

**ASSEMBLY BILL 225**

This bill deletes the current prohibition on disbursements by corporations and cooperatives. The bill permits a corporation, cooperative, or other entity that is not organized exclusively for political purposes to make independent disbursements. Under the bill, a corporation, cooperative, or other entity that makes independent disbursements is not subject to periodic reporting requirements on account of such activity. However, a corporation, cooperative, or other entity that makes independent disbursements in an amount or value exceeding \$750 in the aggregate within a calendar year must register with the appropriate filing officer, file reports concerning the independent disbursements, and include an attribution on communications financed by the disbursements. The bill also permits corporations and cooperatives to make contributions to committees that make disbursements independently of any candidate or authorized committee or agent of a candidate. Under the bill, no such committee may make a contribution to a candidate. The bill provides that corporations and cooperatives that make such contributions are not subject to periodic reporting requirements for that activity, including disclosure of sources of income, except with respect to any contribution that is received for the express purpose of making those contributions, but any committee that receives such a contribution is subject to registration and periodic reporting requirements, as currently provided for such committees.

***Communications with members of certain entities***

Current law permits any corporation, cooperative, unincorporated cooperative association, or voluntary association to make a disbursement for the purpose of communicating only with its members to endorse a candidate, explain its views or interests, or take a position on a referendum without being subject to reporting requirements for this activity. This bill clarifies that any such communication, while remaining exempt from the reporting requirement, may include information on how a member may contribute to an endorsed candidate.

***Communications by legislators***

Currently, with certain exceptions, no person who is elected to state or local office and who becomes a candidate for national, state, or local office may use public funds for the cost of materials or distribution of 50 or more pieces of substantially identical material distributed during the period beginning on the first day for circulation of nomination papers as a candidate (or certain other dates for candidates who do not file nomination papers) and ending on the date of the election at which the person's name appears on the ballot, or on the date of the primary election at which the person's name so appears if the person is not nominated at the primary.

This bill provides that this prohibition does not apply to the cost of materials or distribution of a communication made by a member of the legislature to an address located within the legislative district represented by that member during the 45-day period following declaration of a state of emergency by the governor affecting any county in which the district is located if the communication relates solely to the subject of the emergency.

*substitute amendment*

*Amendment 3-A*

**ASSEMBLY BILL 225**

**LOBBYING**

***Campaign contributions by lobbyists***

Currently, a lobbyist may make a campaign contribution to a partisan elective state official or candidate for partisan elective state office in the year of the official's or candidate's election between June 1 and the day of the election. This bill extends the time during which a lobbyist may make such a contribution to between the first day authorized by law for the circulation of nomination papers as a candidate and the day of the election.

include in reading

**ELECTION ADMINISTRATION**

***Proof of identification requirement***

Currently, with certain exceptions, an elector who votes in an election must present proof of identification in order to vote. The proof may consist of one of a number of documents specified by law that contains the name of the individual to whom the document was issued, which name conforms to the individual's voter registration, if the individual is registered to vote, and with limited exceptions, that contains a photograph of the individual. With certain exceptions, an elector who casts an absentee ballot by mail must enclose a copy of his or her proof of identification in the envelope containing his or her ballot. One form of acceptable proof of identification is a Wisconsin driver's license or identification card issued by the Department of Transportation. An individual who applies for a Wisconsin operator's license or identification card may be exempted from the current requirement to be photographed under narrowly defined circumstances.

This bill permits a veterans identification card issued by the Veterans Health Administration of the federal Department of Veterans Affairs to be used as proof of identification if the card contains the name of the person to whom it is issued and a photograph of the individual.

The bill also exempts an elector from the requirement to provide proof of identification if the elector appears at the polling place serving his or her residence on election day and swears or affirms before the chief inspector and submits a signed statement affirming either that 1) he or she considers himself or herself to be indigent and cannot obtain proof of identification without payment of a fee; 2) he or she has a religious objection to being photographed; or 3) he or she cannot obtain the documentation required to obtain proof of identification. The bill provides that if an elector submits such a statement, the elector's ballot is marked in the same manner as a challenged ballot and the board of canvassers that determines the election or conducts a recount may review and determine the validity of the elector's ballot. The bill also provides that the municipal clerk or board of election commissioners of the elector's municipality of residence may investigate the qualifications of any elector who submits a statement under the bill and advise the municipal board of canvassers of his or her findings.

***Proof of residency for voter registration***

With limited exceptions, current law requires each person who is an eligible elector and who wishes to vote in this state to first register. In certain circumstances, an eligible elector must submit proof of residence with his or her registration form

**ASSEMBLY BILL 225**

*P. 2*

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*(See also Electronic registration.)*

or prior to being permitted to vote. For example, a person who registers in the clerk's office of his or her municipality within 20 days of an election must provide proof of residence in order to obtain registration. Current law provides a list of qualifying identifying documents and specifies the information that must appear on those documents. Identifying documents must contain the registrant's name and current address and qualifying identifying documents include a real estate tax bill, a bank statement, and a current and valid Wisconsin driver license or identification card.

This bill prohibits an elector from providing an identifying document that is displayed electronically to establish proof of residence; the identifying document must be provided in hard-copy form. The bill adds to the list of qualifying identifying documents a bill for cellular or wireless telephone service for the period commencing no earlier than 90 days before election day and a credit card statement for the period commencing no earlier than 90 days before election day.

*submit amendment*

Under current law, the GAB must compile and maintain an official registration list. The registration list must contain specific information about each registered elector in the state, including the elector's name, address, date of birth, and an indication of how the elector's registration form was received. This bill requires the board to include on the official registration list an indication of whether an elector was required to provide proof of residence and, if so, the type of identifying document submitted by the elector as proof of residence.

*from a financial institution*

***Poll book signature requirement***

Currently, with limited exceptions, an elector voting in person at a polling place must enter his or her signature on the poll list or a similar list before being permitted to vote. After entering his or her signature, the election officials mark the poll list to indicate that the elector has voted and, unless voting machines are used, give the elector a ballot. Under current law, with certain exceptions, the election laws are to be interpreted to give effect to the will of the electors if that can be ascertained from the proceedings, notwithstanding failure to fully comply with some of their provisions. When the ballots cast at an election are used to recount the votes cast for an office or question, the officials compare the number of ballots cast to the number of voting electors, according to the poll list. After certain other categories of defective ballots are removed from the count, if the number of voting electors still exceeds the number of ballots, the officials conducting the recount draw a number of ballots at random from the remaining ballots until the number of voting electors equals the number of ballots.

This bill provides that, for purposes of a recount, an elector shall not be considered to be a voting elector if he or she is required to sign the poll list and does not do so.

***Challenging an elector's registration during a recount***

Currently, any person may object to the validity of an elector's registration by filing an objection with the municipal clerk or board of election commissioners before election day or with the inspectors at a polling place on election day. If a challenge is made to an elector's registration on election day, the elector's ballot is marked for review of the challenge during any recount that may be held. Currently, during the recount of an election, the board of canvassers conducting the recount compares the

*Insert Analysis TTK 7 2 TTK*

**Residency of election officials**

Current law generally requires election officials to be qualified electors of the municipality in which the officials serve. In addition, current law generally requires election officials who serve at a polling place to be qualified electors of the ward for which the polling place is established, whenever a municipality is divided into wards. However, special registration deputies who register electors at a polling place on election day, election officials who are appointed to work at a polling place that serves more than one ward, election officials who are reassigned by a municipal clerk or board of election commissioners to correct staffing deficiencies, or election officials who are appointed to fill a temporary or permanent vacancy need not be electors of any particular ward, but must be qualified electors of the municipality in which they serve. Officials who are appointed to work at a polling place that serves more than one ward must be electors of one of the wards served by the polling place. A high school pupil who is 16 or 17 years of age may serve as an inspector (poll worker) at the polling place serving his or her residence. In addition, if the municipal clerk or the executive director of a board of election commissioners or a deputy to the clerk or executive director serves as a special registration deputy or is appointed to work at a polling place to fill a vacancy in an inspector position, the clerk, executive director, or deputy need not be a resident of the municipality in which he or she serves.

*Insert 7-3 TTK*

This substitute amendment provides, with certain exceptions, that an individual who serves as an election official at a polling place on election day need be an elector only of a county in which the municipality where the official serves is located. An individual who serves as the chief inspector at a polling place must be a qualified elector of the municipality where he or she serves unless no qualified candidate is available or the chief inspector is appointed to fill a temporary vacancy. A high school pupil who serves as an inspector must continue to meet the current residency requirement.

*Under the substitute amendments*

*may serve*

*at a polling place located in the county in which the pupil's residence is located*

**Recall petition requirements**

Under current law, a petition for the recall of a city, village, town, town sanitary district, or school district officer, in addition to other requirements, must indicate a reason for the recall that is related to the officer's official responsibilities. Under this substitute amendment, any person who wishes to circulate a petition for the recall of a city, village, town, town sanitary district, or school district officer must include with the person's registration under the campaign finance laws a statement indicating that the officer for whom the recall is sought has been charged with committing a crime or violating a code of ethics law applicable to local officials. The person must also include a copy of the criminal or civil complaint alleging the crime or violation.

**OTHER CHANGES**

**Prohibitions on certain expenditures by school districts**

Current law generally limits the amount of per pupil revenue a school district may receive from general school aids and property taxes to the amount of revenue allowed per pupil in the previous school year. A school board may adopt a resolution

**ASSEMBLY BILL 225**

number of voted ballots to the number of voting electors as indicated on the poll lists or supplemental lists. If, after certain other defective ballots are set aside, the number of voted ballots still exceeds the number of voting electors, the board draws down, at random, a number of voted ballots equal to the excess number before recounting the voted ballots and these ballots are not counted during the recount.

This bill provides that, in determining the number of voting electors, the board of canvassers must hear and decide any objection to the validity of the registration of an elector who registered on election day. Under the bill, if the board of canvassers determines that the registration of an elector who registered on election day is invalid, the board reduces the number of voting electors by one in performing the drawdown of voted ballots, whenever a drawdown is required.

***Witness addresses on absentee ballot certificates***

Under current law, in order to vote using an absentee ballot, an individual must complete a certificate, which certifies that the individual is a qualified elector. The individual must sign the certificate in the presence of a witness who must also sign the certificate and provide his or her name and address. Under this bill, an absentee ballot may not be counted if the certificate is missing the address of a witness.

***Nominees to the Government Accountability Board***

Under current law, the governor appoints members of the GAB from nominations submitted by the board's candidate committee. Current law requires the candidate committee to submit at least two nominations to fill one vacancy on the GAB, three nominations to fill two vacancies, five nominations to fill three vacancies, six nominations to fill four vacancies, and seven nominations to fill five vacancies. This bill doubles the number of nominations the candidate committee must submit to the governor.

***Securing ballot containers***

Under current law, election inspectors take all ballots counted by them and secure the ballots together so that they cannot be separated or tampered with without breaking a seal. The inspectors then put the secured ballots into a ballot container and secure the container so that it cannot be opened without breaking a seal or lock or without destroying the container. Under this bill, only the chief inspector and one other inspector whose party affiliation is different than the chief inspector's party affiliation may secure the ballot container.

***Party representation at the polls***

Currently, polling places are staffed principally by election inspectors. Unless a municipality decides to increase or decrease the number of inspectors, there are seven inspectors at each polling place. With certain exceptions, the individuals who are appointed as inspectors at a polling place are drawn from nominations submitted by the political parties whose candidates for president or governor received the most votes in the area served by the polling place at the preceding general election, with the party whose candidate received the most votes entitled to fill one more position than the other party.

This bill provides that whenever two or more inspectors are required to perform a function within a polling place and both parties that are entitled to submit

*(Poll workers)*

*JWS  
7C  
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*slightly  
amendment*



**ASSEMBLY BILL 225**

ANS 7C JTK, cmtd.

nominees have done so, the chief inspector must assign, insofar as practicable, an equal number of inspectors from the nominees of each party.

**Registration**

This bill requires the municipal clerk, clerk's agent, and other individuals authorized to accept receipt of a registration form from an elector to enter on the registration form or poll list, and in some cases both the registration form and poll list, the type of identifying document submitted by the elector as proof of residence when proof of residence is required of the elector.

**Voting by absentee ballot in person**

Under current law, a person may apply to the municipal clerk in person to vote using an absentee ballot. In-person applications to vote using an absentee ballot may be made beginning on the third Monday preceding the election and ending on the later of 5 p.m. or the close of business on the Friday preceding the election.

Under this bill, in-person applications to vote using absentee ballots may be received only Monday to Friday between the hours of 7:30 a.m. and 6 p.m., except that an individual may make an appointment with the actual city, town, or village clerk, as appropriate, so that the clerk, not a member of the clerk's staff or a designated agent, may receive the individual's application made in person after 6 p.m. or anytime on Saturday or Sunday, not including the Saturday and Sunday after the Friday preceding the election.

**Reporting of election returns by municipalities**

Currently, the voters of each ward vote at the same polling place, which is generally separate from other polling places in a municipality. Election returns are reported by ward unless otherwise authorized by law. Currently, no later than 60 days before each September primary and general election, and no later than 30 days before each other election, the governing body of a municipality may combine two or more wards for voting purposes to permit the use of a common polling place. In municipalities with a population of 35,000 or more, a municipality must continue to report all election returns by ward even where wards are combined for voting purposes at a single location. Other municipalities may report returns for combined wards together unless a separate ballot is required in a partisan election, in which case separate returns must be reported for the offices listed on each separate ballot so that the results of the various elections may be determined.

Under this bill, any municipality having a population of 35,000 or more may provide that election returns for any ward having a population of 20 or less will be combined with returns for any adjacent ward, unless separate returns are required to determine the results of an election. A municipality, however, may not combine wards if the total population of the combined wards would exceed the applicable population range for wards in that municipality. The bill allows the municipal clerk to estimate ward populations for the purpose of combining returns if the population cannot be determined from census results.

**Fees for election recounts**

Currently, any candidate who receives votes in an election and any elector who votes in a referendum may petition for a recount of the votes cast. If the difference

**ASSEMBLY BILL 225**

number of voted ballots to the number of voting electors as indicated on the poll lists or supplemental lists. If, after certain other defective ballots are set aside, the number of voted ballots still exceeds the number of voting electors, the board draws down, at random, a number of voted ballots equal to the excess number before recounting the voted ballots and these ballots are not counted during the recount.

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*substitute amendment*

*from*

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*Amend 7-D*

**ASSEMBLY BILL 225**

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Amend 7<sup>th</sup> E

substitute amendment



**ASSEMBLY BILL 225**

*Substitute amendment*

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 ten votes if 1,000 or fewer votes are cast or more than 0.5 percent but not more than 2 percent of the total votes if more than 1,000 votes are cast, the petitioner must pay a fee of \$5 per ward or \$5 per municipality if a municipality is not divided into wards. The bill increases that amount to \$25 per ward or \$25 per municipality if a municipality is not divided into wards.

**Special elections**

This bill makes various changes in the laws governing special elections.

1. Currently, when a vacancy in the office of a U.S. senator or representative in congress from this state occurs, the vacancy is filled by special election ordered by the governor unless the vacancy occurs between the second Tuesday in April and the second Tuesday in May in the year of the general election in which case it is filled at the general election. This bill provides, in addition, that whenever a U.S. senator or representative in congress is elected to another office after the beginning of his or her term, and the term of the new office or the period during which the senator or representative is eligible to assume office begins prior to the end of the senator's or representative's original term of office, the governor may call a special election to fill the seat of the senator or representative in anticipation of a vacancy, upon receipt of notice of the written resignation of that senator or representative that is effective on a date not later than the date of the proposed special election.

2. Currently, when a special election must be ordered to fill a vacancy in any of the following, the special election must be held within a designated period following the order: the office of a U.S. senator or representative of this state; certain executive state offices; judicial and legislative state offices; county, city, village, and town offices; the office of municipal judge; and the office of member of the board of school directors of the Milwaukee Public Schools. Under current law, with two exceptions, the date for the special election may not be not less than 62 nor more than 77 days from the date of the order:

a. If the special election is to be held on the day of the general election or to fill a vacancy in a national office, the order must precede the partisan primary or special primary, respectively, by not more than 122 days and by no fewer than 92 days.

b. If the special election is to be held on the day of the spring election, the order must precede the spring primary by not more than 92 days and by not fewer than 49 days.

This bill eliminates the maximum number of days between which a special election may be ordered and held.

3. Current law imposes restrictions on the timing of a special election ordered to fill a vacancy in a judicial office that occurs after the date of the spring election but on or before December 1:

a. If the vacancy occurs in the office of circuit judge, the vacancy must be filled at the succeeding spring election.

b. If the vacancy occurs in the office of court of appeals judge, the vacancy must be filled at the first succeeding spring election when no other court of appeals judge is to be elected from the same court of appeals district.

**ASSEMBLY BILL 225****LOBBYING*****Campaign contributions by lobbyists***

Currently, a lobbyist may make a campaign contribution to a partisan elective state official or candidate for partisan elective state office in the year of the official's or candidate's election between June 1 and the day of the election. This bill extends the time during which a lobbyist may make such a contribution to between the first day authorized by law for the circulation of nomination papers as a candidate and the day of the election.

substitute amendment

**ELECTION ADMINISTRATION*****Proof of identification requirement***

Currently, with certain exceptions, an elector who votes in an election must present proof of identification in order to vote. The proof may consist of one of a number of documents specified by law that contains the name of the individual to whom the document was issued, which name conforms to the individual's voter registration, if the individual is registered to vote, and with limited exceptions, that contains a photograph of the individual. With certain exceptions, an elector who casts an absentee ballot by mail must enclose a copy of his or her proof of identification in the envelope containing his or her ballot. One form of acceptable proof of identification is a Wisconsin driver's license or identification card issued by the Department of Transportation. An individual who applies for a Wisconsin operator's license or identification card may be exempted from the current requirement to be photographed under narrowly defined circumstances.

This bill permits a veterans identification card issued by the Veterans Health Administration of the federal Department of Veterans Affairs to be used as proof of identification if the card contains the name of the person to whom it is issued and a photograph of the individual.

The bill also exempts an elector from the requirement to provide proof of identification if the elector appears at the polling place serving his or her residence on election day and swears or affirms before the chief inspector and submits a signed statement affirming either that 1) he or she considers himself or herself to be indigent and cannot obtain proof of identification without payment of a fee; 2) he or she has a religious objection to being photographed; or 3) he or she cannot obtain the documentation required to obtain proof of identification. The bill provides that if an elector submits such a statement, the elector's ballot is marked in the same manner as a challenged ballot and the board of canvassers that determines the election or conducts a recount may review and determine the validity of the elector's ballot. The bill also provides that the municipal clerk or board of election commissioners of the elector's municipality of residence may investigate the qualifications of any elector who submits a statement under the bill and advise the municipal board of canvassers of his or her findings.

***Proof of residency for voter registration***

With limited exceptions, current law requires each person who is an eligible elector and who wishes to vote in this state to first register. In certain circumstances, an eligible elector must submit proof of residence with his or her registration form

~~the form of poll list signatures; eligibility of indefinitely confined electors for absentee ballots; the procedure for receiving the ballots of assisted electors;~~

INS 7A: JTK

**Verification of certain loans made to registrants**

This substitute amendment provides that if any campaign finance registrant reports that the registrant has received a loan in amount exceeding \$10,000, GAB must, upon request of any individual, require the registrant to substantiate the source and amount of the loan. Currently, GAB requires substantiation only in connection with a routine audit or an investigation of possible unlawful activity.

INS 7B: JTK

**Failure of indefinitely confined electors to return absentee ballots**

Currently, an elector who is indefinitely confined may direct the municipal clerk or board of election commissioners of the municipality where he or she resides to send an absentee ballot to the elector for every election. The clerk or board must discontinue this service if the elector fails to return an absentee ballot. Under this substitute amendment, the clerk or board must discontinue this service if the elector fails to return an absentee ballot for two successive regular elections.

**Poll list signature format**

Currently, GAB is directed to prescribe, by rule, the space and location for entry of an elector's signature on a poll list at a polling place. This substitute amendment deletes the rule making requirement and instead directs GAB to determine the space and location for entry of an elector's signature on a poll list at a polling place.

**Voting by assisted electors**

Currently, if the inspectors (poll workers) are informed that an eligible elector is at the entrance to the polling place and cannot enter because of a disability, the inspectors must bring the elector's ballot together with the poll list to the polling place entrance and accept the elector's ballot at the entrance. This bill provides that the inspectors shall maintain a supplemental poll list for these assisted electors which shall be in the form prescribed by GAB.

STET

SRT

pollworkers

~~INS 9-1: JTK~~



Amend 17-21  
JTK

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

6.36 (2) (a) Except as provided in par. (b), each registration list prepared for use as a poll list at a polling place or for purposes of canvassing absentee ballots at an election 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 or the poll list number used by the municipal board of absentee ballot canvassers in canvassing absentee ballots; an indication next to the name of each elector for whom proof of residence under s. 6.34 is required; a space for entry of the elector's signature, or if another person signed the elector's registration form for the elector by reason of the elector's physical disability, the word "exempt"; and a form of certificate bearing the certification of the administrator of the elections division 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. The board shall, ~~by rule, prescribe~~ determine the space and location for entry of each elector's signature on the poll list ~~which.~~ The board shall provide for entry of the elector's signature without changing the orientation of the poll list from the orientation used by the election officials.

History: 1971 c. 304 s. 29 (2); 1976 c. 85; 1977 c. 394 ss. 21, 22, 53; 1999 a. 49; 2003 a. 265, 327; 2005 a. 451; 2007 a. 1, 52, 96; 2011 a. 23, 75.

**SECTION 3.** 6.79 (1m) of the statutes is renumbered 6.79 (1).

**SECTION 3.** 6.79 (2) (c) of the statutes is amended to read:

6.79 (2) (c) The officials shall maintain separate lists for electors who are voting under s. 6.15, 6.29, ~~or~~ 6.55 (2) or (3) <sup>or</sup> 6.82 (1) 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

Amend  
19-16  
JTK



information that would be obtainable from a separate list is entered on the poll list.

The board shall prescribe the form of the separate list for electors voting under s. 6.82

(1).<sup>✓</sup>

**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; 2007 a. 96; 2011 a. 23.

**SECTION 4.** 6.86 (2) (b) of the statutes is amended to read:

6.86 (2) (b) The mailing list established under this subsection shall be kept current through all possible means. If an elector fails to cast and return an absentee ballot received under this subsection in 2 successive regular elections, the clerk shall notify the elector by 1st class letter or postcard that his or her name will be removed from the mailing list unless the clerk receives a renewal of the application within 30 days of the notification. The clerk shall remove from the list the name of each elector who does not apply for renewal within the 30-day period. The clerk shall remove the name of any other elector from the list upon request of the elector or upon receipt of reliable information that an elector no longer qualifies for the service. The clerk shall notify the elector of such action not taken at the elector's request within 5 days, if possible.

*end of 19-16 JTK*

**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; 2011 a. 23, 75, 115, 227.

**SECTION 5.** 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) (am) 2. and (3), 6.55 (2), 6.79 (2) (c), and 6.86 (2) to (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; 2005 a. 177, 278, 451; 2007 a. 1, 20, 96; 2009 a. 28; 2011 a. 23, 32, 45, 75, 227.



~~INS 12-15: JAC~~

**SECTION 6.** 11.066 of the statutes is created to read:

**11.066 Verification of certain loans.** If any registrant files a report indicating that the registrant has received a loan in an amount exceeding \$10,000, the board shall, upon request of any individual, require the registrant to substantiate the source and amount of the loan.

*insert 29-20 JTK*

**ASSEMBLY BILL 225**

1 ~~(c) To fill 3 vacancies, 5 10 nominations.~~

2 ~~(d) To fill 4 vacancies, 6 12 nominations.~~

3 ~~(e) To fill 5 vacancies, 7 14 nominations.~~

Insert  
11-33K

4 ~~SECTION 4.~~ 5.15 (6) (b) of the statutes is amended to read:

5 5.15 (6) (b) No later than 30 days before each election, the governing body of

6 any municipality may by resolution combine 2 or more wards for voting purposes to

7 facilitate using a common polling place. Whenever wards are so combined, the

8 original ward numbers shall continue to be utilized for all official purposes. Except

9 as otherwise authorized under this paragraph, every municipality having a

10 population of 35,000 or more shall maintain separate returns for each ward so

11 combined. In municipalities having a population of 35,000 or more, the governing

12 body may provide in a resolution that returns for any ward having a population of

13 20 or less be combined with returns for any adjacent ward, if the total population of

14 the combined wards does not exceed the applicable population range under sub. (2)

15 (b) for wards in that municipality. In municipalities having a population of less than

16 35,000, the governing body may provide in the resolution that returns shall be

17 maintained only for each group of combined wards at any election. Whenever a

18 governing body provides ~~for common ballot boxes and ballots or voting machines,~~

19 that returns shall be maintained only for combined wards under this paragraph, the

20 municipality shall report separate returns shall be maintained results for each

21 separate ballot required under ss. ~~5.62 and 5.58 to 5.64 at the partisan primary and~~

22 ~~general election.~~ The municipal clerk shall transmit a copy of the resolution to the

23 county clerk of each county in which the municipality is contained. In municipalities

24 having a population of less than 35,000, the resolution shall remain in effect for each

25 election until modified or rescinded, or until a new division is made under this



## ASSEMBLY BILL 225

## SECTION 4

1 section. Whenever needed for purposes of this paragraph, the municipal clerk shall  
2 determine the population of each ward in his or her municipality. If the population  
3 of a ward cannot be determined from census results, the clerk shall determine the  
4 population of the smallest unit encompassing the entire ward that can be determined  
5 from census results. The clerk shall then divide the land area of the ward by the land  
6 area of that unit. The clerk shall then multiply that result by the population of the  
7 unit to determine the population of the ward for purposes of this paragraph.

8 **SECTION 5.** 5.35 (6) (a) 2. of the statutes is amended to read:

9 5.35 (6) (a) 2. A copy of the election fraud laws provided in s. 12.13 (1) and (3)  
10 (intro), (d), (f), (g), (k), (L), (o), (q), (r), (u), and (x), together with the applicable  
11 penalties provided in s. 12.60 (1). The materials described in this subdivision shall  
12 be positioned so that the electors entering the polling place approach and pass by the  
13 materials.

14 **SECTION 6.** 5.90 (1) of the statutes is amended to read:

15 5.90 (1) Except as otherwise provided in this subchapter, recounts of votes cast  
16 on an electronic voting system shall be conducted in the manner prescribed in s. 9.01.  
17 Except as provided in this subsection, sub. (2), and s. 9.01 (1) (b) 8s., if the ballots are  
18 distributed to the electors, the board of canvassers shall recount the ballots with  
19 automatic tabulating equipment. The board of canvassers shall test the automatic  
20 tabulating equipment to be used prior to the recount as provided in s. 5.84, and then  
21 the official ballots or the record of the votes cast shall be recounted on the automatic  
22 tabulating equipment. In addition, the board of canvassers shall check the ballots  
23 for the presence or absence of the initials and other distinguishing marks, shall  
24 examine the ballots marked "Rejected", "Defective" and "Objected to" to determine  
25 the propriety of such labels, and shall compare the "Duplicate Overvoted Ballots"

**ASSEMBLY BILL 225**

*1-3 OK*

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*and may determine to conduct the recount by hand for only certain wards or election districts*  
and "Duplicate Damaged Ballots" with their respective originals to determine the correctness of the duplicates. Unless a court orders a recount to be conducted by another method under sub. (2), the board of canvassers may determine to conduct the recount of a specific election by hand. If electronic voting machines are used, the board of canvassers shall perform the recount using the permanent paper record of the votes cast by each elector, as generated by the machines. *end of insert 1-3 OK*

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**SECTION 7.** 6.15 (2) (bm) of the statutes is amended to read:

~~6.15 (2) (bm) Except as authorized in s. 6.79 (7), when making application in person at the office of the municipal clerk, each applicant shall present proof of identification. If any document presented by the applicant is not proof of residence under s. 6.34, the applicant shall also present proof of residence under s. 6.34. The clerk shall verify that the name on the proof of identification presented by the elector conforms to the name on the elector's application and, shall verify that any photograph appearing on that document reasonably resembles the elector, and shall enter the type of identifying document submitted by the elector as proof of residence on the application form.~~

**SECTION 8.** 6.29 (2) (b) of the statutes is amended to read:

~~6.29 (2) (b) 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 enter the type of identifying document submitted by the elector as proof of residence on the registration form and 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.~~

ASSEMBLY BILL 225

SECTION 9

1 SECTION 9. 6.34 (2) of the statutes is amended to read:

2 6.34 (2) Upon completion of a registration form prescribed under s. 6.33, each  
3 eligible elector who is required to register under s. 6.27, who is not a military elector  
4 or an overseas elector, and who registers after the close of registration under s. 6.29  
5 or 6.86 (3) (a) 2., shall provide an one of the identifying document that establishes  
6 documents specified under sub. (3) to establish proof of residence under sub. (3).

7 Each eligible elector who is required to register under s. 6.27, who is not a military  
8 elector or an overseas elector, who registers by mail, and who has not voted in an  
9 election in this state shall, if voting in person, provide an one of the identifying  
10 document that establishes documents specified under sub. (3) to establish proof of  
11 residence under sub. (3) or, if voting by absentee ballot, provide a copy of an  
12 identifying document specified under sub. (3) that establishes proof of residence  
13 under sub. (3). If the elector registered by mail, the identifying document may not  
14 be a residential lease. Any identifying document provided to establish proof of  
15 residence under this section may not be displayed electronically, but must be  
16 provided in hard-copy form.

17 SECTION ~~10~~. 6.34 (3) (a) 8. of the statutes is amended to read:

18 6.34 (3) (a) 8. A utility bill, including a bill for cellular or wireless telephone  
19 service, for the period commencing not earlier than 90 days before the day  
20 registration is made.

21 SECTION ~~11~~. 6.34 (3) (a) 12. of the statutes is created to read:

22 6.34 (3) (a) 12. A credit card statement for the period commencing not earlier  
23 than 90 days before the day registration is made.

24 SECTION 12. 6.36 (1) (a) of the statutes is amended to read:

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INSERT TO INSERT (9-1) (TKK)

1 SECTION ~~#~~ 6.34 (3) (a) 9. of the statutes is amended to read:

2 6.34 (3) (a) 9. A ~~bank~~ statement from a financial institution, as defined under <sup>in</sup>

3 s. 705.01 (3).

History: 2005 a. 451 ss. 40, 43, 44; 2011 a. 23.

**ASSEMBLY BILL 225**

**SECTION 41**

1 appeals judge, at the first succeeding spring election when no other court of appeals  
 2 judge is to be elected from the same court of appeals district; or, if in the office of  
 3 justice, at the first succeeding spring election when no other justice is to be elected.  
 4 A vacancy in the office of justice, court of appeals judge, or circuit judge occurring  
 5 after ~~December~~ August 1 and on or before the date of the succeeding spring election  
 6 shall be filled, if in the office of circuit judge, at the 2nd succeeding spring election;  
 7 if in the office of court of appeals judge, at the first spring election, beginning with  
 8 the 2nd succeeding spring election, when no other court of appeals judge is to be  
 9 elected from the same court of appeals district; or, if in the office of justice, at the first  
 10 spring election, beginning with the 2nd succeeding spring election, when no other  
 11 justice is to be elected.

12 2. If a vacancy in the office of justice, court of appeals judge, or circuit judge  
 13 occurs after ~~December~~ August 1 and on or before the date of the succeeding spring  
 14 election as the result of the resignation of the incumbent, if an election for that seat  
 15 is scheduled to be held at the succeeding spring election and if the incumbent is not  
 16 a candidate to succeed himself or herself, the vacancy shall be filled at the regularly  
 17 scheduled election.

18 **SECTION 42.** 9.01 (1) (ag) 1m. of the statutes is amended to read:

19 9.01 (1) (ag) 1m. If the difference between the votes cast for the leading  
 20 candidate and those cast for the petitioner or the difference between the affirmative  
 21 and negative votes cast upon any referendum question is at least 10 if 1,000 or less  
 22 fewer votes are cast or is more than ~~0.5%~~ 0.5 percent but not more than ~~2%~~ 2 percent  
 23 if more than 1,000 votes are cast following canvassing of all valid provisional and  
 24 absentee ballots, the petitioner shall pay a fee of \$5 \$25 for each ward for which the

*Insert  
24-1  
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## ASSEMBLY BILL 225

1 petition requests a ballot recount, or \$5 \$25 for each municipality for which the  
2 petition requests a recount where no wards exist.

3 **SECTION 43.** 9.01 (1) (b) (intro.) of the statutes is amended to read:

4 9.01 (1) (b) (intro.) The proper board of canvassers shall reconvene no earlier  
5 than 9 a.m. on the day following delivery of notice to all candidates under sub. (2) and  
6 no later than 9 a.m. on the day following the last day for filing of a petition. The  
7 municipal clerk shall provide the board of canvassers with all ballots, registrations  
8 under s. 6.55 (2), and other voting materials relating to the election except  
9 information to which access is restricted under s. 6.36 (1) (b). The board of canvassers  
10 shall then proceed to recount the ballots in the wards or municipalities specified and  
11 to review the allegations of fact contained in the petition or petitions. The recount  
12 shall proceed for each ward or municipality as follows:

13 **SECTION 44.** 9.01 (1) (b) 1. of the statutes is amended to read:

14 9.01 (1) (b) 1. The board of canvassers shall first compare the poll lists and  
15 determine the number of voting electors. In determining the number of voting  
16 electors, the board of canvassers shall hear and decide any objection to the validity  
17 of a voting elector's registration under s. 6.55 (2). If the board of canvassers  
18 determines that the registration of the voting elector is invalid, the board of  
19 canvassers shall reduce the number of voting electors accordingly. If an elector has  
20 voted in person at a polling place and is required to sign the poll list but does not do  
21 so, the elector shall not be considered a voting elector.

22 **SECTION 45.** 9.10 (2) (b) of the statutes is amended to read:

23 9.10 (2) (b) A recall petition for a city, village, town, town sanitary district, or  
24 school district office officer shall contain a statement of a reason for the recall which  
25 is related to the official responsibilities of indicating that the official for whom

## ASSEMBLY BILL 225

## SECTION 27

~~1 aldermanic district or ward within the municipality, and if a municipal clerk or  
2 deputy clerk fills the vacancy, the clerk or deputy, but not more than a total of 2  
3 individuals in any municipality, may serve without regard to the clerk's or deputy's  
4 municipality county of residence, if the clerk or deputy meets the other  
5 qualifications.~~

6 **SECTION 28.** 7.41 (3) (intro.) and (a) of the statutes are amended to read:

7 7.41 (3) (intro.) The chief inspector or municipal clerk may order the removal  
8 of any individual exercising the right under sub. (1) if that individual commits an  
9 overt act which does any of the following:

10 (a) Disrupts the operation of the polling place, clerk's office, or alternate site  
11 under s. 6.855; or,

12 **SECTION 29.** 7.51 (2) (cm) of the statutes is created to read:

13 7.51 (2) (cm) The board of canvassers may review the validity of any ballot  
14 submitted with a statement under s. 6.79 (3) (c) 2. in the same manner as provided  
15 for challenged ballots under s. 6.95.

16 **SECTION 30.** 7.51 (3) (a) of the statutes is amended to read:

17 7.51 (3) (a) The inspectors shall place together all ballots counted by them  
18 which relate to any national, state or county office or any state, county or technical  
19 college district referendum and secure them together so that they cannot be untied  
20 or tampered with without breaking the seal. The secured ballots together with any  
21 ballots marked "Defective" shall then be secured by the inspectors chief inspector,  
22 and, if available, one other inspector whose party affiliation is different <sup>from</sup> (than) the  
23 chief inspector's party affiliation, in the ballot container in such a manner that the  
24 container cannot be opened without breaking the seals or locks, or destroying the  
25 container. The inspectors shall place the ballots cast under s. 6.97 in a separate,

Amend  
22-9 JK

**ASSEMBLY BILL 225**

Insert 22-9 JK

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1 securely sealed carrier envelope which is clearly marked "Section 6.97 ballots". The  
2 chief inspector and 2 other inspectors shall sign the carrier envelope. The carrier  
3 envelope shall not be placed in the ballot container. The inspectors shall then deliver  
4 the ballots to the municipal clerk in the ballot container and carrier envelope.

**SECTION 31.** 7.52 (8) of the statutes is amended to read:

5  
6 7.52 (8) The board of absentee ballot canvassers shall make full and accurate  
7 return of the votes cast for each candidate and proposition on the tally sheet forms.  
8 Each tally sheet shall record the returns for each office or referendum by ward,  
9 unless combined returns are authorized in accordance with s. 5.15 (6) (b), in which  
10 case the tally sheet shall record the returns for each group of combined wards. After  
11 recording the votes, the board of absentee ballot canvassers shall seal in a carrier  
12 envelope outside the ballot bag or container one inspector's statement under sub. (4)  
13 (d), one tally sheet, and one poll list for delivery to the county clerk, unless the  
14 election relates only to municipal or school district offices or referenda. The board  
15 of absentee ballot canvassers shall also similarly seal one statement, one tally sheet,  
16 and one poll list for delivery to the municipal clerk.

**SECTION 32.** 8.05 (3) (d) of the statutes is amended to read:

17  
18 8.05 (3) (d) The question of adoption of the nonpartisan primary under this  
19 subsection may be submitted to the electors at any regular an election authorized  
20 under s. 8.065 (2) to be held in the town or at a special election called for the purpose.  
21 When a petition requesting adoption of the nonpartisan primary conforming to the  
22 requirements of s. 8.40 and signed by at least 20 electors of the town is filed with the  
23 town clerk as provided in s. 8.37, the question shall be submitted to a vote.

**SECTION 33.** 8.05 (3) (e) of the statutes is amended to read:

24

ASSEMBLY BILL 225

SECTION 26

(JTK)  
ANS 22-9, 10.1

1 for any referendum shall conform to s. 5.64 (2). If there is already an official  
2 municipal referendum ballot for the election, the question may appear on the same  
3 ballot.

4 SECTION 27. 7.30 (2) (a) ~~and (b)~~ of the statutes <sup>is</sup> are amended to read:

5 7.30 (2) (a) Only election officials appointed under this section or s. 6.875 may  
6 conduct an election. Except as otherwise provided in this paragraph and in ss. 7.15  
7 (1) (k) and 7.52 (1) (b), each election official shall be a qualified elector of the ward

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~~or wards, or the election district, for a county in which the polling place is established.~~

~~A special registration deputy who is appointed under s. 6.55 (6) or an election official  
who is 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 where the official serves is located, and each chief  
inspector shall be a qualified elector of the municipality in which the chief inspector  
serves. If no qualified candidate for chief inspector is available or if the chief  
inspector is appointed to fill a vacancy under par. (b), the person so appointed need~~

~~not be a qualified elector of the municipality. If a municipal clerk or deputy clerk~~

17 serves as a registration deputy or is appointed to fill a vacancy under par. (b), the

18 clerk or deputy clerk need not be a resident of the municipality county, but shall be

19 a resident of the state. No more than 2 individuals holding the office of clerk or

20 deputy clerk may serve without regard to municipal county residency in any

21 municipality at any election. Special registration deputies who are appointed under

22 s. 6.55 (6) may be appointed to serve more than one polling place. All officials

23 appointed under this section shall be able to read and write the English language,

24 be capable, and be of good understanding, and may not be a candidate for any office

25 to be voted for at an election at which they serve. In 1st class cities, they may hold



ASSEMBLY BILL 225

MS 22-9 (JTK) p. 2  
Cont'd.

1 no public office other than notary public. Except as authorized under subs. (1) (b) and  
2 (4) (c), all inspectors shall be affiliated with one of the 2 recognized political parties  
3 which received the largest number of votes for president, or governor in  
4 nonpresidential general election years, in the ward or combination of wards served  
5 by the polling place at the last election. Excluding the inspector who may be  
6 appointed under sub. (1) (b), the party which received the largest number of votes is  
7 entitled to one more inspector than the party receiving the next largest number of  
8 votes at each polling place. ~~Election officials appointed under this section may serve~~

9 ~~the electors of more than one ward where wards are combined under s. 5.15 (6) (b).~~

10 ~~If a municipality is not divided into wards, the ward requirements in this paragraph~~

11 ~~apply to the municipality at large. Whenever 2 or more inspectors are required to~~

12 ~~perform a function within a polling place and both parties that are entitled to submit~~

13 ~~nominees have done so, the chief inspector shall assign, insofar as practicable, an~~

14 ~~equal number of inspectors from the nominees of each party.~~

15 (b) When a vacancy occurs in an office under this section, the vacancy shall be

16 filled by appointment of the municipal clerk. Unless the vacancy occurs in the

17 position of an inspector appointed under sub. (1) (b), the vacancy shall be filled from

18 the remaining names on the lists submitted under sub. (4) or from additional names

19 submitted by the chairperson of the county party committee of the appropriate party

20 under sub. (4) whenever names are submitted under sub. (4) (d). If the vacancy is

21 due to candidacy, sickness or any other temporary cause, the appointment shall be

22 a temporary appointment and effective only for the election at which the temporary

23 vacancy occurs. The same qualifications that applied to original appointees shall be

24 required of persons who fill vacancies except that ~~a vacancy may be filled in cases~~

25 ~~of emergency or because of time limitations by a person who resides in another~~

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↓



State of Wisconsin  
2013 - 2014 LEGISLATURE



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Insert 22+9 (TKK) p3

ASSEMBLY AMENDMENT,  
TO ASSEMBLY BILL 225

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 26, line 4: delete “and (b) of the statutes are” and substitute “of the  
3 statutes is”.

4 **2.** Page 26, line 14: delete the material beginning with “If no candidate” and  
5 ending with “of the municipality.” on line 16.

6 **3.** Page 27, line 11: after “at large.” insert “Each inspector appointed from a  
7 list of names submitted under sub. (4) (b) by one of the 2 dominant parties shall be  
8 a qualified elector of the municipality in which he or she serves as an inspector.”.

9 **4.** Page 27, line 14: after that line insert:

10 ~~20~~ SECTION ~~21E~~ 7.30 (2) (am) of the statutes is amended to read:

11 7.30 (2) (am) Except as otherwise provided in this paragraph, a pupil who is  
12 16 or 17 years of age and who is enrolled in grades 9 to 12 in a public or private school  
13 or in a tribal school, as defined in s. 115.001 (15m), may serve as an inspector at the

1 a polling place serving located in the county in which the pupil's residence is located,  
2 with the approval of the pupil's parent or guardian. Any pupil who has at least a 3.0  
3 grade point average or the equivalent may serve. In addition, a school board or  
4 governing body of a private school or tribal school may establish criteria for service  
5 by a pupil who does not have at least a 3.0 grade point average or the equivalent.  
6 A pupil may serve as an inspector at a polling place under this paragraph only if at  
7 least one election official at the polling place other than the chief inspector is a  
8 qualified elector of this state. No pupil may serve as chief inspector at a polling place  
9 under this paragraph. Before appointment by any municipality of a pupil as an  
10 inspector under this paragraph, the municipal clerk shall obtain written  
11 authorization from the pupil's parent or guardian for the pupil to serve for the  
12 election for which he or she is appointed. In addition, if a pupil does not have at least  
13 a 3.0 grade point average or the equivalent, the municipal clerk shall obtain written  
14 certification from the principal of the school where the pupil is enrolled that the pupil  
15 meets any criteria established by the school board or governing body for service as  
16 an inspector. Upon appointment of a pupil to serve as an inspector, the municipal  
17 clerk shall notify the principal of the school where the pupil is enrolled of the name  
18 of the pupil and the date of the election at which the pupil has been appointed to  
19 serve.

20 **SECTION 27m.** 7.30 (2) (b) of the statutes is amended to read:".

21 **5.** Page 27, line 15: delete "(b)" and substitute:

22 "7.30 (2) (b)".

23 **6.** Page 28, line 5: after that line insert:

24 "SECTION 27s. 7.30 (4) (dm) of the statutes is created to read:

1 a temporary appointment and effective only for the election at which the temporary  
2 vacancy occurs. The same qualifications that applied to original appointees shall be  
3 required of persons who fill vacancies except that ~~a vacancy may be filled in cases~~  
4 ~~of emergency or because of time limitations by a person who resides in another~~  
5 ~~aldermanic district or ward within the municipality, and if a municipal clerk or~~  
6 ~~deputy clerk meets the other qualifications and fills the vacancy, the clerk or deputy,~~  
7 but not more than a total of 2 individuals in any municipality, may serve without  
8 regard to the clerk's or deputy's ~~municipality~~ county of residence, ~~if the clerk or~~  
9 ~~deputy meets the other qualifications.~~

10 **SECTION 2.** 7.30 (4) (b) 1. of the statutes is amended to read:

11 7.30 (4) (b) 1. In cities where there is a board of election commissioners, the  
12 aldermanic district ~~committeemen or committeewomen~~ committee members under  
13 s. 8.17 of each of the 2 dominant recognized political parties shall submit a certified  
14 list no later than November 30 of each odd-numbered year containing the names of  
15 at least as many nominees as there are inspectors from that party for each of the  
16 voting wards in the aldermanic district. The committee members shall include the  
17 address of each nominee in the list and may, for not more than 50 percent of the  
18 positions to be filled, specify the ward for which the nominee is nominated to serve.  
19 For inspectors serving under s. 7.52 (1) (b), the aldermanic district ~~committeemen~~  
20 ~~and committeewomen~~ committee members under s. 8.17 of the 2 dominant  
21 recognized political parties shall jointly submit a certified list of nominees containing  
22 at least twice as many nominees as there are inspectors from that party who are to  
23 be appointed under s. 7.52 (1) (b). The chairperson may designate any individual  
24 whose name is submitted as a first choice nominee. The board of election  
25 commissioners shall appoint, no later than December 31 of odd-numbered years, at

## ASSEMBLY BILL 18

22-9 p.6

1 least 5 inspectors for each ward. The board of election commissioners shall appoint  
2 all first choice nominees and, for at least 50 percent of the positions being filled, shall  
3 appoint those nominees who are nominated to serve at the polling place for a  
4 specified ward to serve at the polling place for that ward for so long as positions are  
5 available, unless nonappointment is authorized under par. (e), ~~and.~~ The board of  
6 election commissioners shall appoint other individuals in its discretion. ~~The board~~  
7 ~~of election commissioners~~ and may designate such alternates as it deems advisable.

8 SECTION 3. 7.30 (4) (b) 2. of the statutes is amended to read:

9 7.30 (4) (b) 2. a. In ~~municipalities~~ a municipality other than ~~cities and villages~~  
10 a city or village located in ~~counties~~ a county having a population of more than  
11 500,000, ~~the committees~~ each committee organized under s. 8.17 from each of the 2  
12 dominant parties described under sub. (2) shall submit a list containing at least as  
13 many names as there are needed appointees from that party. ~~The list shall be~~  
14 ~~submitted by the chairperson of each of the 2 committees~~ shall submit the list to the  
15 mayor, president, or chairperson of the municipality. If committees are organized in  
16 subdivisions of a city, ~~the list shall be submitted through the chairperson of the city~~  
17 ~~committee~~ shall submit the list. If there is no municipal committee, ~~the list shall be~~  
18 ~~submitted by the chairperson of the county or legislative district committee~~ shall  
19 submit the list. The appropriate committee or chairperson shall include the address  
20 of each nominee and the municipality for which the nominee is nominated to serve  
21 in the list and may, for not more than 50 percent of the positions to be filled within  
22 a municipality, specify the ward, if any, for which the nominee is nominated to serve.  
23 Except as provided in par. (c), only those persons submitted by the chairperson of  
24 each committee under s. 8.17 may act as election officials. The chairperson may  
25 designate any individual whose name is submitted as a first choice nominee. The list

## ASSEMBLY BILL 18

22-9 P.7

## SECTION 3

1 ~~shall contain the signature of the chairperson and secretary of the submitting~~  
2 ~~committee shall sign the list.~~

3 b. In ~~cities~~ a city or villages ~~village~~ located in ~~counties~~ a county having a  
4 population of more than 500,000, other than ~~cities~~ a city where there is a board of  
5 election commissioners, the aldermanic district or village ~~committeeman or~~  
6 ~~committeewoman~~ committee member for the ward or wards where each polling place  
7 is located, if there is one, or, for inspectors servng to be appointed under s. 7.52 (1)  
8 (b), the ~~committeemen and committeewomen~~ committee members for the  
9 municipality acting jointly, shall submit a list containing at least as many names as  
10 there are needed appointees for inspector positions from the party represented by the  
11 ~~committeeman or committeewoman~~ committee member or by the ~~committeemen and~~  
12 ~~committeewomen~~ committee members acting jointly. ~~For appointments of~~  
13 Nominations for inspectors to be appointed in cities and villages ~~a city or village~~  
14 where there is no aldermanic district or village ~~committeeman or committeewoman,~~  
15 ~~nominations~~ committee member shall proceed in the same manner as in  
16 ~~municipalities~~ a municipality located in ~~counties~~ a county having a population of  
17 500,000 or less. The ~~list~~ appropriate committee member, committee members, or  
18 chairperson shall be ~~submitted~~ submit the list to the mayor or president. ~~The~~  
19 appropriate committee member, committee members, or chairperson shall include  
20 the address of each nominee and the municipality for which the nominee is  
21 nominated to serve in the list and may, for not more than 50 percent of the positions  
22 to be filled within a municipality, specify the ward, if any, for which the nominee is  
23 nominated to serve. Except as provided in par. (c), only those persons whose names  
24 are submitted as provided in this paragraph may act as election officials. The  
25 ~~committeeman or committeewoman~~ appropriate committee member, committee

- 7 -  
22-9 P. 8

1 members, or chairperson may designate any individual whose name is submitted as  
2 a first choice nominee. ~~The list shall contain the signature of the~~ committee member  
3 of the aldermanic district or village ~~committeeman or committeewoman~~ or the  
4 chairperson of the appropriate committee shall sign the list.

5 c. Upon submission of each nominee's name, the governing body shall appoint  
6 each first choice nominee for so long as positions are available, unless  
7 nonappointment is authorized under par. (e), and shall appoint other nominees in its  
8 discretion. In addition, for at least 50 percent of the positions being filled, the  
9 governing body shall appoint those nominees who are nominated to serve at the  
10 polling place for a specified ward to serve at the polling place for that ward, unless  
11 nonappointment is authorized under par. (e). If any nominee is not appointed, the  
12 mayor, president, or chairperson of the municipality shall immediately nominate  
13 another person from the appropriate lists submitted and continue until the  
14 necessary number of election officials from each party is achieved at that meeting.

15 SECTION 4. 7.30 (4) (e) of the statutes is amended to read:

16 7.30 (4) (e) If an appointing authority believes that, for good cause, it should  
17 not appoint an individual whose name is submitted as a first choice nominee under  
18 par. (b) or it should not appoint an individual who is nominated as an inspector for  
19 a specified ward to serve in the ward specified, it may request the board to authorize  
20 nonappointment. The board or the attorney general may permit nonappointment of  
21 an individual for cause demonstrated by an appointing authority. If the board finds  
22 that there is good cause for nonappointment of an individual, the individual may,  
23 within 30 days of issuance of the board's decision, appeal the decision of the board  
24 to the attorney general, who may affirm or reverse the decision of the board.

25 SECTION 5. 227.52 (8) of the statutes is created to read:

Insert 81-18

encl 1  
22-9



**2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBs0081/?insJoe  
JK:.....

**Insert 26 - 11**

1           **SECTION 1.** 11.05 (1) of the statutes is amended to read:

2           11.05 (1) COMMITTEES AND GROUPS. Except as provided in s. 9.10 (2) (d), every  
3 committee other than a personal campaign committee which makes or accepts  
4 contributions, incurs obligations, or makes disbursements in a calendar year in an  
5 aggregate amount in excess of ~~\$25~~ \$500, and every political group subject to  
6 registration under s. 11.23 shall file a statement with the appropriate filing officer  
7 giving the information required by sub. (3). In the case of any committee other than  
8 a personal campaign committee, the statement shall be filed by the treasurer. A  
9 personal campaign committee shall register under sub. (2g) or (2r).

History: 1973 c. 334; 1975 c. 93, 199, 200; 1977 c. 427; 1979 c. 328; 1979 c. 355 s. 241; 1981 c. 314 s. 146; 1983 a. 484; 1985 a. 303 ss. 7 to 15r, 86; 1987 a. 370, 391, 403; 1989 a. 192; 2001 a. 109; 2003 a. 321; 2005 a. 177; 2009 a. 313.

10           **SECTION 2.** 11.05 (2) of the statutes is amended to read:

11           11.05 (2) INDIVIDUALS. Except as provided in s. 9.10 (2) (d), every individual,  
12 other than a candidate or agent of a candidate, who accepts contributions, incurs  
13 obligations, or makes disbursements in a calendar year in an aggregate amount in  
14 excess of ~~\$25~~ \$1,000 to support or oppose the election or nomination of a candidate  
15 at an election and every individual subject to registration under s. 11.23 shall file a  
16 statement with the appropriate filing officer giving the information required by sub.  
17 (3). An individual who guarantees a loan on which an individual, committee or group  
18 subject to a registration requirement defaults is not subject to registration under this  
19 subsection solely as a result of such default.

History: 1973 c. 334; 1975 c. 93, 199, 200; 1977 c. 427; 1979 c. 328; 1979 c. 355 s. 241; 1981 c. 314 s. 146; 1983 a. 484; 1985 a. 303 ss. 7 to 15r, 86; 1987 a. 370, 391, 403; 1989 a. 192; 2001 a. 109; 2003 a. 321; 2005 a. 177; 2009 a. 313.

**Insert 28 - 19**

20           **SECTION 3.** 11.06 (1) (a) of the statutes is amended to read:

1           11.06 (1) (a) An itemized statement giving the date, full name and street  
 2 address of each contributor who has made a contribution in excess of ~~\$20~~ \$40, or  
 3 whose contribution if ~~\$20~~ \$40 or less aggregates more than ~~\$20~~ \$40 for the calendar  
 4 year, together with the amount of the contribution and the cumulative total  
 5 contributions made by that contributor for the calendar year.

History: 1973 c. 334; 1975 c. 93 ss. 47 to 53, 119 (2); 1975 c. 199; 1979 c. 263, 328; 1985 a. 303; 1987 a. 370; 1989 a. 192; 1995 a. 16 s. 2; 2001 a. 109; 2005 a. 176, 177; 2011 a. 32, 75.

6           **SECTION 4.** 11.06 (1) (d) of the statutes is amended to read:

7           11.06 (1) (d) An itemized statement of other income in excess of ~~\$20~~ \$40,  
 8 including interest, returns on investments, rebates and refunds received.

History: 1973 c. 334; 1975 c. 93 ss. 47 to 53, 119 (2); 1975 c. 199; 1979 c. 263, 328; 1985 a. 303; 1987 a. 370; 1989 a. 192; 1995 a. 16 s. 2; 2001 a. 109; 2005 a. 176, 177; 2011 a. 32, 75.

9           **SECTION 5.** 11.06 (1) (e) of the statutes is amended to read:

10           11.06 (1) (e) An itemized statement of contributions over ~~\$20~~ \$40 from a single  
 11 source donated to a charitable organization or to the common school fund, with the  
 12 full name and mailing address of the donee.

History: 1973 c. 334; 1975 c. 93 ss. 47 to 53, 119 (2); 1975 c. 199; 1979 c. 263, 328; 1985 a. 303; 1987 a. 370; 1989 a. 192; 1995 a. 16 s. 2; 2001 a. 109; 2005 a. 176, 177; 2011 a. 32, 75.

13           **SECTION 6.** 11.06 (1) (f) of the statutes is amended to read:

14           11.06 (1) (f) An itemized statement of each loan of money made to the registrant  
 15 for a political purpose in an aggregate amount or value in excess of ~~\$20~~ \$40, together  
 16 with the full name and mailing address of the lender; a statement of whether the  
 17 lender is a commercial lending institution; the date and amount of the loan; the full  
 18 name and mailing address of each guarantor, if any; the original amount guaranteed  
 19 by each guarantor; and the balance of the amount guaranteed by each guarantor at  
 20 the end of the reporting period.

History: 1973 c. 334; 1975 c. 93 ss. 47 to 53, 119 (2); 1975 c. 199; 1979 c. 263, 328; 1985 a. 303; 1987 a. 370; 1989 a. 192; 1995 a. 16 s. 2; 2001 a. 109; 2005 a. 176, 177; 2011 a. 32, 75.

21           **SECTION 7.** 11.06 (1) (g) of the statutes is amended to read:

1           11.06 (1) (g) An itemized statement of every disbursement exceeding ~~\$20~~ \$40  
2           in amount or value, together with the name and address of the person to whom the  
3           disbursement was made, and the date and specific purpose for which the  
4           disbursement was made.

**History:** 1973 c. 334; 1975 c. 93 ss. 47 to 53, 119 (2); 1975 c. 199; 1979 c. 263, 328; 1985 a. 303; 1987 a. 370; 1989 a. 192; 1995 a. 16 s. 2; 2001 a. 109; 2005 a. 176, 177; 2011 a. 32, 75.

5           **SECTION 8.** 11.06 (1) (h) of the statutes is amended to read:

6           11.06 (1) (h) An itemized statement of every obligation exceeding ~~\$20~~ \$40 in  
7           amount or value, together with the name of the person or business with whom the  
8           obligation was incurred, and the date and the specific purpose for which each such  
9           obligation was incurred.

**History:** 1973 c. 334; 1975 c. 93 ss. 47 to 53, 119 (2); 1975 c. 199; 1979 c. 263, 328; 1985 a. 303; 1987 a. 370; 1989 a. 192; 1995 a. 16 s. 2; 2001 a. 109; 2005 a. 176, 177; 2011 a. 32, 75.

**Insert 41 - 22 JK**

10           **SECTION 9.** 11.26 (4) of the statutes is amended to read:

11           11.26 (4) No individual may make any contribution or contributions to all  
12           candidates for state and local offices and to any individuals who or committees which  
13           are subject to a registration requirement under s. 11.05, including legislative  
14           campaign committees and committees of a political party, to the extent of more than  
15           a total of ~~\$10,000~~ \$20,000 in any calendar year.

**NOTE: NOTE: The U.S. Seventh Circuit Court of Appeals in Wisconsin Right to Life v. Barland, 664 F.3d 139 (2011), held sub. (4) to unconstitutional o the extent that it limits contributions to committees engaged solely in independent spending for political speech.****NOTE:**

**History:** 1973 c. 334; 1975 c. 93 ss. 89 to 95, 119 (1); 1975 c. 200; 1977 c. 107, 187; 1977 c. 427 s. 132; 1979 c. 263, 328; 1979 c. 355 s. 32; 1983 a. 183, 186; 1985 a. 303 ss. 44 to 55m, 86; 1987 a. 27, 370; 1989 a. 31, 192; 1995 a. 27 s. 9145 (1); 1995 a. 219, 225; 1999 a. 32; 2001 a. 109; 2005 a. 177; 2009 a. 89, 216; 2011 a. 32, 75; s. 35.17 correction in (1) (d) 1.

## ASSEMBLY BILL 225

1 ~~the corporation, cooperative, or association without reporting such activity. No such~~  
2 ~~corporation, cooperative, or association may solicit contributions from persons who~~  
3 ~~are not members, shareholders, or subscribers to be used for such purposes activity.~~

4 **SECTION 67.** 11.33 (2m) of the statutes is created to read:

5 11.33 (2m) This section does not apply to the cost of materials or distribution  
6 of a communication made by a member of the legislature to an address located within  
7 the legislative district represented by that member during the 45-day period  
8 following declaration of a state of emergency by the governor under s. 323.10  
9 affecting any county in which the district is located if the communication relates  
10 solely to the subject of the emergency.

11 **SECTION 68.** 11.38 (title) and (1) (a) 1. of the statutes are amended to read:

12 **11.38 (title) Contributions and disbursements by corporations and**  
13 **cooperatives, certain associations, and other entities.** (1) (a) 1. No foreign or  
14 domestic corporation, or association organized under ch. 185 or 193, may make any  
15 contribution or disbursement, directly or indirectly, either independently or through  
16 any political party, committee, group, candidate or individual for any purpose other  
17 than to promote or defeat a referendum except to an individual or group for the  
18 purpose of advocating the adoption or rejection of a referendum question or to an  
19 independent disbursement committee.

20 **SECTION 69.** 11.38 (1) (a) 4. to 7. of the statutes are created to read:

21 11.38 (1) (a) 4. Any foreign or domestic corporation, association organized  
22 under ch. 185 or 193, or other entity that is not organized exclusively for political  
23 purposes may make an independent disbursement. A corporation, association, or  
24 other entity that makes an independent disbursement is not subject to a reporting  
25 requirement under s. 11.06 (1) on account of such activity.

## ASSEMBLY BILL 225

Insert 48-13 (TKK)

## SECTION 73

1           **SECTION 73.** 13.625 (1) (c) (intro.) of the statutes is amended to read:

2           13.625 (1) (c) (intro.) Except as permitted in this subsection, make a campaign  
3 contribution, as defined in s. 11.01 (6), to a partisan elective state official for the  
4 purpose of promoting the official's election to any national, state, or local office; or  
5 to a candidate for a partisan elective state office to be filled at the general election  
6 or a special election; or to the official's or candidate's personal campaign committee.  
7 A lobbyist may make a campaign contribution to a partisan elective state official or  
8 candidate for partisan elective state office or his or her to the personal campaign  
9 committee may be made of the official or candidate in the year of -a- the official's or  
10 candidate's election between June 1 the first day authorized by law for the circulation  
11 of nomination papers as a candidate and the day of the general election, except that:

12           **SECTION 74.** 17.02 (1) of the statutes is amended to read:

13           17.02 (1) SENATORS AND MEMBERS OF CONGRESS. Of the resignation of a United  
14 States senator or member of congress from this state, by the senator or member of  
15 congress to the secretary of state. Upon receipt of notice of the resignation, the  
16 secretary of state shall give immediate notice to the governor of the resignation  
17 including the effective date thereof.

18           **SECTION 75.** 17.18 of the statutes is amended to read:

19           **17.18 Vacancies, U.S. senator and representative in congress; how**  
20 **filled.** Vacancies in the office of U.S. senator or representative in congress from this  
21 state shall be filled by election, as provided in s. 8.50 (4) (b), for the residue of the  
22 unexpired term. In addition, an anticipated vacancy in the office of U.S. senator or  
23 representative in congress may be filled as provided in s. 8.50 (4) (bm).

24           **SECTION 76.** 24.66 (3) (b) of the statutes is amended to read:

**ASSEMBLY BILL 18**

**SECTION 5**

1           227.52 (8) Decisions of the government accountability board under s. 7.30 (4)

2           (e) that are subject to appeal to the attorney general.

3           ~~\_\_\_\_\_~~ (END)

*end of 81-18*