

2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

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6-5
SECTION 1. 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 proof of residence under s. 6.34 or providing corroboration of residence, the inspectors shall permit the elector to cast his or her ballot for president 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; 2005 a. 451.

SECTION 2. 6.28 (1) of the statutes is amended to read:

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6.28 (1) REGISTRATION LOCATIONS; DEADLINE. Except as authorized in ss. 6.29, s. 6.55 (2), and 6.86 (3) (a) 2, registration in person for any election shall close at 5 p.m. on the 3rd Wednesday preceding the election. Registrations made by mail under s. 6.30 (4) must be delivered to the office of the municipal clerk or postmarked no later than the 14th day preceding the election.

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14th day

than the ~~3rd Wednesday~~ ^{14th day} preceding the election. All applications for registration corrections and additions may be made throughout the year at the office of the city board of election commissioners, at the office of the municipal clerk, at the office of the county clerk, or at other locations provided by the board of election commissioners or the common council in cities over 500,000 population or by either or both the municipal clerk, or the common council, village or town board in all other municipalities and may also be made during the school year at any high school by qualified persons under sub. (2) (a). Other registration locations may include but are not limited to fire houses, police stations, public libraries, institutions of higher education, supermarkets, community centers, plants and factories, banks, savings and loan associations and savings banks. Special registration deputies shall be appointed for each location unless the location can be sufficiently staffed by the board of election commissioners or the municipal clerk or his or her deputies. An elector who wishes to obtain a confidential listing under s. 6.47 (2) shall register at the office of the municipal clerk of the municipality where the elector resides.

History: 1971 c. 304 s. 29 (2); 1973 c. 166, 225, 334; 1975 c. 85, 199; 1977 c. 378, 394, 447; 1979 c. 32; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1989 a. 31, 192; 1991 a. 221; 1999 a. 49, 182; 2001 a. 38, 51; 2003 a. 265; 2005 a. 451.

SECTION 3. 6.32 (4) of the statutes is amended to read:

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6.32 (4) If the form is sufficient to accomplish registration and the clerk has no reliable information to indicate that the proposed elector is not qualified, the clerk shall enter the elector's name on the registration list and transmit a 1st class letter or postcard to the registrant, specifying the date of registration and the elector's ward or aldermanic district, or both, if any, and polling place. The letter or postcard shall be sent within 10 days of receipt of the form. If the letter or postcard is returned, or if the clerk is informed of a different address than the one specified by the elector, the clerk shall change the status of the elector on the list from eligible to ineligible. The letter or postcard shall

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be marked in accordance with postal regulations to ensure that it will be returned to the clerk if the elector does not reside at the address given on the letter or postcard.

History: 1975 c. 85, 199; 1977 c. 394; 1979 c. 260; 1983 a. 484; 2003 a. 265; 2005 a. 451.

~~SECTION 4. 6.33 (1) of the statutes is amended to read:~~

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6.33 (1) The board shall prescribe the format, size, and shape of registration forms. All forms shall be printed on cards and each item of information shall be of uniform font size, as prescribed by the board. The municipal clerk shall supply sufficient form to meet voter registration needs. The forms shall be designed 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~~¹⁴ days; whether the applicant has been convicted of a felony for which he or she has not been pardoned, and if so, whether the applicant is incarcerated, or on parole, probation, or extended supervision; whether the applicant is disqualified on any other ground from voting; and whether the applicant is currently registered to vote at any other location. The form shall include a space for the applicant's signature and the signature of any corroborating elector. The form shall include a space to enter the name of any special registration deputy under s. 6.26 or 6.55 (6) or inspector, municipal clerk, or deputy clerk under s. 6.55 (2) who obtains the form and a space for the deputy, inspector, clerk, or deputy clerk to sign his or her name, affirming that the deputy, inspector, clerk, or deputy clerk has accepted the form. The form 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 form shall also include

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a space where the clerk may record an indication of whether the form is received by mail, a space where the clerk may record an indication of the type of identifying document submitted by the elector as proof of residence under s. 6.34, whenever required, 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 county clerk shall obtain sufficient registration forms for completion by an elector who desires to register to vote at the office of the county clerk under s. 6.28 (4).

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; 2005 a. 451.

SECTION 5. 6.55 (2) (a) 1. of the statutes is amended to read:

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

“I, ..., hereby certify that, to the best of my knowledge, I am a qualified elector, having resided at ... for at least ~~10~~¹⁴ days immediately preceding this election, and I have not voted at this election.”

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History: 1971 c. 304 s. 29 (2); 1973 c. 222; 1975 c. 85, 93, 199, 200; 1977 c. 394, 427; 1979 c. 311; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 186; 2003 a. 265; 2005 a. 451.

SECTION 6. 6.55 (2) (b) of the statutes is amended to read:

6.55 (2) (b) Upon executing the registration form under par. (a), the elector shall provide proof of residence under s. 6.34. If the elector cannot provide proof of residence, the information contained in the registration form shall be corroborated in a statement that is signed by any elector who resides in the same municipality as the registering elector and that contains the current street address of the corroborating elector. The corroborator shall then provide proof of residence as provided in s. 6.34. If the elector is ~~registering to vote in~~ ^{transferring his or her registration at} the general election and the elector presents a valid driver's license issued by another state, the inspector or deputy shall record on a separate list the name and address of the elector, the name of the state, and the license number and expiration date of the license. The signing by the elector ~~executing the registration form~~ ^{who is transferring his or her} and by any corroborator shall be in the presence of ~~the special registration deputy or inspector~~ ^{plain} who shall then print his or her name on and sign the form, indicating that the deputy or inspector has accepted the form. Upon compliance with this procedure, the elector shall be permitted to cast his or her vote, if the elector complies with all other requirements for voting at the polling place.

History: 1971 c. 304 s. 29 (2); 1973 c. 222; 1975 c. 85, 93, 199, 200; 1977 c. 394, 427; 1979 c. 311; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 186; 2003 a. 265; 2005 a. 451.

SECTION 7. 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~~ ^{transferring registration} (2) 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; 2005 a. 451.

SECTION 8. 6.56 (3) of the statutes is amended to read:

6.56 (3) Upon receipt of the list under sub. (1), the municipal clerk or board of election commissioners shall make an audit of all electors ~~registering to vote at the polling place or other registration location under s. 6.55 (2) and all electors registering by agent on election day under s. 6.86 (3) (a) 2.~~ ^{transferring registration} unless the clerk or board

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of election commissioners receives notice from the board under sub. (7) that the board will perform the audit. The audit shall be made by 1st class postcard. The postcard shall be marked in accordance with postal regulations to ensure that it will be returned to the clerk, board of election commissioners, or elections board if the elector does not reside at the address given on the postcard. If any postcard is returned undelivered, or if the clerk, board of election commissioners, or elections board is informed of a different address than the one specified by the elector which was apparently improper on the day of the election, the clerk, board of election commissioners, or elections board shall change the status of the elector from eligible to ineligible on the registration list, mail the elector a notice of the change in status, and provide the name of the elector to the district attorney for the county where the polling place is located.

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; 2005 a. 451.

~~SECTION 9. 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 corroboration was made under s. 6.55 (2) ~~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; 2005 a. 451.

~~SECTION 10. 6.79 (2) (b) and (c) of the statutes are amended to read:~~

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6.79 (2) (b) Upon the poll list, after the name of each elector, the officials shall enter a serial number for each elector in the order that votes are cast, beginning with number one.

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; 2005 a. 451.

(c) The officials shall maintain separate lists for electors who are voting under s. 6.15, 6.29, or 6.55 (2) or (3) and electors who are reassigned from another polling place under s. 5.25 (5) (b) and shall enter the full name, address, and serial number of each of these electors on the appropriate separate list. Alternatively, if the poll list is maintained electronically, the officials may enter on the poll list the information that would otherwise appear on a separate list if the information that would be obtainable from a separate list is entered on the poll list.

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; 2005 a. 451.

SECTION 11. 6.79 (4) of the statutes is amended to read:

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6.79 (4) SUPPLEMENTAL INFORMATION. When any elector provides proof of residence under s. 6.15, ~~6.29~~ or 6.55 (2), 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 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".

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; 2005 a. 451.

SECTION 12. 6.86 (1) (c) of the statutes is amended to read:

6.86 (1) (c) If an application is made by mail by a military elector, as defined in s. 6.22 (1) (b), the application shall be received no later than 5 p.m. on the Friday immediately preceding the election.

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; 2005 a. 451.

SECTION 13. 6.86 (3) (c) of the statutes is amended to read:

6.86 (3) (c) An application under par. (a) 1 may be made ~~and a registration form~~ under par. (a) 2. [✓] may be filed in person at the office of the municipal clerk not earlier than 7 days before an election and not later than 5 p.m. on the day of the election. *this subsection*

A list of hospitalized electors applying for ballots under par. (a) 1. [✓] shall be made by the municipal clerk and used to check that the electors vote only once, and by absentee ballot. If the elector is registering for the election after the close of registration or if the elector registered by mail and has not voted in an election in this state, the municipal clerk shall inform the agent that proof of residence under s. 6.34 is required and the elector shall enclose proof of residence under s. 6.34 in the envelope with the ballot. The ballot shall be sealed by the elector and returned to the municipal clerk either by mail or by personal delivery of the agent; but if the ballot is returned on the day of the election, the agent shall make personal delivery to the polling place serving the hospitalized elector's residence before the closing hour or, in municipalities where absentee ballots are canvassed under s. 7.52, to the municipal clerk no later than 8 p.m. on election day. *this subsection*

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; 2005 a. 451.

SECTION 14. 6.87 (2) (form) of the statutes is amended to read:

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6.87 (2) (form)

[STATE 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~~¹⁴ 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:

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 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

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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; 2005 a. 451.

SECTION 15. 6.97 (1) of the statutes is amended to read:

6.97 (1) Whenever any individual who is required to provide proof of residence under s. 6.34 in order to be permitted to vote appears to vote at a polling place and cannot provide the required proof of residence, the inspectors shall offer the opportunity for the individual to vote under this section. If the individual wishes to vote, the inspectors shall provide the elector with an envelope marked "Ballot under s. 6.97, stats." on which the serial number of the elector is entered and shall require the individual to execute on the envelope a written affirmation stating that the individual is a qualified elector of the ward or election district where he or she offers to vote and is eligible to vote in the election. The inspectors shall, before giving the elector a ballot, write on the back of the ballot the serial number of the individual corresponding to the number kept at the election on the poll list or other list maintained under s. 6.79 and the notation "s. 6.97". If voting machines are used in the municipality where the individual is voting, the individual's vote may be received only upon an absentee ballot furnished by the municipal clerk which shall have the corresponding number from the poll list or other list maintained under s. 6.79 and

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the notation "s. 6.97" written on the back of the ballot by the inspectors before the ballot is given to the elector. When receiving the individual's ballot, the inspectors shall provide the individual with written voting information prescribed by the board under s. 7.08 (8). The inspectors shall indicate on the list the fact that the individual is required to provide proof of residence but did not do so. The inspectors shall notify the individual that he or she may provide proof of residence to the municipal clerk or executive director of the municipal board of election commissioners. The inspectors shall also promptly notify the municipal clerk or executive director of the name, address, and serial number of the individual. The inspectors shall then place the ballot inside the envelope and place the envelope in a separate carrier envelope.

History: 2003 a. 265; 2005 a. 253, 451.

SECTION 16. 6.97 (2) of the statutes is amended to read:

6.97 (2) Whenever any individual who votes by absentee ballot is required to provide proof of residence in order to be permitted to vote and does not provide the required proof of residence under s. 6.34, the inspectors shall write on the back of the absentee ballot the serial number of the individual corresponding to the number kept at the election on the poll list or other list maintained under s. 6.79 and the notation "s. 6.97". The inspectors shall indicate on the list the fact that the individual is required to provide proof of residence but did not do so. The inspectors shall promptly notify the municipal clerk or executive director of the municipal board of election commissioners of the name, address, and serial number of the individual. The inspectors shall then place the ballot inside an envelope on which the name and serial number of the elector is entered and shall place the envelope in a separate carrier envelope.

History: 2003 a. 265; 2005 a. 253, 451.

SECTION 17. 6.97 (3) of the statutes is amended to read:

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Handwritten annotations at the top include "JNS D" in a circle, "JNS B" in a circle, and "JNS C" in a circle.

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6.97 (3) Whenever the municipal clerk or executive director of the municipal board of election commissioners is informed by the inspectors that a ballot has been cast under this section, the clerk or executive director shall promptly provide written notice to the board of canvassers of each municipality, special purpose district, and county that is responsible for canvassing the election of the number of ballots cast under this section in each ward or election district. The municipal clerk or executive director then shall determine whether each individual voting under this section is qualified to vote in the ward or election district where the individual's ballot is cast. The municipal clerk or executive director shall make a record of the procedure used to determine the validity of each ballot. If, prior to 4 p.m. on the day after the election, the municipal clerk or executive director determines that the individual is qualified to vote in the ward or election district where the individual's ballot is cast, the municipal clerk or executive director shall notify the board of canvassers for each municipality, special purpose district and county that is responsible for canvassing the election of that fact.

History: 2003 a. 265; 2005 a. 253, 451.

~~SECTION 18. 7.30 (2) (a) of the statutes is amended to read:~~

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 7.30 (2) (a) Only election officials appointed under this section or s. 6.875 may conduct an election. Except as otherwise provided in this paragraph and in ss. 7.15 (1) (k) and 7.52 (1) (b), each election official shall be a qualified elector of the ward or wards, or the election district, for which the polling place is established. ~~A special registration deputy who is appointed under s. 6.55 (6) or an~~ [✓] ~~election official who is~~ ^{AN} appointed under this section to fill a vacancy under par. (b) need not be a resident of the ward or wards, or the election district, but shall be a resident of the municipality, except that if a municipal clerk or deputy clerk serves as a registration



deputy or is appointed to fill a vacancy under par. (b), the clerk or deputy clerk need not be a resident of the municipality, but shall be a resident of the state. No more than 2 individuals holding the office of clerk or deputy clerk may serve without regard to municipal residency in any municipality at any election. ~~Special registration deputies who are appointed under s. 6.55 (6) may be appointed to serve more than one polling place.~~ All officials appointed under this section shall be able to read and write the English language, be capable, and be of good understanding, and may not be a candidate for any office to be voted for at an election at which they serve. In 1st class cities, they may hold no public office other than notary public. Except as authorized under subs. (1) (b) and (4) (c), all inspectors shall be affiliated with one of the 2 recognized political parties which received the largest number of votes for president, or governor in nonpresidential general election years, in the ward or combination of wards served by the polling place at the last election. Excluding the inspector who may be appointed under sub. (1) (b), the party which received the largest number of votes is entitled to one more inspector than the party receiving the next largest number of votes at each polling place. Election officials appointed under this section may serve the electors of more than one ward where wards are combined under s. 5.15 (6) (b). If a municipality is not divided into wards, the ward requirements in this paragraph apply to the municipality at large.

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, 149, 451; s. 13.93 (2) (c).

26-17

SECTION# Am: 7.315 (1) (a) and (b) 1. (FWS 27-16)

7.315(1)(a)

(a) The board shall, by rule, prescribe the contents of the training that municipal clerks must provide to inspectors, other than chief inspectors, to special voting deputies appointed under s. 6.875, and to special registration deputies appointed under ss. 6.26 and 6.55 (6).

~~7.315(1)(b)1.~~

Each inspector other than a chief inspector and each special voting deputy appointed under s. 6.875 and special registration deputy appointed under s. 6.26 or 6.55 (6) shall view or attend at least one training program every 2 years. Except as provided in subd. 2., no individual may serve as an inspector, other than a chief inspector, as a special voting deputy under s. 6.875, or as a special registration deputy under s. 6.26 or 6.55 (6) at any election unless the individual has completed training for that election provided by the municipal clerk pursuant to rules promulgated under par. (a) within 2 years of the date of the election.

JNS 27-17

Section #. 7.37 (13) of the statutes is amended to read:

7.37 (13) CLOSING OF POLLS. For each polling place, the municipal clerk shall designate an official of the municipality who shall position himself or herself at the end of the line of individuals waiting to vote, if any at the time that the polls officially close. The official may be an inspector or special registration deputy appointed under s. 6.55 (6) who serves at that polling place, an employee of the municipal clerk or a police officer. Only individuals in line ahead of the official shall be permitted to vote under s. 6.78 (4).

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; 2005 a. 451.

INS 27-20

Section # Am; 17.29

~~17.29~~

17.29 Effect of chapter. The provisions of this chapter supersede all contrary provisions in either the general law or in special acts, except ss. 6.26 (2) (b), 6.28 (2) (b), ~~6.55 (6)~~, 6.875, and 7.30 relating to appointed election officials and ch. 21 relating to the military staff of the governor and to officers of the Wisconsin national guard; and shall govern all offices whether created by general law or special act, unless otherwise specially provided.

Subcommittee # Am., 6.36(5)

ANS 11-8:2

6.36(5) ⁽⁵⁾

(5) After each general election, the board shall contact the chief election official of each state from which an elector who voted in that election presented a valid driver's license under s. ~~6.29 (2) (a)~~, 6.55 (2) (b) or (c) 1, ~~or 6.86 (3) (a) 2~~. for so long as the license remains valid. The board shall inquire whether the holder of the driver's license voted in that election in that state.

7ms 14-13

Section #. 6.55 (2) (c) 1. of the statutes is amended to read:

6.55 (2) (c) 1. As an alternative to ^{transferring} registration at the polling place under pars. (a) and (b), the board of election commissioners, or the governing body of any municipality may by resolution require a person who qualifies as an elector and who is not registered and desires to register on the day of an election to do so ^{at} ~~at~~ another readily accessible location in the same building as the polling place serving the elector's residence or at an alternate polling place assigned under s. 5.25 (5) (b), instead of at the polling place serving the elector's residence. In such case, the municipal clerk shall prominently post a notice of the registration location ^{at} ~~at~~ the polling place. The elector who desires to register shall ~~execute~~ ^{transfer his or her registration by executing} a registration form as prescribed under par. (a) and provide proof of residence as provided under s. 6.34. If the elector cannot provide proof of residence, the information contained in the registration form shall be corroborated in the manner provided in par. (b). If the elector is registering to vote in the general election and the elector presents a valid driver's license issued by another state, the municipal clerk, deputy clerk, or special registration deputy shall record on a separate list the name and address of the elector, the name of the state, and the license number and expiration date of the license. The signing by the elector executing the registration form and by any corroborator shall be in the presence of the municipal clerk, ^{or} ~~deputy clerk or special registration deputy~~. The municipal clerk, ^{or} ~~the deputy clerk, or the special registration deputy~~ shall then print his or her name and sign the form, indicating that the clerk, ^{or} ~~deputy clerk, or deputy~~ has accepted the form. Upon proper completion of registration, the municipal clerk, ^{or} ~~deputy clerk or special registration deputy~~ shall serially number the registration and give one copy to the elector for presentation at the polling place serving the elector's residence or an alternate polling place assigned under s. 5.25 (5) (b).

History: 1971 c. 304 s. 29 (2); 1973 c. 222; 1975 c. 85, 93, 199, 200; 1977 c. 394, 427; 1979 c. 311; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 186; 2003 a. 265; 2005 a. 451.

ANS 15-13

Section # Am; 6.55(2)(cs)

6.55(2)(~~cs~~)

(cs) The board shall provide to each municipal clerk a list prepared for use at each polling place showing the name and address of each person whose name appears on the list provided by the department of corrections under s. ~~301.03 (20)~~ 301.03 (20m) as ineligible to vote on the date of the election, whose address is located in the area served by that polling place, and whose name does not appear on the poll list for that polling place. Prior to permitting an elector to register to vote under this subsection or s. ~~6.86 (3) (a)~~ 20 the inspectors or special registration deputies shall review the list. If the name of an elector who wishes to register to vote appears on the list, the inspectors or special registration deputies shall inform the elector or the elector's agent that the elector is ineligible to register to vote. If the elector or the elector's agent maintains that the elector is eligible to vote in the election, the inspectors or special registration deputies shall permit the elector to register but shall mark the elector's registration form as "ineligible to vote per Department of Corrections." If the elector wishes to vote, the inspectors shall require the elector to vote by ballot and shall challenge the ballot as provided in s. 6.79 (2) (dm).

Section # RA; 6.55(3)(a) ^x [20516-5]
6.55(3)

6.55(3)(a) (a) Any qualified elector in the ward or election district where the elector desires to vote whose name does not appear on the registration list but who claims to be registered to vote in the election may request permission to vote at the polling place for that ward or election district. When the request is made, the inspector shall require the person to give his or her name and address. If the elector is not at the polling place which serves the ward or election district where the elector resides, the inspector shall provide the elector with directions to the correct polling place. ~~If the elector is at the correct polling place, the elector shall complete registration as provided in sub. (2).~~

Section # RP; 6.55(3)(b) ^x

INS 11-8:1

Section #. 6.34 (2) of the statutes is amended to read:

6.34 (2) ~~Except as authorized in ss. 6.29 (2) (a) and 6.86 (3) (a) 2., upon completion of a registration form prescribed under s. 6.33, each elector who is required to register under s. 6.27, who is not a military elector or an overseas elector and who registers after the close of registration under s. 6.29 or 6.86 (3) (a) 2., shall provide an identifying document that establishes proof of residence under sub. (3).~~ Each elector who is required to register under s. 6.27 who is not a military elector or an overseas elector who registers by mail, and who has not voted in an election in this state shall, if voting in person, provide an identifying document that establishes proof of residence under sub. (3) or, if voting by absentee ballot, provide a copy of an identifying document that establishes proof of residence under sub. (3). If the elector registered by mail, the identifying document may not be a residential lease.

~~History: 2005 a. 451 ss. 40, 43, 44.~~

✓
S. 7.15(1)(L) Am; 7.15(1)(L)

Par 26 - 8

7.15(1)(L)

(L) Compile and, no later than 7 days after each general election, transmit to the board the lists of electors registering to vote under ss. ~~6.29 (2) (a)~~, ~~6.55 (2) (b) and (c) 1.~~ and ~~6.86 (3) (a) 2.~~ who presented valid drivers' licenses issued by other states. The clerk shall withhold access to the lists from inspection or copying under s. 19.35 (1).

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

LRB-0971/1dn

JTK... *kjf*

Date

Representative Jeskewitz:

percent *third*
1. The 2005 legislature made extremely extensive changes to registration and voting laws. As a result, you will notice that 75% of the statutes treated by this draft are different in some way than the statutes or treatment that appeared in 2005 AB-782, upon which this draft is based. Among the changes that I needed to account for in this draft were the requirement for a statewide registration list, elimination of authorization for municipal clerks and boards of election commissioners to add names to a registration list after the registration deadline, advancement of the registration deadline from the 2nd Wednesday to the 3rd Wednesday before an election, and deletion of authorization for an elector who claims to be registered but whose name does not appear on the registration list to vote without reregistering.

second *NOTA* *these changes*
(If you have any questions regarding this draft, please let me know.)

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



DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

-0971/1dn
LRB-3780/1dn
JTK:lmk&wlj:jf

October 4, 2005

~~Representative Jeskewitz:~~

2. 1. If enacted, this draft will activate certain requirements under the National Voter Registration Act (NVRA) from which this state is currently exempt. Primarily, these requirements include voter registration simultaneously with motor vehicle driver's license applications and renewals, voter registration at any office that provides public assistance, voter registration at any office that primarily provides state-funded services to persons with disabilities, and voter registration at armed forces recruiting offices. This act exempts any state which, since May 20, 1993, has continuously permitted all voters in federal elections to "... register to vote at the polling place at the time of voting" 42 USC 1973gg-2 (b) (2). The federal Help America Vote Act of 2002 (HAVA) also contains a provisional balloting procedure for all electors who vote at polling places in elections for federal office whenever their ballots are not accepted, but states that are exempt from compliance with NVRA under 42 USC 1973gg-2 (b) are not covered by this procedure. Under this draft, this state will no longer qualify for this exemption, thereby making the federal provisional balloting procedures effective at federal elections held in this state. The draft does not make any of the statutory changes that will be needed to implement the NVRA and HAVA requirements. If enacted, this can be accomplished in trailer legislation.

2. This draft generally creates a new registration deadline of 5 p.m. on the 14th day before an election. However, the draft permits a registered elector who has changed his or her name *or who has moved to a new residence within the same ward or election district* to update his or her registration on election day. See proposed s. 6.55 (1) and (2). Under the NVRA the state is required to permit a registered elector who changes his or her residence within a ward or election district to update his or her registration at the polls on election day. See 42 USC 1973gg-6 (e) (1). Let me know if this treatment is not consistent with your intent.

3. To coordinate with the close of registration, this draft generally requires an individual to reside in this state for 14 days before an election to be eligible to vote.

4. This draft repeals s. 6.15 (3) (b), stats., which currently permits unregistered electors who have resided in this state for less than ten days to vote in a presidential election at the polls on election day. Under this draft, unregistered electors who have resided in this state for less than 14 days may vote at the municipal clerk's office not

sooner than 14 days nor later than 5 p.m. on the day before the presidential election.
As under current law, these electors may only vote for president and vice president.

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0971/1dn
JTK:kjf:jf

February 1, 2007

Representative Jeskewitz:

1. The 2005 legislature made extremely extensive changes to registration and voting laws. As a result, you will notice that 75 percent of the statutes treated by this draft are different in some way than the statutes or treatment that appeared in 2005 AB-782, upon which this draft is based. Among the changes that I needed to account for in this draft were the requirement for a statewide registration list, elimination of authorization for municipal clerks and boards of election commissioners to add names to a registration list after the registration deadline, advancement of the registration deadline from the second Wednesday to the third Wednesday before an election, and deletion of authorization for an elector who claims to be registered but whose name does not appear on the registration list to vote without reregistering. If you have any questions regarding these changes, please let me know.

2. If enacted, this draft will activate certain requirements under the National Voter Registration Act (NVRA) from which this state is currently exempt. Primarily, these requirements include voter registration simultaneously with motor vehicle driver's license applications and renewals, voter registration at any office that provides public assistance, voter registration at any office that primarily provides state-funded services to persons with disabilities, and voter registration at armed forces recruiting offices. This act exempts any state which, since May 20, 1993, has continuously permitted all voters in federal elections to "... register to vote at the polling place at the time of voting" 42 USC 1973gg-2 (b) (2). The federal Help America Vote Act of 2002 (HAVA) also contains a provisional balloting procedure for all electors who vote at polling places in elections for federal office whenever their ballots are not accepted, but states that are exempt from compliance with NVRA under 42 USC 1973gg-2 (b) are not covered by this procedure. Under this draft, this state will no longer qualify for this exemption, thereby making the federal provisional balloting procedures effective at federal elections held in this state. The draft does not make any of the statutory changes that will be needed to implement the NVRA and HAVA requirements. If enacted, this can be accomplished in trailer legislation.

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

Barman, Mike

From: Rep.Jeskewitz
Sent: Wednesday, February 28, 2007 4:52 PM
To: LRB.Legal
Subject: Draft Review: LRB 07-0971/1 Topic: Polling place registration abolished; registration deadline changed

Please Jacket LRB 07-0971/1 for the ASSEMBLY.