

1999 DRAFTINGREQUEST

Bill

Received: **11/23/1999**

Received By: **kuesejt**

Wanted: **As time permits**

Identical to LRB:

For: **Bonnie Ladwig (608) 266-9171**

By/Representing: **her**

This file may be shown to any legislator: NO

Drafter: **rmarchan**

May Contact:

Alt. Drafters:

Subject: **Elections - miscellaneous**

Extra Copies: **JTK-1**

Pre Topic:

No specific pre topic given

Topic:

Election day registration and voting by corroboration

Instructions:

In s. 6.55 (2) (b) and (c) and (3), stats., delete authorization for electors to register on election day or to vote by means of corroboration. Require acceptable proof of residence in all cases.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
I?	rmarchan 12/02/1999	csicilia 12/03/1999		_____			
/1			jfrantze 12/03/1999	_____	lrb-docadmin 12/03/1999	lrb-docadmin 12/07/1999	

FE Sent For:

<END>

1999 DRAFTING REQUEST

Bill

Received: 11/23/1999

Received By: **kuesejt**

Wanted: As time permits

Identical to LRB:

For: **Bonnie Ladwig (608) 266-9171**

By/Representing: **her**

This file may be shown to any legislator: NO

Drafter: **rmarchan**

May Contact:

Alt. Drafters:

Subject: **Elections - miscellaneous**

Extra Copies: **JTK-1**

Pre Topic:

No specific pre topic given

T o p i c :

Election day registration and voting by corroboration

Instructions:

In s. 6.55 (2) (b) and (c) and (3), stats., delete authorization for electors to register on election day or to vote by means of corroboration. Require acceptable proof of residence in all cases.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rmarchan 12/02/1999	csicilia 12/03/1999		_____			
/1			jfrantze 12/03/1999	_____	lrb_docadmin 12/03/1999		

FE Sent For:

<END>

1999 DRAFTINGREQUEST

Bill

Received: **11/23/1999**

Received By: **kuesejt**

Wanted: **As time permits**

Identical to LRB:

For: **Bonnie Ladwig (608) 266-9171**

By/Representing: **her**

This file may be shown to any legislator: **NO**

Drafter: **rmarchan**

May Contact:

Alt. Drafters:

Subject: **Elections - miscellaneous**

Extra Copies: **JTK-1**

Pre Topic:

No specific pre topic given

Topic:

Election day registration and voting by corroboration

Instructions:

In s. 6.55 (2) (b) and (c) and (3), stats., delete authorization for electors to register on election day or to vote by means of corroboration. Require acceptable proof of residence in all cases.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Reauired</u>
1?	rmarchan	1 cjs 12/3/99	J 12/3	Jb mc 12/3			

FE Sent For:

<END>



CS
EMR
DROTE

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Under current law, voter registration is required in every municipality having a population of more than 5,000. If registration is required

8th Cir.

1 AN ACT ... relating to: the registration of electors on election day and the
2 determination of eligible electors in certain municipalities on election day

Analysis by the Legislative Reference Bureau

Currently, any individual who qualifies as an elector in a ward or election district but who is not registered to vote may register on election day to vote in that ward or election district. An individual who registers to vote on election day must complete a registration form and a certification of eligibility and must present acceptable proof of residence. Current law also permits any individual whose name does not appear on a registration list on election day but who claims to be a registered voter in that ward or election district to vote after completing a certification of eligibility and presenting proof of residence. If an individual attempting to vote under either of these procedures is not able to present proof of residence, as an alternative, current law permits another qualified elector who resides in the same municipality to corroborate the information contained in the individual's registration form or certification. Current law also permits any municipality where there is no registration list to follow a similar procedure on election day to determine whether an individual is an eligible elector.

acceptable

acc

I

registration is not required, a similar procedure may be followed

This bill repeals the authority for any individual to utilize corroboration on election day in order to prove that the individual is an eligible elector.

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

1 SECTION 1. 6.33 (2) (b) of the statutes is amended to read:

2 6.33 (2) (b) The registration form shall be signed by the registering elector and
3 any corroborating elector under s. 6.29 (2) (a), or 6.30 (2) to (4) ~~or 6.55-Q)~~ before the
4 clerk, issuing officer or registration deputy The form shall contain a certification by
5 the registering elector that all statements are true and correct.

History: 1971 c. 304 s. 29 (1), (2); 1971 c. 336 s. 37; 1975 c. 85 ss. 15, 16, 17, 66 (3); 1975 c. 94 s. 91; 1977 c. 328, 304, 447; 1979 c. 32; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192.

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

7 6.55 (2) (b) Upon executing the registration form under par. (a), the person
8 shall be required by a special registration deputy or inspector to present acceptable
9 proof of residence under sub. (7). ~~If the person cannot supply such proof, the~~
10 ~~registration form shall be substantiated and signed by one other elector who resides~~
11 ~~in the same municipality as the registering elector, corroborating all the material~~
12 ~~statements therein. The corroborator shall then provide acceptable proof of~~
13 ~~residence. The signing by the elector executing the registration form and by any~~
14 ~~elector who corroborates the information in the form under nar. (a) shall be in the~~
15 presence of the special registration deputy or inspector. Upon compliance with this
16 procedure, such person shall then be given the right to vote.

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

17 SECTION 3. 6.55 (2) (c) 1. and 2. of the statutes are amended to read:

18 6.55 (2) (c) 1. As an alternative to registration at the polling place under pars.
19 (a) and (b), the board of election commissioners, or the governing body of any
20 municipality in which registration is required may by resolution require a person
21 who qualifies as an elector and who is not registered and desires to register on the
22 day of an election to do so at another readily accessible location in the same building
23 as the polling place serving the elector's residence or at an alternate polling place

1 assigned under s. 5.25 (5) (b), instead of at the polling place serving the elector's
2 residence. In such case, the municipal clerk shall prominently post a notice of the
3 registration location at the polling place. The municipal clerk, deputy clerk or special
4 registration deputy at the registration location shall require such person to execute
5 a registration form as prescribed under par. (a) and to provide acceptable proof of
6 residence as provided under sub. (7). ~~If the person cannot supply such proof, the~~
7 ~~registration form shall be corroborated in the manner provided in par. (b).~~ The
8 signing by the elector executing the registration form ~~and by any corroborating~~
9 ~~elector~~ as prescribed under par. (a) shall be in the presence of the municipal clerk,
10 deputy clerk or special registration deputy. Upon proper completion of registration,
11 the municipal clerk, deputy clerk or special registration deputy shall serially number
12 the registration and give one copy to the elector for presentation at the polling place
13 serving the elector's residence or an alternate polling place assigned under s. 5.25
14 (5) (b).

15 2. Upon compliance with the procedures under subd. 1., the municipal clerk or
16 deputy clerk shall issue a certificate addressed to the inspectors of the proper polling
17 place directing that the elector be permitted to cast his or her vote. ~~If the elector's~~
18 ~~registration is corroborated, the clerk shall enter the name and address of the~~
19 ~~corroborator on the face of the certificate.~~ The certificate shall be numbered serially
20 and prepared in duplicate. The municipal clerk shall preserve one copy in his or her
21 office.

22 SECTION 4. 6.55 (3) of the statutes is amended to read:

23 6.55 (3) Any qualified elector in the ward or election district where the elector
24 desires to vote whose name does not appear on the registration list where
25 registration is required but who claims to be registered to vote in the election may

1 request permission to vote at the polling place for that ward or election district.
 2 When the request is made, the inspector shall require the person to give his or her
 3 name and address. If the elector is not at the polling place which serves the ward or
 4 election district where the elector resides, the inspector shall provide the elector with
 5 directions to the correct polling place. If the elector is at the correct polling place, the
 6 elector shall then execute the following written statement: "I, hereby certify that
 7 to the best of my knowledge, I am a qualified elector, having resided at for at least
 8 10 days immediately preceding this election, and that I am not disqualified on any
 9 ground from voting, and I have not voted at this election and am properly registered
 10 to vote in this election." The person shall be required to provide acceptable proof of
 11 residence as provided under sub. (7) and shall then be given the right to vote. ~~If~~
 12 ~~acceptable proof is presented, the elector need not have the information corroborated~~
 13 ~~by any other elector. If acceptable proof is not presented, the statement shall be~~
 14 ~~certified by the elector and shall be corroborated by another elector who resides in~~
 15 ~~the municipality. The corroborator shall then provide acceptable proof of residence~~
 16 ~~as provided in sub. (7). Whenever the question cannot be satisfactorily resolved and~~
 17 ~~the elector~~ ^{cannot be} permitted to vote, an inspector shall telephone the office of the
 18 municipal clerk to reconcile the records at the polling place with those at the office.

History: 1971 c. 304 s. 29 (2); 1973 c. 222; 1975 c. 85, 93, 199, 200; 1977 c. 394, 427; 1979 c. 341; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 s. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192.

19 **SECTION 5. 6.56 (5) of the statutes is repealed.**

20 **SECTION 6. 6.79 (1) of the statutes is amended to read:**

21 6.79 (1) **MUNICIPALITIES WITHOUT REGISTRATION.** Where there is no registration,
 22 before being permitted to vote, each person shall state his or her full name and
 23 address. The officials shall record each name and address on a poll list in the same
 24 order as the votes are cast. If the residence of the elector does not have a number,

1 the election officials shall, in the appropriate space, write "none". Alternatively, the
2 municipal clerk may maintain a poll list consisting of the full name and address of
3 electors compiled from previous elections. Whenever an elector appears to vote, the
4 officials shall verify the correctness of the elector's name and address, and shall enter
5 a serial number next to the name of the elector in the order that the votes are cast,
6 beginning with the number one. If the name and address of an elector do not appear
7 on the prepared poll list, the officials shall record the name, address and serial
8 number of the elector at the bottom of the list. The officials may require any elector
9 to provide identification, including acceptable proof of residence, ~~or to have another~~
10 ~~elector corroborate his or her information in accordance with the procedure specified~~
11 ~~in s. 6.55 (2) (b)~~ before permitting the elector to vote. The officials shall maintain a
12 separate list of those persons voting under ss. 6.15 and 6.24.

13 History: 1971 c. 384 s. 29 (2); 1975 c. 85, 199-200; 1977 s. 394, 447; 1979 c. 260, 314, 355; 1985 a. 304; 1989 a. 192.

SECTION 7. 6.79 (4) of the statutes is amended to read:

14 6.79 (4) SUPPLEMENTAL INFORMATION. When any elector provides identification
15 under sub. (1) or s. 6.15, 6.29 or 6.55 (2) or (3), the election officials shall enter the
16 type of identification on the poll or registration list, or supplemental list maintained
17 under sub. (2). If the form of identification includes a number which applies only to
18 the individual holding, that piece of identification, the election officials shall also
19 enter that number on the list. ~~When an elector corroborates the registration~~
20 ~~identity or residence of any person offering to vote under sub. (1) or s. 6.55 (2) (b) or~~
21 ~~(c) or (3) the name and address of the corroborator shall also be entered next to the~~
22 ~~name of the elector whose information is being corroborated on the registration or~~
23 ~~poll list, or the separate list maintained under sub. (2).~~ When any person offering

1 to vote has been challenged and taken the oath, following the person's name on the
2 registration or poll list, the officials shall enter the word "Sworn".

3 ~~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~~
(END)

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

LRB-4001/1dn

RJM:Y:....

gjs

Representative Ladwig:

This bill repeals the authority for an individual to utilize ~~corroboration~~ on election day in order to prove that he or she is eligible to vote. However, s. 6.29(2)(a), stats., authorizes a person to use corroboration in order to register to vote up to 5 p.m. on the day before the election. Please let me know if you intend to repeal or amend this authorization as well.

Robert J. Marchant
Legislative Attorney
Phone: (608) 261-4454
E-mail: Robert.Marchant@legis.state.wi.us

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 1210311999

To: Representative Ladwig

Relating to LRB drafting number: LRB-4001

Topic

Election day registration and voting by corroboration

Subject(s)

Elections - miscellaneous

1. **JACKET** the draft for introduction Bonnie Ladwig
in the **Senate** or the **Assembly** (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT**. See the changes indicated or attached _____
A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____
If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Robert J. Marchant, Legislative Attorney
Telephone: (608) 261-4454

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

LRB-4001/1dn
RJM:cjs:jf

December 3, 1999

Representative Ladwig:

This bill repeals the authority for an individual to utilize corroboration on election day in order to prove that he or she is eligible to vote. However, s. 6.29 (2) (a), stats., authorizes a person to use corroboration in order to register to vote up to 5 p.m. on the day before the election. Please let me know if you intend to repeal or amend this authorization as well.

Robert J. Marchant
Legislative Attorney
Phone: (608) 2614454
E-mail: Robert.Marchant@legis.state.wi.us