

**1977 Assembly Bill 885**

Date published: May 24, 1978

**CHAPTER 394, Laws of 1977**

**AN ACT** to repeal 6.02 (2); to renumber 6.30 (2) (b) and 6.92 (3) to (7); to renumber and amend 6.02 (3), 6.30 (2) (a), 6.36 and 6.86 (2); to amend 6.03 (1) (a), 6.22 (5), 6.27 (5) (b), 6.28 (1) and (2) (b), 6.30 (1), (3) (c) and (4), 6.32 (2) to (4), 6.33 (1), 6.35, 6.40 (1) and (2) (a), 6.48, 6.50 (1) to (5), 6.55 (1) to (3), 6.56 (1) to (3), 6.57, 6.76 (2) and (3), 6.79 (1), (2), (4) and (5) (title), 6.85, 6.86 (1), 6.87 (2) and (3), 6.88 (3) (c), 6.925 (intro.), 7.03, 7.08 (1) (c) and 7.30 (2) (a); and to create 5.02 (14) and (17), 6.03 (3) and (4), 6.15, 6.24, 6.29, 6.33 (3), 6.35 (2) to (4), 6.36 (2) and (3), 6.40 (3), 6.48 (3) and (4), 6.55 (2) (c) and (d), (6) and (7), 6.56 (4) and (5), 6.935, 880.07 (3) and 880.33 (9) of the statutes, relating to registration and qualification of electors and absentee voting procedure, making an appropriation and providing for a referendum.

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

**SECTION 1.** 5.02 (14) and (17) of the statutes are created to read:

5.02 (14) "Poll list" means the list which is compiled by election officials on election day showing the names and addresses of electors who actually cast votes in an election.

(17) "Registration list" means the list of electors who are properly registered to vote in municipalities in which registration is required.

**SECTION 2.** 6.02 (2) of the statutes is repealed.

SECTION 3. 6.02 (3) of the statutes is renumbered 6.02 (2) and amended to read:

6.02 (2) Any U.S. citizen age 18 or older who moves within this state later than 10 days before an election shall vote at his old or her previous ward or election district if the person is otherwise qualified, or he may vote in the new ward if he. If the elector can comply with the 10-day residence requirement at the new address and complies with s. 6.55 and is otherwise qualified, he or she may vote in the new ward or election district.

SECTION 4. 6.03 (1) (a) of the statutes is amended to read:

6.03 (1) (a) Any person under guardianship, who is non compos mentis, or insane, or under guardianship pursuant to the order of a court under ch. 880, except that a court determination under s. 880.33 (3) is required in the case of when a person is under limited guardianship, the court may determine that the person is competent to exercise the right to vote;

SECTION 5. 6.03 (3) and (4) of the statutes are created to read:

6.03 (3) No person may be denied the right to register to vote or the right to vote by reason that such person is alleged to be insane or non compos mentis unless such person has been adjudicated to be insane or non compos mentis as defined in sub. (4) in a separate proceeding instituted for that purpose by an elector of the municipality in accordance with the procedures set forth in ch. 880 for determining incompetency. If a determination of incompetency of such person has already been made, or if a determination of limited incompetency has been made which does not include a specific finding that the subject is competent to exercise the right to vote, and a guardian or limited guardian has been appointed as a result of any such determination, then no determination of insanity or non compos mentis status is required unless the guardianship is terminated or modified under s. 880.34.

(4) As used in this section, "insane" or "non compos mentis" means the incapacity to know or understand the nature and objective of elective process.

SECTION 6. 6.15 of the statutes is created to read:

**6.15 New residents; presidential voting.** (1) **QUALIFICATIONS.** Any person who was or who is a qualified elector under ss. 6.02 and 6.03, except that he or she has been a resident of this state for less than 10 days prior to the date of the presidential election, is entitled to vote for the president and vice president but for no other offices. The fact that the person was not registered to vote in the state from which he or she moved does not prevent voting in this state if the elector is otherwise qualified.

(2) **APPLICATION FOR BALLOT.** Any person qualifying under sub. (1) need not register to vote, but shall apply for and cast his or her ballot as follows:

(a) The elector's request for the application form may be made to the proper municipal clerk either in person or in writing any time during the 10-day period in which the elector's residence requirement is incomplete, but not later than the applicable deadline for making application for an absentee ballot, or may be made at the proper polling place in the ward or election district in which the elector resides. The application form shall be returned to the municipal clerk after the affidavit has been signed in the presence of the clerk or any officer authorized by law to administer oaths. The affidavit shall be in substantially the following form:

**STATE OF WISCONSIN**

County of ....

I, ...., do solemnly swear that I am a citizen of the United States; that prior to establishing Wisconsin residence, my legal residence was in the .... (town) (village) (city) of ...., state of ...., residing at .... (street address); that on the day of the next presidential election, I shall be at least 18 years of age and that I have been a legal resident of the state of Wisconsin since ...., 19.., residing at .... (street address), in the [.... ward of the .... aldermanic district of] the (town) (village) (city) of ...., county of ....; that I have resided in the state less than 10 days, that I am qualified to vote for

president and vice president at the election to be held November ...., 19.., that I am not voting at any other place in this election and that I hereby make application for an official presidential ballot, in accordance with section 6.15 of the Wisconsin statutes.

Signed ....

P.O. Address ....

Subscribed and sworn to before me this .... day of ...., 19..

....(Name)

....(Title)

(b) The clerk shall provide with the application form a card which the elector shall fill in and return with the application to the municipal clerk. The card shall state that the elector intends to vote for president and vice president in Wisconsin and that his or her voting privileges should be canceled at his or her previous residence. The card shall be in substantially the following form:

.... (Full Name - print or type)

It is my intent to vote for president and vice president in Wisconsin, under section 6.15, Wisconsin Statutes.

I am not registered to vote at my previous address.

I am registered to vote at my previous address and I hereby authorize the cancellation of my previous voting privileges at that address:

.... (Street), .... (Town, village, city), .... (State) .... (Zip)

Signature ....

Present Address ....

(c) The municipal clerk upon receipt of the application form and voting privileges cancellation card shall immediately forward the card to the proper official of the applicant's prior residence.

(3) VOTING PROCEDURE. (a) *Clerk's office.* 1. Upon proper completion of the application and cancellation card, the municipal clerk shall inform the elector that he or she may vote for the presidential electors not sooner than 9 days nor later than 5 p.m. on the day before the election at the office of the municipal clerk, or at a specified polling place on election day. When voting at the municipal clerk's office, the applicant shall provide identification and shall mark the ballot in the clerk's presence in a manner that will not disclose his or her vote. The applicant shall fold the ballot so as to conceal his or her vote, deposit and seal it in an envelope furnished by the clerk.

2. The clerk shall enclose the envelope containing the ballot in a carrier envelope, securely seal it, and indorse it with his or her name, title and the words, "This envelope contains the vote for president and vice president of a new resident and shall be opened only at the polls during polling hours on election day". The clerk shall keep the envelope in his or her office until the clerk delivers it to the inspectors, as provided in sub. (4).

3. The clerk shall keep open to public inspection a list of all new residents who have voted under this section. The list shall give the name, address and application date of each elector.

(b) *Polling place.* An eligible elector may appear at the proper polling place in the ward or election district where he or she resides and make application for a ballot under sub. (2). In such case, the inspector shall perform the duties of the municipal clerk. The elector shall provide identification. If the elector is qualified and is at the proper polling place, he or she shall receive a ballot. The elector shall mark and fold the ballot and shall give it to the inspector, who shall deposit it directly in the ballot box. Voting machines may only be used by electors voting under this section if they permit voting for president and vice president only.

(4) DELIVERY AND DEPOSIT OF BALLOTS. (a) Clerks holding new resident ballots shall deliver them to the election inspectors in the proper ward or election district where the new residents reside, as provided by s. 6.88 for absentee ballots.

(b) During polling hours, the inspectors shall open each carrier envelope, announce the elector's name, check the affidavit for proper execution, and check the voting qualifications for the ward, if any.

(c) The inspectors shall open the inner envelope without examination of the ballot other than is necessary to see that the issuing clerk has indorsed it.

(d) Upon satisfactory completion of the procedure under pars. (b) and (c) the inspectors shall deposit the ballot in the ballot box. The inspectors shall enter the name of each elector voting under this section on a separate list maintained for the purpose under s. 6.79.

(e) If the person is not a qualified elector in the ward or municipality, or if the envelope is open or has been opened and resealed, the inspectors shall reject the vote. Rejected ballots shall be processed the same as rejected absentee ballots, under s. 6.88 (3)(b).

(5) **CHALLENGE OF VOTE.** Any new resident's vote may be challenged for cause in the manner provided in ss. 6.92 to 6.95.

(6) **DEATH OF ELECTOR.** When it appears by due proof to the inspectors that a person voting under this section has died before the date of the election, the inspectors shall return the ballot with defective ballots to the issuing official.

**SECTION 7.** 6.22 (5) of the statutes is amended to read:

**6.22 (5) VOTING PROCEDURE.** The ballot shall be marked, returned, deposited and recorded, the same as other absentee ballots. In addition, the affidavit under s. 6.87 (2) shall have a statement of the elector's birth date ~~and that he has not returned another ballot~~. Failure to return the unused ballots in a primary election shall not invalidate the marked ballot.

**SECTION 8.** 6.24 of the statutes is created to read:

**6.24 Federal overseas voting.** (1) **DEFINITIONS.** In this section:

(a) "National office" has the meaning given under s. 11.01 (14).

(b) "Overseas elector" means a citizen not disqualified from voting under s. 6.03 who has or will attain the age of 18 by the date of an election who does not qualify as a resident of this state under s. 6.10, but who was last domiciled in this state immediately prior to departure from the United States, and is not registered to vote or voting in any other state, territory or possession.

(2) **ELIGIBILITY.** An overseas elector under sub. (1) may vote in any election for national office, including the September primary and presidential preference primary and any special primary or election. Such elector may not vote in an election for state or local office. An overseas elector shall vote in the ward or election district in which he or she was last domiciled prior to departure from the United States.

(3) **REGISTRATION.** If registration is required in the overseas elector's municipality, he or she shall register on a form prescribed by the board designed to ascertain the absent elector's qualifications under this section. Such form shall be substantially similar to the original affidavit form under s. 6.33 (1), insofar as applicable. Registration shall be accomplished in accordance with s. 6.30 (3).

(4) **REQUESTS.** An overseas elector who is properly registered where registration is required may request an absentee ballot in writing under ss. 6.86 to 6.89. The board shall prescribe a special certificate affidavit form for the envelope for overseas electors under this section which shall be substantially similar to that provided in s. 6.87 (3). An overseas elector who is not registered may request both a registration form and an absentee ballot for a specific election at the same time, and the municipal clerk shall mail the ballot automatically if the registration form is received within the time prescribed in s. 6.30 (3). Whenever an application, affidavit or other act is required in ss. 6.86 to 6.89 an overseas elector may fulfill the requirements by subscribing or swearing before any person authorized to administer oaths.

(5) **BALLOTS.** The board shall prescribe a special ballot for use under this section whenever necessary. Official ballots under ss. 5.60 (8) and 5.64 (3) may also be used. The ballot shall be designed to comply with the requirements of ss. 5.60 (8), 5.62 and 5.64 insofar as applicable. All ballots shall be limited to national offices only.

(6) INSTRUCTIONS AND HANDLING. The municipal clerk shall mail a ballot, as soon as available, to each overseas elector by whom a request has been made. The board shall prescribe the instructions for marking and returning ballots and the municipal clerk shall enclose such instructions with each ballot. The envelope, return envelope and instructions shall not contain the name of any candidate appearing on the enclosed ballots other than that of the municipal clerk affixed in the fulfillment of his or her duties. The election material shall be mailed postage prepaid to any place in the world. The overseas elector shall provide return postage.

(7) VOTING PROCEDURE. The ballot shall be marked, returned, deposited and recorded, the same as other absentee ballots. In addition, the certificate-affidavit shall have a statement of the elector's birth date. Failure to return the unused ballots in a primary election does not invalidate the marked ballot.

(8) OVERSEAS ELECTOR LIST. Each municipal clerk where registration is not required shall keep an up-to-date list of all eligible local overseas electors; city clerks shall keep the lists by wards. The list shall contain the name, latest-known residence and mailing address of each overseas elector. The list shall be kept current through all possible means. Each clerk shall exercise reasonable care to avoid duplication of names or listing anyone who is not eligible to vote. Each clerk shall distribute 2 copies of the list to the appropriate polling places in the municipality for use on election day.

SECTION 9. 6.27 (5) (b) of the statutes is amended to read:

6.27 (5) (b) The election pamphlet laws booklet prepared by the board under s. 7.08 (4) shall carry a list of all the municipalities that have acted under this section in which voter registration is required.

SECTION 10. 6.28 (1) and (2) (b) of the statutes are amended to read:

6.28 (1) (a) Registration for any election shall close at 5 p.m. on the 2nd 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 2nd Wednesday preceding the election. All applications for registry 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 or at other locations provided by the board of election commissioners or the common council in cities of the 1st class 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). Such other 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 and savings and loan institutions. The municipal clerk or board of election commissioners shall appoint special Special registration deputies shall be appointed for all locations. Any

(b) A municipal clerk or municipal board of election commissioners may appoint any qualified elector may be appointed of the state as a qualified special registration deputy. Appointments may be revoked at any time.

(2) (b) The municipal clerk of each municipality in which voter elector registration is required shall notify the school board of each school district in which the municipality is located that high schools shall be used for registration pursuant to par. (a). The school board and the municipal clerk shall agree upon the appointment of at least one qualified elector at each high school as a special school registration deputy. The municipal clerk shall appoint any such person as a school registration deputy and explain the person's duties and responsibilities. Students and staff shall be permitted to may register at the high school on any day that classes are regularly held. The school registration deputies shall promptly forward properly completed registration forms to the municipal clerk of the municipality in which the registering student or staff member resides. The municipal clerk, upon receiving such registration forms, shall certify add all those registering electors who have met the registration requirements to the registry list. The municipal clerk may reject any application

registration form and shall promptly notify the person whose registration is rejected of the rejection and the reason therefor. A person whose registration is rejected may reapply for registration if he or she is qualified. The cards form of all each high school students student who are is qualified and will be eligible to vote at the next election shall be filed in such a way that when a student attains the age of 18 years the student is registered to vote automatically. Each school board shall assure that the principal of every high school communicates voter elector registration information to students.

**SECTION 11. 6.29 of the statutes is created to read:**

**6.29 Late registration in person.** (1) No names may be added to a registration list for any election after the close of registration, except as authorized under this section or s. 6.55 (2) or (3). Any person whose name is not on the registration list but who is otherwise a qualified elector is entitled to vote at the election upon compliance with this section.

(2) (a) Any qualified elector in a municipality where registration is required who has not previously filed a registration form or whose name does not appear on the registration list shall be entitled to vote at the election if he or she delivers to the municipal clerk a properly executed registration form with an affidavit sworn to by him or her. Alternatively, if the elector cannot obtain a registration form, the elector shall list all the information required on the registration form. The elector shall present acceptable proof of residence as provided in s. 6.55 (7). If no proof is presented, the registration form or the listing of required information shall be substantiated by the affidavit of one other elector of the municipality, corroborating all the material statements therein. The signing of the affidavits by the registering elector and the corroborating elector shall be done in the presence of the municipal clerk not later than 5 p.m. of the day before an election. All affidavits shall be sworn to before the clerk or another officer authorized to administer oaths.

(b) Upon the filing of the affidavit and registration form required by this section, the municipal clerk shall issue a certificate addressed to the inspectors of the proper ward directing that the elector be permitted to cast his or her vote. The certificate shall be numbered serially, prepared in duplicate and one copy preserved in the office of the municipal clerk.

(c) The elector, at the time he or she appears at the correct polling place, shall deliver the certificate issued under par. (b) to the inspectors. If the elector applies for and obtains an absentee ballot, the certificate shall be annexed to and mailed with the absentee ballot to the office of the municipal clerk.

(d) The inspectors shall record the names of electors who present certificates in person or for whom certificates are presented with absentee ballots under this section on the list maintained under s. 6.56 (1). These names shall then be added to the registration list if the electors are qualified.

(3) No compensation may be paid or received for taking or certifying any affidavit under sub. (2).

**SECTION 12. 6.30 (1) of the statutes is amended to read:**

6.30 (1) IN PERSON. Registration applications shall be made in person, except under subs. (2) to (4). Each elector shall sign an original affidavit registration form and, except in 1st class cities employing data processing, a duplicate.

**SECTION 13. 6.30 (2) (a) of the statutes is renumbered 6.30 (2) and amended to read:**

6.30 (2) WHEN CONFINED OR DISABLED. Registration affidavits forms for qualified electors may be completed at the home or institution where an elector is confined because of physical illness or infirmity or where a disabled elector resides if such person finds it difficult, due to such disability, to register in another manner. The A registration affidavit for such electors may be made in the presence of any person authorized to register electors, or the affidavit a form may be certified by the elector and witnessed by 2 other electors in the ward or aldermanic district municipality and

then mailed or delivered to the municipal clerk. The affidavit form shall indicate contain a statement that the elector is confined because of physical illness or infirmity or is disabled and finds it difficult, due to such disability, to register in another manner.

SECTION 14. 6.30 (2) (b) of the statutes is renumbered 6.86 (2).

SECTION 15. 6.30 (3) (c) and (4) of the statutes are amended to read:

6.30 (3) (c) The original affidavit and one duplicate shall be returned to the clerk of the municipality, except in any municipality which employs data processing for keeping of voting registration records only the original affidavit shall need be returned. The affidavit shall be prepostpaid for return at any point within the United States. To be eligible to vote in that election the affidavit shall be received no later than the close of the clerk's office on the registration deadline date prior to the election.

(4) BY MAIL. Any eligible elector may register by mail upon a form prescribed by the board and provided by each municipality. The form shall be designed to obtain the information required in ss. 6.33 (1) and 6.40 (1) (a) and (b). The form shall be pre-postpaid prepostpaid for return at any point within the United States, and shall be substantiated by 2 other electors in the ward or aldermanic district municipality corroborating all material statements therein. Such forms shall be available in the municipal clerk's office and may be distributed by any elector of the municipality. The clerk shall mail a registration form to any elector or person who is eligible to qualify as an elector upon written or oral request.

SECTION 16. 6.32 (2) to (4) of the statutes are amended to read:

6.32 (2) If the form is insufficient to accomplish registration or the clerk knows or has reliable information that the proposed elector is not qualified, the clerk shall notify the proposed elector within 5 days, if possible, and request that the elector appear at the clerk's office or other registration center to complete a proper registration or substantiate the information presented.

(3) If the form is submitted later than the close of registration, the clerk shall make a good faith effort to notify the proposed elector that the elector he or she may register at the clerk's office or at the proper polling place under s. 6.29 or 6.55 (2).

(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 name shall be entered on the registry registration list and a nonforwardable 1st class letter or postcard shall be transmitted to the registrant, specifying the voter's elector's ward or aldermanic district, and polling place. If such letter or postcard is returned, or if the clerk is informed of a different address than the one specified by the elector, the name shall be stricken from the list. The letter or postcard shall specify "ADDRESS CORRECTION REQUESTED--VOTER LIST VERIFICATION--DO NOT FORWARD--RETURN POSTAGE GUARANTEED".

SECTION 17. 6.33 (1) of the statutes is amended to read:

6.33 (1) The municipal clerk shall supply sufficient registration affidavit forms as prescribed by the board printed on loose-leaf sheets or cards to obtain from each applicant information as to name, date, residence location, citizenship, whether 18 years of age, whether a resident of the applicant has resided within the ward for at least 10 days, whether he the applicant has lost his or her right to vote, and whether the applicant is currently registered to vote at any other location, and shall provide a space for the applicant's signature. Ward and aldermanic district information shall be filled in by the clerk. The registration form shall be in the form of an affidavit and shall be sworn before the clerk or registration deputy, or before any other officer authorized to administer oaths, except that registrations which are authorized to be corroborated under s. 6.30 (4) or 6.55 (2) shall be certified by the applicant but need not be separately verified.

SECTION 18. 6.33 (3) of the statutes is created to read:

6.33 (3) The registration form shall provide a space for a voting record to be filled in by the municipal clerk. In municipalities employing data processing, voting record information may be deleted from the form and maintained separately by the municipal clerk in such form that it may be retrieved by computer.

**SECTION 19.** 6.35 of the statutes is renumbered 6.35 (1) and amended to read:

6.35 (1) Under the direction of the municipal clerk, the original affidavit registration forms shall be filed by wards in such an orderly and logical way that they are readily available to the municipal clerk.

**SECTION 20.** 6.35 (2) to (4) of the statutes are created to read:

6.35 (2) Duplicate registration forms shall be maintained by municipalities not employing data processing. Duplicates shall be filed in alphabetical order for the entire municipality without regard to wards.

(3) Registration forms shall be kept on file in the office of the municipal clerk. When the original forms are used on election day, they shall be returned to the clerk within 2 days after the election.

(4) In municipalities employing data processing for keeping of election or voter records, original registration forms shall be maintained in the clerk's office at all times. Notwithstanding sub. (1), original forms in such municipalities need not be maintained by ward, but the data processing system employed shall enable the municipal clerk to retrieve the registration list in alphabetical order and by ward.

**SECTION 21.** 6.36 of the statutes is renumbered 6.36 (1) and amended to read:

6.36 (1) The municipal clerk shall compile a register registration list for use in each ward following the arrangement for registration affidavits forms under s. 6.35.

**SECTION 22.** 6.36 (2) and (3) of the statutes are created to read:

6.36 (2) The registration lists 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, and a form of a certificate stating that each list is a true and complete combined check and registration list of the respective wards.

(3) Municipalities shall prepare at least 2 copies of the registration list for each ward and bind them in book form. The original registration forms constitute the official registration list and shall be controlling whenever discrepancies occur.

**SECTION 23.** 6.40 (1) and (2) (a) of the statutes are amended to read:

6.40 (1) ELECTOR INITIATIVE. (a) *Within municipality.* Any registered elector shall transfer registration after a change of residence within the municipality in which he or she is registered by appearing in person or by mailing to the municipal clerk a signed request stating his or her present address, affirming that this will be the elector's residence for 10 days prior to the election and providing the address where he or she was last registered. The new information shall be recorded and filed in such an orderly and logical way that it is readily available to the municipal clerk. Alternatively, the elector may transfer his or her registration at the proper polling place under s. 6.02 (2) in accordance with s. 6.55 (2) (a). If an elector is voting at a former ward or election district, the change shall be effective for the next election.

(b) *Within state.* Any elector who changes residence within this state from one municipality to another shall give the his or her previous residence upon application for registration at the new residence and shall sign an authorization to cancel voting privileges at the former residence on a form prescribed by the board and furnished by each municipality. The cancellation authorization shall be forwarded to the proper election officials within no later than 3 days after the close of registration. Such elector may also transfer his or her registration at the proper polling place as provided in s. 6.55 (2) (a).

(c) *Name change.* Whenever an elector's name is legally changed, including a change by marriage or divorce, he the elector shall transfer his or her registration to his or her legal name by appearing in person or mailing to the municipal clerk a signed

request for a transfer of registration to such name, stating that this will be his name for at least 10 days prior to the election. Alternatively, a registered elector may make notification of a name change at his or her polling place under s. 6.55 (2) (d).

(2) (a) Municipal clerks may transfer any elector's registration upon receipt of reliable information that the elector has changed residence within the municipality. The clerk shall mail the elector a notice of the transfer.

**SECTION 24. 6.40 (3) of the statutes is created to read:**

**6.40 (3) RECORDING CHANGES.** All changes of names and addresses under this section shall be filed with the municipal clerk and the clerk shall then correct the official registration list.

**SECTION 25. 6.48 of the statutes is amended to read:**

**6.48 (1) (title) GENERAL PROCEDURE.** (a) Any registered elector of the a municipality may challenge the registration of any other registered elector by submitting to the municipal clerk or executive secretary of the board of election commissioners in cities of more than 500,000 population an affidavit stating that the elector is not qualified to vote and the reasons therefor. The Such clerk or secretary, upon receipt of the affidavit, shall mail a notification of the challenge to the challenged elector, at his or her registered address.

(b) The challenged and challenging electors shall appear before the municipal clerk within one week of notification or arrange under sub. (2) in 1st class cities to appear before the full board of election commissioners. The challenging elector shall make an affidavit answering any questions necessary to determine the challenged elector's qualifications. Judgment rests with the municipal clerk and decisions shall be rendered as soon as heard. If the clerk cannot resolve the issue or has reservations as to the answers, the clerk may require the challenging elector to take the oath under s. 6.925. If the challenged elector appears and contests any answer of the challenging elector, the clerk may require the challenged elector to take the oath under s. 6.94 and to answer any question necessary to determine the challenged elector's qualifications. If the challenging elector appears before the municipal clerk or board of election commissioners but the challenged elector fails to appear, the municipal such clerk or board of election commissioners may make the decision without consulting the challenged elector. If the clerk determines that the challenged elector is not qualified, the name shall be stricken from the registry and the proper ward officials notified. If the municipal clerk or board of election commissioners does not determine the challenged elector is not qualified sustain the challenge, the challenged elector's registration remains valid.

(c) If the challenging elector fails to appear before the municipal clerk within one week or in 1st class cities of more than 500,000 population fails to appear before the full board of election commissioners under sub. (2) to answer questions and take the oath under s. 6.925, the such clerk or board shall cancel the challenge.

(d) If the clerk determines that the challenged elector is not qualified, the clerk shall cancel the challenged elector's registration and, make the necessary change in the registry registration list and notify the proper ward officials.

**(2) (title) SPECIAL PROCEDURE IN POPULOUS CITIES.** (a) In 1st class cities of more than 500,000 population, objections may be made before the board of election commissioners which shall sit on the last Wednesday before each election from 9 a.m. to 12 ~~noon~~ a.m. and from 2 p.m. to 5 p.m. to hear objections then made or deferred under sub. (1). If all the objections cannot then be determined, the commissioners shall sit during the same hours the next day.

(b) Objectors Upon appearing in person, objectors shall be further examined, under oath, by the commissioners and additional testimony taken. Judgment rests with the board of election commissioners and decisions shall be rendered as soon as heard. All cases are heard and decided summarily. The commissioners shall determine whether the person objected to is qualified. The board of election commissioners may require naturalized applicants to show their naturalization certificates. If they determine that a person is not qualified, the name shall be stricken from the registry registration list and the proper ward officials notified of the change immediately.

**SECTION 26. 6.48 (3) and (4) of the statutes are created to read:**

**6.48 (3) CHALLENGE OF NON COMPOS MENTIS OR INSANE PERSON.** Section 6.03 (3) applies to any challenge which is made to registration based on an allegation that an elector is insane or non compos mentis and thereby ineligible for registration.

**(4) STANDARD FOR DISQUALIFICATION.** No person may be disqualified on any grounds as an elector under this section unless the challenging elector demonstrates beyond a reasonable doubt that the person does not qualify as an elector or is not properly registered. When a person's registration is canceled, the date and the reason for the cancellation shall be entered on the person's registration form. If it appears that the elector or proposed elector is registered in another location, the municipal clerk or board of election commissioners may require the challenged elector to sign an authorization to cancel registration under s. 6.40 (1) (b) and shall notify the proper official at that location. Naturalized applicants may be required to show their naturalization certificates.

**SECTION 27. 6.50 (1) to (5) of the statutes are amended to read:**

**6.50 (1)** Following each general election, the municipal clerk of every municipality where registration is required shall revise and correct the registry registration list by reviewing the registration of any elector who failed to vote within the past 2 years if qualified to do so during such entire period. Each such elector shall be mailed an address verification card under sub. (2). If an address verification card is returned by the postal service to the clerk, or if the clerk is notified of an address correction, the registration of such elector shall be canceled. Otherwise, the registration shall be retained notwithstanding failure of the elector to vote at any election, except as provided in subs. (3) to (6). No notice need be sent of registrations canceled under sub. (4).

**(2)** Upon a card 1st class postcard bearing the mailing legend, "ADDRESS CORRECTION REQUESTED--VOTER LIST VERIFICATION--DO NOT FORWARD RETURN POSTAGE GUARANTEED", or similar words of like import, the voter address verification shall read substantially as follows:

**"OFFICIAL VOTER ADDRESS VERIFICATION**

The official voter registration list shows that you are registered to vote by the name and address appearing on the front of this card. If either the name or address appearing on the front of this card is incorrect, please contact this office in person or by mail. Improper registration may result in your being denied the right to vote.

[Office of clerk:....]

Clerk's address:....

Telephone:....]".

**(3)** Upon receipt of reliable information that a registered elector has moved outside of the municipality, the municipal clerk shall notify the elector by mailing a notice by 1st class mail to the elector's registration address stating the source of the information. All municipal departments and agencies receiving information that a registered elector has moved shall notify the clerk. If the elector fails to apply for continuation of registration within 30 days, the elector's registration shall be canceled. This subsection does not restrict the right of an elector to challenge any registration under s. 6.48.

**(4)** The registration of deceased electors shall be canceled by means of checking vital statistics reports. No notice need be sent of registrations canceled under this subsection.

**(5)** The registration of any elector whose address is listed at a building which has been condemned for human habitation by the municipality under s. 66.05 (2) shall be canceled investigated by the municipal clerk. If the clerk can find no reason why such elector should not be stricken from the registration list, the elector's registration shall be canceled. If the elector has left a forwarding address with the U.S. postal service, a notice of cancellation shall be mailed by the clerk to the forwarding address.

**SECTION 28.** 6.55 (1) and (2) of the statutes are amended to read:

6.55 (1) ~~Registry lists shall be final and no No names shall may be added to the registration list after the close of registration, but any person whose name is not on the registry registration list but who is otherwise a qualified elector is entitled to vote at the election upon compliance with s. 6.29 or this section.~~

(2) (a) ~~Any Except where the procedure under par. (c) is employed, any person who qualifies as an elector in the ward or aldermanic district where the elector he or she desires to vote, but has not previously filed a registration form, or was registered at another location in a municipality where registration is required, may request a ballot at the proper polling place. When a proper request is made, the inspector shall require such person to execute a registration form prescribed by the board which shall contain the following written oath or affirmation:~~

*"I, ...., do solemnly swear (or affirm) that to the best of my knowledge, I am a qualified elector, having resided at .... for at least 10 days immediately preceding this election, and that I am not disqualified on any ground from voting, and I have not voted, at this election." If a change of address is made from outside the municipality, the elector shall file a cancellation under s. 6.40 (1) (b).*

(b) Upon executing the affidavit under par. (a), the person shall be required by the inspector to present acceptable proof of residence ~~under sub. (7). Such proof includes a Wisconsin operator's license, a Wisconsin identification card, and any other form of proof prescribed by rule of the board.~~ If the person cannot supply such proof, the registration form shall be substantiated and signed by one other elector who resides in the ~~ward or aldermanic district municipality~~, corroborating all the material statements therein. ~~The corroborator shall then provide acceptable proof of residence.~~ The signing by such other elector and by the elector executing the affidavit shall be in the presence of the inspector. Upon compliance with this procedure, such person shall then be given the right to vote.

**SECTION 29.** 6.55 (2) (c) and (d) of the statutes are created to read:

6.55 (2) (c) 1. As an alternative to registration at the polling place under pars. (a) and (b), the governing body of any municipality in which registration is required 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 the office of the municipal clerk instead of at the elector's polling place, if the polling place at which the elector is required to vote is located in the same building as the clerk's office. The municipal clerk or deputy clerk shall require such person to execute a registration form as prescribed under par. (a) and to provide acceptable proof of residence as provided under sub. (7). If the person cannot supply such proof, the registration form shall be corroborated in the manner provided in par. (b). The signing by the corroborating elector and by the elector executing the affidavit shall be in the presence of the municipal clerk or deputy clerk. The municipal clerk or deputy clerk shall upon request administer oaths to any person making an affidavit under this subdivision.

2. Upon compliance with the procedures under subd. 1, the municipal clerk or deputy clerk shall issue a certificate addressed to the inspectors of the proper polling place directing that the elector be permitted to cast his or her ballot. If the elector's registration is corroborated, the name and address of the corroborator shall be entered on the face of the certificate. The certificate shall be numbered serially, prepared in duplicate and one copy preserved in the office of the municipal clerk.

3. The elector, at the time he or she requests a ballot at the polling place, shall deliver the certificate issued under subd. 2 to the inspectors.

(d) A registered elector who has changed his or her name but resides at the same address, and has not notified the municipal clerk under s. 6.40 (1) (c), shall notify the inspector of the change before voting. The inspector shall then notify the municipal clerk at the time which materials are returned under s. 6.56 (1). If an elector changes both a name and address, the elector shall comply with pars. (a) and (b).

**SECTION 30. 6.55 (3) of the statutes is amended to read:**

6.55 (3) Any qualified elector in the ward or aldermanic district where the elector desires to vote whose name does not appear on the registry registration list where registration is required but who claims to be registered to vote in the election may request a ballot at the polling place. When the request is made, the inspector shall require such person to give his or her name and address. If the elector is not at the correct polling place, the elector shall be provided with directions to the correct location. If the elector is at the correct polling place, the elector shall then execute the following written oath or affirmation: "I, ...., do solemnly swear (or affirm) that to the best of my knowledge, I am a qualified elector, having resided at .... for at least 10 days immediately preceding this election, and that I am not disqualified on any ground from voting, and I have not voted at this election and am properly registered to vote in this election." The person shall be required to provide identification acceptable proof of residence as under sub. ~~(2)~~ (7) and shall then be given the right to vote. If proper identification acceptable proof is presented, the inspector shall administer the oath and such elector need not have the affidavit corroborated by any other elector. If proper identification acceptable proof is not presented, the affidavit statement shall be certified by the elector and shall be corroborated by another elector in the ward or aldermanic district municipality. The corroborator shall then provide acceptable proof of residence. Whenever the question cannot be satisfactorily resolved and the elector permitted to vote, an election official shall telephone the office of the municipal clerk to reconcile the records at the polling place with those at the office.

**SECTION 33. 6.55 (6) and (7) of the statutes are created to read:**

6.55 (6) The governing body of any municipality may provide by resolution that any of the registration duties of inspectors under sub. (2) shall be carried out in such municipality by special registration deputies appointed by the municipal clerk at any polling place whenever the clerk determines that the registration process provided for in that subsection will be facilitated thereby. Such deputies may administer the oath required for registration. The deputies shall be specially appointed by the clerk for one election only to conduct elector registration only.

(7) (a) For purposes of this section, a form of identification constitutes acceptable proof of residence if it includes:

1. A current and complete name, including both the given and family name; and
2. A current and complete residential address, including a numbered street address, if any, and the name of a municipality.

(b) If an elector's address has changed since a piece of identification was issued, the new information may be typed or printed on the identification by hand, in ink.

(c) Forms of identification which constitute acceptable proof of residence under this section, when they contain the information specified in par. (a), include the following:

1. A Wisconsin motor vehicle operator's license.
2. A Wisconsin identification card issued under s. 66.057.
3. Any other official identification card or license issued by a Wisconsin governmental body or unit or by an employer in the normal course of business, but not including a business card.
4. A credit card or plate.
5. A library card.
6. A check-cashing or courtesy card issued by a merchant in the normal course of business.
7. A real estate tax bill or receipt.
8. A residential lease.
9. A university, college or technical institute fee card.

10. A university, college or technical institute identification card.

11. An airplane pilot's license.

**SECTION 34. 6.56 (1) to (3) of the statutes are amended to read:**

~~6.56 (1) A separate The list shall be kept by the election officials containing the name, address and serial number of each person who does not appear on the registry list but is allowed to vote containing the names of persons voting under s. ss. 6.29 and 6.55. Such list (2) and (3) shall be returned together with all forms and, affidavits and certificates to the municipal clerk.~~

~~(2) Upon receipt of the list, a check shall be made to determine whether each person who has been allowed to vote under s. 6.55 (3) is properly registered. If so, the registry registration list shall be corrected. If the address on the registry registration list is not correct, the address shall be corrected. The elector shall then be notified by postcard when he or she is properly registered. If such person is found not to be properly registered, the person shall be sent a nonforwardable first class 1st class letter with that information and containing a mail registration form under s. 6.30 (4). The letter shall be marked "ADDRESS CORRECTION REQUESTED--VOTER LIST VERIFICATION". If such letter is returned undelivered, or if the U.S. postal service notifies the clerk of an improper address which was apparently improper on the day of the election, the clerk shall notify the district attorney.~~

~~(3) In the case of persons registering to vote at the polling place or clerk's office under s. 6.55 (2), a check an audit of all of such electors shall be made by postcard the municipal clerk upon receipt of the list, in the same manner as provided in s. 6.32 (4) under sub. (1). Such audit shall be made by first class postcard. The postcard shall be labeled "ADDRESS CORRECTION REQUESTED - VOTER LIST VERIFICATION". If any postcard is returned undelivered, or if the clerk is informed of a different address than the one specified by the elector which was apparently improper on the day of the election, the voter's elector's name shall be stricken from the registry registration list and the name shall be provided by the clerk to the district attorney.~~

**SECTION 35. 6.56 (4) and (5) of the statutes are created to read:**

**6.56 (4)** After each election, the municipal clerk shall carefully check to assure that no person has been allowed to vote more than once. Whenever the municipal clerk has good reason to believe that a person has voted more than once in an election, the clerk shall send the person a 1st class letter with return receipt and address correction requested, informing him or her that all registrations relating to that person may be canceled within 7 days unless the person contacts the office of the clerk to clarify the matter. A copy of such letter and any subsequent information received from or about the addressee shall be sent to the district attorney.

**(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 (3), the name of the corroborator shall also be provided to the district attorney.

**SECTION 36. 6.57 of the statutes is amended to read:**

**6.57 (title) Registration list for school and special elections.** ~~The registry If the registration list has not been revised in time to be used at any school or special election, the registration list used at the last preceding general or municipal election plus a supplementary list may shall be used for school or special elections the election.~~ Before issuing the supplementary list the municipal clerk shall add the newly registered electors and strike the names of those electors known to have died or become disqualified since the last preceding registration list was last revised.

**SECTION 37. 6.76 (2) and (3) of the statutes are amended to read:**

6.76 (2) No penalty, other than a deduction for time lost, may be imposed upon him an elector by his or her employer by reason of the absence authorized by this section.

(3) This section includes applies to all employers including the state and all political subdivisions of the state and their employes, but shall does not affect the employes' right to holidays presently existing on June 28, 1945, or established in the future after that date.

SECTION 38. 6.79 (1), (2), (4) and (5) (title) of the statutes are amended to read:

6.79 (1) MUNICIPALITIES WITHOUT REGISTRATION. Where there is no registration, before receiving his or her ballot, each person shall state his or her full name and address which shall be recorded by the officials in the same order the votes are cast. If the residence of the elector does not have a number, the clerks election officials shall, in the appropriate space, write "none". The officials may require any elector to provide identification, including acceptable proof of residence, or to have another elector corroborate his or her information in accordance with the procedure specified in s. 6.55 (2) (b) before permitting the elector to vote. A separate list shall be maintained of those persons voting under ss. 6.15 and 6.24.

(2) MUNICIPALITIES WITH REGISTRATION. Where there is registration, each person, before receiving a voting number, shall state address and his or her full name and address. Upon the prepared registry registration list, after the name of each elector, the officials shall be entered enter the serial number of the vote as it is polled, beginning with number one. Each elector shall receive a slip bearing the same serial number. A separate list shall be maintained for electors who are voting by oath or affidavit under s. 6.15, 6.29 or 6.55 (2) or (3). Each such elector shall have his or her full name, address and serial number likewise recorded and shall be given a slip bearing such number.

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

(5) (title) POLL LIST FORMS.

SECTION 39. 6.85 of the statutes is amended to read:

**6.85 Absent elector; definition.** An absent elector is any otherwise qualified elector who is or expects to be absent from the municipality in which the absent elector is a qualified elector on election day whether by reason of active service in the U.S. armed forces or for any other reason, or who because of sickness, handicap, physical disability, jury duty or religious reasons cannot appear at the polling place in his or her ward. Any otherwise qualified elector who changes residence within this state after registration closes but who fails to change registration by moving to a different ward or municipality later than 10 days prior to an election may vote an absentee ballot in the ward or municipality where qualified to vote before moving. Any elector qualifying under this section may vote by absentee ballot under ss. 6.86 to 6.89.

SECTION 40. 6.86 (1) of the statutes is amended to read:

6.86 (1) Any elector, qualifying under ss. 6.20 (1) and 6.85 as an absent elector may apply to the municipal clerk for an official ballot either in writing, in person, by completing an affidavit as provided under s. 6.30 (2) (b) in sub. (2) or by agent as

provided in sub. ~~(2)~~ (3). If application is made in writing, the application, signed by the elector, shall be received no sooner than the first of the month 3 months before the election nor after 5 p.m. on the day Friday immediately preceding the election. If application is made in person the application shall not be made sooner than the first of the month 3 months before the month of the election nor later than 5 p.m. on the day preceding the election. If the elector is making written application and the reason for requesting an absentee ballot is that the elector is a sequestered juror, the application shall be received no sooner than ~~the first of the month 3 months 7 days~~ before the election nor after ~~12 noon 5 p.m.~~ on election day. If the application is received after 5 p.m. on the Friday immediately preceding the election, the municipal clerk or the clerk's agent shall immediately take the ballot to the court in which the elector is serving as a juror and deposit it with the judge. The judge shall recess court, as soon as convenient, and give the elector the ballot. The judge shall then notarize the affidavit as provided in s. 6.87 and shall turn the ballot over to the clerk or ~~an~~ agent of the clerk who shall deliver it to the polling place as required in s. 6.88. If application is made by completing an affidavit as provided ~~under s. 6.30 (2) (b) in sub. (2),~~ the affidavit may be received at any time before 5 p.m. on the Friday immediately preceding the election.

SECTION 41. 6.86 (2) of the statutes is renumbered 6.86 (3) and amended to read:

6.86 (3) (a) Any elector who is registered, or otherwise qualified where registration is not required, and who qualifies under ss. 6.20 (1) and 6.85 as an absent elector because the elector ~~has been~~ is hospitalized, may apply for and obtain an official ballot by agent. Such agent may apply for and obtain a ballot for such hospitalized absent elector by presenting a form prescribed by the board and containing the required information supplied by such hospitalized elector and signed by such elector and any other elector from such hospitalized elector's ~~ward or aldermanic district municipality~~ corroborating the information contained therein. The corroborating elector shall state on the form his or her full name and address.

(b) When such properly executed form is presented to the municipal clerk, if the elector who proposes to vote is qualified, an absentee ballot shall be issued and the name of such hospitalized elector shall be recorded by the clerk. An agent who is issued an absentee ballot under this section shall present identification, provide his or her name and address, and attest to a statement that the ballot is received solely for the benefit of a named elector who is hospitalized, and the agent will promptly transmit the ballot to such person.

(c) An application under this subsection by agent may be made 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. A list of such hospitalized electors shall be made by the municipal clerk and used to check that such electors voted only once, and by absentee 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 at the correct polling place before the closing hour for the ballot to be counted.

SECTION 42. 6.87 (2) and (3) of the statutes are amended to read:

6.87 (2) The municipal clerk shall place the ballot in an unsealed envelope furnished by the clerk. The envelope shall have the name, official title and post-office address of the clerk upon its face. The other side of the envelope shall have a printed certificate-affidavit in substantially the following form:

[State of ....]

County of ....]

or

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

I, ...., (certify) (do solemnly swear) subject to the penalties of s. 12.60 (1) (b), Wis. Stats. for false statements that I am a resident of the I.... 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 cannot appear at the polling place in the (ward) (election district) on election day because I expect to be absent from the municipality or because of sickness, handicap, physical disability, religious reasons, jury duty, or because I have changed my residence within the state from one ward or election district to another within 20 10 days before the election but have not changed my registration. I (certify) (swear) that I exhibited the enclosed ballot unmarked to the (2 witnesses) (person administering the oath), that I then in (their) (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 rendered under s. 6.87 (5), Wisconsin Statutes, if I requested assistance, could know how I voted.

Signed ....

The (2 witnesses) (person administering the oath) shall execute either of the following as appropriate:

We, the undersigned witnesses, subject to the penalties of s. 12.60 (1) (b), Wis. Stats., for false statements, certify that the above statements are true and the voting procedure was executed as there stated. Neither of us is a candidate for any office on the enclosed ballot. The elector was not solicited or advised by us to vote for or against any candidate or measure.

....(Name)

....(Address)

....(Name)

....(Address)

Subscribed and sworn to before me this .... day of ...., A.D., ...., and I hereby certify that I am not a candidate on the ballot upon which the affiant voted, that the voting procedure above was executed as therein stated, and that the affiant was not solicited or advised by me to vote for or against any candidate or measure.

....(Name)

....(Title)

....(State or nation)

(3) The municipal clerk shall mail it the absentee ballot postage prepaid for return to the elector's residence unless otherwise directed, or shall deliver it to the elector personally at the clerk's office. If the ballot is mailed to a location other than the elector's residence, it shall be prepaid for return when mailed within the United States.

SECTION 43. 6.88 (3) (c) of the statutes is amended to read:

6.88 (3) (c) All absentee certificate-affidavit envelopes which have been opened and the absentee ballots which have been deposited in the ballot boxes shall also be returned by the inspectors to the municipal clerk in a securely sealed carrier envelope which is clearly marked "used absentee certificate-affidavit envelopes and absentee ballots" and returned to the official who issued the absentee ballots. Except when the ballots are used in a municipal election only, the municipal clerk shall transmit the used envelopes and ballots to the county clerk.

SECTION 44. 6.92 (3) to (7) of the statutes are renumbered 6.92 (2) to (6), respectively.

SECTION 45. 6.925 (intro.) of the statutes is amended to read:

**6.925 Elector making challenge in person.** (intro.) Any elector of the county may challenge for cause any person offering to vote whom the elector knows or suspects is not a qualified elector. If a person is challenged as unqualified by an elector, one of the inspectors shall administer the following oath or affirmation to the challenging elector: "You do solemnly swear (or affirm) that you will fully and truly answer all questions

put to you regarding the challenged person's place of residence and qualifications as an elector of this election"; and shall then ask those of the following questions which are appropriate to test the qualifications of the challenged elector:

**SECTION 46.** 6.935 of the statutes is created to read:

**6.935 Challenge of non compos mentis or insane person.** Section 6.03 (3) applies to any challenge of a person's right to vote under s. 6.92, 6.925 or 6.93 based on an allegation that an elector is insane or non compos mentis and thereby ineligible to vote.

**SECTION 47.** 7.03 of the statutes is amended to read:

**7.03 Compensation of election officials.** A reasonable compensation of not less than \$5 per day shall be paid to each election clerk, ballot clerk, inspector, voting machine custodian, member of a board of canvassers and messenger employed and performing duties under this title. Special registration deputies appointed under s. 6.55 (6) may be paid or unpaid at the option of the municipality. The amount of compensation, when authorized or required, shall be fixed by the appropriate county board of supervisors or municipal governing body. The board shall fix the amount to be paid any person employed to perform duties for the state and charge the expenditures to the appropriation of the hiring official or board.

**SECTION 48.** 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) (b), 6.55 (2) and (3), 6.79 (5) and 6.86 (2) and (3). All such forms shall contain a statement of the penalty applicable to false or fraudulent registration or voting through use of the form. Forms are not required to be furnished by the board.

**SECTION 49.** 7.30 (2) (a) of the statutes is amended to read:

7.30 (2) (a) Each inspector and clerk shall be a qualified elector in the ward, but for which the polling place is established. Special registration deputies appointed under s. 6.55 (6) and election officials serving more than one ward or when necessary to fill a vacancy under par. (b) need not be a resident of the ward. They Special registration deputies may be appointed to serve more than one polling place. All officials shall be able to read and write the English language, be capable, be of good understanding, and shall not be a candidate, other than for aldermanic district or ward committeeman, to be voted for at that election. In 1st class cities they shall hold no public office other than notary public. All officials, except special registration deputies, 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 at the last election. The party which received the largest number of votes shall be entitled to 2 inspectors, one clerk and one ballot clerk for each ward. The party receiving the next largest number of votes shall be entitled to one inspector, one clerk and one ballot clerk for each ward.

**SECTION 50.** 880.07 (3) of the statutes is created to read:

880.07 (3) In accordance with s. 6.03 (3), any elector of a municipality may petition the county court for a determination that a person residing in such municipality is insane or non compos mentis as defined in s. 6.03 (4) and thereby ineligible to register to vote or to vote in an election. This determination shall be made by the court in accordance with the procedures set forth in ss. 880.08 (1) and 880.33 for determining limited incompetency. When a petition is filed under this subsection, the finding of the court shall be limited to a determination as to voting eligibility. The appointment of a guardian or limited guardian is not required for a person whose sole limitation is ineligibility to vote.

**SECTION 51.** 880.33 (9) of the statutes is created to read:

880.33 (9) All the rights and privileges afforded a proposed incompetent under this section shall be given to any person who is alleged to be ineligible to register to vote or to vote in an election by reason that such person is insane or non compos mentis. The determination of the court shall be limited to a finding that the elector is either eligible or ineligible to register to vote or to vote in an election by reason that such person is or

is not insane or non compos mentis as defined in s. 6.03 (4). The determination of the court shall be communicated in writing by the clerk of court to the election official or agency charged under s. 6.48, 6.92, 6.925 or 6.93 with the responsibility for determining challenges to registration and voting which may be directed against that elector. The determination may be reviewed as provided in s. 880.34 (4) and (5) and any subsequent determination of the court shall be likewise communicated by the clerk of court.

**SECTION 52. Appropriation increase.** The appropriation to the elections board under section 20.510 (1) (a), as affected by the laws of 1977, is increased by \$6,000 for the 1978-79 fiscal year for the purpose of funding increased costs due to revision of forms and manuals, as well as training of county and municipal clerks required because of changes in the voter registration and qualification and absentee ballot laws made by this act.

**SECTION 53. Word change.** (1) Wherever in sections 5.70 (2), 6.40 (2) (b), 6.45, 6.50 (8), 6.82 (1) (a), as affected by chapter 26, laws of 1977, 6.82 (2), 6.88 (3), 7.10 (1) (b), 7.23 (1) (e), 7.36 (1), 7.51 (1) (intro.) and (a), (4) (a) and (5), 9.01 (1) (b) 1, 10.66 (4) (p) 3 and (6) (b) 3, 10.76 (4) (h) 2 and (6) (c) 1 and 10.80 (6) (c) of the statutes the word "registry" appears, the word "registration" is substituted.

(2) Wherever in sections 6.36 (title) and 6.50 (title) of the statutes the word "Registry" appears, the words "Registration list" are substituted.

**SECTION 54. Cross reference changes.** In the sections listed below in column A, the cross references shown in column B are changed to the cross references shown in column C:

A Statute Sections	B Old Cross References	C New Cross References
6.94	6.02 (3)	6.02 (2)
7.15 (1) (j)	6.30 (2) (b)	6.86 (2)

**SECTION 55. Effective date; application.** (1) This act shall take effect on July 1, 1978, or on the day after publication, whichever is later, except as provided in subsection (2).

(2) (a) The question of whether the creation of sections 6.15 and 6.24 of the statutes by this act shall take effect shall be submitted to a vote of the people of this state, in the manner provided by law for the submission of an amendment to the constitution, at the general election to be held in November, 1978. If approved by a majority of all the votes cast thereon at such election, they shall take effect after such approval by the people; otherwise they shall be of no effect. If one section is approved, and the other disapproved, the section approved shall be in effect and the other section shall be of no effect. The questions shall be posed separately and shall be submitted as follows:

1. *Presidential Voting - section 6.15, stats.* Shall state law be amended to permit all bona fide residents of this state who qualify as voters to vote for president and vice president, regardless of the length of their residency, as required by federal law?

2. *Overseas Voting - section 6.24, stats.* Shall state law be amended to permit U.S. citizens who are living in a foreign country to vote in federal elections in Wisconsin if they last resided in this state before leaving this country, as required by federal law?

(b) The elections board shall within 10 days after the receipt of the returns from the county clerks canvass certify, record and publish as in the case of a constitutional amendment, the number of ballots cast in favor of such proposed extension of suffrage and the number of ballots cast against it.