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WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO

1999 AB 664	Assembly Amendment 1
Memo published: February 2, 2000	Contact: Don Dyke, Senior Staff Attorney (266-0292)

Current law provides that a handgun purchaser who intentionally fails to provide truthful information on the Department of Justice handgun transfer form shall be fined not less than \$500 nor more than \$10,000 and may be imprisoned for not more than nine months (a misdemeanor). [s. 175.35 (3) (a), Stats.]

Assembly Bill 664, among other things, increases the maximum imprisonment period for intentionally providing false information to five years (making the crime a felony); the bill retains the minimum and maximum fine for a violation. Thus, under the bill, a violator shall be fined not less than \$500 nor more than \$10,000 and may be imprisoned for not more than five years.

Assembly Amendment 1 limits the imposition of the felony under the bill to intentionally providing false information in response to the question on the handgun transfer form that relates to straw purchasing. That question is set forth on page 3, lines 4 to 6 of the bill: "Are you purchasing this firearm with the purpose or intent of transferring it to a person who is presently prohibited from possessing a firearm under state or federal law?" Intentionally providing false information in connection with other aspects of the handgun transfer form is punishable under the amendment by the current misdemeanor penalty.

Passage of Assembly Amendment 1 recommended by Assembly Committee on Judiciary and Personal Privacy, 9 Ayes, 0 Noes, February 1, 2000.



**WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO**

1999 AB 700

**Senate Amendments 1,
2 and 3**

Memo published: March 6, 2000

Contact: Robert Conlin, Senior Staff Attorney (266-2298)

SENATE AMENDMENT 1

Under *current law*, an elector voting absentee must swear an affidavit or complete a certification indicating that the elector is qualified to vote the absentee ballot and that the elector has voted the absentee ballot in the manner prescribed by law. Any elector who swears an affidavit must do so before a person who is authorized to administer oaths. Any elector who completes a certification must do so before two witnesses. Under current law, the witnesses for any overseas or military elector must be adult U.S. citizens.

As introduced, *Assembly Bill 700* deleted the requirement of current law that an elector voting absentee must complete a certification before two witnesses or swear an affidavit and, instead, require an elector to complete a certification before one witness. Under the bill, as introduced, for any overseas or military elector, this witness must be an adult U.S. citizen. Subsequently, the Assembly amended the bill and *1999 Engrossed Assembly Bill 700* retains current law with respect to the authentication of absentee ballots.

Senate Amendment 1 restores the provisions of the original bill which deleted the requirement of current law that an elector voting absentee must complete a certification before two witnesses or swear an affidavit and, instead, requires an elector to complete a certification before one witness. Under the amendment, for any overseas or military elector, this witness must be an adult U.S. citizen.

Senate Amendment 1 adopted by Senate, Ayes, ; Noes, ; March 7, 2000.

SENATE AMENDMENT 2

Under *current law*, any person other than a candidate may be present at a polling place for purposes of observation, provided that the person is not disruptive and does not engage in electioneering. *1999 Engrossed Assembly Bill 700* permits the chief inspector (poll worker) at each

polling place to reasonably limit the number of persons representing the same organization who are permitted to observe at the polling place at the same time.

Senate Amendment 2 deletes the authority of the chief inspector at a polling place to reasonably limit the number of observers representing the same organization and instead authorizes the chief inspector to limit the number of such observers to one per organization, or if the polling place serves combined wards, to one per organization for each of the combined wards.

Senate Amendment 2 adopted by Senate by voice vote, March 7, 2000.

SENATE AMENDMENT 3

Under *current law*, the governing body of a municipality may combine two or more wards for voting purposes to facilitate using a common polling place. However, with certain exceptions, every municipality having a population of 35,000 or more is required to maintain separate election returns for each ward so combined. 1999 Engrossed Assembly Bill 700 changes the population threshold so that only municipalities with a population of 50,000 or more are required to maintain separate election returns for each ward so combined.

Senate Amendment 3 amends the bill to restore the population limit of 35,000 that is provided under current law.

Senate Amendment 3 adopted by Senate by voice vote, March 7, 2000.