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SECTION 1. 6.15 (2) (d) 1r. of the statutes is amended to read:

6.15 (2) (d) 1r. Upon proper completion of the application and cancellation card, the municipal clerk shall require the elector to provide acceptable proof of residence under s. ~~6.55 (7)~~ 6.34. If the elector cannot provide acceptable proof of residence, the elector may have his or her residence corroborated in a statement that is signed by another elector of the municipality and that contains the current street address of the corroborating elector. If the residence is corroborated by another elector, that elector shall then provide proof of residence under s. ~~6.55 (7)~~ 6.34. The elector shall then mark the ballot in the clerk's presence in a manner that will not disclose his or her vote. The elector shall then fold the ballot so as to conceal his or her vote. The clerk or elector shall then place the ballot in an envelope furnished by the clerk.

History: 1977 c. 394; 1979 c. 311; 1981 c. 391; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1997 a. 250; 1999 a. 182; 2001 a. 16, 104; 2003 a. 265.

SECTION 2. 6.15 (3) of the statutes is amended to read:

6.15 (3) PROCEDURE AT POLLING PLACE. An eligible elector may appear at the polling place for the ward or election district where he or she resides and make application for a ballot under sub. (2). Except as otherwise provided in this subsection, an elector who casts a ballot under this subsection shall follow the same procedure required for casting a ballot at the municipal clerk's office under sub. (2). The inspectors shall perform the duties of the municipal clerk, except that the inspectors shall return the cancellation card under sub. (2) (b) to the municipal clerk and the clerk shall forward the card as provided in sub. (2) (c) if required. Upon proper completion of the application and cancellation card and submittal of acceptable proof of residence under s. ~~6.55 (7)~~ 6.34 or providing corroboration of residence, the inspectors shall permit the elector to cast his or her ballot for president

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and vice president. The elector shall mark the ballot and, unless the ballot is utilized with an electronic voting system, the elector shall fold the ballot, and deposit the ballot into the ballot box or give it to the inspector. The inspector shall deposit it directly into the ballot box. Voting machines or ballots utilized with electronic voting systems may only be used by electors voting under this section if they permit voting for president and vice president only.

History: 1977 c. 394; 1979 c. 311; 1981 c. 391; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1997 a. 250; 1999 a. 182; 2001 a. 16, 104; 2003 a. 265.

SECTION 3. 6.22 (2) (b) of the statutes is amended to read:

6.22 (2) (b) ~~Notwithstanding s. 6.87 (4),~~ a A military elector shall make and subscribe to the certification under s. 6.87 (2) before a witness who is an adult U.S. citizen.

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History: 1971 c. 304 s. 29 (2); 1971 c. 336 s. 37; 1973 c. 334 s. 57; 1975 c. 85 ss. 10, 66 (3); 1977 c. 394; 1979 c. 89, 311; 1981 c. 391; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 192; 1995 a. 313; 1999 a. 182; 2001 a. 16.

SECTION 4. 6.22 (4) of the statutes is amended to read:

~~6.22 (4) INSTRUCTIONS AND HANDLING. An individual who qualifies as a military elector may request an absentee ballot for any election, or for all elections until the individual otherwise requests or until the individual no longer qualifies as a military elector. A military elector's application may be received at any time. The municipal clerk shall not send a ballot for an election if the application is received later than 5 p.m. on the Friday preceding that election. The municipal clerk shall send a ballot, as soon as available, to each military elector who requests a ballot. The board shall prescribe the instructions for marking and returning ballots and the municipal clerk shall enclose instructions with each ballot and shall also enclose supplemental instructions for local elections. The envelope, return envelope and instructions may not contain the name of any candidate appearing on the enclosed ballots other than that of the municipal clerk affixed in the fulfillment of his or her duties. Whenever the material is mailed, the material shall be prepared and mailed to make use of the~~

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federal free postage laws. If the material does not qualify for mailing without postage under federal free postage laws, the municipal clerk shall affix the postage required for mailing to the military elector and the military elector shall provide return postage. The mailing list established under this subsection shall be kept current in the same manner as provided in s. 6.86 (2) (b).

History: 1971 c. 304 s. 29 (2); 1971 c. 336 s. 37; 1973 c. 334 s. 57; 1975 c. 85 ss. 10, 66 (3); 1977 c. 394; 1979 c. 89; 311; 1981 c. 391; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 192; 1995 a. 313; 1999 a. 182; 2001 a. 16.

SECTION 5. 6.22 (4) (c) of the statutes is created to read:

6.22 (4) (c) A military elector may indicate an alternate address on his or her absentee ballot application. If the elector's ballot is returned as undeliverable prior to the deadline for ~~requesting an absentee ballot under par. (b)~~ ^{return of absentee ballots under s. 6.87(6)}, and the elector remains eligible to receive absentee ballots under this section, the municipal clerk shall immediately send or transmit an absentee ballot to the elector at the alternate address.

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SECTION 6. 6.22 (4) (f) to (h) of the statutes are created to read:

6.22 (4) (f) If there occur 2 successive general elections at which a military elector fails to return an absentee ballot sent or transmitted to the elector under par. (a) and the elector has not cast an absentee ballot at any intervening election, if the municipal clerk is reliably informed that the elector is no longer a military elector or no longer resides in the municipality, or if the elector so requests, the clerk shall discontinue sending or transmitting absentee ballots to the elector under this subsection. If a military elector who has requested an absentee ballot changes his or her residence from the municipality where a request is filed to another municipality in this state, the municipal clerk of the municipality who received the request shall notify the clerk of the municipality to which the elector's residence is changed of the date of the request or the latest renewal under par. (g) and the date of the most recent



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absentee ballot received by the clerk. The municipal clerk who is so notified shall treat the request as having been made to him or her.

(g) Prior to any discontinuance of the service provided to a military elector under this subsection solely for failure to return absentee ballots, the municipal clerk shall mail the elector a 1st class letter or postcard notifying the elector that an absentee ballot will no longer be sent to the elector unless the elector renews his or her request within 30 days of the date of the notification. ✓

(h) The municipal clerk shall notify a military elector of any action under par. (f) that is not taken at the elector's request within 5 days of taking that action, if possible. ✓

SECTION 7. 6.24 (4) (d) of the statutes is amended to read:

6.24 (4) (d) An overseas elector who is not registered may request both a registration form and an absentee ballot at the same time, and the municipal clerk shall send the ballot automatically if the registration form is received within the time prescribed in s. 6.28 (1). The board shall prescribe a special certificate form for the envelope in which the absentee ballot for overseas electors is contained, which shall be substantially similar to that provided under s. 6.87 (2). ~~Notwithstanding s. 6.87 (4), an~~ An overseas elector shall make and subscribe to the special certificate form before a witness who is an adult U.S. citizen.

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History: 1977 c. 394; 1979 c. 260, 311; 1985 a. 304; 1987 a. 391; 1989 a. 192; 1995 a. 313; 1997 a. 35; 1999 a. 182 ss. 68 to 75m, 224; 2001 a. 16; 2003 a. 24, 265.

SECTION 8. 6.25 (1) of the statutes is amended to read:

6.25 (1) Any individual who qualifies as a military elector under s. 6.22 (1) (b) or an overseas elector under s. 6.24 (1) and who transmits an application for an official absentee ballot for a general election no later than 30 days before election day may, in lieu of the official ballot, cast a federal write-in absentee ballot prescribed

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under 42 USC 1973ff-2 for any candidate or for all of the candidates of any recognized political party for national office listed on the official ballot at the general election if the federal write-in absentee ballot is received by the appropriate municipal clerk no later than the time prescribed in s. 6.87 (6) or for purposes of a recount within the period authorized in s. 6.22 (5m) (a).

History: 1987 a. 391; 1989 a. 192.

SECTION 9. 6.25 (2) of the statutes is amended to read:

6.25 (2) Any individual who qualifies as a military elector under s. 6.22 (1) (b) and who transmits an application for an official absentee ballot for any election no later than 30 days before election day may, in lieu of the official ballot, cast a write-in absentee ballot for any candidate or for all of the candidates of any recognized political party listed on the official ballot at the election if the write-in absentee ballot is received by the appropriate municipal clerk no later than the time prescribed in s. 6.87 (6) or for purposes of a recount within the period authorized under s. 6.22 (5m) (a). The ballot shall contain the information required under s. 5.55 whenever applicable and on the face shall indicate the type and date of election and shall list the offices to be filled and the number of votes that each elector may cast for each office. The ballot shall include a number of spaces under each office equal to the number of votes permitted to be cast for that office for the elector to write in the names of candidates.

History: 1987 a. 391; 1989 a. 192.

SECTION 10. 6.25 (4) (b) of the statutes is amended to read:

6.25 (4) (b) The elector submitting the ballot does not submit an official ballot within the time prescribed in s. 6.87 (6) or for purposes of a recount within the period authorized under s. 6.22 (5m) (a).

History: 1987 a. 391; 1989 a. 192.

SECTION 11. 6.275 (1) (c) of the statutes is amended to read:

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6.275 (1) (c) The total number of electors of the municipality residing in that county who registered after the close of registration and prior to the day of the primary or election under ss. ~~6.28 (1)~~, 6.29, and 6.86 (3) (a) 2.

History: 1979 c. 260; 1979 c. 355 ss. 12 to 14; 1983 a. 484; 1985 a. 304; 1989 a. 192; 1999 a. 182; 2001 a. 51; 2003 a. 265.

SECTION 12. 6.29 (2) (b) of the statutes is amended to read:

6.29 (2) (b) ~~Unless the municipal clerk determines that the registration list will be revised to incorporate the registration in time for the election, upon~~ Upon the filing of the registration form required by this section, the municipal clerk or clerk's agent under s. 6.33 (5) (b) shall issue a certificate containing the name and address of the elector addressed to the inspectors of the proper ward or election district directing that the elector be permitted to cast his or her vote if the elector complies with all requirements for voting at the polling place. The certificate shall be numbered serially, prepared in duplicate and one copy preserved in the office of the municipal clerk.

History: 1977 c. 394; 1987 a. 391; 1989 a. 192; 1999 a. 182; 2001 a. 51; 2003 a. 265.

SECTION 13. 6.33 (1) of the statutes, as affected by 2003 Wisconsin Act 265, is amended to read:

NOTE: NOTE: ~~Sub. (1) is amended eff. 1-1-06 by 2003 Wis. Act 265 to read:~~ NOTE:

~~6.33 (1) The municipal clerk shall supply sufficient registration forms as prescribed by the board printed on loose-leaf sheets or cards to obtain from each applicant information as to name; date; residence location; citizenship; date of birth; age; the number of a valid operator's license issued to the elector under ch. 343 or the last 4 digits of the elector's social security account number; whether the applicant has resided within the ward or election district for at least 10 days; whether the applicant has lost his or her right to vote; and whether the applicant is currently registered to vote at any other location.~~ The forms shall also provide include a space for the applicant's signature and the signature of any corroborating elector, and a

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space for the municipal clerk, deputy clerk or special registration deputy to certify that the form is completed in a legible manner, when required. The forms shall include a space for entry of the ward and aldermanic district, if any, where the elector resides and any other information required to determine the offices and referenda for which the elector is certified to vote. The forms shall also include a space where the clerk may record an indication of whether the form is received by mail was not submitted in person in the office of the municipal clerk or at another registration location authorized under s. 6.28 (1) and a space where the clerk, for any applicant who possesses a valid voting identification card issued to the person under s. 6.47 (3), may record the identification serial number appearing on the voting identification card. Each register of deeds shall obtain sufficient registration forms at the expense of the unit of government by which he or she is employed for completion by any elector who desires to register to vote at the office of the register of deeds under s. 6.28 (3).

History: 1971 c. 304 s. 29 (1), (2); 1971 c. 336 s. 37; 1975 c. 85 ss. 15, 16, 17, 66 (3); 1975 c. 94 s. 91; 1977 c. 378, 394, 447; 1979 c. 32; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 182; 2001 a. 51; 2003 a. 265.

SECTION 14. 6.33 (2) (a) of the statutes, as affected by 2003 Wisconsin Act 265,

is amended to read:

NOTE: NOTE: Par. (a) is amended eff. 1-1-06 by 2003 Wis. Act 265 to read:NOTE:

6.33 (2) (a) All information may be recorded by any person, except that the ward and aldermanic district, if any, other geographic information under sub. (1), the

indication of whether the registration is received by mail, the type of identifying document submitted by the elector as proof of residence under s. 6.34, and any information relating to an applicant's voting identification card shall be recorded by the clerk. *All information shall be recorded in a legible manner.* Each applicant shall sign his or her own name unless the applicant is

unable to sign his or her name due to physical disability. In such case, the applicant may authorize another elector to sign the form on his or her behalf. If the applicant so authorizes, the elector signing the form shall attest to a statement that the

was submitted in person in the office of the municipal clerk or another registration location authorized under s. 6.28 (1),

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application is made upon request and by authorization of a named elector who is unable to sign the form due to physical disability.

History: 1971 c. 304 s. 29 (1), (2); 1971 c. 336 s. 37; 1975 c. 85 ss. 15, 16, 17, 66 (3); 1975 c. 94 s. 91; 1977 c. 378, 394, 447; 1979 c. 32; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 182; 2001 a. 51; 2003 a. 265.

SECTION 15. 6.36 (2) (a) of the statutes is amended to read:

NOTE: NOTE: Par. (a) is amended eff. 1-1-06 by 2003 Wis. Act 265 to read:NOTE:

6.36 (2) (a) Except as provided in pars. (b) and (c), each registration list prepared for use as a poll list at a polling place shall contain the full name and address of each registered elector; a blank column for the entry of the serial number of the electors when they vote; if the list is prepared for use at an election for national office, an indication next to the name of each elector for whom identification is required under par. (c) 2.; and a form of certificate bearing the certification of the executive director of the board stating that the list is a true and complete registration list of the municipality or the ward or wards for which the list is prepared.

History: 1971 c. 304 s. 29 (2); 1975 c. 85; 1977 c. 394 ss. 21, 22, 53; 1999 a. 49; 2003 a. 265, 327.

SECTION 16. 6.56 (1) of the statutes is amended to read:

6.56 (1) The list containing the names of persons voting under ss. 6.29 and 6.55 (2) and (3) shall be returned together with all forms and certificates to the municipal clerk.

History: 1975 c. 85, 199; 1977 c. 394; 1979 c. 260; 1983 a. 484; 1985 a. 304; 1989 a. 192; 2001 a. 51; 2003 a. 265.

SECTION 17. 6.56 (2) of the statutes is repealed.

SECTION 18. 6.56 (5) of the statutes is amended to read:

6.56 (5) Whenever any letter or postcard mailed under this section is returned undelivered, or whenever the U.S. postal service notifies the clerk of an improper address which was apparently improper on the day of the election or whenever it otherwise appears that a person has voted who is not qualified or has voted more than once in an election, and the person has been permitted to vote after

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corroboration was made under s. 6.55 (2) ~~or (3)~~ or 6.86 (3) (a) 2., the name of the corroborator shall also be provided to the district attorney.

History: 1975 c. 85, 199; 1977 c. 394; 1979 c. 260; 1983 a. 484; 1985 a. 304; 1989 a. 192; 2001 a. 51; 2003 a. 265.

SECTION 19. 6.79 (4) of the statutes is amended to read:

6.79 (4) SUPPLEMENTAL INFORMATION. When any elector provides acceptable proof of residence under s. 6.15, 6.29 or 6.55 (2) ~~or (3)~~, the election officials shall enter the type of identifying document provided on the poll list, or separate list maintained under sub. (2) (c). If the document submitted as proof of identity or residence includes a number which applies only to the individual holding that document, the election officials shall also enter that number on the list. When any elector corroborates the registration identity or residence of any person offering to vote under s. 6.55 (2) (b) or (c) ~~or (3)~~, or the registration identity or residence of any person registering on election day under s. 6.86 (3) (a) 2., the election officials shall also enter the name and address of the corroborator next to the name of the elector whose information is being corroborated on the poll list, or the separate list maintained under sub. (2) (c). When any person offering to vote has been challenged and taken the oath, following the person's name on the poll list, the officials shall enter the word "Sworn".

NOTE: NOTE: Sub. (2) (c) becomes effective 1-1-06. NOTE:

History: 1971 c. 304 s. 29 (2); 1975 c. 85, 199, 200; 1977 c. 394, 447; 1979 c. 260, 311, 355; 1985 a. 304; 1989 a. 192; 1999 a. 49, 182; 2001 a. 38, 51; 2003 a. 265, 327.

SECTION 20. 6.86 (1) (a) (intro.) of the statutes is amended to read:

6.86 (1) (a) (intro.) Any elector, qualifying who is registered to vote whenever required and who qualifies under ss. 6.20 and 6.85 as an absent elector, may make written application to the municipal clerk for an official ballot by one of the following methods:

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History: 1975 c. 85 ss. 37, 38, 65; 1975 c. 90, 199, 200; 275, 422; 1977 c. 394 ss. 14, 40, 41; 1979 c. 232, 311; 1981 c. 391; 1983 a. 183, 484; 1985 a. 304 ss. 69, 156; 1987 a. 391; 1995 a. 313; 1999 a. 182; 2001 a. 51; 2003 a. 265.

SECTION 21. 6.86 (1) (a) 6. of the statutes is created to read:

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6.86 (1) (a) 6. By electronic mail or facsimile transmission as provided in par
(ac).

SECTION 22. 6.86 (3) (a) 2. of the statutes is amended to read:

6.86 (3) (a) 2. If a hospitalized elector is not registered, the elector may register by agent under this subdivision at the same time that the elector applies for an official ballot by agent under subd. 1. To register the elector under this subdivision, the agent shall present a completed registration form that contains the required information supplied by the elector and the elector's signature, unless the elector is unable to sign due to physical disability. In this case, the elector may authorize another elector to sign on his or her behalf. Any elector signing a form on another elector's behalf shall attest to a statement that the application is made on request and by authorization of the named elector, who is unable to sign the form due to physical disability. The agent shall present this statement along with all other information required under this subdivision. Except as otherwise provided in this subdivision, the agent shall in every case provide acceptable proof of the elector's residence under s. ~~6.55 (7)~~ 6.34. If the agent cannot present this proof, the registration form shall be signed and substantiated by another elector residing in the elector's municipality of residence, corroborating the information in the form. The form shall contain the full name and address of the corroborating elector. The agent shall then present acceptable proof of the corroborating elector's residence under s. ~~6.55 (7)~~ 6.34.

History: 1975 c. 85 ss. 37, 38, 65; 1975 c. 90, 199, 200, 275, 422; 1977 c. 394 ss. 14, 40, 41; 1979 c. 232, 311; 1981 c. 391; 1983 a. 183, 484; 1985 a. 304 ss. 69, 156; 1987 a. 391; 1995 a. 313; 1999 a. 182; 2001 a. 51; 2003 a. 265.

SECTION 23. 6.87 (2) of the statutes is amended to read:

6.87 (2) Except as authorized under sub. (3) (d), the municipal clerk shall place the ballot in an unsealed envelope furnished by the clerk. The envelope shall have

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(Form)

(Form)



the name, official title and post-office address of the clerk upon its face. The other side of the envelope shall have a printed certificate in substantially the following form:

[STATE OF

County of]

or,

[(name of foreign country and city or other jurisdictional unit)]

I,, certify subject to the penalties of s. 12.60 (1) (b), Wis. Stats., for false statements, that I am a resident of the [... ward of the] (town) (village) of, or of the aldermanic district in the city of, residing at* in said city, the county of, state of Wisconsin, and am entitled to vote in the (ward) (election district) at the election to be held on; that I am not voting at any other location in this election; that I am unable or unwilling to appear at the polling place in the (ward) (election district) on election day or have changed my residence within the state from one ward or election district to another within 10 days before the election. I certify that I exhibited the enclosed ballot unmarked to the witness, that I then in (his) (her) presence and in the presence of no other person marked the ballot and enclosed and sealed the same in this envelope in such a manner that no one but myself and any person rendering assistance under s. 6.87 (5), Wis. Stats., if I requested assistance, could know how I voted.

(Signed _____)

(Identification serial number, if any: _____)

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The witness shall execute the following:

I, the undersigned witness, subject to the penalties of s. 12.60 (1) (b), Wis. Stats., for false statements, certify that I am an adult U.S. citizen and that the above

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statements are true and the voting procedure was executed as there stated. I am not a candidate for any office on the enclosed ballot (except in the case of an incumbent municipal clerk). I did not solicit or advise the elector to vote for or against any candidate or measure.

...(Name)

...(Address)**

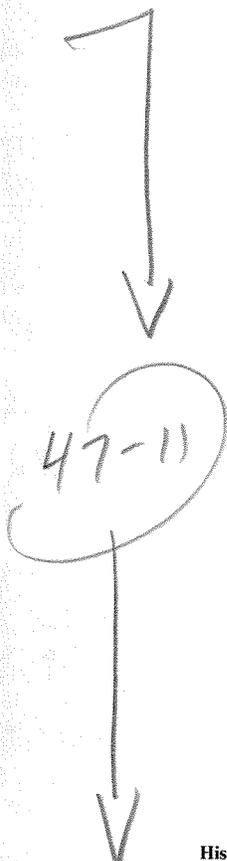
* — An elector who provides an identification serial number issued under s. 6.47 (3), Wis. Stats., need not provide a street address.

** — If this form is executed before 2 special voting deputies under s. 6.875 (6), Wis. Stats., both deputies shall witness and sign.

History: 1971 c. 242; 1971 c. 304 s. 29 (1), (2); 1975 c. 85; 1975 c. 93 s. 119 (2); 1975 c. 199; 1977 c. 394; 1979 c. 232, 260, 311, 355; 1983 a. 36, 484, 538; 1985 a. 304; 1991 a. 316; 1999 a. 49, 182; 2001 a. 16, 38, 109; 2003 a. 265.

SECTION 24. 6.87 (3) (d) of the statutes is amended to read:

6.87 (3) (d) A municipal clerk of a municipality may, if the clerk is reliably informed by an absent elector of a facsimile transmission number or electronic mail address where the elector can receive an absentee ballot, transmit a facsimile or electronic copy of the absent elector's ballot to that elector in lieu of mailing under this subsection if, in the judgment of the clerk, the time required to send the ballot through the mail may not be sufficient to enable return of the ballot by the time provided under sub. (6). An elector may receive an absentee ballot under this subsection only if the elector has filed a valid application for the ballot under sub. 6.86 (1). If the clerk transmits an absentee ballot under this paragraph, the clerk shall also transmit a facsimile or electronic copy of the text of the material that appears on the certificate envelope prescribed in sub. (2), together with instructions prescribed by the board. The instructions shall require the absent elector to make and subscribe to the certification as required under sub. (4) and to enclose the



absentee ballot in a separate envelope contained within a larger envelope, that shall include the completed certificate. The elector shall then mail the absentee ballot with postage prepaid to the municipal clerk. ~~Except as authorized in s. 6.97 (2), an~~ An absentee ballot received under this paragraph shall not be counted unless it is cast in the manner prescribed in this paragraph and in accordance with the instructions provided by the board.

History: 1971 c. 242; 1971 c. 304 s. 29 (1), (2); 1975 c. 85; 1975 c. 93 s. 119 (2); 1975 c. 199; 1977 c. 394; 1979 c. 232, 260, 311, 355; 1983 a. 36, 484, 538; 1985 a. 304; 1991 a. 316; 1999 a. 49, 182; 2001 a. 16, 38, 109; 2003 a. 265.

SECTION 25. 6.87 (4) of the statutes, as affected by 2003 Wisconsin Act 265, is amended to read:

6.87 (4) Except as otherwise provided in s. 6.875, the elector voting absentee shall make and subscribe to the certification before one witness. The absent elector, in the presence of the witness, shall mark the ballot in a manner that will not disclose how the elector's vote is cast. The elector shall then, still in the presence of the witness, fold the ballots so each is separate and so that the elector conceals the markings thereon and deposit them in the proper envelope. If a consolidated ballot under s. 5.655 is used, the elector shall fold the ballot so that the elector conceals the markings thereon and deposit the ballot in the proper envelope. If the elector has not registered by mail and has not, or is not certain whether the elector has, previously voted in an election for national office in this state in person in the office of the municipal clerk or at another registration location authorized under s. 6.28 (1), the elector shall enclose identification in the envelope. Identification is required if the elector is not a military elector or an overseas elector, as defined in s. 6.36 (2) (c), and the elector has not registered by mail in person in the office of the municipal clerk or at another registration location authorized under s. 6.28 (1) and has not voted in an election for national office in this state. The elector may receive assistance under

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sub. (5). The return envelope shall then be sealed. The witness may not be a candidate. The envelope shall be mailed by the elector, postage prepaid, or delivered in person, to the municipal clerk issuing the ballot or ballots. The elector shall affix sufficient postage unless the ballot qualifies for delivery free of postage under federal law. Failure to return an unused ballot in a primary does not invalidate the ballot on which the elector's votes are cast. Return of more than one marked ballot in a primary or return of a ballot prepared under s. 5.655 or a ballot used with an electronic voting system in a primary which is marked for candidates of more than one party invalidates all votes cast by the elector for candidates in the primary.

History: 1971 c. 242; 1971 c. 304 s. 29 (1), (2); 1975 c. 85; 1975 c. 93 s. 119 (2); 1975 c. 199; 1977 c. 394; 1979 c. 232, 260, 311, 355; 1983 a. 36, 484, 538; 1985 a. 304; 1991 a. 316; 1999 a. 49, 182; 2001 a. 16, 38, 109; 2003 a. 265.

SECTION 26. 7.08 (1) (c) of the statutes is amended to read:

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

History: 1971 c. 242; 1973 c. 334 s. 6, 57; 1975 c. 85, 93, 94, 199; 1977 c. 29, 107, 394, 427; 1979 c. 89, 177, 260, 311; 1981 c. 377; 1983 a. 51, 484; 1985 a. 120, 304; 1989 a. 192; 1993 a. 140; 1995 a. 16 s. 2; 1997 a. 27; 1999 a. 49, 182; 2001 a. 16, 38, 107, 109; 2003 a. 265.

SECTION 27. 7.10 (9) of the statutes is amended to read:

7.10 (9) TRAINING OF ELECTION OFFICIALS. Each county clerk shall assist the board in the training of election officials under ss. s. 5.05 (7) and 7.31.

History: 1971 c. 304 s. 29 (2); 1973 c. 280; 1973 c. 334 s. 57; 1977 c. 394 s. 53; 1977 c. 427; 1979 c. 221, 260, 311, 355; 1981 c. 377; 1983 a. 484; 1985 a. 89, 304; 1991 a. 316; 1999 a. 150 s. 672; 1999 a. 182; 2001 a. 107; 2003 a. 265.

SECTION 28. 7.30 (1) of the statutes is amended to read:

7.30 (1) ~~NUMBER~~^(a). There Except as authorized under par. (b), there shall be 7 inspectors for each polling place at each election. ~~In~~ Except as authorized in par. (b), in municipalities where voting machines are used, the municipal governing body may reduce the number of inspectors to 5. A municipal governing body may provide

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for the appointment of additional inspectors whenever more than one voting machine is used or wards are combined under s. 5.15 (6) (b). A municipal governing body may provide by ordinance for the selection of alternate officials or the selection of 2 or more sets of officials to work at different times on election day, and may permit the municipal clerk or board of election commissioners to establish different working hours for different officials assigned to the same polling place. Alternate officials shall also be appointed in a number sufficient to maintain adequate staffing of polling places. Unless Except for inspectors who are appointed under par. (b) and officials who are are appointed without regard to party affiliation under sub. (4) (c), additional officials shall be appointed in such a manner that the total number of officials is an odd number and the predominant party under sub. (2) is represented by one more official than the other party.

History: 1971 c. 242; 1971 c. 304 s. 29 (1), (2); 1971 c. 336; 1973 c. 280, 334; 1975 c. 93, 101; 1977 c. 394, 427, 447; 1979 c. 89, 260, 355; 1983 a. 183, 484, 538; 1985 a. 131 s. 3; 1985 a. 304, 332; 1987 a. 391; 1989 a. 192, 359; 1995 a. 16 s. 2; 1997 a. 127; 1999 a. 182; 2001 a. 16, 109; 2005 a. 27.

SECTION 29. 7.31 (5) of the statutes is amended to read:

7.31 (5) The board shall conduct regular training programs to ensure that individuals who are certified by the board under this ~~section~~ subsection are knowledgeable concerning their authority and responsibilities. The board shall pay all costs required to conduct the training programs from the appropriation under s. 20.510 (1) (bm).

History: 2001 a. 16, 104; 2003 a. 143.

SECTION 30. 7.32 of the statutes is amended to read:

7.32 Change of election official numbers. Notwithstanding s. 7.30 (1) (a), the governing body or board of election commissioners of any municipality may by resolution reduce the number of election officials and modify or rescind any similar

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previous action. No such action may reduce the number of officials at a polling place to less than 3.

History: 1977 c. 427; 1979 c. 260 s. 46; Stats. 1979 s. 7.32; 1983 a. 484; 1985 a. 304.

SECTION 31. 7.33 (4) of the statutes is amended to read:

7.33 (4) Except as otherwise provided in this subsection, each local governmental unit, as defined in s. 16.97 (7), may, and each state agency shall, upon proper application under sub. (3), permit each of its employees to serve as an election official under s. 7.30 without loss of fringe benefits or seniority privileges earned for scheduled working hours during the period specified in sub. (3), without loss of pay for scheduled working hours during the period specified in sub. (3) except as provided in sub. (5), and without any other penalty. For employees who are included in a collective bargaining unit for which a representative is recognized or certified under subch. V of ch. 111, this subsection shall apply unless otherwise provided in a collective bargaining agreement.

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History: 1977 c. 398; 1979 c. 260 s. 44; Stats. 1979 s. 7.33; 1987 a. 111; 1987 a. 391 ss. 37m, 41g, 41r; 1989 a. 56 s. 259; 1995 a. 27; 2001 a. 16, 104, 109; 2003 a. 33.

SECTION 32. 7.33 (6) of the statutes is amended to read:

7.33 (6) Each employer other than a state agency shall, upon proper application under sub. (3), permit each of its employees to serve as an election official under s. 7.30 without loss of fringe benefits or seniority privileges earned for scheduled working hours during the period specified in sub. (3), and shall not impose any other penalty upon an employee who serves as an election official, except the employer need not pay wages to an employee for time not worked while the employee is serving as an election official.

History: 1977 c. 398; 1979 c. 260 s. 44; Stats. 1979 s. 7.33; 1987 a. 111; 1987 a. 391 ss. 37m, 41g, 41r; 1989 a. 56 s. 259; 1995 a. 27; 2001 a. 16, 104, 109; 2003 a. 33.

SECTION 33. 7.37 (2) of the statutes is amended to read:

7.37 (2) PRESERVE ORDER. The inspectors shall possess full authority to maintain order and to enforce obedience to their lawful commands during the

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election and the canvass of the votes. They shall permit only one person in a voting booth at a time and shall prevent any person from taking notice of how another person has voted, except when assistance is given under s. 6.82. They shall enforce s. 5.35 (5) and prevent electioneering and distribution of election-related material from taking place in violation of ~~s.~~ ss. 12.03 and 12.035. If any person refuses to obey the lawful commands of an inspector, or is disorderly in the presence or hearing of the inspectors, interrupts or disturbs the proceedings, they may order any law enforcement officer to remove the person from the voting area or to take the person into custody.

History: 1971 c. 304 s. 29 (2); 1975 c. 85; 1977 c. 427; 1979 c. 260, 311, 355; 1981 c. 391; 1983 a. 484 ss. 68, 69, 71 to 73, 172 (3); 1985 a. 304; 1989 a. 192; 1999 a. 182; 2001 a. 16; 2003 a. 265.

SECTION 34. 7.41 (3) (b) of the statutes is amended to read:

7.41 (3) (b) Violates s. 12.03 (2) or 12.035.

History: 1989 a. 192; 1999 a. 49; 1999 a. 150 s. 672; 1999 a. 182; 2001 a. 39, 109.

SECTION 35. 7.51 (1) of the statutes is amended to read:

7.51 (1) CANVASS PROCEDURE. Immediately after the polls close the inspectors shall proceed to canvass publicly all votes received at the polling place. In any municipality where an electronic voting system is used, the municipal governing body or board of election commissioners may provide or authorize the municipal clerk or executive director of the board of election commissioners to provide for the adjournment of the canvass to one or more central counting locations for specified polling places in the manner prescribed in subch. III of ch. 5. No central counting location may be used to count votes at a polling place where an electronic voting system is not employed. The canvass, whether conducted at the polling place or at a central counting location, shall continue without adjournment until the canvass is completed and the return ~~statements are~~ statement is made. The inspectors shall

not permit access to the name of any elector who has obtained a confidential listing under s. 6.47 (2) during the canvass, except as authorized in s. 6.47 (8).

History: 1971 c. 304 s. 29 (2); 1977 c. 29; 1977 c. 394 s. 53; 1977 c. 427, 447; 1979 c. 260 ss. 36, 48; 1979 c. 311; 1981 c. 4, 391; 1983 a. 183, 442; 1983 a. 484 ss. 76, 77, 172 (3); 1983 a. 538; 1985 a. 120, 304; 1987 a. 391; 1989 a. 56, 192; 1993 a. 399; 1997 a. 127; 1999 a. 49, 182; 2001 a. 107, 109; 2003 a. 265.

SECTION 36. 7.51 (5) (a) 5. of the statutes is created to read:

7.51 (5) (a) 5. Upon receipt of the materials under subd. 4., the municipal clerk shall make sufficient copies of the inspectors' statement under sub. (4) (a) and seal one copy of the statement inside a carrier envelope together with the envelope containing any materials required to be delivered to the county clerk or the school district clerk. The municipal clerk shall retain the original inspectors' statement.

SECTION 37. 7.51 (5) (b) of the statutes is amended to read:

7.51 (5) (b) The municipal clerk shall ~~arrange for delivery of~~ ^{deliver} all ballots, statements, tally sheets, lists, and envelopes relating to a school district election to the school district clerk. by 4 p.m. on the day following each such election The municipal clerk shall deliver the ballots, statements, tally sheets, lists, and envelopes for his or her municipality relating to any county, technical college district, state, or national election to the county clerk by ⁴ 2 p.m. on the day following each such election or, in municipalities where absentee ballots are canvassed under s. 7.52, by ⁴ 2 p.m. on the 2nd day following each such election. The person delivering the returns shall be paid out of the municipal treasury. Each clerk shall retain ballots, statements, tally sheets, or envelopes received by the clerk until destruction is authorized under s. 7.23 (1).

History: 1971 c. 304 s. 29 (2); 1977 c. 29; 1977 c. 394 s. 53; 1977 c. 427, 447; 1979 c. 260 ss. 36, 48; 1979 c. 311; 1981 c. 4, 391; 1983 a. 183, 442; 1983 a. 484 ss. 76, 77, 172 (3); 1983 a. 538; 1985 a. 120, 304; 1987 a. 391; 1989 a. 56, 192; 1993 a. 399; 1997 a. 127; 1999 a. 49, 182; 2001 a. 107, 109; 2003 a. 265.

SECTION 38. 7.53 (2) (a) 3. of the statutes is created to read:

7.53 (2) (a) 3. If the clerk is a candidate at an election being canvassed, the clerk may perform his or her duties on the board of canvassers only if the clerk does not have an opponent whose name appears on the ballot, or in the case of a recount, if

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the office the clerk is seeking is not a subject of the recount. If the clerk is a candidate at the election being canvassed and has an opponent whose name appears on the ballot or if the office the clerk is seeking is a subject of a recount, the mayor, president of board chairperson of the municipality shall designate another qualified elector of the municipality to serve in lieu of the elector for that election.

SECTION 39. 7.60 (3) of the statutes is amended to read:

7.60 (3) CANVASSING. Not later than 9 a.m. on the Thursday after each election or, in municipalities where absentee ballots are canvassed under s. 7.52, not later than 9 a.m. on the Friday after each election the county board of canvassers shall open and publicly examine the returns. If returns have not been received from any election district or ward in the county, they shall dispatch a messenger and the person having them shall deliver the returns to the messenger. If, on examination, any of the returns received are so informal or defective that the board cannot intelligently canvass them, they shall dispatch a messenger to deliver the returns back to the municipal board of canvassers with written specifications of the informalities or defects and command them to immediately complete the returns or remedy the defects in the manner required and deliver them to the messenger. Every messenger shall safely keep all returns, show them to no one but the municipal clerk and board of canvassers and deliver them to the county clerk with all possible dispatch. To acquire the necessary full returns and remedy any informalities or defects the county board of canvassers may adjourn not longer than one day at a time nor more than 2 days in all.

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History: 1971 c. 304 s. 29 (2); 1973 c. 334 ss. 14, 57; 1975 c. 93, 199; 1977 c. 187, 427, 449; 1979 c. 221, 260, 355; 1981 c. 4; 1983 a. 442, 484, 538; 1985 a. 89, 304, 332; 1987 a. 391; 1989 a. 31; 1991 a. 316; 1993 a. 399; 1999 a. 150 s. 672; 1999 a. 182; 2001 a. 107, 109.

SECTION 40. 9.01 (1) (ag) 2m. of the statutes is created to read:

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9.01 (1) (ag) 2m. For purposes of subds. 1m. and 2., the number of votes cast at an election excludes any votes that may be eligible to be counted under s. 6.22 (5m) (a). ✓

SECTION 41. 12.03 (2) of the statutes is amended to read:

12.03 (2) No person may engage in electioneering during polling hours on any public property on election day within 100 feet of an entrance to a building containing a polling place. No person may engage in electioneering within 100 feet of an entrance to or within a nursing home or qualified retirement home or community-based residential facility while special voting deputies are present at the home or facility. This subsection does not apply to the placement of any material on the bumper of a motor vehicle that is ~~located on such property on election day~~ parked or operated at a place and time where electioneering is prohibited under this subsection.

Ans 93-15
plain text

History: 1973 c. 334; 1977 c. 427; 1979 c. 89; 1983 a. 484; 1993 a. 173.

SECTION 42. 12.04 (2) of the statutes is amended to read:

12.04 (2) Except as provided in s. ss. 12.03 or 12.035 or as restricted under sub. (4), any individual may place a sign containing a political message upon residential property owned or occupied by that individual during an election campaign period.

History: 1985 a. 198; 1993 a. 246.

SECTION 43. Nonstatutory provisions.

(4) (1) ELECTION OFFICIALS; INTERIM TERMS. Notwithstanding section 7.30 (6) (a) of the statutes, the persons who are appointed as election officials under section 7.30 (4) of the statutes in 2006 shall serve for terms of one year and until their successors are appointed and qualified.

ANS 100-9

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Section #. 6.276 (1) of the statutes is amended to read:

6.276 (1) In this section, "military elector" and "overseas elector" have the meanings given in
s. ~~6.36 (2) (e)~~ 6.34 (1) ✓

~~History: 2003 a. 265.~~

MS 46-21

Section #. 6.865 (1) of the statutes is amended to read:

6.865 (1) In this section, "military elector" and "overseas elector" have the meanings given under s. 6.36 (2) (e). ^{6.34(1)} ✓

~~History: 1989 a. 192; 1999 a. 182; 2003 a. 265.~~

INS 93-16

✓
Section #. 6.87 (9) of the statutes is amended to read:

6.87 (9) If a municipal clerk receives an absentee ballot with an improperly completed certificate or with no certificate, the clerk may return the ballot to the elector, inside the sealed envelope when an envelope is received, together with a new envelope if necessary, whenever time permits the elector to correct the defect and return the ballot within the period ^{authorized under} ~~prescribed in~~ sub. (6).

History: 1971 c. 242; 1971 c. 304 s. 29 (1), (2); 1975 c. 85; 1975 c. 93 s. 119 (2); 1975 c. 199; 1977 c. 394; 1979 c. 232, 260, 311, 355; 1983 a. 36, 484, 538; 1985 a. 304; 1991 a. 316; 1999 a. 49, 182; 2001 a. 16, 38, 109; 2003 a. 265

ASSEMBLY BILL 377

SECTION 13

the office or upon the question; or shall specify any other defect, irregularity or illegality in the conduct of the election. The petition shall specify each ward, or each municipality where no wards exist, in which a recount is desired. If a recount is requested for all wards within a jurisdiction, each ward need not be specified. The petition may be amended to include information discovered as a result of the investigation of the board of canvassers or the chairperson of the board or chairperson's designee after the filing of the petition, if the petitioner moves to amend the petition as soon as possible after the petitioner discovered or reasonably should have discovered the information which is the subject of the amendment and the petitioner was unable to include information in the original petition.

SECTION 14. 9.01 (1) (ag) 1., 1m. and 2. of the statutes are amended to read:

9.01 (1) (ag) 1. If the difference between the votes cast for the leading candidate and those cast for the petitioner or the difference between the affirmative and negative votes cast upon any referendum question is less than 10 if 1,000 or less votes are cast or not more than 0.5% of the total votes cast for the office or on the question if more than 1,000 votes are cast prior to issuance of any amended return under s. 6.221(5m)(f), the petitioner is not required to pay a fee.

1m. If the difference between the votes cast for the leading candidate and those cast for the petitioner or the difference between the affirmative and negative votes cast upon any referendum question is at least 10 if 1,000 or less votes are cast or is more than 0.5% but not more than 2% if more than 1,000 votes are cast prior to issuance of any amended return under s. 6.221(5m)(f), the petitioner shall pay a fee of \$5 for each ward for which the petition requests a ballot recount, or \$5 for each municipality for which the petition requests a recount where no wards exist.

FWS 88-22:2

ASSEMBLY BILL 377

1 2. If the difference between the votes cast for the leading candidate and those
2 cast for the petitioner or the difference between the affirmative and negative votes
3 cast upon any referendum question is more than 2% if more than 1,000 votes are cast
4 prior to issuance of any amended return under s. ~~6.221 (6) (b)~~ ^{6.22 (5m) (f)}, the petitioner shall
5 pay a fee equal to the actual cost of performing the recount in each ward for which
6 the petition requests a recount, or in each municipality for which the petition request
7 a recount where no wards exist.

8 **SECTION 15.** 9.01 (1) (am) of the statutes is created to read:

9 9.01 (1) (am) A person who files a petition under par. (a) may withdraw the
10 petition. If the petitioner withdraws a petition before any board of canvassers that
11 canvassed the original election begins its recount, the clerk or body shall refund any
12 fee paid under par. (ag).

13 **SECTION 16.** 9.01 (1) (b) (intro.) of the statutes is amended to read:

14 9.01 (1) (b) (intro.) The proper board of canvassers shall reconvene no earlier
15 than 9 a.m. on the day following delivery of notice to all candidates under sub. (2) and
16 no later than 9 a.m. on the day following the last day for filing of a petition and, or
17 if the original canvass is subject to correction under s. 6.221 (6) (b), immediately after
18 issuance of the amended statement and determination in the original canvass,
19 whichever is later. The board of canvassers shall then proceed to recount the ballots
20 in the wards or municipalities specified and to review the allegations of fact
21 contained in the petition or petitions. The recount shall proceed for each ward or
22 municipality as follows:

23 **SECTION 17. Initial applicability.**

24 (1) This act first applies with respect to the 2006 spring primary election.

25 **SECTION 18. Effective date.**

SA
① out-of-state driver's license holders

ANS 5A

1 AN ACT ...; relating to: registration with out-of-state driver's licenses.

Analysis by the Legislative Reference Bureau

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft was prepared for the joint legislative council's special committee on election law review.

Under current law, the voter registration form must contain space for an individual to provide, among other things, either a valid operator's license number or the last 4 digits of the applicant's social security number. This bill would require the form to contain a space for the applicant to provide an out-of-state driver's license number, if the applicant possesses one. The number would be included and maintained in the statewide voter registration system but would not be available for general public inspection. In addition, the bill would require the elections board to contact the chief election official in each state for which an out-of-state driver's license number has been submitted and inquire whether the individual had voted in that state.

The draft has an effective date of January 1, 2006.

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

6.33 (1) The municipal clerk shall supply sufficient registration forms as prescribed by the board printed on loose-leaf sheets or cards to obtain from each applicant information as to name; date; residence location; citizenship; date of birth; age; the number of a valid operator's license issued to the elector under ch. 343 or the last 4 digits of the elector's social security account number; out-of-state driver's license number, if the applicant possesses one; whether the applicant has resided within the ward or election district for at least 10 days; whether the applicant has lost his or her right to vote; and whether the applicant is currently registered to vote at any other location. The forms shall also provide a space for the applicant's signature and the ward and aldermanic district, if any, where the elector resides and any other information required to determine the offices and referenda for which the elector is certified to vote. The forms shall also include a space where the clerk may

who possesses a driver's license issued by another state

information

requires

requires issuing state, and expiration date of the license

that has issued a valid driver's license to an elector who voted in the election and inquire

and expiration date of the license

following each general election,

the

elector

in that election

if the applicant possesses

a valid driver's license issued by another state, the state and license number

1 record an indication of whether the form is received by mail and a space where the
 2 clerk, for any applicant who possesses a valid voting identification card issued to the
 3 person under s. 6.47 (3), may record the identification serial number appearing on
 4 the voting identification card. Each register of deeds shall obtain sufficient
 5 registration forms at the expense of the unit of government by which he or she is
 6 employed for completion by any elector who desires to register to vote at the office
 7 of the register of deeds under s. 6.28 (3)

NOTE: This SECTION adds to the registration form a space for the registrant to disclose an out-of-state driver's license, if the applicant possesses one.

8 **SECTION 2.** 6.36 (1) (a) and (b) 1. a. of the statutes is amended to read:

9 6.36 (1) (a) The board shall compile and maintain electronically an official
 10 registration list. The list shall contain the name and address of each registered
 11 elector in the state, the date of birth of the elector, the ward and aldermanic district
 12 of the elector, if any, and, for each elector, a unique registration identification number
 13 assigned by the board, the number of a valid operator's license issued to the elector
 14 under ch. 343, if any, or the last 4 digits of the elector's social security account
 15 number, if any, ~~the number of a valid out-of-state driver's license, if any,~~ any
 16 identification serial number issued to the elector under s. 6.47 (3), the date of any
 17 election in which the elector votes, an indication of whether the elector is an overseas
 18 elector, as defined in s. 6.24 (1), an indication of any accommodation required under
 19 s. 5.25 (4) (a) to permit voting by the elector, an indication of the method by which
 20 the elector's registration form was received, and such other information as may be
 21 determined by the board to facilitate administration of elector registration
 22 requirements.

if the applicant possesses a valid driver's license issued by another state, the state with license number, and expiration date of the license;

SERAN# AM; 6.36(1)(b) 1.a.

1 6.36(1)(b) 1. a. No person other than an employee of the board, a municipal clerk, a
2 deputy clerk, an executive director of a city board of election commissioners, or a
3 deputy designated by the executive director may view the date of birth, registration
4 identification number, operator's license number, ^{SST} or social security account number
5 of an elector, ~~out-of-state driver's license number,~~ ^{information relating to a driver's license issued by another state,} the address of an elector to whom
6 an identification serial number is issued under s. 6.47 (3), or any indication of an
7 accommodation required under s. 5.25 (4) (a) to permit voting by an elector. ✓

NOTE: This SECTION adds to the information maintained in the registration list the elector's out-of-state driver's license number, if any and provides that such number is not available for general public inspection.

SECTION 3. 6.36 (4) of the statutes is created to read:

6.36 (4) After each ^{general} election, the board shall contact the chief election official in each state for which an ^{applicant} ~~has submitted an out-of-state license number~~ ^{elector indicated on the form completed under s. 6.33(1)} under sub. (1). The board shall inquire whether the ~~individual who provided the~~ ^{holder of the} ~~out-of-state driver's license number~~ ^{that election in} voted in that state. ^{that} ^{he or she holds a valid driver's license issued by that state for so long as the license remains valid}

NOTE: This SECTION requires the elections board to contact the election officials in other states to see if individuals who provided out-of-state driver's license numbers at registration voted in that state.

SECTION 4. Effective date. This act takes effect on January 1, 2006.

(END)

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that he or she holds a valid driver's license issued by that state for so long as the license remains valid ✓

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

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Robert Conlin:

1 . Section 5.68 (1) and (2), stats. relates to apportionment of the costs of acquisition of, among other things, election apparatus, ballots, supplies and other materials. Proposed s. 5.68 (3m) directs the election administration council to provide guidance to local governments covering the procurement of election apparatus, ballot forms and supplies. You may wish to consider broadening the scope of proposed s. 5.68 (3m) to cover ballots as well as ballot forms and to cover materials as well as supplies.

2 . Proposed s. 6.22 (5m) and related provisions, which permit military electors, as defined in s. 6.22 (1) (b), stats., to have their ballots delivered and counted after election day as long as they are postmarked by election day, would in cases where a recount is requested, require canvasses to be reopened before a recount could proceed. It is difficult to say how much time might be used in the reopening of a canvass. However, because under current law most local elective officials take office either 7, 14 or 21 days after the date of the spring election, it is difficult currently in many cases to complete a recount in time for the winner to take office on the appointed day. The change could make it somewhat more difficult than it is currently. If an elective official cannot take office on time, it can have an effect upon who is elected or appointed to other offices (such as county board chair or member of a city commission) whose terms begin shortly after the term of the elective official who elects or appoints the official.

3 . The treatment of s. 6.28 (1), stats. to change the deadline for voter registration from 13 days before an election to 20 days before an election will increase the number of voters who must register at an address where they do not expect to be residing on the 10th day before election day, which under s. 6.10 (1), stats. fixes an elector's voting residence. If moving from one election district to another, these electors will need to vote at the polling places serving their new residences and file address change forms at those polling places. If the registration deadline were the same as the date on which an elector's voting residence is fixed, this process could be avoided.

4 . Proposed s. 6.34, which requires all electors to provide proof of residence when registering to vote and defines the only forms of proof that are acceptable, permits an elector to use as proof "[a]n official identification card or license issued by an employer in the normal course of business that contains a photograph of the license holder, but not including a business card". Because a significant portion of the voting population is self-employed or employed only within the same family, this provision in effect permits this portion of the electorate to create their own registration identification

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cards. You may wish to consider whether such a self-identification procedure effectuates your purpose in creating this new requirement. In addition, while some of the forms of acceptable proof of residence must be current, the proposed text permits an official identification card issued by a Wisconsin governmental body or unit that does not contain an expiration date, a bank statement, a paycheck, or a check or other document issued by any unit of government to be used as proof even if the document that is used is not current. You may wish to consider requiring that a document that does not contain an expiration date be dated within some period, for example one year, prior to the date of application for registration.

of copies

9 8 . Under proposed s. 6.36 (5), the Elections Board prescribes a fee for obtaining a copy of the registration list that may exceed the cost of reproduction. The draft requires that revenues from fees received be shared between the state and local governments. Because the bill provides no appropriation to the board for use in depositing and dispensing fee revenues, any apportionment of revenues will necessitate requesters to write multiple checks to all jurisdictions receiving revenues in the appropriate amounts. For a statewide list, the procedure approaches unworkability. Therefore, you may wish to add an appropriation or remove this provision from the draft and place it in separate legislation together with the necessary appropriation.

10 9 . Currently, s. 6.56 (3), stats. requires each municipal clerk or board of election commissioners to conduct a postcard audit of voter registrations that occur at polling places on election day. This draft amends that subsection to require that either the clerk, board of election commissioners or elections board conduct the audits. It would be preferable to indicate in the draft who has primary responsibility to ensure that the audit is conducted, in case the parties should disagree over who should conduct the audit. Also in this connection, s. 6.56 (4), stats. requires municipal clerks to perform a similar audit of electors who appear to have voted more than once at an election. You may wish to adopt the same procedure for this audit. In addition, it should be noted that while polling place registrations are audited and mail registrations are confirmed under s. 6.32 (4), stats. (thereby ensuring that the voter's address is deliverable), and this draft proposes to extend confirmation requirements to all registrations not received in person by the municipal clerk or at by a deputy at another authorized location, there exists no similar audit or confirmation for registrations taken in person by the municipal clerk or by a deputy at another authorized location. You may wish to extend the confirmation/audit process to cover these registrations.

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11 10 . The treatment of s. 6.875 (6), stats., and proposed s. 6.876 (7), which require certain information to be posted in nursing and retirement homes and community-based residential facilities and which authorize representatives of political parties to enter the homes and facilities to observe absentee voting procedures, may be difficult to enforce given the fact that these homes and facilities are located on private property. If the owner of the property does not permit the posting or the entry of the observers, do you want to allow the voting at the home or facility to go forward?

permit or

12 11 . Proposed s. 7.37 (13) directs an inspector to stand at the end of any line of voters waiting to vote when the polls close. Because the inspectors are likely to be fully occupied if there is a line of voters at closing time, you may wish to direct the municipal

(which would ordinarily be the case)

Proposed s. 7.30(1)(b) also permits municipalities to appoint an additional inspector who may be available to close the line of voters. If an additional inspector is not appointed or the additional inspector must be assigned to perform other work, and

clerk or board of election commissioners to assign an appropriate person to close the line at each polling place, which person could be an inspector, an employee of the clerk or board, or a police officer.

another

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. The treatment of s. 7.51 (5) (b), stats. by this draft changes the deadline for municipal election returns to be delivered to county clerks and boards of election commissioners from 2 p.m. on the day after an election to 4 p.m. on that day. Because this time is closer to the end of the business day, it may increase the difficulty in dispatching a messenger to secure any late returns on that day. Closely tied to this deadline is the deadline of 9 a.m. on the Thursday following each election under s. 7.60 (3), stats., which is the latest that the county board of canvassers may begin its canvass. You may wish to consider pushing back this deadline to accommodate the revised municipal deadline provided in this draft.

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. This draft amends s. 8.37, stats. to require each school district clerk to file a copy of each proposed ballot measure or question with the county clerk of each county having territory within the school district no later than 42 days before the date of the referendum at which the measure or question appears on the ballot. Because under the same statute the question must be filed with the school district clerk no later than the same date, you may wish to give the clerk at least one day after receiving the notice to prepare and transmit the notice to the appropriate county clerks. In addition, you may wish to extend this change to apply to clerks of all special purpose districts in which questions or measures are submitted.

JTK

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3947/P2dni2
JTK.....



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. This drafts amends s. 6.33 (1), stats. and creates proposed s. 6.36 (4) to require new applicants for registration to who possess a valid driver's license issued by another state to provide the name of the state, the license number, and the expiration date of the license. The draft then requires the Elections Board, following every general election, to contact the chief election official of each state that has issued a valid driver's license to an elector who votes in that election and to inquire whether the elector voted in the same election in that state. The committee's original draft provided for this contact to be made after every election, but since the general election is the only election held in this state that coincides with an election that is also held in every other state, and since it well may be legal for an elector to vote in one state and then vote in this state on a later date, I changed the draft to apply only to general elections. Please let me know if you would like to see this treated differently. The draft also provides for each applicant to enter the expiration date of his or her out-of-state licence on his or her registration form, and for this verification to be made by the board at every general election for so long as the license remains valid. It should be noted that many holders of out-of-state licenses are recent arrivals who eventually apply for Wisconsin licenses. When an applicant receives a Wisconsin license, the Wisconsin DOT requires the applicant to surrender any valid out-of-state license that the applicant possesses. DOT then forwards the out-of-state license to the issuing state with instructions to cancel the license. Therefore, it is possible under the draft for voting inquiries to continue to be made after a license has been canceled. It would be desirable, therefore, to provide that DOT must forward information to the board regarding any out-of-state licenses that are surrendered to it so the board can stop its inquiries. In addition, although this license information remains confidential under the draft, it remains on the registration list forever and may therefore be a source of confusion in later years. You may wish to consider entering this information on a separate list because it will likely be used only for short-term purposes.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3947/P2dni
JTK....:ch

2. . Proposed s. 6.22 (4) (c) provides that a military elector may indicate an alternate address on his or her absentee ballot application. Under the draft, if the elector's ballot is returned as undeliverable prior to the deadline for return of absentee ballots, the clerk must send or transmit an absentee ballot to the elector at the alternate address. Because under proposed s. 6.86 (1) (c) the deadline for military electors to request absentee ballots is 5 p.m. on the Friday before an election, the draft may not accord sufficient time in some situations for the clerk to mail an absentee ballot, have the ballot returned, and then mail an absentee ballot to an alternate site, and for the elector to receive and vote the ballot and have the voted ballot postmarked by election day.

4. . Also with respect to proposed s. 6.22 (5m) and related provisions, currently, under s. 7.15 (1) (cm), stats., municipalities must transmit absentee ballots to all absentee voters who have requested ballots, including the voters who are affected by this draft, no later than 21 days before the spring election and no later than 30 days before the general election. Although calendar fluctuations can make this task more difficult or less difficult to complete within the time prescribed by law, as a general rule the time allotted for canvassing of the spring and September primaries and ballot preparation for the spring and general elections is used completely. Therefore, under this draft it is likely that, in municipalities where military electors do not return absentee ballots by election night, unless municipal clerks and boards of election commissioners exercise an unusual degree of initiative and municipalities agree to take on some additional costs for expedited printing service, absentee ballots could be distributed as late as approximately 15 days before the spring election and as late as approximately 24 days before the general election. This will make it more difficult for these ballots to be returned through the world mail system by election day. The voters who are affected by this draft will have extra time to return their ballots, but these voters could still be impacted to some degree by this change if their current ballot transit times are less than approximately seven days.

5. . Proposed s. 6.22 (5m) permits the ballots of military electors to be counted under certain conditions if received after election day. Proposed s. 6.86 (1) (c) provides a later deadline for military electors to apply for an absentee ballot than is provided for other electors. Although these provisions generally provide a dispensation, the effect of the provisions is to create a procedure under which the ballots of electors may either be counted or not counted or absentee ballots may be provided or not provided based upon

the status of the electors, which could raise an equal protection issue. The U.S. Supreme Court has sometimes approved distinctions made by states in the treatment of absentee voters. However, the Court has said that because voting is a fundamental right, any distinction made by a state will be subject to close scrutiny. See *McDonald v. Board of Election Commissioners*, 89 S. Ct. 1404, 1407 (1969), in which the Court, after applying this scrutiny, nevertheless permitted Illinois to make a distinction based upon prisoner status. One argument that could be advanced in support of this draft is that national security requires disparate treatment of the ballots of military electors, as defined in this draft, and that the conditions under which those electors must operate may prevent them from taking advantage of the same procedures for expeditious absentee balloting that other electors can conveniently use. It may also be argued that the type of treatment proposed in this draft is not invidious, which may distinguish it from other situations. It is possible to argue, however, that the class of electors that is affected by this draft may not be drawn with sufficient closeness to provide the state with a sufficient basis for treating their ballots differently in every case. Because the Court does not appear to have ruled on this point, it is not possible to predict how the issue posed by this draft will be assessed.

14. Proposed s. 7.52 and related provisions authorize municipalities to canvass absentee ballots at an alternate site instead of at polling places as currently provided. Under the draft, the canvassing is performed by a separate board of absentee ballot canvassers consisting of 3 individuals. The canvassing may not begin earlier than the time that the polls open (7 a.m. on election day). Per s. 6.87 (6), stats., absentee ballots may be received as late as 8 p.m. on election day [the draft proposes to allow the ballots of military electors to be received later under certain conditions]. The canvassing of absentee ballots, except late ballots of military electors, may not be completed until the poll lists are returned from the polls together with the nonabsentee returns, because the absentee voters must be cross-checked against the voters casting nonabsentee returns to ensure that voters do not vote more than once. Under s. 7.51 (5) (b), stats, municipal election returns must be delivered to the counties no later than 2 p.m. on the day after an election [the draft proposes to change this time to 4 p.m.]. Under s. 7.60 (3), stats., county boards of canvassers must convene to canvass the municipal returns no later than 9 a.m. on the 2nd day after an election. Under these provisions, the feasibility of adopting an alternate site for absentee ballot canvassing will depend upon the population of the municipality and the turnout at an election. However, it is obvious that if a populous municipality attempts to use the proposed alternate procedure at a high-turnout election (and perhaps even at a low-turnout election), there will not be sufficient time to accomplish the task within the aggressive constraints provided in the draft. It is not unreasonable to assume that inspectors would take 90 minutes to canvass the absentee ballots in one ward at a high-turnout election in a populous municipality. In the city of Milwaukee, for example, if there are 220 wards, the canvassing time for one separate board to count all the absentee ballots might reasonably be estimated at 330 hours, not including the time required for the cross check.

15. Also with regard to the separate absentee ballot canvassing procedure under proposed s. 7.52, because informal election night returns will no longer include

Handwritten notes and arrows on the left margin:
 - A large downward-pointing arrow at the top.
 - A circled 'B' with 'Contel.' written below it.
 - A large downward-pointing arrow starting below 'B'.
 - A circled 'C' below the arrow.
 - A large downward-pointing arrow starting below 'C'.
 - The number '14' written next to the start of the arrow.
 - The number '15' written next to the end of the arrow.

absentee ballot returns in some cases, you may wish to consider requiring municipal clerks and boards of election commissioners to post the number of absentee ballots outstanding for their municipalities after the polls close on election night. This will permit candidates on election night to determine whether the absentee ballots outstanding could potentially shift the apparent results based on the the preliminary returns when all of the the absentee ballots are finally canvassed.

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cont'd.
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DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3947/P2dn
JTK:cjs:jf

December 2, 2005

Robert Conlin:

1. Section 5.68 (1) and (2), stats. relates to apportionment of the costs of acquisition of, among other things, election apparatus, ballots, supplies and other materials. Proposed s. 5.68 (3m) directs the election administration council to provide guidance to local governments covering the procurement of election apparatus, ballot forms and supplies. You may wish to consider broadening the scope of proposed s. 5.68 (3m) to cover ballots as well as ballot forms and to cover materials as well as supplies.

2. Proposed s. 6.22 (4) (c) provides that a military elector may indicate an alternate address on his or her absentee ballot application. Under the draft, if the elector's ballot is returned as undeliverable prior to the deadline for return of absentee ballots, the clerk must send or transmit an absentee ballot to the elector at the alternate address. Because under proposed s. 6.86 (1) (c) the deadline for military electors to request absentee ballots is 5 p.m. on the Friday before an election, the draft may not accord sufficient time in some situations for the clerk to mail an absentee ballot, have the ballot returned, and then mail an absentee ballot to an alternate site, and for the elector to receive and vote the ballot and have the voted ballot postmarked by election day.

3. Proposed s. 6.22 (5m) and related provisions, which permit military electors, as defined in s. 6.22 (1) (b), stats., to have their ballots delivered and counted after election day as long as they are postmarked by election day, would, in cases where a recount is requested, require canvasses to be reopened before a recount could proceed. It is difficult to say how much time might be used in the reopening of a canvass. However, because under current law most local elective officials take office either 7, 14 or 21 days after the date of the spring election, it is difficult currently in many cases to complete a recount in time for the winner to take office on the appointed day. The change could make it somewhat more difficult than it is currently. If an elective official cannot take office on time, it can have an effect upon who is appointed to other offices (such as county board chair or member of a city commission) whose terms begin shortly after the term of the elective official who appoints the official.

4. Also with respect to proposed s. 6.22 (5m) and related provisions, currently, under s. 7.15 (1) (cm), stats., municipalities must transmit absentee ballots to all absentee voters who have requested ballots, including the voters who are affected by this draft,

no later than 21 days before the spring election and no later than 30 days before the general election. Although calendar fluctuations can make this task more difficult or less difficult to complete within the time prescribed by law, as a general rule the time allotted for canvassing of the spring and September primaries and ballot preparation for the spring and general elections is used completely. Therefore, under this draft it is likely that, in municipalities where military electors do not return absentee ballots by election night, unless municipal clerks and boards of election commissioners exercise an unusual degree of initiative and municipalities agree to take on some additional costs for expedited printing service, absentee ballots could be distributed as late as approximately 15 days before the spring election and as late as approximately 24 days before the general election. This will make it more difficult for these ballots to be returned through the world mail system by election day. The voters who are affected by this draft will have extra time to return their ballots, but these voters could still be impacted to some degree by this change if their current ballot transit times are less than approximately seven days.

5. Proposed s. 6.22 (5m) permits the ballots of military electors to be counted under certain conditions if received after election day. Proposed s. 6.86 (1) (c) provides a later deadline for military electors to apply for an absentee ballot than is provided for other electors. Although these provisions generally provide a dispensation, the effect of the provisions is to create a procedure under which the ballots of electors may either be counted or not counted or absentee ballots may be provided or not provided based upon the status of the electors, which could raise an equal protection issue. The U.S. Supreme Court has sometimes approved distinctions made by states in the treatment of absentee voters. However, the Court has said that because voting is a fundamental right, any distinction made by a state will be subject to close scrutiny. See *McDonald v. Board of Election Commissioners*, 89 S. Ct. 1404, 1407 (1969), in which the Court, after applying this scrutiny, nevertheless permitted Illinois to make a distinction based upon prisoner status. One argument that could be advanced in support of this draft is that national security requires disparate treatment of the ballots of military electors, as defined in this draft, and that the conditions under which those electors must operate may prevent them from taking advantage of the same procedures for expeditious absentee balloting that other electors can conveniently use. It may also be argued that the type of treatment proposed in this draft is not invidious, which may distinguish it from other situations. It is possible to argue, however, that the class of electors that is affected by this draft may not be drawn with sufficient closeness to provide the state with a sufficient basis for treating their ballots differently in every case. Because the Court does not appear to have ruled on this point, it is not possible to predict how the issue posed by this draft will be assessed.

6. The treatment of s. 6.28 (1), stats., to change the deadline for voter registration from 13 days before an election to 20 days before an election will increase the number of voters who must register at an address where they do not expect to be residing on the 10th day before election day, which under s. 6.10 (1), stats., fixes an elector's voting residence. If moving from one election district to another, these electors will need to vote at the polling places serving their new residences and file address change forms

at those polling places. If the registration deadline were the same as the date on which an elector's voting residence is fixed, this process could be avoided.

7. This draft amends s. 6.33 (1), stats., and creates proposed s. 6.36 (4) to require new applicants for registration who possess a valid driver's license issued by another state to provide the name of the state, the license number, and the expiration date of the license. The draft then requires the Elections Board, following every general election, to contact the chief election official of each state that has issued a valid driver's license to an elector who votes in that election and to inquire whether the elector voted in the same election in that state. The committee's original draft provided for this contact to be made after every election, but since the general election is the only election held in this state that coincides with an election that is also held in every other state, and since it well may be legal for an elector to vote in one state and then vote in this state on a later date, I changed the draft to apply only to general elections. Please let me know if you would like to see this treated differently. The draft also provides for each applicant to enter the expiration date of his or her out-of-state license on his or her registration form, and for this verification to be made by the board at every general election for so long as the license remains valid. It should be noted that many holders of out-of-state licenses are recent arrivals who eventually apply for Wisconsin licenses. When an applicant receives a Wisconsin license, the Wisconsin DOT requires the applicant to surrender any valid out-of-state license that the applicant possesses. DOT then forwards the out-of-state license to the issuing state with instructions to cancel the license. Therefore, it is possible under the draft for voting inquiries to continue to be made after a license has been canceled. It would be desirable, therefore, to provide that DOT must forward information to the board regarding any out-of-state licenses that are surrendered to it so the board can stop its inquiries. In addition, although this license information remains confidential under the draft, it remains on the registration list forever and may therefore be a source of confusion in later years. You may wish to consider entering this information on a separate list because it will likely be used only for short-term purposes.

8. Proposed s. 6.34, which requires all electors to provide proof of residence when registering to vote and defines the only forms of proof that are acceptable, permits an elector to use as proof "[a]n official identification card or license issued by an employer in the normal course of business that contains a photograph of the license holder, but not including a business card." Because a significant portion of the voting population is self-employed or employed only within the same family, this provision in effect permits this portion of the electorate to create their own registration identification cards. You may wish to consider whether such a self-identification procedure effectuates your purpose in creating this new requirement. In addition, while some of the forms of acceptable proof of residence must be current, the proposed text permits an official identification card issued by a Wisconsin governmental body or unit that does not contain an expiration date, a bank statement, a paycheck, or a check or other document issued by any unit of government to be used as proof even if the document that is used is not current. You may wish to consider requiring that a document that does not contain an expiration date be dated within some period, for example one year, prior to the date of application for registration.

9. Under proposed s. 6.36 (5), the Elections Board prescribes a fee for obtaining a copy of the registration list that may exceed the cost of reproduction. The draft requires that revenues from fees received be shared between the state and local governments. Because the bill provides no appropriation to the board for use in depositing and dispensing fee revenues, any apportionment of revenues will necessitate requesters of copies to write multiple checks to all jurisdictions receiving revenues in the appropriate amounts. For a statewide list, the procedure approaches unworkability. Therefore, you may wish to add an appropriation or remove this provision from the draft and place it in separate legislation together with the necessary appropriation.

10. Currently, s. 6.56 (3), stats., requires each municipal clerk or board of election commissioners to conduct a postcard audit of voter registrations that occur at polling places on election day. This draft amends that subsection to require that either the clerk, board of election commissioners or elections board conduct the audits. It would be preferable to indicate in the draft who has primary responsibility to ensure that the audit is conducted, in case the parties should disagree over who should conduct the audit. Also in this connection, s. 6.56 (4), stats., requires municipal clerks to perform a similar audit of electors who appear to have voted more than once at an election. You may wish to adopt the same procedure for this audit. In addition, it should be noted that while polling place registrations are audited and mail registrations are confirmed under s. 6.32 (4), stats., (thereby ensuring that the voter's address is deliverable), and this draft proposes to extend confirmation requirements to all registrations not received in person by the municipal clerk or at by a deputy at another authorized location, there exists no similar audit or confirmation for registrations taken in person by the municipal clerk or by a deputy at another authorized location. You may wish to extend the confirmation/audit process to cover these registrations.

11. The treatment of s. 6.875 (6), stats., and proposed s. 6.875 (7), which require certain information to be posted in nursing and retirement homes and community-based residential facilities and which authorize representatives of political parties to enter the homes and facilities to observe absentee voting procedures, may be difficult to enforce given the fact that these homes and facilities are located on private property. If the owner of the property does not permit the posting or the entry of the observers, do you want to allow the voting at the home or facility to go forward?

12. Proposed s. 7.37 (13) directs an inspector to stand at the end of any line of voters waiting to vote when the polls close. Proposed s. 7.30 (1) (b) also permits municipalities to appoint an additional inspector who may be available to close the line of voters. If an additional inspector is not appointed or the additional inspector must be assigned to perform other work, and the inspectors are fully occupied (which would ordinarily be the case if there is a line of voters at closing time), you may wish to permit or direct the municipal clerk or board of election commissioners to assign another appropriate person to close the line at each polling place. The person could be an inspector, an employee of the clerk or board, or a police officer.

13. The treatment of s. 7.51 (5) (b), stats., by this draft changes the deadline for municipal election returns to be delivered to county clerks and boards of election commissioners from 2 p.m. on the day after an election to 4 p.m. on that day. Because

this time is closer to the end of the business day, it may increase the difficulty in dispatching a messenger to secure any late returns on that day. Closely tied to this deadline is the deadline of 9 a.m. on the Thursday following each election under s. 7.60 (3), stats., which is the latest that the county board of canvassers may begin its canvass. You may wish to consider pushing back this deadline to accommodate the revised municipal deadline provided in this draft.

14. Proposed s. 7.52 and related provisions authorize municipalities to canvass absentee ballots at an alternate site instead of at polling places as currently provided. Under the draft, the canvassing is performed by a separate board of absentee ballot canvassers consisting of 3 individuals. The canvassing may not begin earlier than the time that the polls open (7 a.m. on election day). Per s. 6.87 (6), stats., absentee ballots may be received as late as 8 p.m. on election day [the draft proposes to allow the ballots of military electors to be received later under certain conditions]. The canvassing of absentee ballots, except late ballots of military electors, may not be completed until the poll lists are returned from the polls together with the nonabsentee returns, because the absentee voters must be cross-checked against the voters casting nonabsentee returns to ensure that voters do not vote more than once. Under s. 7.51 (5) (b), stats, municipal election returns must be delivered to the counties no later than 2 p.m. on the day after an election [the draft proposes to change this time to 4 p.m.]. Under s. 7.60 (3), stats., county boards of canvassers must convene to canvass the municipal returns no later than 9 a.m. on the 2nd day after an election. Under these provisions, the feasibility of adopting an alternate site for absentee ballot canvassing will depend upon the population of the municipality and the turnout at an election. However, it is obvious that if a populous municipality attempts to use the proposed alternate procedure at a high-turnout election (and perhaps even at a low-turnout election), there will not be sufficient time to accomplish the task within the aggressive constraints provided in the draft. It is not unreasonable to assume that inspectors would take 90 minutes to canvass the absentee ballots in one ward at a high-turnout election in a populous municipality. In the city of Milwaukee, for example, if there are 220 wards, the canvassing time for one separate board to count all the absentee ballots might reasonably be estimated at 330 hours, not including the time required for the cross check.

15. Also with regard to the separate absentee ballot canvassing procedure under proposed s. 7.52, because informal election night returns will no longer include absentee ballot returns in some cases, you may wish to consider requiring municipal clerks and boards of election commissioners to post the number of absentee ballots outstanding for their municipalities after the polls close on election night. This will permit candidates on election night to determine whether the absentee ballots outstanding could potentially shift the apparent results based on the the preliminary returns when all of the the absentee ballots are finally canvassed.

16. This draft amends s. 8.37, stats., to require each school district clerk to file a copy of each proposed ballot measure or question with the county clerk of each county having territory within the school district no later than 42 days before the date of the referendum at which the measure or question appears on the ballot. Because under the same statute the question must be filed with the school district clerk no later than

the same date, you may wish to give the clerk at least one day after receiving the notice to prepare and transmit the notice to the appropriate county clerks. In addition, you may wish to extend this change to apply to clerks of all special purpose districts in which questions or measures are submitted.

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