTION 10.** 6.15 (2) (bm) of the statutes is created to read:

**SECTION 10**

1           6.15 (2) (bm) When making application in person at the office of the municipal  
2 clerk, each applicant shall present preferred identification or, if the applicant is  
3 unable to present preferred identification, the applicant shall present alternate  
4 identification. If the applicant is unable to present preferred or alternate  
5 identification, the applicant shall present any identification card that contains the  
6 name and photograph of the applicant and an identification number. If the applicant  
7 is unable to present any identification authorized under this paragraph, the  
8 application information may be corroborated in a statement that is signed by any  
9 other elector who resides in the municipality and who has not, during that day,  
10 corroborated the identity of more than one other person and that contains the current  
11 street address of the corroborator. The corroborator shall then provide identification  
12 in the same manner as if the corroborator were applying for a ballot under this  
13 paragraph. The clerk shall record on the application form, for any applicant who is  
14 unable to present preferred or alternate identification, the type of identification the  
15 applicant is able to present, if any, and the identifying number contained in that  
16 identification.

17           **SECTION 11.** 6.15 (2) (d) 1g. of the statutes is created to read:

18           6.15 (2) (d) 1g. Except as otherwise provided in this subdivision, if the elector  
19 makes application in person at the office of the municipal clerk, the clerk shall verify  
20 that the name and address on the identification provided by the elector under par.  
21 (bm) or the name and address corroborated under par. (bm) are the same as the name  
22 and address on the elector's application and shall verify that the photograph  
23 contained in the identification reasonably resembles the elector. If the elector  
24 presents an identification card that is not preferred or alternate identification or that  
25 contains an address different from that on the application, the clerk shall verify that

1 the name and identifying number on the identification card are the same as the  
2 person's name on the application and the identifying number on any identification  
3 card that the person's application indicates he or she is able to present. If the person's  
4 application does not indicate that he or she is able to present an identification card  
5 or if the identifying number on the identification card is different from the  
6 identifying number indicated in the person's application, the clerk shall record the  
7 type of identification and the identifying number contained in that identification.

8 **SECTION 12.** 6.15 (2) (e) of the statutes is created to read:

9 6.15 (2) (e) If the elector makes application in writing but does not appear in  
10 person, and the clerk receives a properly completed application and cancellation card  
11 from the elector, the clerk shall provide the elector with a ballot. If the ballot is to be  
12 mailed, the application must be received no later than 5 p.m. on the Friday before  
13 the election. In order to be counted, the ballot must be received by the municipal  
14 clerk no later than 5 p.m. on the day before the election.

15 **SECTION 13.** 6.15 (3) (a) 1., 2. and 3. of the statutes are renumbered 6.15 (2) (d)  
16 1r., 2. and 3., and 6.15 (2) (d) 1r., as renumbered, is amended to read:

17 6.15 (2) (d) 1r. Upon proper completion of the application and cancellation card,  
18 and verification and recording of the elector's identification under subd. 1g., if  
19 required, the municipal clerk shall ~~inform the elector that he or she may vote for the~~  
20 ~~presidential electors not sooner than 9 days nor later than 5 p.m. on the day before~~  
21 ~~the election at the office of the municipal clerk, or at a specified polling place on~~  
22 ~~election day. When voting at the municipal clerk's office, the applicant shall provide~~  
23 ~~identification and permit the elector to cast his or her ballot for president and vice~~  
24 ~~president. The elector shall then~~ mark or punch the ballot in the clerk's presence in  
25 a manner that will not disclose his or her vote. Unless the ballot is utilized with an

**SECTION 13**

1 electronic voting system, the ~~applicant~~ elector shall fold the ballot so as to conceal  
2 his or her vote. The ~~applicant~~ elector shall then deposit the ballot and seal it in an  
3 envelope furnished by the clerk.

4 **SECTION 14.** 6.15 (3) (b) (title) of the statutes is repealed.

5 **SECTION 15.** 6.15 (3) (b) of the statutes is renumbered 6.15 (3) and amended to  
6 read:

7 6.15 (3) ~~VOTING PROCEDURE~~ PROCEDURE AT POLLING PLACE. An eligible elector  
8 may appear at the polling place for the ward or election district where he or she  
9 resides and make application for a ballot under sub. (2). ~~In such case, the inspector~~  
10 ~~or special registration deputy~~ Except as otherwise provided in this subsection, an  
11 elector who casts a ballot under this subsection shall follow the same procedure  
12 required for casting a ballot at the municipal clerk's office under sub. (2). The  
13 inspectors shall perform the duties of the municipal clerk. The elector shall provide  
14 identification. If the elector is qualified, he or she shall be permitted to vote except  
15 that the inspectors shall return the cancellation card under sub. (2) (b) to the  
16 municipal clerk and the clerk shall forward the card as provided under sub. (2) (c)  
17 if required. Upon proper completion of the application and cancellation card and  
18 verification and recording of elector's identification under sub. (2) (d) 1g., the  
19 inspectors shall permit the elector to cast his or her ballot for president and vice  
20 president. The elector shall then mark or punch the ballot and, unless the ballot is  
21 utilized with an electronic voting system, the elector shall fold the ballot, and shall  
22 deposit the ballot into the ballot box or give it to the inspector. The inspector shall  
23 deposit it directly into the ballot box. Voting machines or ballots utilized with  
24 electronic voting systems may be used by electors voting under this section if they  
25 permit voting for president and vice president only.

1           **SECTION 16.** 6.20 of the statutes is amended to read:

2           **6.20 Absent electors.** Any qualified elector of this state who registers ~~where~~  
3 required may vote by absentee ballot under ss. 6.84 to 6.89.

4           **SECTION 17.** 6.24 (3) of the statutes is amended to read:

5           **6.24 (3) REGISTRATION.** ~~If registration is required in the municipality where the~~  
6 The overseas elector resided or where the overseas elector's parent resided, the  
7 elector shall register in the municipality where he or she was last domiciled or where  
8 the overseas elector's parent was last domiciled on a form prescribed by the board  
9 designed to ascertain the elector's qualifications under this section. The form shall  
10 be substantially similar to the original form under s. 6.33 (1), insofar as applicable.  
11 Registration shall be accomplished in accordance with s. 6.30 (4).

12           **SECTION 18.** 6.24 (4) (a) of the statutes is amended to read:

13           **6.24 (4) (a)** An overseas elector who is properly registered ~~where registration~~  
14 ~~is required~~ may request an absentee ballot in writing under ss. 6.86 to 6.89.

15           **SECTION 19.** 6.24 (4) (c) of the statutes is amended to read:

16           **6.24 (4) (c)** Upon receipt of a timely application from an individual who  
17 qualifies as an overseas elector ~~and~~ who has registered to vote in a municipality  
18 under sub. (3) ~~whenever registration is required in that municipality~~, the municipal  
19 clerk of the municipality shall send an absentee ballot to the individual for all  
20 subsequent elections for national office to be held during the year in which the ballot  
21 is requested, unless the individual otherwise requests or until the individual no  
22 longer qualifies as an overseas elector.

23           **SECTION 20.** 6.24 (8) of the statutes is repealed.

24           **SECTION 21.** 6.27 (1) of the statutes is renumbered 6.27 and amended to read:

1           **6.27 ~~Where elector~~ Elector registration required.** ~~Every municipality~~  
2 over 5,000 population shall keep a registration list consisting of all currently  
3 registered electors. ~~Where used, registration applies to~~ Registration is required in  
4 every municipality for all elections.

5           **SECTION 22.** 6.27 (2) to (5) of the statutes are repealed.

6           **SECTION 23.** 6.28 (1) of the statutes is amended to read:

7           **6.28 (1) REGISTRATION LOCATIONS; DEADLINE.** Except as authorized in ss. 6.29 and  
8 6.55 (2), registration in person for any election shall close at 5 p.m. on the 2nd  
9 Wednesday preceding the election. Registrations made by mail under s. 6.30 (4) must  
10 be delivered to the office of the municipal clerk or postmarked no later than the 2nd  
11 Wednesday preceding the election. An application for registration in person or by  
12 mail may be accepted for placement on the registration list after the specified  
13 deadline, if the municipal clerk determines that the registration list can be revised  
14 to incorporate the registration in time for the election. All applications for  
15 registration corrections and additions may be made throughout the year at the office  
16 of the city board of election commissioners, at the office of the municipal clerk, at the  
17 office of any register of deeds or at other locations provided by the board of election  
18 commissioners or the common council in cities over 500,000 population or by either  
19 or both the municipal clerk, or the common council, village or town board in all other  
20 municipalities and may also be made during the school year at any high school by  
21 qualified persons under sub. (2) (a). Other registration locations may include but are  
22 not limited to fire houses, police stations, public libraries, institutions of higher  
23 education, supermarkets, community centers, plants and factories, banks, savings  
24 and loan associations and savings banks. Special registration deputies shall be  
25 appointed for all locations. An elector who registers under this section and who

1 wishes to obtain a confidential listing under s. 6.47 (2) shall register at the office of  
2 the municipal clerk of the municipality where the elector resides.

3 **SECTION 24.** 6.28 (2) (b) of the statutes is amended to read:

4 6.28 (2) (b) The municipal clerk of each municipality ~~in which elector~~  
5 ~~registration is required~~ shall notify the school board of each school district in which  
6 the municipality is located that high schools shall be used for registration pursuant  
7 to par. (a). The school board and the municipal clerk shall agree upon the  
8 appointment of at least one qualified elector at each high school as a special school  
9 registration deputy. The municipal clerk shall appoint such person as a school  
10 registration deputy and explain the person's duties and responsibilities. Students  
11 and staff may register at the high school on any day that classes are regularly held.  
12 The school registration deputies shall promptly forward properly completed  
13 registration forms to the municipal clerk of the municipality in which the registering  
14 student or staff member resides. The municipal clerk, upon receiving such  
15 registration forms, shall add all those registering electors who have met the  
16 registration requirements to the registration list. The municipal clerk may reject  
17 any registration form and shall promptly notify the person whose registration is  
18 rejected of the rejection and the reason therefor. A person whose registration is  
19 rejected may reapply for registration if he or she is qualified. The form of each high  
20 school student who is qualified and will be eligible to vote at the next election shall  
21 be filed in such a way that when a student attains the age of 18 years the student is  
22 registered to vote automatically. Each school board shall assure that the principal  
23 of every high school communicates elector registration information to students.

24 **SECTION 25.** 6.28 (3) of the statutes is amended to read:

**SECTION 25**

1           6.28 (3) ~~AT OFFICE OF REGISTER OF DEEDS. Any person who resides in a~~  
2 ~~municipality requiring registration of electors~~ shall be given an opportunity to  
3 register to vote at the office of the register of deeds for the county in which the  
4 person's residence is located. An applicant may fill out the required registration form  
5 under s. 6.33. Upon receipt of a completed form, the register of deeds shall forward  
6 the form within 5 days to the appropriate municipal clerk, or to the board of election  
7 commissioners in cities over 500,000 population. The register of deeds shall forward  
8 the form immediately whenever registration closes within 5 days of receipt.

9           **SECTION 26.** 6.29 (1) of the statutes is amended to read:

10           6.29 (1) No names may be added to a registration list for any election after the  
11 close of registration, except as authorized under this section or s. 6.28 (1) or 6.55 (2).  
12 Any person whose name is not on the registration list but who is otherwise a qualified  
13 elector is entitled to vote at the election upon compliance with this section, if the  
14 person complies with all other requirements for voting at the polling place.

15           **SECTION 27.** 6.29 (2) (a) of the statutes is amended to read:

16           6.29 (2) (a) Any qualified elector of a municipality ~~where registration is~~  
17 ~~required~~ who has not previously filed a registration form or whose name does not  
18 appear on the registration list of the municipality ~~shall be entitled to vote at the~~  
19 ~~election if he or she delivers to the municipal clerk~~ may register after the close of  
20 registration but not later than 5 p.m. of the day before an election at the office of the  
21 municipal clerk or at the office of the county clerk if the county clerk is acting as the  
22 agent of the municipal clerk for electronic entry of registration changes under s. 6.33  
23 (5) (b). The elector shall complete, in the manner provided under s. 6.33 (2), a  
24 registration form executed by the elector. The form shall contain a certification by  
25 the elector that all statements are true and correct. Alternatively, if the elector

1 cannot obtain a registration form, the elector may deliver a statement, signed by the  
2 elector, containing all of the information required on the registration form containing  
3 all information required under s. 6.33 (1). The elector shall present preferred  
4 identification or, if the elector is unable to present preferred identification, the  
5 elector shall present alternate identification. If the elector is unable to present  
6 preferred or alternate identification, the elector shall present any identification card  
7 that contains the name and photograph of the elector and an identifying number. If  
8 any identification presented by the elector is not acceptable proof of residence as  
9 provided in under s. 6.55 (7), the elector shall also present acceptable proof of  
10 residence. If no proof is presented the elector is unable to present any identification  
11 authorized under this paragraph or acceptable proof of residence under s. 6.55 (7),  
12 the information contained in the registration form or the listing of required  
13 information shall be substantiated corroborated in a statement that is signed by one  
14 any other elector of the municipality, corroborating all the material statements  
15 therein who has not, during that day, corroborated the registration information of  
16 more than one other elector and that contains the current street address of the  
17 corroborating elector. The corroborating elector shall then provide identification in  
18 the same manner as if the corroborating elector were registering under this  
19 paragraph and acceptable proof of residence under s. 6.55 (7). The signing of the form  
20 by the registering elector and statement by the corroborating elector shall be done  
21 in the presence of the municipal clerk or deputy clerk not later than 5 p.m. of the day  
22 before an election.

23 SECTION 28. 6.29 (2) (b) of the statutes is amended to read:

24 6.29 (2) (b) Upon Unless the municipal clerk determines that the registration  
25 list will be revised to incorporate the registration in time for the election, upon the

1 filing of the registration form required by this section, the municipal clerk, or the  
2 county clerk if designated under s. 6.33 (5) (b), shall issue a certificate addressed to  
3 the inspectors of the proper ward or election district directing that the elector be  
4 permitted to cast his or her vote, ~~unless the clerk determines that the registration~~  
5 ~~list will be revised to incorporate the registration in time for the election if the elector~~  
6 complies with all requirements for voting at the polling place. The certificate shall  
7 be numbered serially, prepared in duplicate and one copy preserved in the office of  
8 the municipal clerk. The certificate shall indicate the name and address of the  
9 elector and, if the elector is unable to present preferred or alternate identification,  
10 the certificate shall indicate the type of identification, if any, the elector is able to  
11 present and the identifying number contained in that identification.

12 SECTION 29. 6.33 (title) of the statutes is amended to read:

13 **6.33 (title) Registration forms; manner of completing.**

14 SECTION 30. 6.33 (1) of the statutes is amended to read:

15 6.33 (1) The municipal clerk shall supply sufficient registration forms as  
16 prescribed by the board printed on loose-leaf sheets or cards to obtain from each  
17 applicant information as to name, date, residence location, citizenship, age, whether  
18 the applicant has resided within the ward or election district for at least 10 days,  
19 whether the applicant has lost his or her right to vote, and whether the applicant is  
20 currently registered to vote at any other location, and shall provide a space for the  
21 applicant's signature and the ward and aldermanic district, if any, where the elector  
22 resides. The forms shall ~~also~~ include a space ~~for~~ where the clerk, issuing officer, or  
23 registration deputy may record, for any applicant under s. 6.29 (2) or 6.55 (2) who is  
24 unable to present preferred or alternate identification, the type of identification  
25 serial, if any, the applicant is able to present and the identifying number of any

1 ~~elector who is issued such a number under s. 6.47 (3) contained in that identification.~~  
2 ~~The forms shall also include a space where the clerk, issuing officer, or registration~~  
3 ~~deputy, for any applicant who possesses a valid voting identification card issued to~~  
4 ~~the person under s. 6.47 (3), may record the identification serial number appearing~~  
5 ~~on the voting identification card and shall include a space for any other information~~  
6 ~~prescribed by rule of the board. Each register of deeds shall obtain sufficient~~  
7 ~~registration forms at the expense of the unit of government by which he or she is~~  
8 ~~employed for completion by any elector who desires to register to vote at the office~~  
9 ~~of the register of deeds under s. 6.28 (3).~~

10 **SECTION 31.** 6.33 (2) (a) of the statutes is amended to read:

11 6.33 (2) (a) ~~The All information may be recorded by any person, but the except~~  
12 ~~that the ward and aldermanic district, if any, and any information relating to the~~  
13 ~~identification an applicant under s. 6.29 (2) or 6.55 (2) is able to present and any~~  
14 ~~information relating to an applicant's voting identification card shall be recorded by~~  
15 ~~the clerk, issuing officer, or registration deputy. Each applicant shall sign his or her~~  
16 ~~own name unless the applicant is unable to sign his or her name due to physical~~  
17 ~~disability. In such case, the applicant may authorize another elector to sign the form~~  
18 ~~on his or her behalf. If the applicant so authorizes, the elector signing the form shall~~  
19 ~~attest to a statement that the application is made upon request and by authorization~~  
20 ~~of a named elector who is unable to sign the form due to physical disability. ~~Ward and~~~~  
21 ~~aldermanic district information shall be filled in by the clerk.~~

22 **SECTION 32.** 6.33 (5) of the statutes is created to read:

23 6.33 (5) (a) Except as provided in par. (b), whenever a municipal clerk receives  
24 a valid registration or valid change of a name or address under an existing  
25 registration and whenever a municipal clerk cancels a registration, the municipal

1 clerk shall promptly enter electronically on the list maintained by the board under  
2 s. 6.36 (1) the information required under that subsection, except that the municipal  
3 clerk may update any entries that change on the date of an election in the  
4 municipality within 10 days after that date, and the municipal clerk shall provide  
5 to the board information that is confidential under s. 6.47 (2) in such manner as the  
6 board prescribes.

7 (b) The town clerk of any town having a population of not more than 5,000 may  
8 designate the county clerk of the county where the town is located as the town clerk's  
9 agent to carry out the functions of the town clerk under this subsection for that town.  
10 The town clerk shall notify the county clerk of any such designation in writing. The  
11 town clerk may, by similar notice to the county clerk at least 14 days prior to the  
12 effective date of any change, discontinue the designation. If the town clerk  
13 designates a county clerk as his or her agent, the town clerk shall immediately  
14 forward all registration changes filed with the town clerk to the county clerk for  
15 electronic entry on the registration list.

16 **SECTION 33.** 6.35 (2) of the statutes is repealed.

17 **SECTION 34.** 6.35 (3) of the statutes is amended to read:

18 6.35 (3) ~~In municipalities employing data processing for keeping of registration~~  
19 ~~forms, original~~ Original registration forms shall be maintained in the office of the  
20 municipal clerk or board of election commissioners at all times.

21 **SECTION 35.** 6.35 (5) and (6) of the statutes are repealed.

22 **SECTION 36.** 6.36 (1) of the statutes is repealed and recreated to read:

23 6.36 (1) (a) The board shall compile and maintain electronically an official  
24 registration list. Except as provided in sub. (2) (b), the list shall contain the name and

1 address of each registered elector in the state and such other information as the  
2 board prescribes by rule.

3 (b) Except for the addresses of electors who obtain a confidential listing under  
4 s. 6.47 (2), the list shall be open to public inspection under s. 19.35 (1) and shall be  
5 electronically accessible by any person, but no person other than the board or an  
6 election official who is authorized by a municipal clerk may make a change in the list.  
7 The list shall be electronically accessible by name and shall also be accessible in  
8 alphabetical order of the electors' names for the entire state and for each county,  
9 municipality, ward, and combination of wards authorized under s. 5.15 (6) (b).

10 (c) The list shall be designed in such a way that the municipal clerk or board  
11 of election commissioners of any municipality may, by electronic transmission, add,  
12 revise, or remove entries on the list for any elector who resides in, or who the list  
13 identifies as residing in, that municipality and no other municipality.

14 (d) The board shall not make any changes in entries to the registration list  
15 except as follows:

16 1. Upon receipt of official notification by the appropriate election  
17 administrative authority of another state, territory, or possession that an elector  
18 whose name appears on the list has registered to vote in that state, territory, or  
19 possession, the board shall remove the name of that elector from the list.

20 2. If the board conducts the canvass required under s. 6.50 (1) and (2) or (2m),  
21 the board shall cancel the registration of any elector whose registration is required  
22 to be canceled by the municipal clerk or board of election commissioners under those  
23 provisions.

**SECTION 36**

1 (e) If the board removes the name of any elector from the list, the board shall  
2 promptly notify the municipal clerk of the municipality where the elector resides or  
3 resided, in writing or by electronic transmission.

4 **SECTION 37.** 6.36 (2) (a) of the statutes is amended to read:

5 6.36 (2) (a) Except as provided in par. (b), the each registration lists list  
6 prepared for use at a polling place shall contain the full name and address of each  
7 registered elector, ; the type of identification card, if any, that each elector registered  
8 under s. 6.29 (2) or 6.55 (2) is able to present and the identifying number contained  
9 in that identification card; a blank column for the entry of the serial number of the  
10 electors when they vote,; and a form of a certificate bearing the certification of the  
11 executive director of the board stating that each the list is a true and complete  
12 combined check and registration list of the respective municipality or the ward or  
13 wards for which the list is prepared.

14 **SECTION 38.** 6.36 (3) of the statutes is amended to read:

15 6.36 (3) ~~Municipalities shall prepare at least 2 copies of the registration list for~~  
16 ~~each ward and bind them in book form.~~ The original registration forms constitute the  
17 official registration list and shall be controlling whenever discrepancies occur in  
18 entering information from the forms under s. 6.33 (5).

19 **SECTION 39.** 6.47 (2) of the statutes is amended to read:

20 6.47 (2) Except as authorized in sub. (8), the board and each municipal clerk,  
21 and each county clerk who is designated under s. 6.33 (5) (b) as the agent of a  
22 municipal clerk, shall withhold from public inspection under s. 19.35 (1) the name  
23 and address of any eligible individual whose name appears on a poll list or  
24 registration list if the individual files provides the municipal clerk, or the county  
25 clerk if designated under s. 6.33 (5) (b), with a valid written request with the clerk

1 to protect the individual's confidentiality. To be valid, a request under this subsection  
2 must be accompanied by a copy of a protective order that is in effect, an affidavit  
3 under sub. (1) (a) 2. that is dated within 30 days of the date of the request or a  
4 statement signed by the operator or an authorized agent of the operator of a shelter  
5 that is dated within 30 days of the date of the request and that indicates that the  
6 operator operates the shelter and that the individual making the request resides in  
7 the shelter. A physically disabled individual who appears personally at the office of  
8 the municipal clerk, or the county clerk if designated under s. 6.33 (5) (b),  
9 accompanied by another elector of this state may designate that elector to make a  
10 request under this subsection on his or her behalf. Any county clerk that receives  
11 a valid written request under this subsection shall promptly forward the request to  
12 the municipal clerk.

13 **SECTION 40.** 6.47 (3) of the statutes is amended to read:

14 6.47 (3) Upon listing of receiving a valid written request from an elector under  
15 sub. (2), the municipal clerk, or the county clerk if designated under s. 6.33 (5) (b),  
16 shall issue to the elector a voting identification card on a form prescribed by the board  
17 that shall contain the name of the elector's municipality issuing the card of residence  
18 and in the case of a town, the county in which the town is located, the elector's name,  
19 the ward in which the elector resides, if any, and a unique identification serial  
20 number issued by the board. The number issued to an elector under this subsection  
21 shall not be changed for so long as the elector continues to qualify for a listing under  
22 sub. (2).

23 **SECTION 41.** 6.50 (1) (intro.) of the statutes is amended to read:

24 6.50 (1) (intro.) Within 90 days following each general election, the municipal  
25 clerk or board of election commissioners of each municipality ~~in which registration~~

1 is required shall examine the registration records and identify each elector who has  
2 not voted within the previous 4 years if qualified to do so during that entire period  
3 and shall mail a notice to the elector in substantially the following form:

4 **SECTION 42.** 6.50 (2m) (a) of the statutes is amended to read:

5 6.50 (2m) (a) As an alternative to the procedure prescribed in subs. (1) and (2),  
6 the governing body of a municipality ~~where registration is required~~ may provide for  
7 revision of registration lists under this subsection.

8 **SECTION 43.** 6.50 (2m) (b) of the statutes is amended to read:

9 6.50 (2m) (b) ~~Following~~ Within 90 days following each general election, the  
10 municipal clerk of the municipality shall revise and correct the registration list by  
11 reviewing the registration of any elector who failed to vote within the past 4 years  
12 if qualified to do so during that entire period. Each such elector shall be mailed an  
13 address verification card under par. (c). If an address verification card is returned  
14 by the postal service to the clerk, the registration of such elector shall be canceled.  
15 Otherwise, the registration shall be retained notwithstanding failure of the elector  
16 to vote at any election, except as provided in subs. (4) to (7).

17 **SECTION 44.** 6.50 (2s) of the statutes is created to read:

18 6.50 (2s) If, within 120 days following a general election, the municipal clerk  
19 or board of election commissioners has not completed the canvass required under  
20 sub. (1) and (2) or (2m), the board may conduct the canvass and may submit to the  
21 municipal clerk or board of election commissioners a statement of its reasonable  
22 costs incurred. The municipality shall reimburse the board for those costs within 30  
23 days following receipt of the statement. If the municipality fails to timely reimburse  
24 the board, the board may submit a statement to the department of administration  
25 indicating the amount of the reimbursement due from the municipality and directing

1 the department to deduct that amount from the next payment made to the  
2 municipality under s. 79.02.

3 **SECTION 45.** 6.50 (10) of the statutes is amended to read:

4 6.50 (10) Any elector whose registration is canceled under this section may  
5 ~~have his or her registration reinstated by filing a new registration form~~ reregister  
6 as provided under s. 6.28 (1), 6.29 (2), or 6.55 (2).

7 **SECTION 46.** 6.54 of the statutes is repealed.

8 **SECTION 47.** 6.55 (2) (a) 1. (intro.) of the statutes is amended to read:

9 6.55 (2) (a) 1. (intro.) Except where the procedure under par. (c) or (cm) is  
10 employed, any person who qualifies as an elector in the ward or election district  
11 where he or she desires to vote, but has not previously filed a registration form, or  
12 was registered at another location ~~in a municipality where registration is required,~~  
13 may request permission to vote at the polling place for that ward or election district,  
14 or at an alternate polling place assigned under s. 5.25 (5) (b). When a proper request  
15 is made, the inspector shall require the person to execute a registration form  
16 prescribed by the board ~~that.~~ The registration form shall be completed in the manner  
17 provided under s. 6.33 (2) and shall contain all information required under s. 6.33  
18 (1), along with the following certification:

19 **SECTION 48.** 6.55 (2) (b) of the statutes is amended to read:

20 6.55 (2) (b) Upon executing the registration form under par. (a), the person  
21 ~~shall be required by a special registration deputy or inspector to present preferred~~  
22 identification or, if the person is unable to present preferred identification, the  
23 person shall present alternate identification. If the person is unable to present  
24 preferred or alternate identification, the person shall present any identification card  
25 that contains the name and photograph of the person and an identifying number.

1 If any identification presented by the person is not acceptable proof of residence  
2 under sub. (7), the elector shall also present acceptable proof of residence. If the  
3 person cannot supply such proof identification authorized under this paragraph or  
4 proof of residence, the information contained in the registration form shall be  
5 substantiated and signed corroborated in a statement that is signed by one other any  
6 elector who resides in the same municipality as the registering elector, corroborating  
7 all the material statements therein and who has not, during that day, corroborated  
8 the registration information of more than one other person and that contains the  
9 current street address of the corroborator. The corroborator shall then provide  
10 identification in the same manner as if the corroborator were registering under this  
11 subsection and shall provide acceptable proof of residence. The signing by the elector  
12 person executing the registration form and by any elector who corroborates the  
13 information in the form corroborator shall be in the presence of the special  
14 registration deputy or inspector. Upon compliance with this procedure, such person  
15 shall then be given the right to vote the elector shall be permitted to cast his or her  
16 vote, if the elector complies with all other requirements for voting at the polling  
17 place.

18 **SECTION 49.** 6.55 (2) (c) 1. of the statutes is amended to read:

19 6.55 (2) (c) 1. As an alternative to registration at the polling place under pars.  
20 (a) and (b), the board of election commissioners, or the governing body of any  
21 municipality ~~in which registration is required~~ may by resolution require a person  
22 who qualifies as an elector and who is not registered and desires to register on the  
23 day of an election to do so at another readily accessible location in the same building  
24 as the polling place serving the elector's residence or at an alternate polling place  
25 assigned under s. 5.25 (5) (b), instead of at the polling place serving the elector's

1 residence. In such case, the municipal clerk shall prominently post a notice of the  
2 registration location at the polling place. The municipal clerk, deputy clerk or special  
3 registration deputy at the registration location shall require such person to execute  
4 a registration form as prescribed under par. (a) and to provide present preferred  
5 identification or, if the person is unable to present preferred identification, alternate  
6 identification. If the person is unable to present preferred or alternate identification,  
7 the person shall present any identification card that contains the name and  
8 photograph of the person and an identifying number. If any identification presented  
9 by the person is not acceptable proof of residence as provided under sub. (7), the  
10 elector shall also present acceptable proof of residence. If the person cannot supply  
11 such proof identification authorized under this subdivision or acceptable proof of  
12 residence, the information contained in the registration form shall be corroborated  
13 in the manner provided in par. (b). The signing by the elector person executing the  
14 registration form and by any corroborating elector corroborator shall be in the  
15 presence of the municipal clerk, deputy clerk or special registration deputy. Upon  
16 proper completion of registration, the municipal clerk, deputy clerk or special  
17 registration deputy shall serially number the registration and give one copy to the  
18 elector for presentation at the polling place serving the elector's residence or an  
19 alternate polling place assigned under s. 5.25 (5) (b).

20 **SECTION 50.** 6.55 (2) (c) 2. of the statutes is amended to read:

21 6.55 (2) (c) 2. Upon compliance with the procedures under subd. 1., the  
22 municipal clerk or deputy clerk shall issue a certificate addressed to the inspectors  
23 of the proper polling place directing that the elector be permitted to cast his or her  
24 vote if the elector complies with all requirements for voting at the polling place. If  
25 the elector's registration is corroborated, the clerk shall enter the name and address

1 of the corroborator on the face of the certificate. The certificate shall be numbered  
2 serially and prepared in duplicate. The municipal clerk shall preserve one copy in his  
3 or her office. The certificate shall indicate the name and address of the elector and,  
4 if the elector is unable to present preferred or alternate identification, the certificate  
5 shall indicate the type of identification, if any, the elector is able to present and the  
6 identifying number contained in that identification.

7 **SECTION 51.** 6.55 (2) (d) of the statutes is amended to read:

8 6.55 (2) (d) A registered elector who has changed his or her name but resides  
9 at the same address, and has not notified the municipal clerk under s. 6.40 (1) (c),  
10 shall notify the inspector of the change before voting. The inspector shall then notify  
11 the municipal clerk at the time which materials are returned under s. 6.56 (1). If an  
12 elector ~~changes~~ has changed both a name and address, the elector shall ~~complete a~~  
13 ~~registration form~~ register at the polling place or other registration location under  
14 pars. (a) and (b).

15 **SECTION 52.** 6.55 (3) of the statutes is amended to read:

16 6.55 (3) Any qualified elector in the ward or election district where the elector  
17 desires to vote whose name does not appear on the registration list ~~where~~  
18 ~~registration is required~~ but who claims to be registered to vote in the election may  
19 request permission to vote at the polling place for that ward or election district.  
20 When the request is made, the inspector shall require the person to give his or her  
21 name and address. If the elector is not at the polling place which serves the ward or  
22 election district where the elector resides, the inspector shall provide the elector with  
23 directions to the correct polling place. If the elector is at the correct polling place, the  
24 elector shall then execute the following written statement: "I, ..., hereby certify that  
25 to the best of my knowledge, I am a qualified elector, having resided at .... for at least

1 10 days immediately preceding this election, and that I am not disqualified on any  
2 ground from voting, and I have not voted at this election and am properly registered  
3 to vote in this election.” The person shall be required to provide present preferred  
4 identification or, if the person is unable to present preferred identification, alternate  
5 identification. If the person is unable to present preferred or alternate identification,  
6 the person shall present any identification card that contains the name and  
7 photograph of the person and an identifying number. If any identification presented  
8 by the person is not acceptable proof of residence as provided under sub. (7), the  
9 person shall also present acceptable proof of residence and shall then be given the  
10 right to vote. If acceptable proof is presented, the elector need not have the  
11 information corroborated by any other elector. If identification authorized under this  
12 subsection or acceptable proof of residence is not presented, the statement shall be  
13 certified by the elector and shall be corroborated in a statement that is signed by  
14 another any other elector who resides in the municipality and who has not, during  
15 that day, corroborated the registration information of more than one other person  
16 and that contains the current street address of the corroborator. The corroborator  
17 shall then provide identification in the same manner as if the corroborator were  
18 executing the certification under this subsection and shall provide acceptable proof  
19 of residence as provided in sub. (7). Whenever the question of identity or residence  
20 cannot be satisfactorily resolved and the elector cannot be permitted to vote, an  
21 inspector shall telephone the office of the municipal clerk to reconcile the records at  
22 the polling place with those at the office.

23 **SECTION 53.** 6.55 (7) (c) 1. of the statutes is amended to read:

24 6.55 (7) (c) 1. ~~A Wisconsin motor vehicle~~ An operator's license issued under ch.

25 343.

1           **SECTION 54.** 6.55 (7) (c) 2. of the statutes is amended to read:

2           6.55 (7) (c) 2. ~~A Wisconsin~~ An identification card issued under s. ~~125.08, 1987~~  
3 stats s. 343.50.

4           **SECTION 55.** 6.79 (intro.) of the statutes is renumbered 6.79 (1m) and amended  
5 to read:

6           6.79 (1m) Two election officials at each election ward shall be in charge of and  
7 shall maintain 2 separate poll lists of containing information relating to all persons  
8 voting. The municipal clerk may elect to maintain the information on the poll list  
9 lists manually or electronically. If the list is lists are maintained electronically, the  
10 officials shall enter the information into an electronic data recording system that  
11 enables retrieval of a printed copy of the poll list at the polling place. The system  
12 employed is subject to the approval of the board.

13           **SECTION 56.** 6.79 (1) of the statutes is repealed.

14           **SECTION 57.** 6.79 (2) of the statutes is repealed and recreated to read:

15           6.79 (2) VERIFICATION OF IDENTITY AND ADDRESS AND MAINTENANCE OF POLL LISTS.  
16 (a) Unless information on the poll list is entered electronically, the municipal clerk  
17 shall supply the inspectors with 2 copies of the most current original registration list  
18 or lists prepared under s. 6.36 (1) for use as poll lists at the polling place. Except as  
19 provided in sub. (6), each person, before receiving a serial number, shall state his or  
20 her full name and address and shall present preferred identification or, if the person  
21 is unable to present preferred identification, alternate identification. Except as  
22 provided in sub. (6), if the person is unable to present preferred or alternate  
23 identification, the person shall present any identification card that contains the  
24 name and photograph of the person and an identifying number. If a person is unable  
25 to present any identification authorized under this paragraph, the person's identity

1 and address may be corroborated in a statement that is signed by any other elector  
2 who resides in the municipality and who has not, during that day, corroborated the  
3 identity and address of more than one other person and that contains the current  
4 street address of the corroborator. The corroborator shall then provide identification  
5 in the same manner as if the corroborator were attempting to vote under this  
6 subsection.

7 (b) 1. Except as otherwise provided in this paragraph, the officials shall verify  
8 that the name and address on the identification provided by the person under par.  
9 (a) or the name and address corroborated under par. (a) are the same as the person's  
10 name and address on the poll list and shall verify that the photograph contained in  
11 the identification reasonably resembles the person.

12 2. If the person presents an identification card under par. (a) that is not  
13 preferred or alternate identification or that contains an address different from that  
14 on the poll list, the officials shall verify that the name and identifying number on the  
15 identification card are the same as the person's name on the poll list and the  
16 identifying number on any identification card that the person's registration indicates  
17 he or she is able to present. If the person's registration does not indicate that he or  
18 she is able to present an identification card or if the identifying number on the  
19 identification card is different from the identifying number indicated in the person's  
20 registration, the officials shall enter on the poll list, after the name of the person, the  
21 type of identification and the identifying number contained in that identification.

22 3. If the person presents a certificate for that election issued to the person under  
23 s. 6.29 (2) (b) or a certificate issued to the person that day under s. 6.55 (2) (c) 2., the  
24 officials shall verify that the name and address on the identification provided by the  
25 person under par. (a) or the name and address corroborated under par. (a) are the

1 same as the person's name and address on the certificate. If the person presents an  
2 identification card under par. (a) that is not preferred or alternate identification or  
3 that contains an address different from that on the certificate, the officials shall  
4 verify that the name and identifying number on the identification card are the same  
5 as the person's name on the certificate and the identifying number on any  
6 identification card that the certificate indicates he or she is able to present. If the  
7 certificate does not indicate he or she is able to present an identification card or if the  
8 identifying number on the identification card is different from the identifying  
9 number indicated in the certificate, the officials shall enter on the certificate the type  
10 of identification and the identifying number contained in that identification.

11 (c) Upon the poll list, after the name of each elector, the officials shall enter a  
12 serial number for each elector in the order that votes are cast, beginning with  
13 number one. The officials shall maintain a separate list for electors who are voting  
14 under s. 6.15, 6.29 or 6.55 (2) or (3) and electors who are reassigned from another  
15 polling place under s. 5.25 (5) (b) and shall enter the full name, address, and serial  
16 number of each of these electors on the appropriate separate list. The officials shall  
17 provide each elector with a slip bearing the same serial number as is recorded for the  
18 elector upon the poll list or separate list.

19 **SECTION 58.** 6.79 (3) of the statutes is amended to read:

20 6.79 (3) REFUSAL TO GIVE NAME AND ADDRESS AND FAILURE TO PRESENT  
21 IDENTIFICATION. Except as provided in sub. (6), if any elector offering to vote at any  
22 polling place refuses to give his or her name and address or is unable to present  
23 identification authorized under sub. (2) or have his or her identity and address  
24 corroborated, the elector may not be permitted to vote.

25 **SECTION 59.** 6.79 (4) of the statutes is amended to read:

1           6.79 (4) SUPPLEMENTAL INFORMATION. ~~When any elector provides identification~~  
2 ~~under sub. (1) or s. 6.15, 6.29 or 6.55 (2) or (3), the election officials shall enter the~~  
3 ~~type of identification on the poll or registration list, or supplemental list maintained~~  
4 ~~under sub. (2). If the form of identification includes a number which applies only to~~  
5 ~~the individual holding that piece of identification, the election officials shall also~~  
6 ~~enter that number on the list. When any elector corroborates the registration~~  
7 ~~identity or residence of any person offering to vote under sub. (1) or s. 6.55 (2) (b) or~~  
8 ~~(c) or (3) the name and address of the corroborator shall also be entered next to the~~  
9 ~~name of the elector whose information is being corroborated on the registration or~~  
10 ~~poll list, or the separate list maintained under sub. (2). When any person offering~~  
11 ~~to vote has been challenged and taken the oath, following the person's name on the~~  
12 ~~registration or poll list, the officials shall enter the word "Sworn".~~

13           **SECTION 60.** 6.79 (5) of the statutes is repealed.

14           **SECTION 61.** 6.79 (6) (title) of the statutes is repealed and recreated to read:

15           6.79 (6) (title) EXCEPTIONS REGARDING IDENTIFICATION.

16           **SECTION 62.** 6.79 (6) (a) of the statutes is repealed.

17           **SECTION 63.** 6.79 (6) (am) of the statutes is created to read:

18           6.79 (6) (am) The requirement under sub. (2) that a person present  
19 identification or have his or her identity or address corroborated does not apply to  
20 a person who is voting under s. 6.15 or 6.55 (2) (b) or (3).

21           **SECTION 64.** 6.79 (6) (b) of the statutes is amended to read:

22           6.79 (6) (b) ~~In municipalities where registration is required, an~~ An elector who  
23 has a confidential listing under s. 6.47 (2) may present his or her identification card  
24 issued under s. 6.47 (3), or may give his or her name and identification serial number  
25 issued under s. 6.47 (3), in lieu of stating his or her name and address and presenting

**SECTION 64**

1 identification under sub. (2). If the elector's name and identification serial number  
2 appear on the confidential portion of the list, the inspectors shall issue a voting serial  
3 number to the elector, record that number on the registration list and permit the  
4 elector to vote.

5 **SECTION 65.** 6.82 (1) (a) of the statutes is amended to read:

6 6.82 (1) (a) When any inspectors are informed that an elector is at the entrance  
7 to the polling place who as a result of disability is unable to enter the polling place,  
8 they shall permit the elector to be assisted in marking or punching a ballot by any  
9 individual selected by the elector, except the elector's employer or an agent of that  
10 employer or an officer or agent of a labor organization which represents the elector.  
11 The inspectors shall issue a ballot to the individual selected by the elector and shall  
12 accompany the individual to the polling place entrance where the assistance is to be  
13 given. If the ballot is a paper ballot, the assisting individual shall fold the ballot after  
14 the ballot is marked or punched by the assisting individual. The assisting individual  
15 shall then immediately take the ballot into the polling place and give the ballot to an  
16 inspector. The inspector shall distinctly announce that he or she has "a ballot offered  
17 by .... (stating person's name), an elector who, as a result of disability, is unable to  
18 enter the polling place without assistance". The inspector shall then ask, "Does  
19 anyone object to the reception of this ballot?" If no objection is made, the inspectors  
20 shall record the elector's name under s. 6.79 and deposit the ballot in the ballot box,  
21 and shall make a notation on the ~~registration or~~ poll list: "Ballot received at poll  
22 entrance".

23 **SECTION 66.** 6.86 (3) (a) of the statutes is amended to read:

24 6.86 (3) (a) Any elector who is registered, ~~or otherwise qualified where~~  
25 ~~registration is not required,~~ and who is hospitalized, may apply for and obtain an

1 official ballot by agent. The agent may apply for and obtain a ballot for the  
2 hospitalized absent elector by presenting a form prescribed by the board and  
3 containing the required information supplied by the hospitalized elector and signed  
4 by that elector and any other elector residing in the same municipality as the  
5 hospitalized elector, corroborating the information contained therein. The  
6 corroborating elector shall state on the form his or her full name and address.

7 **SECTION 67.** 6.88 (3) (a) of the statutes is amended to read:

8 6.88 (3) (a) Any time between the opening and closing of the polls on election  
9 day, the inspectors shall open the carrier envelope only, and announce the name of  
10 the absent elector or the identification serial number of the absent elector if the  
11 elector has a confidential listing under s. 6.47 (2). When the inspectors find that the  
12 certification has been properly executed, the applicant is a qualified elector of the  
13 ward or election district, and the applicant has not voted in the election, they shall  
14 enter an indication on the poll ~~er-registration~~ list next to the applicant's name  
15 indicating an absentee ballot is cast by the elector. They shall then open the envelope  
16 containing the ballot in a manner so as not to deface or destroy the certification  
17 thereon. The inspectors shall take out the ballot without unfolding it or permitting  
18 it to be unfolded or examined. Unless the ballot is cast under s. 6.95, the inspectors  
19 shall verify that the ballot has been endorsed by the issuing clerk. The inspectors  
20 shall deposit the ballot into the proper ballot box and enter the absent elector's name  
21 or voting number after his or her name on the poll ~~er-registration~~ list in the same  
22 manner as if the elector had been present and voted in person.

23 **SECTION 68.** 6.94 of the statutes is amended to read:

24 **6.94 Challenged elector oath.** If the person challenged refuses to answer  
25 fully any relevant questions put to him or her by the inspector under s. 6.92, the

**SECTION 68**

1 inspectors shall reject the elector's vote. If the challenge is not withdrawn after the  
2 person offering to vote has answered the questions, one of the inspectors shall  
3 administer to the person the following oath or affirmation: "You do solemnly swear  
4 (or affirm) that: you are 18 years of age; you are a citizen of the United States; you  
5 are now and for 10 days have been a resident of this ward except under s. 6.02 (2);  
6 you have not voted at this election; you have not made any bet or wager or become  
7 directly or indirectly interested in any bet or wager depending upon the result of this  
8 election; you are not on any other ground disqualified to vote at this election". If the  
9 person challenged refuses to take the oath or affirmation, the person's vote shall be  
10 rejected. If the person challenged answers fully all relevant questions put to the  
11 elector by the inspector under s. 6.92, takes the oath or affirmation, and fulfills the  
12 applicable registration requirements, ~~where applicable~~, and if the answers to the  
13 questions given by the person indicate that the person meets the voting qualification  
14 requirements, the person's vote shall be received.

15 **SECTION 69.** 6.95 of the statutes is amended to read:

16 **6.95 Voting procedure for challenged electors.** Whenever the inspectors  
17 under ss. 6.92 to 6.94 receive the vote of a person offering to vote who has been  
18 challenged, they shall give the elector a ballot. Before depositing the ballot, the  
19 inspectors shall write on the back of the ballot the serial number of the challenged  
20 person corresponding to the number kept at the election on the ~~registration or~~ poll  
21 list, or other list maintained under s. 6.79. If voting machines are used in the  
22 municipality where the person is voting, the person's vote may be received only upon  
23 an absentee ballot furnished by the municipal clerk which shall have the  
24 corresponding serial number from the ~~registration or~~ poll list or other list  
25 maintained under s. 6.79 written on the back of the ballot before the ballot is

1 deposited. The inspectors shall indicate on the list the reason for the challenge. The  
2 challenged ballots shall be counted under s. 5.85 or 7.51. The municipal board of  
3 canvassers may decide any challenge when making its canvass under s. 7.53. If the  
4 returns are reported under s. 7.60, a challenge may be reviewed by the county board  
5 of canvassers. If the returns are reported under s. 7.70, a challenge may be reviewed  
6 by the chairperson of the board or the chairperson's designee. The decision of any  
7 board of canvassers or of the chairperson or chairperson's designee may be appealed  
8 under s. 9.01. The standard for disqualification specified in s. 6.325 shall be used to  
9 determine the validity of challenged ballots.

10 **SECTION 70.** 7.08 (1) (c) of the statutes is amended to read:

11 7.08 (1) (c) Prescribe forms required by ss. 6.24 (3) and (4), 6.30 (4), 6.33 (1),  
12 6.40 (1) (b), 6.47 (1) (a) 2. and (3), 6.55 (2) and (3), ~~6.79 (5)~~ and 6.86 (2) and (3). All  
13 such forms shall contain a statement of the penalty applicable to false or fraudulent  
14 registration or voting through use of the form. Forms are not required to be furnished  
15 by the board.

16 **SECTION 71.** 7.08 (5) of the statutes is created to read:

17 7.08 (5) TRAINING, EXAMINATION AND QUALIFICATION OF ELECTION OFFICIALS. The  
18 board may, by rule, prescribe standards and procedures for the training,  
19 qualification and examination of election officials.

20 **SECTION 72.** 7.08 (6) of the statutes is created to read:

21 7.08 (6) APPOINTMENT OF SPECIALLY DESIGNATED INSPECTORS. If the board finds, in  
22 a proceeding under s. 5.066, that an inspector has repeatedly and materially failed  
23 to substantially comply with the election laws or rules of the board in performing his  
24 or her functions, the board may remove that inspector and may appoint a qualified  
25 individual to fill the vacancy in the inspector's office, without regard to party

1 affiliation. The specially designated inspector so appointed shall serve for the  
2 remainder of the unexpired term of the former inspector. A specially designated  
3 inspector shall be compensated by the municipality in which the inspector serves on  
4 the same basis as other inspectors, and shall be supervised by the municipal clerk  
5 or board of election commissioners in the same manner as provided by law for other  
6 inspectors.

\*\*\*\*NOTE: This subsection assumes incorporation of LRB-1157 into the budget bill.  
If LRB-1157 is not incorporated, this subsection must be redrafted.

7 **SECTION 73.** 7.08 (7) of the statutes is created to read:

8 **7.08 (7) APPOINTMENT OF SPECIAL MASTER.** (a) If the board finds, in a proceeding  
9 under s. 5.066, that a municipality has repeatedly and materially failed to  
10 substantially comply with the election laws or rules of the board in administering  
11 elections, the board may appoint a special master to assume all functions of the  
12 municipal clerk or board of election commissioners of that municipality with respect  
13 to administration of the election laws. The board shall specify in the appointment  
14 order the period in which the appointment applies, which may not exceed 12 months.  
15 An appointment under this subsection may be renewed for additional periods of not  
16 more than 12 months, if the board finds, at the time of renewal, that the municipality  
17 served by the special master is incapable of substantial compliance or is unwilling  
18 to substantially comply with the election laws or rules of the board. During the period  
19 of service of a special master in any municipality, all election officials other than the  
20 municipal clerk or board of election commissioners shall continue to hold their offices  
21 and positions and exercise their functions, unless the special master removes an  
22 official under s. 7.15 (1) (f) or 7.30 (6) (c) or the board removes an official under sub.  
23 (6).

1 (b) The board shall employ the special master outside the classified service. The  
2 board shall submit a statement of its reasonable costs incurred under this subsection  
3 to the municipal treasurer. The municipal treasurer shall then reimburse the board  
4 for those costs within 30 days following receipt of the statement. If the municipality  
5 fails to timely reimburse the board, the board may submit a statement to the  
6 department of administration indicating the amount of the reimbursement due from  
7 the municipality and directing the department to deduct that amount from the next  
8 payment made to the municipality under s. 79.02.

\*\*\*\*NOTE: This subsection assumes incorporation of LRB-1157 into the budget bill.  
If LRB-1157 is not incorporated, this subsection must be redrafted.

9 **SECTION 74.** 7.10 (1) (b) of the statutes is amended to read:

10 7.10 (1) (b) The county clerk shall supply sufficient ~~poll list blanks for~~  
11 ~~municipalities that do not have elector registration and other~~ election supplies for  
12 national, state and county elections to municipalities within the county. The ~~poll list~~  
13 ~~blanks and other~~ election supplies shall be enclosed in the sealed package containing  
14 the official ballots and delivered to the municipal clerk.

15 **SECTION 75.** 7.10 (7) of the statutes is created to read:

16 7.10 (7) REGISTRATION AGENT FOR TOWN CLERK. The county clerk shall carry out  
17 the registration functions specified in ss. 6.29 (2) and 6.33 (5) (b) for any town clerk  
18 who designates the county clerk as the agent of the town clerk under s. 6.33 (5) (b).

19 **SECTION 76.** 7.15 (1) (intro.) of the statutes is amended to read:

20 7.15 (1) SUPERVISE REGISTRATION AND ELECTIONS. (intro.) ~~Each~~ Except as  
21 provided in ss. 6.33 (5) (b), 6.36 (1) and 7.08 (7), each municipal clerk has charge and  
22 supervision of elections and registration in the municipality. The clerk shall perform

1 the following duties and any others which may be necessary to properly conduct  
2 elections or registration:

3 **SECTION 77.** 7.15 (1) (c) of the statutes is amended to read:

4 7.15 (1) (c) Prepare ballots for municipal elections, and distribute ballots and  
5 provide other supplies for conducting all elections. The municipal clerk shall deliver  
6 ~~poll list forms received from the county clerk to the polling places with the ballots to~~  
7 the polling places before the polls open.

8 **SECTION 78.** 7.15 (1) (e) of the statutes is amended to read:

9 7.15 (1) (e) ~~Instruct~~ Except as otherwise required by rules of the board under  
10 s. 7.08 (5), determine whether election officials meet the qualifications prescribed by  
11 law and whether their conduct is in compliance with the law; instruct election  
12 officials in their duties, calling them together whenever advisable; ~~advise them~~  
13 election officials of changes in laws, rules and procedures affecting the performance  
14 of their duties; and administer examinations as authorized under s. 7.30 (2) (c). The  
15 clerk shall assure that officials who serve at polling places where an electronic voting  
16 system is used are familiar with the system and competent to instruct electors in its  
17 proper use. The clerk shall inspect systematically and thoroughly the conduct of  
18 elections in the municipality so that elections are honestly, efficiently and uniformly  
19 conducted.

20 **SECTION 79.** 7.15 (4) of the statutes is amended to read:

21 7.15 (4) RECORDING ELECTORS. After each election ~~where registration is used,~~  
22 the municipal clerk shall make a record of each elector who has voted at the election  
23 by stamping or writing the date of the election in the appropriate space on the  
24 original registration form of the elector. Municipalities employing data processing

1 may, in lieu of this requirement, record voting information in such a manner that it  
2 is readily available for retrieval by computer.

3 **SECTION 80.** 7.30 (1) of the statutes is amended to read:

4 7.30 (1) NUMBER. There shall be 7 inspectors for each polling place at each  
5 election. In municipalities where voting machines are used, the municipal governing  
6 body may reduce the number of inspectors to 5. A municipal governing body may  
7 provide for the appointment of additional inspectors whenever more than one voting  
8 machine is used or wards are combined under s. 5.15 (6) (b). A municipal governing  
9 body may provide by ordinance for the selection of alternate officials or the selection  
10 of 2 sets of officials to work at different times on election day. Unless officials are  
11 appointed without regard to party affiliation under sub. (4) (c) or unless a specially  
12 designated inspector is appointed under s. 7.08 (6), additional officials shall be  
13 appointed in such a manner that the total number of officials is an odd number and  
14 the predominant party under sub. (2) is represented by one more official than the  
15 other party.

16 **SECTION 81.** 7.30 (2) of the statutes is amended to read:

17 7.30 (2) QUALIFICATIONS AND PROCEDURE. (a) Only Except as otherwise provided  
18 in s. 7.08 (6), only election officials appointed under this section may conduct an  
19 election. ~~Except as authorized in s. 7.15 (1) (k), each~~ Each inspector shall be a  
20 qualified elector ~~in~~ of the ward or other area for which the polling place is established.  
21 ~~Special, except that special~~ registration deputies appointed under s. 6.55 (6) ~~and,~~  
22 election officials serving more than one ward or when necessary to fill a vacancy  
23 under par. (b), and specially designated inspectors under s. 7.08 (6) need not be a  
24 resident an elector of that ward, or area but, except in the case of specially designated  
25 inspectors, shall be a resident an elector of the municipality. Special registration

1 deputies may be appointed to serve more than one polling place. All officials shall  
2 be able to read and write the English language, be capable, be of good understanding,  
3 and may not be a candidate for any office to be voted for at an election at which they  
4 serve. In 1st class cities, they may hold no public office other than notary public.  
5 Except for specially designated inspectors appointed under s. 7.08 (6) and except as  
6 authorized under sub. (4) (c), all inspectors shall be affiliated with one of the 2  
7 recognized political parties which received the largest number of votes for president,  
8 or governor in nonpresidential general election years, in the ward or combination of  
9 wards served by the polling place at the last election. The party which received the  
10 largest number of votes is entitled to one more inspector than the party receiving the  
11 next largest number of votes at each polling place. The same election officials may  
12 serve the electors of more than one ward where wards are combined under s. 5.15 (6)  
13 (b). If a municipality is not divided into wards, the ward requirements in this  
14 paragraph apply to the municipality at large.

15 (b) ~~When~~ Except as provided in s. 7.08 (6), whenever a vacancy occurs, the  
16 vacancy shall be filled by appointment of the municipal clerk. ~~The vacancy~~ Vacancies  
17 filled by the municipal clerk shall be filled from the remaining names on the lists  
18 submitted under sub. (4) or from additional names submitted by the chairperson of  
19 the county party committee of the appropriate party under sub. (4) whenever names  
20 are submitted under sub. (4) (d). If the vacancy is due to candidacy, sickness or any  
21 other temporary cause, the appointment shall be a temporary appointment and  
22 effective only for the election at which the temporary vacancy occurs. The same  
23 qualifications shall be required of persons who fill vacancies. Vacancies may be filled  
24 in cases of emergency or because of time limitations by a person from another  
25 aldermanic district or ward within the municipality.

1           (c) The Unless otherwise required by the board under s. 7.08 (5), the governing  
2 body of any municipality may require all persons serving as election officials to prove  
3 their ability to read and write English and to have a general knowledge of the election  
4 laws. Examinations and may be given give examinations to prove the qualifications  
5 can be met. Any examinations shall be consistent with rules of the board under s. 7.08  
6 (5).

7           **SECTION 82.** 7.30 (4) (b) 2. of the statutes is amended to read:

8           7.30 (4) (b) 2. In municipalities other than cities and villages located in counties  
9 having a population of more than 500,000, the committees organized under s. 8.17  
10 from each of the 2 dominant parties under sub. (2) shall submit a list containing at  
11 least as many names as there are needed appointees from that party. The list shall  
12 be submitted by the chairperson of each of the 2 committees to the mayor, president  
13 or chairperson of the municipality. If committees are organized in subdivisions of a  
14 city, the list shall be submitted through the chairperson of the city committee. If  
15 there is no municipal committee, the list shall be submitted by the chairperson of the  
16 county or legislative district committee. Except as provided in par. (c) and except for  
17 specially designated inspectors appointed under s. 7.08 (6), only those persons  
18 submitted by the chairperson of each committee under s. 8.17 may act as election  
19 officials. The chairperson may designate any individual whose name is submitted  
20 as a first choice nominee. The list shall contain the signature of the chairperson and  
21 secretary of the submitting committee. In cities or villages located in counties having  
22 a population of more than 500,000, other than cities where there is a board of election  
23 commissioners, the aldermanic district or village committeeman or  
24 committeewoman for the ward or wards where each polling place is located, if there  
25 is one, shall submit a list containing at least as many names as there are needed

1 appointees for inspector positions from the party represented by the committeeman  
2 or committeewoman. For appointments of inspectors in cities and villages where  
3 there is no aldermanic district or village committeeman or committeewoman,  
4 nominations shall proceed in the same manner as in municipalities located in  
5 counties having a population of 500,000 or less. The list shall be submitted to the  
6 mayor or president. Except as provided in par. (c) and except for specially designated  
7 inspectors appointed under s. 7.08 (6), only those persons whose names are  
8 submitted as provided in this paragraph may act as election officials. The  
9 committeeman or committeewoman may designate any individual whose name is  
10 submitted as a first choice nominee. The list shall contain the signature of the  
11 aldermanic district or village committeeman or committeewoman or the chairperson  
12 of the appropriate committee. Upon submission of each nominee's name, the  
13 governing body shall appoint each first choice nominee for so long as positions are  
14 available, unless nonappointment is authorized under par. (e), and shall appoint  
15 other nominees in its discretion. If any nominee is not appointed, the mayor,  
16 president or chairperson of the municipality shall immediately nominate another  
17 person from the appropriate lists submitted and continue until the necessary  
18 number of election officials from each party is achieved at that meeting.

19 **SECTION 83.** 7.33 (2) of the statutes is amended to read:

20 7.33 (2) ~~Service~~ Except as otherwise provided in this subsection, service as an  
21 election official under this chapter shall be is mandatory upon all qualified electors  
22 appointed, during the full 2 year term, after which they shall be exempt from further  
23 service as an election official, under this chapter, until 3 terms of 2 years each have  
24 elapsed. Municipal clerks may grant exemptions from service at any time. At all  
25 times while performing his or her duties, a person serving as an election official shall

1 wear a sticker or badge that indicates the person is an election official and that  
2 contains the person's full name.

3 **SECTION 84.** 7.37 (7) of the statutes is amended to read:

4 7.37 (7) ~~REGISTRATION AND POLL~~ POLL LISTS. Two inspectors shall be assigned  
5 to have charge of the ~~registration or~~ poll lists at each election.

6 **SECTION 85.** 7.51 (2) (a) of the statutes is amended to read:

7 7.51 (2) (a) The inspectors shall first compare the poll ~~or registration~~ lists,  
8 correcting any mistakes until the poll ~~or registration~~ lists agree. The chief inspector  
9 and the inspectors who are responsible for recording electors under s. 6.79 shall  
10 verify the correctness of the poll ~~or registration~~ lists after the polls close by each  
11 signing their name thereto. Where ballots are distributed to electors, the inspectors  
12 shall then open the ballot box and remove and count the number of ballots therein  
13 without examination except as is necessary to ascertain that each is a single ballot.  
14 If 2 or more ballots are folded together so as to appear as a single ballot, the inspectors  
15 shall lay them aside until the count is completed; and if, after a comparison of the  
16 count and the appearance of the ballots it appears to a majority of the inspectors that  
17 the ballots folded together were voted by the same person they may not be counted  
18 but the inspectors shall mark them as to the reason for removal, set them aside and  
19 carefully preserve them. The inspectors shall then proceed under par. (b).

20 **SECTION 86.** 7.51 (2) (c) of the statutes is amended to read:

21 7.51 (2) (c) Whenever the number of ballots exceeds the number of voting  
22 electors as indicated on the poll ~~or registration~~ list, the inspectors shall place all  
23 ballots face up to check for blank ballots. In this paragraph, "blank ballot" means  
24 a ballot on which no votes are cast for any office or question. The inspectors shall  
25 mark, lay aside and preserve any blank ballots. If the number of ballots still exceeds

1 the number of voting electors, the inspectors shall place all ballots face down and  
2 proceed to check for the initials. The inspectors shall mark, lay aside and preserve  
3 any ballot not bearing the initials of 2 inspectors or any absentee ballot not bearing  
4 the initials of the municipal clerk. During the count the inspectors shall count those  
5 ballots cast by challenged electors the same as the other ballots.

6 **SECTION 87.** 7.51 (2) (e) of the statutes is amended to read:

7 7.51 (2) (e) If, after any ballots have been laid aside, the number of ballots still  
8 exceeds the total number of electors recorded on the ~~registration or~~ poll list, the  
9 inspectors shall separate the absentee ballots from the other ballots. If there is an  
10 excess number of absentee ballots, the inspectors shall place the absentee ballots in  
11 the ballot box and one of the inspectors shall publicly and without examination draw  
12 therefrom by chance the number of ballots equal to the excess number of absentee  
13 ballots. If there is an excess number of other ballots, the inspectors shall place those  
14 ballots in the ballot box and one of the inspectors shall publicly and without  
15 examination draw therefrom by chance the number of ballots equal to the excess  
16 number of those ballots. All ballots so removed may not be counted but shall be  
17 specially marked as having been removed by the inspectors on original canvass due  
18 to an excess number of ballots, set aside and preserved. When the number of ballots  
19 and total shown on the ~~poll or~~ registration list agree, the inspectors shall return all  
20 ballots to be counted to the ballot box and shall turn the ballot box in such manner  
21 as to thoroughly mix the ballots. The inspectors shall then open, count and record  
22 the number of votes. When the ballots are counted, the inspectors shall separate  
23 them into piles for ballots similarly voted. Objections may be made to placement of  
24 ballots in the piles at the time the separation is made.

25 **SECTION 88.** 7.51 (4) (a) of the statutes is amended to read:

1           7.51 (4) (a) The tally sheets shall state the total number of votes cast for each  
2 office and for each individual receiving votes for that office, whether or not the  
3 individual's name appears on the ballot, and shall state the vote for and against each  
4 proposition voted on. Upon completion of the tally sheets, the inspectors shall  
5 immediately complete inspectors' statements in duplicate. The inspectors shall state  
6 the excess by which the number of ballots exceeds the number of electors voting as  
7 shown by the poll ~~or registration~~ list, if any, and shall state the number of the last  
8 elector as shown by the ~~registration or~~ poll lists. At least 3 inspectors, including the  
9 chief inspector and, unless election officials are appointed under s. 7.30 (4) (c)  
10 without regard to party affiliation, at least one inspector representing each political  
11 party, shall then certify to the correctness of the statements and tally sheets and sign  
12 their names. All other election officials assisting with the tally shall also certify to  
13 the correctness of the tally sheets. When the tally is complete, the inspectors shall  
14 publicly announce the results from the statements.

15           **SECTION 89.** 7.51 (5) of the statutes is amended to read:

16           7.51 (5) RETURNS. The inspectors shall make full and accurate return of the  
17 votes cast for each candidate and proposition on tally sheet blanks provided by the  
18 municipal clerk for the purpose. Each tally sheet shall record the returns for each  
19 office or referendum by ward, unless combined returns are authorized in accordance  
20 with s. 5.15 (6) (b) in which case the tally sheet shall record the returns for each group  
21 of combined wards. After recording the votes, the inspectors shall seal in a carrier  
22 envelope outside the ballot bag or container one inspectors' statement under sub. (4)  
23 (a), one tally sheet and one poll ~~or registration~~ list for delivery to the county clerk,  
24 unless the election relates only to municipal or school district offices or referenda.  
25 The inspectors shall also similarly seal one inspectors' statement, one tally sheet and

**SECTION 89**

1 one poll ~~or registration~~ list for delivery to the municipal clerk. For school district  
2 elections, except in 1st class cities, the inspectors shall similarly seal one inspectors'  
3 statement, one tally sheet and one poll ~~or registration~~ list for delivery to the school  
4 district clerk. The inspectors shall immediately deliver all ballots, statements, tally  
5 sheets, lists and envelopes to the municipal clerk. The municipal clerk shall arrange  
6 for delivery of all ballots, statements, tally sheets, lists and envelopes relating to a  
7 school district election to the school district clerk. The municipal clerk shall deliver  
8 the ballots, statements, tally sheets, lists and envelopes for his or her municipality  
9 relating to any county, technical college district, state or national election to the  
10 county clerk by 2 p.m. on the day following each such election. The person delivering  
11 the returns shall be paid out of the municipal treasury. Each clerk receiving ballots,  
12 statements, tally sheets or envelopes shall retain them until destruction is  
13 authorized under s. 7.23 (1).

14 **SECTION 90.** 9.01 (1) (b) 1. of the statutes is amended to read:

15 9.01 (1) (b) 1. The board of canvassers shall first compare the ~~registration or~~  
16 poll lists and determine the number of voting electors.

17 **SECTION 91.** 10.02 (3) (a) of the statutes is amended to read:

18 10.02 (3) (a) Upon entering the polling place and before being permitted to vote,  
19 an elector shall give state his or her name and address ~~before being permitted to vote~~  
20 and shall present identification or have his or her identification corroborated as  
21 required by law. Where ballots are distributed to electors, the initials of 2 inspectors  
22 must appear on the ballot. Upon being permitted to vote, the elector shall retire  
23 alone to a voting booth or machine and cast his or her ballot, except that an elector  
24 who is a parent or guardian may be accompanied by the elector's minor child or minor  
25 ward. An election official may inform the elector of the proper manner for casting

1 a vote, but the official may not in any manner advise or indicate a particular voting  
2 choice.

3 **SECTION 92.** 12.13 (2) (b) 9. of the statutes is created to read:

4 12.13 (2) (b) 9. Fail to exercise due care to lawfully register an elector to vote.

5 **SECTION 93.** 12.60 (1) (b) of the statutes is amended to read:

6 12.60 (1) (b) ~~Whoever~~ Except as provided in sub. (3), whoever violates s. 12.03,  
7 12.05, 12.07, 12.08 or 12.13 (2) (b) 8.,(3) (b), (c), (d), (g), (i), (n) to (x), (zm) or (zn) may  
8 be fined not more than \$1,000, or imprisoned not more than 6 months or both.

9 **SECTION 94.** 12.60 (1) (bm) of the statutes is created to read:

10 12.60 (1) (bm) Whoever violates s.12.13 (2) (b) 9. may be required to forfeit not  
11 more than \$1,000.

12 **SECTION 95.** 12.60 (1) (c) of the statutes is amended to read:

13 12.60 (1) (c) ~~Whoever~~ Except as provided in sub. (3), whoever violates s. 12.13  
14 (3) (am) or (4) may be required to forfeit not more than \$500.

15 **SECTION 96.** 12.60 (1) (d) of the statutes is amended to read:

16 12.60 (1) (d) ~~Whoever~~ Except as provided in sub. (3), whoever violates s. 12.13  
17 (3) (h) may be required to forfeit not more than \$100.

18 **SECTION 97.** 12.60 (3) of the statutes is renumbered 12.60 (3) (b).

19 **SECTION 98.** 12.60 (3) (a) of the statutes is created to read:

20 12.60 (3) (a) Except as otherwise provided in this paragraph, an election official  
21 who violates a statute listed under sub. (1) (b), (c), or (d) with respect to an election  
22 for which that election official has a duty may be required to forfeit not more than  
23 twice the amount specified for the violation under sub. (1) (b), (c), or (d). This  
24 paragraph does not apply to a violation of s. 12.03 or 12.13 (2).

25 **SECTION 99.** 20.510 (1) (b) of the statutes is created to read:

1           20.510 (1) (b) *Unpaid municipal election expenses.* A sum sufficient equal to  
2 the total amount of unpaid reimbursements owing to the board under ss. 6.50 (2s)  
3 and 7.08 (7) that are deducted from payments made to municipalities under s. 79.02,  
4 as determined on August 1 and December 1 of each year by the department of  
5 administration, to be used for the purpose of financing the expenses incurred by the  
6 board under ss. 6.50 (2s) and 7.08 (7).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

7           **SECTION 100.** 20.510 (1) (gm) of the statutes is created to read:

8           20.510 (1) (gm) *Municipal election expenses.* All moneys received from  
9 municipalities for costs incurred by the board under ss. 6.50 (2s) and 7.08 (7), to be  
10 used for the purpose of financing the expenses incurred by the board under those  
11 provisions.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

12          **SECTION 101.** 20.923 (6) (bb) of the statutes is created to read:

13          20.923 (6) (bb) Elections board: special masters appointed under s. 7.08 (7).

14          **SECTION 102.** 59.05 (2) of the statutes is amended to read:

15          59.05 (2) If two-fifths of the legal voters of any county, to be determined by the  
16 registration ~~or poll~~ lists of the last previous general election held in the county, the  
17 names of which voters shall appear on some one of the registration ~~or poll~~ lists of such  
18 election, present to the board a petition conforming to the requirements of s. 8.40  
19 asking for a change of the county seat to some other place designated in the petition,  
20 the board shall submit the question of removal of the county seat to a vote of the  
21 qualified voters of the county. The board shall file the question as provided in s. 8.37.  
22 The election shall be held only on the day of the general election, notice of the election

1 shall be given and the election shall be conducted as in the case of the election of  
2 officers on that day, and the votes shall be canvassed, certified and returned in the  
3 same manner as other votes at that election. The question to be submitted shall be  
4 “Shall the county seat of .... county be removed to ....?”.

5 **SECTION 103.** 79.02 (2) (b) of the statutes is amended to read:

6 79.02 (2) (b) Subject to s. 59.605 (4), payments in July shall equal 15% of the  
7 municipality’s or county’s estimated payments under ss. 79.03, 79.04, 79.058 and  
8 79.06, minus any amount deducted from a municipality’s payment as provided in a  
9 statement concerning the municipality under ss. 6.50 (2s) and 7.08 (7), and 100% of  
10 the municipality’s estimated payments under s. 79.05.

11 **SECTION 104.** 79.02 (3) of the statutes is amended to read:

12 79.02 (3) Subject to s. 59.605 (4), payments to each municipality and county in  
13 November shall equal that municipality’s or county’s entitlement to shared revenues  
14 under ss. 79.03, 79.04, 79.05, 79.058 and 79.06 for the current year, minus the  
15 amount distributed to the municipality or county in July and minus any amount  
16 deducted from a municipality’s entitlement as provided in a statement concerning  
17 the municipality under ss. 6.50 (2s) and 7.08 (7).

18 **SECTION 105.** 117.20 (2) of the statutes is amended to read:

19 117.20 (2) The clerk of each affected school district shall publish notice, as  
20 required under s. 8.55, in the territory of that school district. The procedures for  
21 school board elections under s. 120.06 (~~5~~), (9), (11), (13) and (14) apply to a  
22 referendum held under this section. The school board and school district clerk of each  
23 affected school district shall each perform, for that school district, the functions  
24 assigned to the school board and the school district clerk, respectively, under those  
25 subsections. The form of the ballot shall correspond to the form prescribed by the

1 elections board under ss. 5.64 (2) and 7.08 (1) (a). The clerk of each affected school  
2 district shall file with the secretary of the board a certified statement prepared by  
3 the school district board of canvassers of the results of the referendum in that school  
4 district.

5 **SECTION 106.** 120.06 (5) of the statutes is repealed.

6 **SECTION 107.** 125.05 (2) (h) of the statutes is amended to read:

7 125.05 (2) (h) *Number of electors.* The number of electors in a residence district  
8 shall equal not less than the number of names with residences in the district which  
9 appear on ~~a~~ the registration list, as defined in s. 5.02 (17). ~~If there is no registration~~  
10 ~~list, the number of electors shall equal the number of names with residences in the~~  
11 ~~district which appear on a poll list as defined in s. 5.02 (14) compiled at the last~~  
12 ~~gubernatorial or presidential election, whichever is most recent, for the residence~~  
13 district on the date that the remonstrance, consent, or counter petition is filed. A  
14 person whose name does not appear on a registration list ~~or poll list~~ may not sign a  
15 protest petition, consent or counter petition.

16 **SECTION 108.** 230.08 (2) (oe) of the statutes is created to read:

17 230.08 (2) (oe) Special masters employed by the elections board under s. 7.08  
18 (7).

19 (END)

fn S  
50-18

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1301/1dn *zdn*  
RJM&JTK.cs:km

January 9, 2001

1. This draft does not affect the method of obtaining an absentee ballot or the procedure for absentee voting (other than to require registration by overseas electors who vote in municipalities where registration does not apply currently). Under this draft, electors voting absentee need not present an I.D. to vote but electors voting at the polls must present an I.D. or have their identity corroborated. This more strict treatment of electors who vote at the polls may be subject to a challenge under the Equal Protection provisions of the Wisconsin or U.S. Constitution. Although there may well be a constitutional, rational basis for this disparate treatment, if you intend to avoid the issue entirely, you may want to consider requiring any absent elector (other than a military and overseas elector) to obtain an absentee ballot in person and to present an I.D. or have his or her identity corroborated.

2. The draft applies the I.D. requirement to new residents voting in the presidential election under s. 6.15, stats., and to electors voting under s. 6.55 (3), stats., who claim to be registered but whose names do not appear on the registration list. Please review the treatment of these statutes and let us know if you desire any changes.

3. This draft alters slightly the procedure under s. 6.15, stats. whereby electors who have resided in Wisconsin for less than 10 days may vote for president and vice president only. Presently, application may be made in person or in writing at the office of the municipal clerk or at the proper polling place on election day. If application is made at the office of the municipal clerk, the elector may either vote there at that time, vote there later before the day of the election, or vote at the polling place on election day. Because the identification procedure under this draft is more thorough than the one currently provided, we did not think it would be appropriate for an elector to go through that procedure twice for the purpose of casting one ballot. Therefore, under this draft, the elector either applies at the office of the municipal clerk or at the polling place. If the elector applies in person at the office of the municipal clerk, the elector provides identification at that office and votes there at the time of application. If the elector makes written application <sup>(in)</sup> to the municipal clerk, no identification need be presented (consistently with absentee balloting procedure). If the elector applies at his or her polling place, the elector provides identification at the polling place and votes there. Please let us know if this is not in accord with your intent.

4. The requirements contained in the proposed treatment of ss. 6.15, 6.29 and 6.55, stats., for an elector to provide photo identification in order to vote or to register to vote other than in the normal manner before the close of registration, or to obtain a corroborator, may be held to deny equal protection to an elector who has no photo identification and who is unable to find and convince another elector of his or her municipality who is able to corroborate the elector's identity to accompany the elector to the polls. Because free photo identification is not available under the draft, and under the 24th Amendment to the U.S. Constitution, the right to vote in federal elections cannot be taxed by requiring a voter to purchase and maintain photo identification, the corroboration procedure becomes the critical qualifier in some cases. It may be argued that the absentee voting option should cure this defect, but that depends upon finding that a separate absentee voting procedure does not deny equal protection and that there is a rational basis for requiring some voters to vote absentee.

JWS  
DRA

6. ~~You may want to consider~~ <sup>This bill includes</sup> a delayed effective date of January 1, 2002, in order to avoid the confusion that may occur if this bill takes effect during an election cycle. <sup>As an</sup> alternative, you may want to delay only the effect of certain provisions, such as those affecting registration.

Jeffery T. Kuesel  
Managing Attorney  
Phone: (608) 266-6778

Robert J. Marchant  
Legislative Attorney  
Phone: (608) 261-4454  
E-mail: robert.marchant@legis.state.wi.us

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1301/2dni  
JTK & RJM.....

FWS D2A

9 5.

Proposed s. 12.60 (3) (a), states, doubles the penalty for violation of certain election laws by an election official if the violation concerns a law with respect to which the official has a duty. While there are certainly some fact situations under which the rational basis for this policy can be readily defended, under the 14th Amendment, enforcement of this penalty may nevertheless require a showing of a rational relationship between the offense and the status of the violator as an election official. For example, if an election official campaigns outside the door to the polling place where the official works, this is directly contrary to his or her responsibilities as an official, which are to prevent such campaigning. On the other hand, if an election official who happens to be an employer refuses to give his or her employees time off for voting, the relationship is less clear.

5.15

INSERT 50-18

**SECTION 9415. Effective dates; elections board.**

(1) ELECTIONS ADMINISTRATION. The treatment of sections 5.02 (1), (1a), (15m), and (17); 5.05 (1) (f) and (6) (b); 5.40 (6); 6.15 (2) (title), (a), (bm), (d) 1g., and (e), (3) (a) 1., 2., and 3., ~~(b) (title) and (b)~~; 6.20; 6.24 (3), (4) (a) and (c), and (8); 6.27 (1) and (2) to (5); 6.28 (1), (2) (b), and (3); 6.29 (1) and (2) (a) and (b); 6.33 (title), (1), (2) (a), and (5); 6.35 (2), (3), (5) and (6); 6.36 (1), (2) (a), and (3); 6.47 (2) and (3), 6.50 (1) (intro.), (2m) (a) and (b), (2s), and (10); 6.54; 6.55 (2) (a) 1. (intro.), (b), (c) 1. and 2., and (d), (3), and (7) (c) 1. and 2.; 6.79 (intro.), (1), (2), (3), (4), (5), and (6) (title), (a), (am), and (b); 6.82 (1) (a); 6.86 (3) (a); 6.88 (3) (a); 6.94; 6.95; 7.08 (1) (c), (5), (6), and (7); 7.10 (1) (b) and (7); 7.15 (1) (intro.), (c), and (e), and (4); 7.30 (1), (2), and (4) (b) 2.; 7.33 (2); 7.37 (7); 7.51 (2) (a), (c), and (e), (4) (a), and (5); 9.01 (1) (b) 1.; 10.02 (3) (a); 12.13 (2) (b) 9.; 12.60 (1) (b), (bm), (c), and (d); 20.510 (1) (b) and (gm); 20.923 (6) (bb); 59.05 (2); 79.02 (2) (b) and (3); 117.20 (2); 120.06 (5); 125.05 (2) (h); and 230.08 (2) (oe) of the statutes, the renumbering of section 12.60 (3) of the statutes, and the creation of section 12.60 (3) (a) of the statutes, takes effect on January 1, 2002.

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the repeal of section 6.15 (3) (b) (title) of the statutes,

the renumbering and amendment of section 6.15 (3) (b) of the statutes,

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1301/2dn  
RJM&JTK&JK.cs.km

January 10, 2001

1. This draft does not affect the method of obtaining an absentee ballot or the procedure for absentee voting (other than to require registration by overseas electors who vote in municipalities where registration does not apply currently). Under this draft, electors voting absentee need not present an I.D. to vote but electors voting at the polls must present an I.D. or have their identity corroborated. This more strict treatment of electors who vote at the polls may be subject to a challenge under the Equal Protection provisions of the Wisconsin or U.S. Constitution. Although there may well be a constitutional, rational basis for this disparate treatment, if you intend to avoid the issue entirely, you may want to consider requiring any absent elector (other than a military and overseas elector) to obtain an absentee ballot in person and to present an I.D. or have his or her identity corroborated.

2. The draft applies the I.D. requirement to new residents voting in the presidential election under s. 6.15, stats., and to electors voting under s. 6.55 (3), stats., who claim to be registered but whose names do not appear on the registration list. Please review the treatment of these statutes and let us know if you desire any changes.

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4. The requirements contained in the proposed treatment of ss. 6.15, 6.29 and 6.55, stats., for an elector to provide photo identification in order to vote or to register to vote other than in the normal manner before the close of registration, or to obtain a corroborator, may be held to deny equal protection to an elector who has no photo identification and who is unable to find and convince another elector of his or her municipality who is able to corroborate the elector's identity to accompany the elector to the polls. Because free photo identification is not available under the draft, and under the 24th Amendment to the U.S. Constitution, the right to vote in federal elections cannot be taxed by requiring a voter to purchase and maintain photo identification, the corroboration procedure becomes the critical qualifier in some cases. It may be argued that the absentee voting option should cure this defect, but that depends upon finding that a separate absentee voting procedure does not deny equal protection and that there is a rational basis for requiring some voters to vote absentee.

5. Proposed s. 12.60 (3) (a), stats., doubles the penalty for violation of certain election laws by an election official if the violation concerns a law with respect to which the official has a duty. While there are certainly some fact situations under which the rational basis for this policy can be readily defended, under the 14th Amendment, enforcement of this penalty may nevertheless require a showing of a rational relationship between the offense and the status of the violator as an election official. For example, if an election official campaigns outside the door to the polling place where the official works, this is directly contrary to his or her responsibilities as an official, which are to prevent such campaigning. On the other hand, if an election official who happens to be an employer refuses to give his or her employees time off for voting, the relationship is less clear.

6. This bill includes a delayed effective date of January 1, 2002, in order to avoid the confusion that may occur if this bill takes effect during an election cycle. As an alternative, you may want to delay only the effect of certain provisions, such as those affecting registration.

Robert J. Marchant  
Legislative Attorney  
Phone: (608) 261-4454  
E-mail: robert.marchant@legis.state.wi.us

Jeffery T. Kuesel  
Managing Attorney  
Phone: (608) 266-6778

## Marchant, Robert

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**From:** Kuesel, Jeffery  
**Sent:** Wednesday, January 10, 2001 5:24 PM  
**To:** Marchant, Robert  
**Subject:** FW: LRB Draft: 01-1301/2 Various election law changes

Rob,

I would hold off on this for a little while until we get some indication that there will be no other changes in the draft.

Jeff

-----Original Message-----

**From:** Uecker, Deborah  
**Sent:** Wednesday, January 10, 2001 2:41 PM  
**To:** Kuesel, Jeffery  
**Cc:** Wornson, Bryon; Millis, Don  
**Subject:** FW: LRB Draft: 01-1301/2 Various election law changes

Jeff, could you remove the section called "Prohibited election practices by election officials." This was denied by the Governor.

*Prohibited election practices by election officials.*

This bill doubles the maximum penalty that applies to an election official who, with respect to an election for which the election official has a duty, violates certain laws relating to false representations affecting elections, election restrictions on employers, or the denial of government benefits or other election laws specified in the bill.

Bryon and Don, please review the draft and let me know if you have any further suggested changes so those can be sent to Jeff as soon as possible. I believe the draft meets the intent of the changes approved by the Governor, but I would like to hear back from you telling me that you are o.k. with the draft.

**Deborah A. Uecker**

Executive Policy and Budget Analyst  
State Budget Office  
Department of Administration  
101 E. Wilson Street, 10th Floor  
deborah.uecker@doa.state.wi.us  
Phone: (608) 267-0371  
Fax: (608) 267-0372

-----Original Message-----

**From:** Marty, Karen  
**Sent:** Wednesday, January 10, 2001 10:38 AM  
**To:** Uecker, Deborah  
**Cc:** Caucutt, Dan; Currier, Dawn; Hanaman, Cathlene; Haugen, Caroline  
**Subject:** LRB Draft: 01-1301/2 Various election law changes

Following is the PDF version of draft 01-1301/2.



01-1301/2



01-1301/2dn