

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: 05/3/99

Received By: **rmarchan**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Worzala**

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

Drafter: **rmarchan**

May Contact:

Alt. Drafters:

Subject: **Elections - miscellaneous**

Extra Copies: **JTK**

Pre Topic:

LFB:.....Worzala -

Topic:

Challenging an elector's qualifications

Instructions:

See Attached. Incorporate LRB-2269/2.

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>
/1	rmarchan	chanaman	jfrantze	_____	lrb_docadmin		
	05/5/99	05/5/99	05/5/99	_____			
	rmarchan	chanaman		_____			
	05/17/99	05/17/99		_____			
/2			kfollet	_____	lrb_docadmin		
			05/19/99	_____			

FE Sent For:

<END>

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: **05/3/99**

Received By: **rmarchan**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Worzala**

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

Drafter: **rmarchan**

May Contact:

Alt. Drafters:

Subject: **Elections - miscellaneous**

Extra Copies: **JTK**

Pre Topic:

LFB:.....Worzala -

Topic:

Challenging an elector's qualifications

Instructions:

See Attached. Incorporate LRB-2269/2.

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>
/1	rmarchan 05/5/99	chanaman 05/5/99	jfrantze 05/5/99	_____	lrb_docadmin 05/5/99		

FE Sent For:

cmj
5/17
h

kjf
5/18

kjf/jf
5/18
<END>

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: 05/3/99

Received By: rmarchan

Wanted: Soon

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Worzala

This file may be shown to any legislator: NO

Drafter: rmarchan

May Contact:

Alt. Drafters:

Subject: Elections - miscellaneous

Extra Copies: JTK

Pre Topic:

LFB:.....Worzala -

Topic:

Challenging an elector's qualifications

Instructions:

See Attached. Incorporate LRB-2269/2.

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>
1/?	rmarchan	<i>cmh</i> <i>11</i> <i>5/5</i>	<i>5/5</i>	<i>Jtk</i> <i>5/5</i>			

FE Sent For:

<END>



Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

Date: 5/2/99

DELIVER TO:

JEFF Kuebel

Addressee Fax #:

Addressee Phone #:

of Pages, Including Cover:

2

Sender's Initials:

DW

From:

David Worzela

Message:

Budget Drafts -
for Elections Board.

DW

1999

Date (time) needed SOON

LRB b 0223, 1

**LFB BUDGET AMENDMENT
[ONLY FOR LFB]**

REM: em 4

See form **AMENDMENTS — COMPONENTS & ITEMS.**

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

>>FOR JT. FIN. SUB. — NOT FOR INTRODUCTION<<

RMR

DNOTE

At the locations indicated, amend the bill as follows:

#. Page 121, line 1: before that line insert:

INSERT A

#. Page 121, line 1: delete "SECTION 1" and substitute "SECTION 1" *CS* *B*

#. Page 147, line 16: after that line insert:

(2) CHALLENGING ELECTORS. The treatment of sections 6.92 (intro.) and 6.925 (1) to (6), 6.925 (intro.) and 6.925 (1) to (6) of the statutes takes effect on the first day of the 6th month beginning after publication.

#. Page . . . , line . . . :

(END)

#. Page . . . , line . . . :

#. Page . . . , line . . . :



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-226972

RJM&JTK:cmh:km

INSERT A

1999 BILL

1 **AN ACT to repeal 6.92 (1) to (6) and 6.925 (1) to (6); and to renumber and amend**
2 **6.92 (intro.) and 6.925 (intro.) of the statutes; relating to: challenging electors**
3 **and granting rule-making authority.**

Analysis by the Legislative Reference Bureau

Under current law, election inspectors must challenge an elector's qualifications to vote if the inspector knows or suspects that the elector attempting to vote is unqualified. In doing so, the inspector must administer an oath to the challenged elector and must ask various questions specified in the statutes designed to aid in determining the elector's qualifications. The inspector may also ask any other questions to determine the elector's qualifications. The statutory questions are as follows:

"(1) If challenged as unqualified on the ground that the person is not a citizen:
Are you a citizen of the United States?

(2) If challenged as unqualified on the ground that the person is not a resident of the ward where the person's vote is offered:

(a) When did you last come into this ward?

(b) Did you come for a temporary purpose only, or for the purpose of making it your home?

(c) Did you come into this ward for the purpose of voting here?

(d) Have you now and have you had for the last ten days a voting residence in this ward? If so, what is the particular description, name and location of your residence?

BILL

(e) If the answer to par. (d) is no, then: Have you moved from the ward after the close of registration?

(f) Have you registered to vote at this election at any other place within or outside this state?

(g) Have you applied for an absentee ballot at any place in this or any other state?

(h) If single, do you board for part of the week, month or year with your parents?

(i) If you have no parents, or are self-supporting, have you registered to vote in this ward?

(j) Will you file your next state income tax return as a resident of this ward?

(3) If challenged as unqualified on the ground that the person is not 18 years of age: Are you 18 years of age to the best of your knowledge and belief?

(4) If challenged as unqualified on the ground that the person has made or become directly or indirectly interested in any bet or wager depending upon the result of the election:

(a) Have you made, in any manner, any bet or wager depending upon the result of this election, or on the election of any person for whom votes may be cast at the election?

(b) Are you in any manner, directly or indirectly, interested in any bet or wager depending in any way upon the result of this election?

(5) If challenged as unqualified on the ground that the person has been convicted of treason, felony or bribery and not been subsequently restored to civil rights:

(a) Have you ever been tried or convicted in this state of any crime? If yes, then—

(b) Of what crime, when and in what court were you so convicted?

(c) Have you in any manner since the conviction been restored to civil rights, and if yes, how?"

Challenges to an elector's qualifications may also be made by other electors who know or suspect that an elector is not qualified to vote. In such a case, the elector making the challenge is asked similar questions, which are also specified in the statutes, designed to elicit information about the challenged elector's qualifications.

This bill repeals the statutory questions used when an elector's qualifications are challenged. Instead, the bill requires the elections board, by rule, to determine the questions to be asked when an elector's qualifications are challenged.

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

LWS:epg
A

1

SECTION 1. 6.92 (intro.) of the statutes is renumbered 6.92 and amended to

read:



BILL

1 **6.92 Inspector making challenge.** Each inspector shall challenge for
 2 cause any person offering to vote whom the inspector knows or suspects is not a
 3 qualified elector. If a person is challenged as unqualified by an inspector, one of the
 4 inspectors shall administer the following oath or affirmation to the person: "You do
 5 solemnly swear (or affirm) that you will fully and truly answer all questions put to
 6 you regarding your place of residence and qualifications as an elector of this
 7 election"; and shall then ask ~~those of the following~~ questions which are appropriate
 8 as determined by the board, by rule, to test the person's qualifications.

9 ~~SECTION 6.~~ ^{1g} 6.92 (1) to (6) of the statutes are repealed.

10 ~~SECTION 6.~~ ¹ⁿ 6.925 (intro.) of the statutes is renumbered 6.925 and amended to
 11 read:

12 **6.925 Elector making challenge in person.** Any elector may challenge for
 13 cause any person offering to vote whom the elector knows or suspects is not a
 14 qualified elector. If a person is challenged as unqualified by an elector, one of the
 15 inspectors may administer the oath or affirmation to the challenged elector under s.
 16 6.92 and ask the challenged elector the questions under that section which are
 17 appropriate to test the elector's qualifications. In addition, one of the inspectors shall
 18 administer the following oath or affirmation to the challenging elector: "You do
 19 solemnly swear (or affirm) that you will fully and truly answer all questions put to
 20 you regarding the challenged person's place of residence and qualifications as an
 21 elector of this election"; and shall then ask ~~those of the following~~ questions which are
 22 appropriate as determined by the board, by rule, to test the qualifications of the
 23 challenged elector.

24 ~~SECTION 6.~~ ^{1r} 6.925 (1) to (6) of the statutes are repealed. ⁾⁾

25 ~~SECTION 5. Effective date.~~

BILL

SECTION 5

1 (1) This act takes effect on the first day of the 6th month beginning after

2 publication.

3 (END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0223/21 ^{Idn}

RJM:.....
cmr

Attached is the amendment you requested incorporating LRB-2269/2 into the budget bill. Please call if you have any questions. ^

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0223/1dn
RJM:cmh:jf

May 5, 1999

Attached is the amendment you requested incorporating LRB-2269/2 into the budget bill. Please call if you have any questions.

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



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0223/2
RJM:cmh:jf

SOON

EMUR
DUOTE

LFB:.....Worzala – Challenging an elector’s qualifications

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

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

2 1. Page 121, line 1: before that line insert: ✓

3 “SECTION 1c. 6.92 (intro.) of the statutes is renumbered 6.92 and amended to
4 read:

5 **6.92 Inspector making challenge.** Each inspector shall challenge for
6 cause any person offering to vote whom the inspector knows or suspects is not a
7 qualified elector. If a person is challenged as unqualified by an inspector, one of the
8 inspectors shall administer the following oath or affirmation to the person: “You do
9 solemnly swear (or affirm) that you will fully and truly answer all questions put to
10 you regarding your place of residence and qualifications as an elector of this
11 election”; and shall then ask ~~these of the following~~ questions which are appropriate
12 as determined by the board, by rule, to test the person’s qualifications.

1 **SECTION 1g.** 6.92 (1) to (6) of the statutes are repealed.

2 **SECTION 1n.** 6.925 (intro.) of the statutes is renumbered 6.925 and amended
3 to read:

4 **6.925 Elector making challenge in person.** Any elector may challenge for
5 cause any person offering to vote whom the elector knows or suspects is not a
6 qualified elector. If a person is challenged as unqualified by an elector, one of the
7 inspectors may administer the oath or affirmation to the challenged elector under s.
8 6.92 and ask the challenged elector the questions under that section which are
9 appropriate to test the elector's qualifications. In addition, one of the inspectors shall
10 administer the following oath or affirmation to the challenging elector: "You do
11 solemnly swear (or affirm) that you will fully and truly answer all questions put to
12 you regarding the challenged person's place of residence and qualifications as an
13 elector of this election"; and shall then ask ~~these of the following~~ questions which are
14 appropriate as determined by the board, by rule, to test the qualifications of the
15 challenged elector. ✓

16 **SECTION 1r.** 6.925 (1) to (6) of the statutes are repealed. ✓

17 **2.** Page 121, line 1: delete "**SECTION 1**" and substitute "**SECTION 1w**".

18 **3.** Page 1471, line 16: after that line insert:

19 “(2g) **CHALLENGING ELECTORS.** The treatment of sections 6.92 (intro.) and (1) to
20 (6) and ~~6.92~~ ^{6.925} (intro.) and (1) to (6) of the statutes takes effect on the first day of the
21 6th month beginning after publication.”

22

(END)

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

LRB0223/2 dn
RJM:cmf

May 5, 1999

This draft corrects a cross-reference in the nonstatutory material on page 2, line 20. I apologize for any inconvenience.

a redraft of

Attached is the amendment you requested incorporating LRB-2269/2 into the budget bill. Please call if you have any questions.

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

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

LRBb0223/2dn
RJM:cmh:kjf

May 18, 1999

Attached is a redraft of the amendment you requested incorporating LRB-2269/2 into the budget bill. This draft corrects a cross-reference in the nonstatutory material on page 2, line 20. I apologize for any inconvenience. Please call if you have any questions.

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



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0223/2
RJM:cmh:kjf

LFB:.....Worzala – Challenging an elector’s qualifications

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

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

2 **1.** Page 121, line 1: before that line insert:

3 “SECTION 1c. 6.92 (intro.) of the statutes is renumbered 6.92 and amended to
4 read:

5 **6.92 Inspector making challenge.** Each inspector shall challenge for
6 cause any person offering to vote whom the inspector knows or suspects is not a
7 qualified elector. If a person is challenged as unqualified by an inspector, one of the
8 inspectors shall administer the following oath or affirmation to the person: “You do
9 solemnly swear (or affirm) that you will fully and truly answer all questions put to
10 you regarding your place of residence and qualifications as an elector of this
11 election”; and shall then ask ~~those of the following~~ questions which are appropriate
12 as determined by the board, by rule, to test the person’s qualifications.

