

**1999 DRAFTING REQUEST**

**Bill**

Received: 01/24/2000

Received By: kuesejt

Wanted: 01/27/2000

Identical to LRB:

For: Stephen Freese (608) 266-7502

By/Representing: Terri Griffiths

This file may be shown to any legislator: NO

Drafter: kuesejt

May Contact:

Alt. Drafters: rmarchan

Subject: Elections - campaign finance  
Elections - miscellaneous

Extra Copies: Rep. Freese - 15

**Pre Topic:**

No specific pre topic given

**Topic:**

Various election law changes

**Instructions:**

Per LRB-3475, with changes by Assembly Committee on Campaigns and Elections.

**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>
/?	kuesejt 01/25/2000	chanaman 01/26/2000		_____			S&L
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✓ DNOTE

1999 - 2000 LEGISLATURE

-4306/1  
LRB-3735/P3

JTK/RJM:cmh:ch

WANTED by THU 1/27 - 9AM

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

(regenerate)

1 AN ACT *to repeal* 5.25 (4) (b), 5.35 (6) (a) 4., 5.55 (form), 5.58 (2) (b), 5.60 (8) (a)  
2 1., 2. and 3., 5.64 (1) (c), 5.64 (2) (a) and (b), 5.64 (3) (intro.), 6.30 (2) and (3), 6.865  
3 (2), 7.30 (4) (cm), 7.30 (4) (cn), 7.38 (title) and (1), 7.39, 8.17 (2), (3) and (4) (a)  
4 and (b), 11.06 (3) (b) and 11.06 (3r); *to renumber and amend* 5.55 (intro.), 5.58  
5 (2) (a), 5.60 (8) (a) (intro.), 5.62 (1) (b), 5.62 (2), 5.64 (1) (e), 5.64 (2) (intro.), 5.64  
6 (3) (a), 5.64 (3) (b), 6.36 (2), 6.46, 7.38 (3), 8.17 (4) (c) and 11.50 (9); *to*  
7 *consolidate, renumber and amend* 6.865 (intro.) and (1); *to amend* 5.01 (4)  
8 (a), 5.05 (1) (e), 5.15 (6) (b), 5.25 (1), 5.35 (4), 5.35 (6) (b), 5.37 (3), 5.53 (2), 5.58  
9 (intro.), 5.58 (1) (intro.), 5.58 (1c), 5.58 (1g) (a), 5.58 (1g) (b), 5.58 (1r), 5.58 (2m),  
10 5.60 (intro.), 5.60 (1) (intro.), 5.60 (1) (b), 5.60 (2), 5.60 (3) (intro.), 5.60 (4) (a)  
11 and (b), 5.60 (4m), 5.60 (5) (intro.), 5.60 (5) (a), 5.60 (6) (a), 5.60 (6m) and (7),  
12 5.60 (8) (intro.), 5.62 (1) (a), 5.62 (5), 5.64 (1) (intro.), 5.64 (1) (a), 5.64 (1) (b), 5.64  
13 (1) (d), 5.64 (1) (f), 5.64 (2) (c), 5.65, 5.68 (5), 5.81 (1), 5.81 (2), 6.15 (3) (b), 6.22  
14 (4), 6.22 (5), 6.24 (1) and (2), 6.24 (3), 6.24 (3), 6.24 (4) (c), 6.24 (4) (d), 6.24 (5),  
15 6.24 (6), 6.24 (7), 6.275 (1) (c), 6.28 (1), 6.29 (1), 6.29 (2) (b), 6.29 (2) (c), 6.30 (1),

1 6.30 (4), 6.33 (1), 6.33 (2) (b), 6.35 (1) (intro.), 6.40 (2) (b), 6.45, 6.55 (2) (a), 6.79  
2 (intro.), 6.79 (1) to (3), 6.79 (5), 6.80 (2) (e) and (f), 6.85, 6.86 (1) (b), 6.86 (3) (a),  
3 6.87 (2), 6.87 (3) (a), 6.87 (4), 6.87 (5), 6.87 (7), 6.87 (8), 6.87 (9), 6.875 (2) (b),  
4 6.875 (2) (c), 6.875 (4), 6.875 (6), 6.88 (1), 6.88 (2), 6.88 (3) (a), 6.88 (3) (b), 6.95,  
5 chapter 7 (title), 7.08 (1) (c), 7.08 (2) (a), 7.10 (2), 7.15 (1) (cm), 7.30 (2) (a), 7.30  
6 (4) (b) 1., 7.30 (4) (b) 2., 7.37 (6), 7.41 (1), 7.51 (1), 7.51 (3) (d), 7.53 (2) (a), 7.53  
7 (3) (a), 7.60 (2), 7.60 (4) (a), 7.60 (4) (b), 7.60 (5), 7.60 (6), 7.70 (3) (a), 7.70 (3) (b),  
8 7.70 (3) (c), 7.70 (3) (d), 7.70 (3) (e) (intro.), 7.70 (3) (g), 7.70 (3) (h), 7.70 (3) (i),  
9 7.70 (5) (a), 8.05 (1) (j), 8.05 (3) (b), 8.05 (3) (d) and (e), 8.05 (5), 8.10 (6) (a), 8.12  
10 (2), 8.17 (1) (a), 8.17 (5) (b), 8.20 (9), 8.21, 8.35 (2) (a), 8.35 (2) (d), 8.35 (4) (b) to  
11 (d), 8.50 (1) (a), 8.50 (1) (b), 8.50 (4) (fm), 9.01 (1) (a), 9.01 (1) (ag) 1., 9.01 (1) (ag)  
12 2., 9.01 (1) (ag) 3., 9.01 (1) (ar) 3., 9.01 (1) (b) 2., 9.01 (1) (b) 11., 9.01 (2), 9.01 (5)  
13 (a), 9.01 (5) (c), 9.01 (6) (a), 9.01 (7), 9.01 (8), 10.02 (3) (b) 1., 10.02 (3) (b) 2., 10.02  
14 (3) (b) 2m., 10.02 (3) (b) 3. and 4., (c) and (d), 10.06 (2) (h), 10.06 (4) (i), 11.01 (11),  
15 11.02 (3), 11.03 (1), 11.05 (2r), 11.05 (7), 11.06 (1) (intro.), 11.06 (1) (h), 11.06 (4)  
16 (b), 11.12 (4), 11.14 (3), 11.20 (10) (a), 11.21 (15), 11.26 (2) (a), 11.26 (9) (a), 11.26  
17 (9) (b), 11.31 (1) (a), 11.31 (1) (b), 11.31 (1) (c), 11.31 (1) (d), 11.31 (1) (e) and (f),  
18 11.31 (2), 11.31 (3), 11.31 (3m), 11.31 (4), 11.50 (2) (a), 11.50 (2) (b) 5., 11.50 (2)  
19 (g), 11.50 (2) (i), 11.50 (8), 11.50 (10m) (title), 11.50 (11) (d), 11.60 (4) and (5),  
20 11.61 (1) (b), 12.60 (1) (a), 12.60 (1) (b), 13.123 (3) (b) 2., 24.66 (4), 32.72 (1), 38.08  
21 (1) (a) 1., 59.05 (2), 59.08 (7) (b), 60.11 (7), 60.62 (2), 60.74 (5) (b), 60.785 (2) (a),  
22 61.187 (1), 61.46 (1), 62.13 (6) (b), 64.39 (2), 66.021 (5) (a), 66.022 (3), 66.023 (4)  
23 (e) 1. and 2., 66.024 (4) (a) and (b), 66.027, 66.028 (6) (a) and (b), 66.059 (2m) (b),  
24 66.061 (1) (c), 66.075 (5), 66.521 (10) (d), 66.77 (3) (a) 1., 66.94 (4), 67.12 (12) (e)  
25 6., 81.01 (3) (b), 86.21 (2) (a), 92.11 (4) (c), 119.48 (4) (c), 119.49 (2), 120.06 (6)

1 (b), 121.91 (3) (a), 125.05 (1) (b) 5., 197.04 (1) (b), 197.10 (2), 227.52 (6), 755.01  
 2 (4) and 778.135; **to repeal and recreate** 6.22 (2) (b); and **to create** 5.25 (4) (d),  
 3 5.51 (8), 5.62 (1) (b) 2., 5.62 (2) (b), 5.64 (1) (e) 2., 5.64 (1) (eg), 5.655, 6.35 (1m),  
 4 6.36 (2) (b), 6.36 (4), 6.47, 6.55 (2) (cm), 6.79 (6), 6.87 (3) (d), 6.87 (6m), 7.10 (6),  
 5 7.21 (2m), 7.41 (4), 8.10 (6) (bm), 8.17 (5) (bm), 8.37, 9.01 (1) (ad), 9.01 (1) (ag)  
 6 1m., 9.01 (1) (ag) 3m., 9.01 (1) (b) 12., 9.01 (5) (bm), 11.02 (3e), 11.05 (3) (q), 11.05  
 7 (7m), 11.06 (3x), 11.21 (18), 11.25 (2) (ap), 11.26 (8m), 11.31 (1) (cm), 11.31 (9),  
 8 11.395, 11.50 (2) (b) 3m., 11.50 (9) (a) and (b), 11.60 (3r), 12.13 (2) (b) 8., 12.13  
 9 (3) (zm) and (zn) and 67.05 (3) (am) of the statutes; **relating to** various changes  
 10 in the election laws; requiring a referendum; ~~granting rule-making authority~~  
 11 and providing penalties.

***Analysis by the Legislative Reference Bureau***

This bill makes various changes in election laws. Significant provisions include:

✓  
**I. REGISTRATION AND VOTER PARTICIPATION**

***Voting absentee***

Under current law, the authority to vote absentee is restricted to electors who will be absent from the municipality in which they are qualified electors on election day for any reason or who because of age, sickness, handicap, physical disability, jury duty, service as an election official or religious reasons cannot appear at the polling place in their wards.

This bill authorizes absentee voting by any qualified elector who for any reason is unable or unwilling to vote at the polling place.

***Transmittal of absentee ballots by facsimile transmission or electronic mail***

Currently, when an elector who qualifies for an absentee ballot makes a proper written application for a ballot, the municipal clerk mails a ballot to the elector, together with a certificate–affidavit envelope. The elector then casts the ballot, encloses the ballot in the certificate–affidavit envelope, signs the certificate–affidavit and mails the envelope to the municipal clerk of the municipality who sent the ballot to the elector.

This bill permits the municipal clerk of any municipality to send an absentee ballot to an elector who files a valid application for the ballot by means of facsimile transmission or electronic mail, unless the municipality uses an electronic voting system that requires an elector to punch a ballot in order to cast the elector's votes. The absentee ballot must be accompanied by a copy of the text of a certificate, together with instructions prescribed by the elections board. The elector must then enclose the ballot in an envelope that is in turn enclosed in a larger envelope containing the certificate, sign the certificate and mail the larger envelope to the municipal clerk with postage prepaid.

#### ***Authentication of absentee ballots***

Under current law, an elector voting absentee must swear an affidavit or complete a certification indicating that the elector is qualified to vote the absentee ballot and that the elector has voted the absentee ballot in the manner prescribed by law. Any elector who swears an affidavit must do so before a person who is authorized to administer oaths. Any elector who completes a certification must do so before two witnesses. Under current law, the witnesses for any overseas or military elector must be adult U.S. citizens.

This bill deletes the requirement that an elector voting absentee must complete a certification before two witnesses or swear an affidavit and, instead, requires an elector to complete a certification before one witness. For any overseas or military elector this witness must be a U.S. citizen.

*an adult*

#### ***Confidential listings on poll and registration lists***

Currently, the names and addresses of all electors who vote, and in municipalities where registration is required, the names of electors who register to vote, are publicly accessible. Electors must orally disclose their names and addresses at polling places, which are recorded on poll and registration lists. Polling place observers may inspect the lists of names and addresses of registered and actual voters.

This bill permits certain electors to vote or register to vote confidentially. To be eligible for a confidential listing, an elector must have been granted a protective order by a court that is currently in effect restraining another person from having or causing contact with the elector for reasons relating to domestic abuse; the elector must reside in an organized shelter for persons whose personal security is or may be threatened by other persons with whom the residents have had contact; or the elector must present the affidavit of a sheriff or chief of a police department verifying that a person has been charged with or convicted of an offense relating to domestic abuse in which the elector was a victim and reasonably continues to be threatened by that person. Under the bill, an "offense relating to domestic abuse" includes sexual assault, battery, stalking, harassment or sexual exploitation. A confidential listing expires when a protective order expires, when an individual ceases to be a resident of a shelter, when the sheriff or chief of a police department who signed an affidavit notifies a municipal clerk that a judgment in a domestic abuse case has been vacated or that a domestic abuse charge has been dropped, or upon expiration of the two-year

period following creation of the listing, whichever first occurs. A listing may be renewed in the same manner as provided for creation of an original listing.

Under the bill, a municipal clerk must still provide access to a confidential name and address to a law enforcement officer for official purposes; to a state or local governmental officer pursuant to a specific law that necessitates obtaining the name or address; pursuant to a court order citing a reason that access to a name or address should be provided; to a clerk of circuit court for purposes of jury selection; or at the request of the protected elector for the purpose of permitting the elector to qualify as a signer on certain petitions.

The bill directs municipal clerks to issue to each elector who is entitled to a confidential listing an identification card containing a unique number issued by the elections board, which may be presented to election inspectors (poll workers) in lieu of providing a name and address. Alternatively, the bill permits an elector where registration is required to give his or her name and identification card number in lieu of an address.

Currently, voters may register at polling places, high schools and various other locations. Under this bill, an elector who wishes to obtain a confidential listing must register at the office of the clerk of the municipality where the elector resides.

The bill provides that polling place observers may not view the name or address of any elector who is entitled to be listed on a poll or registration list confidentially. However, the inspectors must disclose to any observer, upon request, the existence of any confidential list of electors, the number of electors whose names appear on the list and the number of those electors who have voted at any point in the proceedings.

The bill prohibits election officials and other persons who are provided confidential information relating to the names and addresses of electors from disclosing that information to other persons who are not authorized to obtain that information. The bill also prohibits an individual from providing false information to a municipal clerk for the purpose of obtaining a confidential listing on a poll or registration list. Violators are guilty of a misdemeanor and are subject to a fine of not more than \$1,000 or imprisonment for not more than six months, or both, for each offense.

### ***Substantiation of voter registration information***

Currently, when an elector registers by mail before election day, the elector's registration form must be substantiated by a special voter registration deputy or by another elector who resides in the same municipality where the registering elector resides, substantiating all material statements on the registration form.

This bill deletes this requirement.

### ***Late voter registration***

Under current law, the deadline for voter registration is 5 p.m. on the second Wednesday preceding the election. Registrations made by mail must be delivered to the office of municipal clerk or board of election commissioners or postmarked not later than the second Wednesday preceding the election. Voters may register after

the

this deadline in person at the office of the municipal clerk or board of election commissioners or at the proper polling place on election day.

This bill authorizes a municipal clerk to accept a registration in any manner after the second Wednesday preceding an election, if the clerk determines that the registration list can be revised to incorporate the registration in time for the election without creating a secondary registration list or separate registration material to accommodate the late registrant.

#### ***Location of polling places***

Under current law, the governing body of a city, village or town establishes polling places, except that the city board of election commissioners establishes polling places in cities with a population of over 500,000. So far as practicable, the places chosen must be public buildings.

(currently, only Milwaukee)

This bill permits the authority charged with establishing polling places to choose a nonpublic building for this purpose if use of a public building is impracticable, as under current law, or if use of a nonpublic building better serves the needs of the electorate.

#### ***Report on impediments to voting***

Under current federal and state law, all polling places, with limited exceptions, must be accessible to handicapped and elderly voters. Until 1994, federal law also required the chief election officer of each state to report to the federal election commission every two years the number of accessible and inaccessible polling places in the state and the reasons for any instances of inaccessibility. State law requires the executive director of the state elections board to transmit a copy of each such report to the legislature. Federal law, however, no longer requires this report.

This bill deletes the current reporting requirements and instead requires the state elections board to submit a biennial report on the impediments faced by elderly and handicapped voters in the state to each house of the legislature for distribution to the appropriate standing committees. ✓

#### ***Voting by children of overseas electors***

Under current law, the adult dependent children of members of the armed forces and merchant marine, federal employees and peace corps volunteers who are stationed abroad may vote in elections in this state in the ward or election district where the parent who provides support for the children is entitled to vote.

This bill extends the privilege of voting, in federal elections only, to the adult citizen children of other U.S. citizens who are residing overseas, subject to approval at a statewide referendum to be held in November 2000.

#### ***Depositing ballots into ballot boxes***

Generally, under current law, when an elector has completed voting his or her ballot, the elector may either deposit the ballot into the ballot box or deliver it to an election inspector for deposit into the ballot box. However, in certain situations,

electors are not given such an option. For example, persons otherwise qualified to vote, but who have not resided in the state for ten days prior to the date of the presidential election, may vote for president but the statutes provide that such electors' ballots must be given to an election inspector who must deposit the ballots into the ballot box. Conversely, at partisan primaries and the presidential preference primary when paper ballots are distributed to electors, the statutes provide that an elector must place the ballot into the appropriate ballot box and do not provide the option for an inspector to deposit the ballot.

This bill amends current law to provide specifically that, in these situations, the ballots may be either deposited directly into the ballot box by the electors or given to the inspector who must deposit them into the ballot box.

## ✓ II. ROLE OF POLITICAL PARTIES AND CANDIDATES

### *Election of committeemen or committeewomen*

Under current law, political parties qualifying for separate ballot status elect their party committeemen or committeewomen at the September primary. The function of committeemen and committeewomen is to represent their neighborhoods in the structure of the political parties and to serve as liaisons between their party and the residents of their election districts.

This bill requires that political party committeemen or committeewomen be selected by a vote of the county political party members in good standing at a meeting held after the September primary but before April 1 of the following year.

### *Observation at polling places*

Currently, political party committeemen and committeewomen may appoint official observers to observe proceedings at polling places. Candidates at partisan primary elections, as well as independent and nonpartisan candidates and groups seeking to influence voting at referenda may similarly appoint official observers. Official observers are issued permits by the appropriate municipal clerk or board of election commissioners. In addition, under current law, any person other than a candidate may be present at a polling place for purposes of observation, provided that the person is not disruptive and does not engage in electioneering.

This bill discontinues appointment of official observers, but retains the right of persons other than candidates to observe proceedings at polling places. The bill also permits the chief inspector (poll worker) at each polling place to reasonably limit the number of persons representing the same organization who are permitted to observe at the polling place at the same time.

### *Presidential ballots*

Current law requires a separate ballot when the president and vice president of the United States are to be elected.

This bill eliminates that requirement and requires instead that the names of candidates for president and vice president be placed on the official general election

ballot in a manner that will allow electors to vote for a political party's candidates for president and vice president by voting a straight party ticket.

### ***Partisan primary and election ballots***

Under current law, every recognized political party listed on the official ballot at the last gubernatorial election whose candidate for any statewide office received at least 1% of the total votes cast for that office and, if the last general election was also a presidential election, every recognized political party listed on the ballot at that election whose candidate for president received at least 1% of the total votes cast for that office is entitled to a separate primary ballot or one or more separate columns or rows on the September primary ballot. In addition, at least one candidate of the party for a state office must have qualified to have his or her name appear on the ballot under the name of the party at the last gubernatorial election.

This bill imposes an additional requirement that, at each election, within each assembly district or county, the party have at least one candidate for any national, state or county office listed on the ballot. If a party that qualifies for a separate ballot, column or row under current law does not qualify for a separate ballot, column or row under the bill, the bill requires that a separate ballot, column or row be provided instead that must contain a place for casting a vote for a write-in candidate of each party that qualifies under current law for a separate ballot, column or row for each office, but that no longer qualifies for a separate ballot, column or row under the bill.

## ✓ III. ELECTIONS ADMINISTRATION

### ***Electronic poll lists***

Under current law, election officials at each election ward must maintain two separate lists of all persons voting. This bill authorizes those lists to be maintained in an electronic format approved by the elections board or its executive director.

### ***Reporting election returns by ward***

Current law authorizes the governing body of a municipality to combine two or more wards for voting purposes to facilitate using a common polling place. However, with certain exceptions, every municipality having a population of 35,000 or more is required to maintain separate election returns for each ward so combined. This bill changes the population threshold so that only municipalities with a population of 50,000 or more are required to maintain separate election returns for each ward so combined.

### ***Canvass of elections by designees***

Currently, the chairperson of the elections board canvasses the returns of elections for state and national office and statewide referenda and determines the results. This bill permits the chairperson to appoint another person to canvass a specific election. The designee of the chairperson then carries out the duties of the

chairperson for that election only. ~~Also under current law, every county clerk is required to appoint one or more deputies.~~

*INS 9A*

This bill provides that, if a county clerk's office is vacant, if the clerk cannot perform his or her duties or if the clerk is a candidate at an election being canvassed, the county clerk shall designate a deputy clerk to perform his or her duties. Under the bill, if the county clerk and the designated deputy clerk are both unable to perform their duties, the county executive or chairperson of the county board of supervisors designates another qualified elector to serve, as currently provided.

#### ***Administration of elections for joint municipal judges***

Under current law, municipalities may enter into an agreement to establish a joint municipal court. In such cases, candidates for municipal judge file nomination papers with the elections board and their elections are certified by the board of state canvassers.

This bill requires those candidates to file nomination papers with the county clerk or board of election commissioners of the county having the largest population in the jurisdiction served by the judge and their elections to be certified by the board of canvassers of that county.

#### ***Consolidated ballots***

Under current law, if a municipality utilizes paper ballots at an election, it must provide separate ballots for certain offices or combinations of offices specified by law and separate ballots for referenda. The ballots are then distributed only to those groups of electors who are eligible to vote in the elections to which they pertain.

This bill authorizes a municipality, with the consent of the county clerk or board of election commissioners of each county in which there is located any portion of the municipality, to substitute for paper ballots a single consolidated paper ballot or a ballot that is prepared for utilization with an electronic voting system. With the consolidated ballot, all of the offices and referenda appear on the same ballot. The bill provides that a consolidated paper ballot or ballot that is prepared to be used with an electronic voting system may be distributed only to electors who are eligible to vote for all of the offices and in all of the referenda appearing on the ballot.

#### ***Filing of referendum questions***

Generally, under current law, notice of referenda questions that will appear on an election ballot must be published by the appropriate county or municipal clerk or other appropriate election official or agency prior to the election at which they will appear. However, the statutes do not provide a specific time by which the questions must be provided to the official or agency.

This bill requires that, unless otherwise required by current law, all referenda questions that will appear on an election ballot, and all petitions seeking to have questions submitted to a vote of the people, be submitted to the official or agency responsible for the preparation of the ballots no later than six weeks prior to the election at which the question will appear. If, under current law, a referendum may be held sooner than six weeks after the filing of a petition or the passage of a

resolution calling for that referendum, this bill extends the time period before which the referendum may be held to not less than six weeks.

### ***Ballot design requirements***

Current law sets forth numerous, specific ballot design requirements for use in elections, including spring primary ballots, spring election ballots, September primary ballots, general election ballots and special referenda ballots.

This bill deletes these specific requirements. Instead, the bill requires that, unless otherwise provided by the statutes, all ballots conform with the ballot forms prescribed by the state elections board.

### ***Fees for recounts***

Under current law, a petitioner requesting a recount of an election generally must pay a fee of \$5 for each ward for which a recount is requested and \$5 for each municipality where no wards exist. However, current law does not require a fee if the difference between the leading candidate and the petitioner or the affirmative and negative vote on a referendum was less than ten votes, if 1,000 or less votes were cast, or less than 0.5% of the total votes cast, if greater than 1,000 votes were cast. A petitioner must pay any fee in full at the time he or she files the petition.

This bill retains the current fees and the current exemptions for any election where 1,000 or less votes are cast or where greater than 1,000 votes are cast and the difference in votes cast between the leading candidate and the petitioner or the affirmative and negative vote on a referendum is 0.5% or less. However, this bill changes the fees for other elections, depending upon the difference in votes between the leading candidate and the petitioner or the affirmative and negative vote on a referendum. If greater than 1,000 votes are cast in the election and the difference in votes is more than 0.5% but not more than 2% of the total votes cast, the fee under this bill is \$5 per ward and \$5 per municipality where no wards exist. If greater than 1,000 votes are cast and the difference in votes is more than 2% of the total votes cast, the fee under this bill is the actual cost of performing the recount. In addition, this bill requires a petitioner to pay a reasonable estimate of the fee at the time of filing and any balance within 30 days after the filing officer notifies the petitioner of the amount due.

### ***Appeal of recount determinations to circuit court***

Current law permits certain individuals to appeal a recount determination to circuit court. Under current law, within ten days after an appeal is filed, the appellant must file a complaint specifying each alleged defect with the recount. All other parties to the appeal must file an answer within the time ordered by the court. Currently, whenever an appeal is filed, the court must hold a hearing. However, there is a conflict in current law concerning the period during which this hearing must be held. One provision requires the hearing to be held within five days of the date ~~the court orders~~ <sup>the court orders</sup> the municipal clerks to transfer relevant election materials to the court and another provision requires the hearing to be held within 15 days ~~of~~ <sup>after</sup> the filing of an answer to the appeal.

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This bill eliminates this conflict in current law and changes the procedure for appealing a recount determination. Under the bill, the court must hold a scheduling conference promptly after an appeal is filed. At the scheduling conference, the court must adopt procedures that will permit the court to determine the appeal as expeditiously as possible. The complaint, all answers and any other information required by the court must be filed within the time ordered by the court. Under the bill, the hearing on the appeal must be held at the time and place ordered by the court.

#### ***Delivery of recount documents***

Under current law, when a petition for an election recount is filed, the clerk or body with whom the petition is filed must have copies of the petition delivered to the candidates affected by the recount by the sheriff in the manner provided for service of a summons in a civil action. *The copies must be delivered*

This bill allows the opportunity for a candidate or an agent designated by the candidate to accept a copy of the petition personally.

#### ***Minutes of recount proceedings***

Under current law, a board of canvassers must keep complete minutes of all of its recount proceedings.

This bill requires a board of canvassers to provide one copy of those minutes to the state elections board and, in the case of a political party candidate for a state or national office, to the chief officer of the state committee of that party or, in the case of a political party candidate for county office, to the chief officer of the county committee of that party.

#### ***Payment of polling place rental charges***

Currently, if a municipality establishes a polling place at a location where a fee is charged, the municipality must pay the charge, except at certain special elections called by school districts.

This bill provides that the municipality pays the charge at all regular primaries and elections, but, if another local governmental unit calls a special election that is not held concurrently with a regular election, that governmental unit pays the charge for the use of that polling place at that special election.

#### ***Dates for publication of certain notices***

Currently, each county clerk must publish a notice of all national and state offices to be voted on at the September primary and general election. Similarly, each school district clerk must publish a notice of any upcoming school district election. Under current law, each of these notices may be published after the first day for circulating nomination papers for the applicable election and office.

This bill requires each of these notices to be published before the first day for circulating nomination papers.

***Appointment of special voting deputies***

Under current law, the municipal clerk or board of election commissioners of a municipality may follow certain procedures to facilitate absentee voting in certain community-based residential facilities, retirement homes and nursing homes. Currently, under these procedures, the municipal clerk or the board of election commissioners must appoint special voting deputies to visit certain of these facilities and homes to supervise absentee voting by the occupants. In municipalities other than cities over 500,000 population, current law conflicts as to whether these appointments are made by the municipal clerk, or by the municipal governing body from nominations submitted by party committeemen or committeewomen.

This bill provides that in these municipalities, special voting deputies are appointed solely by the municipal clerk, without nominations.

***Composition of county boards of canvassers***

Under current law, the county board of canvassers is composed of the county clerk and two qualified electors of the county appointed by the clerk. If the county clerk's office is vacant, if the clerk cannot perform his or her duties or if the clerk is a candidate for an office to be canvassed by the board, the county executive or the chairperson of the county board of supervisors, if there is no executive, must designate another qualified elector of the county to perform the clerk's duties. Also under current law, every county clerk is required to appoint one or more deputies.

This bill provides that, if a county clerk's office is vacant, if the clerk cannot perform his or her duties or if the clerk is a candidate at an election being canvassed, the county clerk shall designate a deputy clerk to perform his or her duties. Under the bill, if the county clerk and the designated deputy clerk are both unable to perform their duties, the county executive or chairperson of the county board of supervisors designates another qualified elector to serve, as currently provided.

***Composition of certain municipal boards of canvassers***

~~Currently, the municipal board of canvassers in each municipality utilizing more than one polling place, except in cities having a population of more than 500,000 (Milwaukee), is composed of the municipal clerk and two other qualified electors appointed by the clerk. If the clerk's office is vacant, if the clerk cannot perform his or her duties or if the clerk is a candidate at an election being canvassed, the mayor, president or board chairperson of the municipality designates another qualified elector of the municipality to serve in lieu of the clerk.~~

~~This bill provides that the municipal board of canvassers in these municipalities is composed of three qualified electors of the municipality, other than the municipal clerk, who shall be appointed by the clerk.~~

***Temporary vacancies on certain boards of canvassers***

Current law requires election results to be canvassed and recounts to be conducted by a board of canvassers. Depending upon the type and location of a particular election, the applicable board of canvassers may be a municipal board of

canvassers, school district board of canvassers or county board of canvassers. In addition, in cities and counties of more than 500,000 population (currently, the city of Milwaukee and Milwaukee County), the municipal board of election commissioners and county board of election commissioners, respectively, serve as the boards of canvassers. With limited exceptions, current law requires the municipal clerk to appoint a member to fill any temporary vacancy on a municipal board of canvassers. Similarly, the county clerk must appoint a member to serve if a member other than the clerk can not serve on a county board of canvassers. Furthermore, in cities having a population of more than 500,000, current law requires the executive director of the municipal board of election commissioners to serve as a member of the board of canvassers to fill any temporary vacancy. Current law does not specify a procedure for filling a vacancy on a county board of canvassers in counties of more than 500,000 or on a school district board of canvassers.

This bill requires the executive director of a county board of election commissioners to serve as a member of the county board of canvassers to fill any temporary vacancy. In addition, the bill requires the school district clerk to appoint a member to fill any temporary vacancy on the school district board of canvassers.

✓ **IV. CAMPAIGN FINANCING**

***Disbursement limitations***

Under current law, disbursement (expenditure) levels are specified for candidates for various state and local offices. These levels become a binding limitation upon any candidate for state office who accepts a state grant from the Wisconsin election campaign fund or who agrees to be bound by the limitation, unless the candidate is opposed by a major opponent who could have qualified for a grant but who declines to accept one and declines to file an affidavit of voluntary compliance with disbursement and contribution limitations.

This bill:

1. Revises the current disbursement levels applicable to candidates for the offices shown in the following chart:

<i>Office</i>	<i>Current Level</i>	<i>Proposed Level</i>
Governor	\$1,078,200	\$2,500,000
Lieutenant governor	323,475	400,000
Attorney general	539,000	400,000
Supreme court justice	215,625	400,000
Secretary of state	215,625	100,000
State treasurer	215,625	100,000
State superintendent of public instruction	215,625	250,000

State senator	34,500, with disbursement not exceeding \$21,575 in either the primary or the election	70,000, with disbursements not exceeding \$43,775 in either the primary or the election
Representative to the assembly	17,250, with disbursements not exceeding \$10,775 for either the primary or the election	35,000, with disbursements not exceeding \$21,850 in either the primary or the election

2. Creates a biennial cost-of-living adjustment that causes the statutory disbursement levels to be adjusted biennially, beginning in 2002, in accordance with a formula tied to the “consumer price index” determined by the U.S. department of labor.

#### ***Filing of campaign finance reports***

Currently, where a requirement is imposed under the campaign finance law for filing of a report by a specified date, the requirement may be satisfied by depositing the report with the U.S. postal service no later than the date provided by law for receipt of the report. This bill permits satisfaction of such a requirement by depositing the report with the U.S. postal service no later than the third day before the date provided by law for receipt of the report.

#### ***Registration and reporting by certain federal and nonresident registrants***

Currently, a new registrant is generally prohibited from making a contribution or disbursement from property or funds received prior to the date of registration, except that if a registrant has in its possession property or funds at the time of registration that were not intended for political purposes in connection with an election for state or local office at the time they were received, the registrant may report the property or funds as received on the date of registration and may then use the property or funds to make a contribution or disbursement.

This bill permits a nonresident registrant who or which has property or funds in the possession of the registrant on the date of registration from which the registrant wishes to make a contribution or disbursement to use the property or funds to make a contribution or disbursement to the extent permitted under current law if the registrant obtained the property or funds from sources and in amounts that were lawful at the time that the property or funds were received by the registrant. In addition, the bill requires every new nonresident registrant to report any information specified by the board for the year in which the registrant registers and the one-year period preceding that year, plus any additional period required to enable the registrant to make a contribution or disbursement from the property or funds.

Currently, with certain exceptions, a registrant who or which is required to register with a filing officer in this state must file regular reports identifying contributions received and disbursements made and providing certain other information. However, a nonresident registrant need report only contributions and other income received from sources in this state and disbursements made and obligations incurred with respect to an election for state or local office in this state. This bill deletes this exception to state reporting requirements.

#### ***Contribution limitations***

Current law limits the total contributions that a candidate for state or local office may accept from all political committees, including political party and legislative campaign committees, and from the Wisconsin election campaign fund to 65% of the disbursement level specified for the office that the candidate seeks. This bill decreases that limitation to 60% of that disbursement level.

The bill also prohibits any special interest ("political action") committee from making any contribution or contributions exceeding \$100 cumulatively within a calendar year to any other special interest committee, and similarly prohibits any conduit (intermediary) from transferring any contribution or contributions exceeding \$100 cumulatively within a calendar year to any special interest committee. In addition, the bill prohibits any special interest committee that receives a contribution in violation of this prohibition from making any contribution or disbursement from the property or funds constituting that contribution. Currently, there are no similar limitations.

#### ***Acceptance of unlawful contributions***

Under current law, a registrant who receives and retains a contribution for more than 15 days must report the contribution as accepted on the date of receipt. This bill provides that a contribution that is received by a registrant is considered to be accepted unless the recipient returns the contribution to the donor within 30 days of receipt.

Currently, in most cases, violations of the campaign finance law are punishable by a forfeiture (civil monetary penalty) not exceeding \$500. This bill provides that if any registrant accepts an unlawful contribution or a contribution in an amount or value exceeding the amount or value of that the donor is permitted to donate to the registrant under the campaign finance law, the registrant is subject to a forfeiture of not more than 125% of the amount or value of the unlawful contribution or portion thereof that is unlawfully contributed.

#### ***Contributions by foreign nationals***

This bill prohibits any foreign national from making a contribution to any candidate for state or local office in this state or to any individual, committee or group who or which accepts contributions and makes expenditures for the purpose of influencing an election for state or local office or the outcome of a referendum in this state. Under the bill, a "foreign national" means a government of a foreign country, a foreign political party, an entity organized under the laws of and having its

principal place of business in a foreign country, or any other individual or entity outside of the United States, except an individual United States citizen who is domiciled within the United States or an entity organized under or created by the laws of the United States or any state, territory or possession that has its principal place of business within the United States.

Any person who makes a contribution that is prohibited under the bill is subject to a forfeiture (civil penalty) of treble the amount of the contribution. Any person who intentionally makes a contribution that is prohibited under the bill may be fined not more than \$1,000 or imprisoned for not more than six months, or both, if the contribution does not exceed \$100, and may be fined not more than \$10,000 or imprisoned for not more than three years, or both, if the contribution exceeds \$100.

Currently, there is no such prohibition on foreign national contributions.

### ***Public grants***

Under current law, public financing from the Wisconsin election campaign fund is available to finance certain campaign expenses of eligible candidates for the offices of state senator, representative to the assembly, governor, lieutenant governor, attorney general, state treasurer, secretary of state, justice of the supreme court and superintendent of public instruction at a general, spring or special election.

Currently, in order to qualify for a public grant, a candidate must, in addition to other requirements, receive during a specified time period, in a specified total amount, contributions from individuals in amounts of \$100 or less.

This bill provides that these contributions must be received from individuals who are residents of this state, and that, in the case of a candidate for legislative office, at least 50% of these contributions must be received from individuals who are residents of a county having territory within the district in which the candidate seeks office.

Currently, a candidate for statewide office must receive these qualifying contributions in a total amount at least equivalent to 5% of the authorized disbursement level for the office that the candidate seeks, while a candidate for legislative office must receive these qualifying contributions in a total amount at least equivalent to 10% of the authorized disbursement level for the office that the candidate seeks.

This bill requires a candidate for the office of governor to receive these qualifying contributions in a total amount at least equivalent to 5% of the authorized disbursement level for the office of governor, and requires a candidate for any other state office to receive these contributions in an amount at least equivalent to 10% of the authorized disbursement level for the office that the candidate seeks.

Currently, the maximum grant that a candidate may receive is equal to 45% of the disbursement level specified for the office that the candidate seeks, less an amount equal to any contributions received and accepted from committees other than political party committees, if sufficient moneys are available in the Wisconsin election campaign fund to finance the full amounts of grants for which candidates qualify.

This bill increases the maximum grant that a candidate for the office of justice of the supreme court may receive to 50% of the disbursement level specified for that office, and decreases the maximum grant that a candidate for any other state office may receive to 33% of the disbursement level specified for the particular office, subject to adjustment as currently provided.

The bill also disqualifies a candidate from receiving a grant if the candidate or his or her personal campaign committee is not in compliance with all obligations imposed under the public grant law with respect to any grant previously received by the candidate.

Currently, any grant moneys that are not encumbered by a candidate on the day after an election in which the candidate participates revert to the state. In addition, any deposits and refunds derived from grant moneys that are received by a candidate after the date of an election in which the candidate participates revert to the state. This bill provides, instead, that all unencumbered moneys in the campaign depository account of a candidate who receives a grant on the day after an election in which the candidate participates, plus all deposits and refunds received by such a candidate after that date, revert to the state to the extent that the unencumbered moneys, together with the deposits and refunds, do not exceed the amount of the grant received by that candidate.

***Enforcement of campaign finance law by Milwaukee County board of election commissioners***

Under current law, the state elections board is authorized to investigate, subpoena records and commence and settle civil actions requiring the payment of civil forfeitures for violations of the campaign finance law.

This bill grants the same authority to the county board of election commissioners, which must be established in any county with a population of more than 500,000 (currently, Milwaukee County), with respect to campaign finance reports and statements for county offices and referenda.

only

***Biennial review of campaign finance practices***

The bill directs the elections board to conduct a biennial review of campaign finance practices in this state. The review must include an assessment of the continued appropriateness of the contribution limitations prescribed by law and any other important problems that require the attention of the legislature. If the board concludes that any contribution limitations should be increased or that any other action should be taken as a result of its review, the board is directed to transmit its conclusions and recommendations to the appropriate standing committees of the legislature, together with any information supporting the board's conclusions.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1           **SECTION 1.** 5.01 (4) (a) of the statutes is amended to read:

2           5.01 (4) (a) If 2 or more candidates for the same office receive the greatest, but  
3 an equal number of votes, the winner shall be chosen by lot in the presence of the  
4 board of canvassers charged with the responsibility to determine the election, ~~except~~  
5 ~~as provided in s. 8.17 (4) (b), or in the case of an election for state or national office~~  
6 ~~or municipal judge, if the judge is elected under s. 755.01 (4), or metropolitan~~  
7 ~~scwcrage commissioner, if the commissioner is elected under s. 66.23 (11) (am), in the~~  
8 presence of the chairperson of the board or the chairperson's designee.

9           **SECTION 2.** 5.05 (1) (e) of the statutes is amended to read:

10          5.05 (1) (e) Delegate to its executive director the authority to issue a subpoena  
11 under par. (b), apply for a search warrant under par. (b), commence an action under  
12 par. (d), intervene in an action or proceeding under sub. (9), issue an order under s.  
13 5.06, exempt a polling place from accessibility requirements under s. 5.25 (4) (a),  
14 exempt a municipality from the requirement to use voting machines or an electronic  
15 voting system under s. 5.40 (5m), approve an electronic data recording system for  
16 maintaining poll lists under s. 6.79, or authorize nonappointment of an individual  
17 who is nominated to serve as an election official under s. 7.30 (4) (e), subject to such  
18 limitations as the board deems appropriate.

19          **SECTION 3.** 5.15 (6) (b) of the statutes is amended to read:

20          5.15 (6) (b) No later than 60 days before each September primary and general  
21 election, and no later than 30 days before each other election the governing body of

1 any municipality may by resolution combine 2 or more wards for voting purposes to  
2 facilitate using a common polling place. Whenever wards are so combined, the  
3 original ward numbers shall continue to be utilized for all official purposes. Except  
4 as otherwise authorized under this paragraph, every municipality having a  
5 population of 50,000 or more, ~~or 35,000 or more after June 1, 1996~~, shall maintain  
6 separate returns for each ward so combined. In municipalities having a population  
7 of less than 50,000, ~~or less than 35,000 after June 1, 1996~~, the governing body may  
8 provide in the resolution that returns shall be maintained only for each group of  
9 combined wards at any election. ~~In municipalities having a population as shown in~~  
10 ~~the 1990 federal decennial census of at least 87,000 but not more than 150,000, the~~  
11 ~~governing body may provide in a resolution adopted prior to June 1, 1996 that groups~~  
12 ~~of not more than 2 wards shall use common ballot boxes and ballots or voting~~  
13 ~~machines and that returns shall be maintained only for each group of combined~~  
14 ~~wards at any election held prior to June 1, 1996.~~ Whenever a governing body  
15 provides for common ballot boxes and ballots or voting machines, separate returns  
16 shall be maintained for each separate ballot required under ss. 5.62 and 5.64 at the  
17 September primary and general election. The municipal clerk shall transmit a copy  
18 of the resolution to the county clerk of each county in which the municipality is  
19 contained. In municipalities having a population of less than 50,000, ~~or less than~~  
20 ~~35,000 after June 1, 1996~~, the resolution shall remain in effect for each election until  
21 modified or rescinded, or until a new division is made under this section.

22 **SECTION 4.** 5.25 (1) of the statutes is amended to read:

23 5.25 (1) All elections under chs. 5 to 12 shall be held at the polling places  
24 provided in this section. ~~So far as practicable, the~~ The places chosen shall be public  
25 buildings, unless the use of a public building for this purpose is impracticable or the

1 use of a nonpublic building better serves the needs of the electorate, as determined  
2 by the authority charged with the responsibility for establishing polling places under  
3 sub. (2).

4 **SECTION 5.** 5.25 (4) (b) of the statutes is repealed.

5 **SECTION 6.** 5.25 (4) (d) of the statutes is created to read:

6 5.25 (4) (d) No later than June 30 of each odd-numbered year, the board shall  
7 submit a report on impediments to voting faced by elderly and handicapped  
8 individuals to the appropriate standing committees of the legislature under s. 13.172  
9 (3). In preparing its report under this paragraph, the board shall consult with  
10 appropriate advocacy groups representing the elderly and handicapped populations.

11 **SECTION 7.** 5.35 (4) of the statutes is amended to read:

12 5.35 (4) LAYOUT; ORGANIZATION. All voting booths and machines shall be placed  
13 apart from other activities in the polling place, with their exteriors in full view of the  
14 election officials. Only the proper election officials, observers persons observing the  
15 proceedings under s. 7.41, persons assisting voters under s. 6.82 (2) and electors  
16 receiving, preparing or depositing their ballots or casting their votes on the machines  
17 are permitted in the voting area. Except where assistance is authorized, only one  
18 elector at a time is permitted in a voting booth or machine.

19 **SECTION 8.** 5.35 (6) (a) 4. of the statutes is repealed.

20 **SECTION 9.** 5.35 (6) (b) of the statutes is amended to read:

21 5.35 (6) (b) At each polling place in the state where a consolidated ballot under  
22 s. 5.655 is used or an electronic voting system is utilized at a partisan primary  
23 election incorporating a ballot upon which electors may mark or punch votes for  
24 candidates of more than one recognized political party or for candidates of a  
25 recognized political party and independent candidates, the municipal clerk or board

1 of election commissioners shall prominently post a sign in the form prescribed by the  
2 board warning electors in substance that on any ballot with votes cast for candidates  
3 of more than one recognized political party or any ballot with votes cast for  
4 candidates of a recognized political party and independent candidates, no votes cast  
5 for any candidates for partisan office will be counted unless a preference for a party  
6 or for the independent candidates is made. If the elector designates a preference,  
7 only votes cast for candidates of that preference will be counted.

8 **SECTION 10.** 5.37 (3) of the statutes is amended to read:

9 5.37 (3) For presidential electors one device shall be provided to vote for all of  
10 one party's electoral candidates at the same time. The device shall be opposite or  
11 adjacent to the ~~ballot containing the~~ names of the party's candidates for president  
12 and vice president.

13 **SECTION 11.** 5.51 (8) of the statutes is created to read:

14 5.51 (8) Unless otherwise specifically provided, the form of all ballots shall  
15 conform to the ballot forms prescribed by the board under s. 7.08 (1) (a).

16 **SECTION 12.** 5.53 (2) of the statutes is amended to read:

17 5.53 (2) Where ~~the provisions require~~ separate ballots are provided for, the  
18 names or questions shall be placed in separate columns or rows upon the machines  
19 so they are voted on separately, except as otherwise provided for referenda under s.  
20 5.64 (2) (c).

21 **SECTION 13.** 5.55 (intro.) of the statutes is renumbered 5.55 and amended to  
22 read:

23 **5.55 Ballot identification.** On every ballot, except a ballot label or voting  
24 machine ballot, shall be printed "Official .... Ballot" or "Official .... Ballot for ...."  
25 followed by the designation of the polling place for which the ballot has been

1 prepared, the date of the election, and the official endorsement and blank  
2 certificates. The number of the ward or wards or aldermanic district, if any, and the  
3 name of the municipality may be omitted in printing and stamped or written on the  
4 ballots at any location which is clearly visible at the option of the county clerk.  
5 Printed information and initials shall appear on the back and outside of the ballot.  
6 When a ballot card is employed with an electronic voting system, the date of the  
7 election may be printed or stamped on the back of the ballot card in such a manner  
8 that the card is not reusable, at the option of the county clerk. ~~Each ballot shall be~~  
9 ~~prepared in substantially the following form: The ballot shall include a space on the~~  
10 ~~back for the certification required under s. 6.87 (5).~~

11 SECTION 14. 5.55 (form) of the statutes is repealed.

12 SECTION 15. 5.58 (intro.) of the statutes is amended to read:

13 **5.58 Spring primary ballots.** (intro.) At spring primary elections the  
14 following ballots, when necessary, shall be provided for each ward, except as  
15 authorized in s. 5.655. Only nonpartisan candidates nominated for office by  
16 nomination papers shall have their names placed on the official spring primary  
17 ballot under the proper office designation, but the ballots shall allow room for  
18 write-in candidates.

19 SECTION 16. 5.58 (1) (intro.) of the statutes is amended to read:

20 5.58 (1) MUNICIPAL; COUNTY SUPERVISOR BALLOTS. (intro.) There shall be  
21 separate ballots for municipal and county primaries, except as authorized in s. 5.655.

22 SECTION 17. 5.58 (1c) of the statutes is amended to read:

23 5.58 (1c) MUNICIPAL JUDGE. There shall be a separate ballot for municipal  
24 judges if they are elected under s. 755.01 (4), except as authorized in s. 5.655.  
25 Arrangement of the names on the ballot shall be determined by the board. ~~The ballot~~

1 shall be entitled “Official Primary Ballot for Municipal Judge” county clerk or the  
2 executive director of the county board of election commissioners of the county having  
3 the largest portion of the population in the jurisdiction served by the judge.

4 SECTION 18. 5.58 (1g) (a) of the statutes is amended to read:

5 5.58 (1g) (a) There shall be a separate ballot for school district officers when  
6 so required, except as authorized in s. 5.655.

7 SECTION 19. 5.58 (1g) (b) of the statutes is amended to read:

8 5.58 (1g) (b) In 1st class cities, the names of the candidates for the seat of the  
9 member elected at-large to the board of school directors shall be placed on the official  
10 city primary ballot and, except as authorized in s. 5.655, there shall be a separate  
11 ballot giving the names of the candidates for any seat to be filled on the board of  
12 school directors from any election district. All names of candidates for the at-large  
13 seat shall be placed in one or more separate columns or rows on the ballot.

14 SECTION 20. 5.58 (1r) of the statutes is amended to read:

15 5.58 (1r) TOWN SANITARY DISTRICT COMMISSION. There shall be a separate ballot  
16 for members of the town sanitary district commission if commissioners are elected  
17 under s. 60.74 and the boundaries of the district are not coterminous with one or more  
18 towns, except as authorized in s. 5.655. Candidates for different seats shall be listed  
19 in separate columns or rows if more than one seat is contested in any election.  
20 Arrangement of the names on the ballot shall be determined by the town clerk of the  
21 town whose board of supervisors directs the election, in the same manner as provided  
22 in s. 5.60 (1) (b). ~~The ballot shall be titled “Official Primary Ballot for Town Sanitary~~  
23 ~~District Commission”.~~

24 SECTION 21. 5.58 (2) (a) of the statutes is renumbered 5.58 (2) and amended to  
25 read:

1           5.58 (2) STATE SUPERINTENDENT OF PUBLIC INSTRUCTION; JUDICIARY; COUNTY  
2 EXECUTIVE; AND COUNTY SUPERVISORS. There shall be one separate ballot for state  
3 superintendent, judicial officers, county executive under s. 59.17 and county  
4 supervisor, except as authorized in s. 5.655. In counties having a population of  
5 500,000 or more, the ballot also shall include those offices under s. 8.11 (2) and (2m).  
6 The arrangement of names of candidates for state superintendent, justice, court of  
7 appeals judge and circuit court judge shall be determined by the board in the manner  
8 specified in s. 5.60 (1) (b). Arrangement of the names of candidates for county  
9 executive and county supervisor shall be determined by the county clerk or by the  
10 executive director of the county board of election commissioners in the manner  
11 specified in s. 5.60 (1) (b). ~~The ballot shall be titled “Official Ballot for State  
12 Superintendent of Public Instruction, Judicial, County Executive and County  
13 Supervisor Primary”.~~

14           **SECTION 22.** 5.58 (2) (b) of the statutes is repealed.

15           **SECTION 23.** 5.58 (2m) of the statutes is amended to read:

16           5.58 (2m) METROPOLITAN SEWERAGE COMMISSION. There Except as authorized in  
17 s. 5.655, there shall be a separate ballot for members of the metropolitan sewerage  
18 commission if commissioners are elected under s. 66.23 (11) (am), with candidates  
19 for different seats listed in separate columns or rows if more than one seat is  
20 contested at any election. Arrangement of the names on the ballot shall be  
21 determined by the board. ~~The ballot shall be titled “Official Primary Ballot for  
22 Metropolitan Sewerage Commission”.~~

23           **SECTION 24.** 5.60 (intro.) of the statutes is amended to read:

1           **5.60 Spring election ballots.** (intro.) At spring elections the following  
2 ballots, when necessary, shall be provided for each ward, except as authorized in s.  
3 5.655.

4           **SECTION 25.** 5.60 (1) (intro.) of the statutes is amended to read:

5           5.60 (1) STATE SUPERINTENDENT; JUDICIARY; COUNTY EXECUTIVE AND COUNTY  
6 SUPERVISORS. (intro.) There shall be one separate ballot for state superintendent,  
7 judicial officers, county executive and county supervisor, except as authorized in s.  
8 5.655. For county supervisor, the ballot shall be prepared in accordance with ss. 5.58  
9 (2) and 59.10 (3). Arrangement of the names of candidates for county executive and,  
10 county supervisor and municipal judge, if the judge is elected under s. 755.01 (4),  
11 shall be determined by the county clerk or the executive director of the county board  
12 of election commissioners determining ballot arrangement under s. 5.58 (1c), in the  
13 manner prescribed in par. (b).

14           **SECTION 26.** 5.60 (1) (b) of the statutes is amended to read:

15           5.60 (1) (b) The board shall certify the candidates' names and designate the  
16 official ballot arrangement for candidates for state superintendent, justice, court of  
17 appeals judge, circuit judge, ~~municipal judge elected under s. 755.01 (4)~~ and, if  
18 commissioners are elected under s. 66.23 (11) (am), the metropolitan sewerage  
19 commission. The arrangement of names of all candidates on the ballot whose  
20 nomination papers are filed with the board shall be determined by the board by the  
21 drawing of lots not later than the 2nd Tuesday in January, or the next day if the first  
22 Tuesday is a holiday. Whenever a primary is held for an office, a 2nd drawing of all  
23 candidates for that office shall be held by or under the supervision of the board not  
24 later than the 3rd day following the completion of the primary canvass to determine  
25 the arrangement of candidates on the election ballot.

1           **SECTION 27.** 5.60 (2) of the statutes is amended to read:

2           5.60 (2) MUNICIPAL JUDGE. If the election is under s. 755.01 (4), there shall be  
3 a separate ballot listing the names of all of the candidates, except as authorized in  
4 s. 5.655.

5           **SECTION 28.** 5.60 (3) (intro.) of the statutes is amended to read:

6           5.60 (3) CITY. (intro.) ~~There~~ Except as authorized in s. 5.655, there shall be a  
7 separate ballot giving the names of all candidates for city offices, printed in the same  
8 form as prescribed by the board under s. 7.08 (1) (a). City election ballots may vary  
9 in form to conform to the law under which an election is held.

10          **SECTION 29.** 5.60 (4) (a) and (b) of the statutes are amended to read:

11          5.60 (4) (a) There shall be a separate ballot for school district officers when so  
12 required, except as authorized in s. 5.655.

13          (b) In 1st class cities, the names of the candidates for the seat of the member  
14 elected at-large to the board of school directors shall be placed on the official city  
15 ballot and there shall be a separate ballot giving the names of the candidates for any  
16 seat to be filled on the board of school directors from any election district, except as  
17 authorized in s. 5.655. The names of candidates for the at-large seat shall be placed  
18 in the same column or row on the ballot.

19          **SECTION 30.** 5.60 (4m) of the statutes is amended to read:

20          5.60 (4m) METROPOLITAN SEWERAGE COMMISSION. A separate ballot shall list the  
21 names of all candidates for metropolitan sewerage commission seats, if  
22 commissioners are elected under s. 66.23 (11) (am), except as authorized in s. 5.655.  
23 The names for the different seats shall be placed in separate columns or rows if more  
24 than one seat is contested at any election.

25          **SECTION 31.** 5.60 (5) (intro.) of the statutes is amended to read:

1           5.60 (5) VILLAGE. (intro.) There shall be a separate ballot giving the names of  
2 all candidates for village offices, except as authorized in s. 5.655.

3           **SECTION 32.** 5.60 (5) (a) of the statutes is amended to read:

4           5.60 (5) (a) The offices to be filled shall be arranged on the official ballot in the  
5 order they are named in the statutes creating them. ~~Where there is more than one~~  
6 ~~ward,~~ The names of the candidates shall be arranged by using the same method as  
7 that used by the board under sub. (1) (b). Sufficient space shall be left under each  
8 office for ~~write-in~~ candidates.

9           **SECTION 33.** 5.60 (6) (a) of the statutes is amended to read:

10           5.60 (6) (a) ~~There~~ Except as authorized in s. 5.655, there shall be a separate  
11 ballot giving the names of all candidates for elective town offices in the form  
12 prescribed by the board under s. 7.08 (1) (a). There shall be 2 ballot forms. One ballot  
13 form shall be used for the election of supervisors to numbered seats and one ballot  
14 form shall be used for the election of supervisors to unnumbered seats. On the ballot  
15 used for the election of supervisors to unnumbered seats, all supervisor candidates  
16 shall be listed together and the voting instructions shall state "Vote for not more  
17 than.... [insert number of supervisors to be elected] candidates". All towns shall elect  
18 their supervisors to unnumbered seats unless the annual town meeting adopts a  
19 plan to elect supervisors to numbered seats. The names of candidates for town office  
20 shall be arranged by using the same method as that used by the board under sub. (1)  
21 (b). A space shall be provided under each office on the ballot for a ~~write-in~~ candidate.

22           **SECTION 34.** 5.60 (6m) and (7) of the statutes are amended to read:

23           5.60 (6m) TOWN SANITARY DISTRICT COMMISSION. ~~A~~ Except as authorized in s.  
24 5.655, a separate ballot shall list the names of all candidates for town sanitary  
25 district commission seats, if commissioners are elected under s. 60.74 and the

1 boundaries of the district are not coterminous with the boundaries of one or more  
2 towns. The names for different seats shall be placed in separate columns or rows if  
3 more than one seat is contested at any election.

4 (7) REFERENDUM BALLOTS. ~~There~~ Except as authorized in s. 5.655, there shall  
5 be a separate ballot setting forth all propositions requiring a vote in the form and  
6 manner provided by s. 5.64.

7 **SECTION 35.** 5.60 (8) (intro.) of the statutes is amended to read:

8 5.60 (8) BALLOTS FOR PRESIDENTIAL VOTE. (intro.) ~~There~~ Except as authorized  
9 in s. 5.655, there shall be a separate ballot for each recognized political party filing  
10 a certification under s. 8.12 (1), listing the names of all potential candidates of that  
11 party determined under s. 8.12 and affording, in addition, an opportunity to the voter  
12 to nominate another potential candidate by write-in vote or to vote for an  
13 uninstructed delegation to the party convention. The order of such presidential  
14 candidates shall be determined by lot by or under the supervision of the board. Each  
15 voter shall be given the ballots of all the parties participating in the presidential  
16 preference vote, but may vote on one ballot only.

17 **SECTION 36.** 5.60 (8) (a) (intro.) of the statutes is renumbered 5.60 (8) (a) and  
18 amended to read:

19 5.60 (8) (a) ~~An official~~ Except as authorized in s. 5.655, a separate ballot shall  
20 be printed and provided for use in each voting district. ~~The form of each ballot shall~~  
21 be substantially as follows:

22 **SECTION 37.** 5.60 (8) (a) 1., 2. and 3. of the statutes are repealed.

23 **SECTION 38.** 5.62 (1) (a) of the statutes is amended to read:

24 5.62 (1) (a) At September primaries, the following ballot shall be provided for  
25 the nomination of candidates of recognized political parties for national, state and

1 county offices and independent candidates for state office in each ward, in the same  
2 form as prescribed by the board under s. 7.08 (1) (a), except as authorized in s. 5.655.  
3 The ballots shall be made up of the several party tickets with each party entitled to  
4 participate in the primary under par. (b) or sub. (2) having its own ballot, except as  
5 authorized in s. 5.655. The independent candidates for state office other than district  
6 attorney shall have a separate ballot for all such candidates as under s. 5.64 (1) (e),  
7 except as authorized in s. 5.655. The ballots shall be secured together at the bottom.  
8 The party ballot of the party receiving the most votes for president or governor at the  
9 last general election shall be on top with the other parties arranged in descending  
10 order based on their vote for president or governor at the last general election. The  
11 ballots of parties qualifying under sub. (2) shall be placed after the parties qualifying  
12 under par. (b), in the same order in which the parties filed petitions with the board.  
13 Any ballot required under par. (b) 2. shall be placed next in order. The ballot listing  
14 the independent candidates shall be placed at the bottom. At polling places where  
15 voting machines are used, each party and the independent candidates shall be  
16 represented in one or more separate columns or rows on the ballot. At polling places  
17 where an electronic voting system is used other than an electronic voting machine,  
18 each party and the independent candidates may be represented in separate columns  
19 or rows on the ballot.

20 **SECTION 39.** 5.62 (1) (b) of the statutes is renumbered 5.62 (1) (b) 1. and  
21 amended to read:

22 5.62 (1) (b) 1. Every Except as provided in subd. 2. and s. 5.64 (1) (e) 2., every  
23 recognized political party listed on the official ballot at the last gubernatorial election  
24 whose candidate for any statewide office received at least ~~one percent~~ 1% of the total  
25 votes cast for that office and, if the last general election was also a presidential

**SECTION 39**

1 election, every recognized political party listed on the ballot at that election whose  
2 candidate for president received at least ~~one percent~~ 1% of the total vote cast for that  
3 office shall have a separate primary ballot or one or more separate columns or rows  
4 on the primary ballot as prescribed in par. (a) and a separate column on the general  
5 election ballot in every ward and election district. An organization which was listed  
6 as “independent” at the last general election and whose candidate meets the same  
7 qualification shall receive the same ballot status upon petition of the chairperson  
8 and secretary of the organization to the board requesting such status and specifying  
9 their party name, which may not duplicate the name of an existing party. A petition  
10 under this ~~paragraph~~ subdivision may be filed no later than 5 p.m. on June 1 in the  
11 year of each general election. ~~This paragraph applies to a party only if at least one~~  
12 ~~candidate of the party for a state office qualifies to have his or her name appear on~~  
13 ~~the ballot under the name of the party at the last gubernatorial election.~~

14 **SECTION 40.** 5.62 (1) (b) 2. of the statutes is created to read:

15 5.62 (1) (b) 2. Subdivision 1. applies to a party within any assembly district or  
16 county at any September primary election only if at least one candidate of the party  
17 for any national, state or county office qualifies to have his or her name appear on  
18 the ballot under the name of that party within that assembly district or county. The  
19 county clerk or county board of election commissioners shall provide a combined  
20 separate ballot or one or more separate columns or rows on the ballot that will permit  
21 an elector to cast a vote for a write-in candidate for the nomination of any such party  
22 for each national, state and county office whenever that party qualifies to be  
23 represented on a separate primary ballot or in one or more separate columns or rows  
24 under subd. 1. but does not qualify under this subdivision. The ballot shall include  
25 the name of each party qualifying for a separate ballot or one or more separate

1 columns or rows on the ballot under each office, with the names of the candidates for  
2 each such party appearing in the same order in which the ballots of the parties would  
3 appear under par. (a).

4 SECTION 41. 5.62 (2) of the statutes is renumbered 5.62 (2) (a) and amended to  
5 read:

6 5.62 (2) (a) ~~Any~~ Except as provided in par. (b) and s. 5.64 (1) (e) 2., any political  
7 organization may be represented on a separate primary ballot or in one or more  
8 separate columns or rows on the primary ballot as prescribed in sub. (1) (a) and in  
9 a separate column on the general election ballot in every ward and election district  
10 if, not later than 5 p.m. on June 1 in the year of a September primary, it files with  
11 the board a petition so requesting. To qualify for a separate ballot under this  
12 paragraph, the petition political organization shall be, not later than 5 p.m. on June  
13 1 in the year of the September primary, file with the board a petition requesting  
14 separate ballot status. The petition shall be signed by at least 10,000 electors,  
15 including at least 1,000 electors residing in each of at least 3 separate congressional  
16 districts. The petition shall conform to the requirements of s. 8.40. No signature  
17 obtained before January 1 in the year of filing is valid. When the candidates of a  
18 political organization filing a valid petition fulfill the requirements prescribed by  
19 law, they shall appear on a separate ballot or one or more separate columns or rows  
20 on the ballot for the period ending with the following general election.

21 SECTION 42. 5.62 (2) (b) of the statutes is created to read:

22 5.62 (2) (b) Paragraph (a) applies to a party within any assembly district or  
23 county at any September primary election only if at least one candidate of the party  
24 for any national, state or county office qualifies to have his or her name appear on  
25 the ballot under the name of that party within that assembly district or county. The

**SECTION 42**

1 county clerk or county board of election commissioners shall provide a combined  
2 separate ballot or one or more separate columns or rows on the ballot that will permit  
3 an elector to cast a vote for a write-in candidate for the nomination of any such party  
4 for each national, state and county office whenever that party qualifies to be  
5 represented on a separate primary ballot or in one or more separate columns or rows  
6 under par. (a) but does not qualify under this paragraph. The ballot shall include the  
7 name of each party qualifying for a separate ballot or one or more separate columns  
8 or rows on the ballot under each office, with the names of the candidates for each such  
9 party appearing in the same order in which the ballots of the parties would appear  
10 under sub. (1) (a).

11 **SECTION 43.** 5.62 (5) of the statutes is amended to read:

12 5.62 (5) At the September primary, an elector may vote for the candidates of  
13 only one party, or the elector may vote for any of the independent candidates for state  
14 office listed; but the elector may not vote for more than one candidate for a single  
15 office. A space shall be provided on the ballot for an elector to write in the name of  
16 his or her choice as a party candidate for any office, including a party candidate of  
17 a party whose name appears on the ballot, column or row designated for independent  
18 candidates, as provided in sub. (1) (b) or (2) (b), but no space shall be provided to write  
19 in the names of independent candidates.

20 **SECTION 44.** 5.64 (1) (intro.) of the statutes is amended to read:

21 5.64 (1) OFFICIAL BALLOT. (intro.) There Except as authorized in s. 5.655, there  
22 shall be a separate ballot giving the names of all candidates for president and vice  
23 president and for statewide, congressional, legislative and county offices in the same  
24 form as prescribed by the board under s. 7.08 (1) (a).

25 **SECTION 45.** 5.64 (1) (a) of the statutes is amended to read:

1           5.64 (1) (a) ~~The ballot shall be labeled “Official Ballot” in lettering at least~~  
2 ~~three eighths inch high. Directly underneath in plain, legible type, shall be the~~  
3 ~~following voting instructions: “If you desire permit an elector to vote a straight party~~  
4 ~~ticket for president and vice president, whenever those offices are contested, and for~~  
5 ~~all statewide, congressional, legislative and county offices, make a cross (X) in the~~  
6 ~~circle under the party designation at the top of the party column. If you desire to vote~~  
7 ~~for individual candidates, make a cross (X) in the square at the RIGHT of the name~~  
8 ~~of each candidate for whom you desire to vote. To for each office or to vote for a person~~  
9 ~~whose name does not appear on the ballot, write the name in the blank space~~  
10 ~~provided for the purpose for any office. When voting for governor and lieutenant~~  
11 ~~governor, you may the ballot shall permit an elector to vote only for the candidates~~  
12 ~~on one ticket jointly or write in the names of persons in both spaces.”. Under the~~  
13 ~~party designation at the top of each party column shall appear the following words~~  
14 ~~in boldface type: “Make a cross (X) in this circle to vote a straight party ticket.”.~~

15           SECTION 46. 5.64 (1) (b) of the statutes is amended to read:

16           5.64 (1) (b) ~~Below the voting instructions the ballot shall be divided into~~  
17 ~~vertical columns. The names of the candidates on the regular party tickets~~  
18 ~~nominated at the primary or replacements appointed under s. 8.35 (2) shall be~~  
19 ~~printed each in appear in a separate column under the party designation. The~~  
20 ~~columns shall be arranged from left to right according to rank, based on the number~~  
21 ~~of votes received by the each party’s candidate for president or governor at the last~~  
22 ~~general election beginning with the party that received the most votes. To the right~~  
23 ~~of the columns for parties qualifying under s. 5.62 (1) (b) shall be placed the columns~~  
24 ~~for parties qualifying under s. 5.62 (2) in the same order in which the parties filed~~  
25 ~~petitions with the board. Any column required under par. (e) 2. shall be placed next~~

1 in order. To the right of the party columns shall be a column for the names of  
2 independent candidates for each office, or more than one column if the first column  
3 does not provide sufficient space for the names of all such candidates.

4 **SECTION 47.** 5.64 (1) (c) of the statutes is repealed.

5 **SECTION 48.** 5.64 (1) (d) of the statutes is amended to read:

6 5.64 (1) (d) The offices shall be arranged beginning with president and vice  
7 president or governor and lieutenant governor, whenever these offices are filled, and  
8 then the remaining offices in the order designated under s. 5.62 (3).

9 **SECTION 49.** 5.64 (1) (e) of the statutes is renumbered 5.64 (1) (e) 1. and  
10 amended to read:

11 5.64 (1) (e) 1. ~~Within each column, each space shall state the office to be voted~~  
12 ~~for directly above the candidate's first and last name. The~~ Except as provided in  
13 subd. 2., each candidate's name shall be placed in the party column of the party by  
14 which nominated or if independent, in a column designated independent and all  
15 candidates for the same office shall appear within the same rows on the ballot. ~~Below~~  
16 If a separate column is provided to write in the names of any party candidates under  
17 subd. 2., the column shall appear before the column designated independent with the  
18 spaces provided to write in the names of the candidates for each such party appearing  
19 in the same order in which the columns of their parties would appear under par. (b).  
20 Along with the names of the independent candidates shall appear the party or  
21 principle of the candidates, if any, in 5 words or less, as shown on their nomination  
22 papers. Independent candidates for the same county office shall be listed in the same  
23 manner in an order drawn by lot by or under supervision of the county clerk or board  
24 of election commissioners. The board shall conduct a redrawing for purposes of  
25 determining the arrangement of independent candidates for state office who

1 appeared on the primary ballot in the manner provided in s. 5.60 (1) (b). ~~To the right~~  
2 ~~of each candidate's name, in each column, shall be a square for the elector to make~~  
3 ~~his or her cross (X).~~

4 **SECTION 50.** 5.64 (1) (e) 2. of the statutes is created to read:

5 5.64 (1) (e) 2. There shall be a separate column for the candidates of each party  
6 qualifying for that column under s. 5.62 (1) (b) or (2), except that if, within any  
7 assembly district or county, there are no candidates for any national, state or county  
8 office representing such a party who qualify to have their names appear on the ballot  
9 under the name of that party within that assembly district, the county clerk or board  
10 of election commissioners shall provide a combined separate column that will permit  
11 an elector to cast a vote for a write-in candidate of any such party for each national,  
12 state and county office whenever that party qualifies to be represented in a separate  
13 column but does not qualify under this subdivision. The ballot shall include the  
14 name of each party qualifying for a separate column under each office, with the  
15 names of the candidates for each such party appearing in the same order in which  
16 the columns of the parties would appear under par. (b).

17 **SECTION 51.** 5.64 (1) (eg) of the statutes is created to read:

18 5.64 (1) (eg) In the case of balloting for the offices of president and vice  
19 president, the names of the candidates shall be placed in the column of the party that  
20 nominated them or if independent, in a column designated independent. In each  
21 column there shall be one choice for the elector to cast a ballot jointly for both offices.

22 **SECTION 52.** 5.64 (1) (f) of the statutes is amended to read:

23 5.64 (1) (f) In the case of balloting for the office of governor and lieutenant  
24 governor, the names of the candidates shall be placed in the party column by which  
25 nominated or if independent, in a column designated independent. ~~To the right of~~

1 ~~the names of the set of candidates for governor and lieutenant governor, in~~ In each  
2 column there shall be one square choice for the elector to cast a ballot jointly for both  
3 offices.

4 **SECTION 53.** 5.64 (2) (intro.) of the statutes is renumbered 5.64 (2) (am) and  
5 amended to read:

6 5.64 (2) (am) There shall be a separate ballot when any proposed constitutional  
7 amendment or any other measure or question is submitted to a vote of the people,  
8 except as authorized in s. 5.655. The ballot shall give a concise statement of each  
9 question in accordance with the act or resolution directing submission in the same  
10 form as prescribed by the board under s. 7.08 (1) (a). The question may not be worded  
11 in such a manner as to require a negative vote to approve a proposition or an  
12 affirmative vote to disapprove a proposition. Unless otherwise expressly provided,  
13 this ballot form shall be used at all elections when questions are submitted to a vote  
14 of the people.

15 **SECTION 54.** 5.64 (2) (a) and (b) of the statutes are repealed.

16 **SECTION 55.** 5.64 (2) (c) of the statutes is amended to read:

17 5.64 (2) (c) The official referendum ballot prescribed under this subsection  
18 shall be utilized at every election, except that the format shall be altered to the extent  
19 provided or required by other laws establishing or authorizing referenda to be  
20 conducted. All Except as authorized in s. 5.655, all referenda shall appear on a  
21 separate ballot, but more than one referendum question may appear on the same  
22 referendum ballot whenever the questions are numbered and all electors voting the  
23 ballot are entitled to vote upon all questions appearing thereon. When more than  
24 one state referendum is placed on the same ballot, the board shall number the  
25 questions in chronological sequence. If the legislature submits questions on different

1 dates, the board shall number the questions sequentially based on the date on which  
2 the questions are submitted by the legislature. State Except as authorized in s.  
3 5.655, state and county referenda shall appear on a separate ballot from municipal  
4 or special district referenda. The form of all referendum ballots shall be  
5 substantially the same as that prescribed by the board under s. 7.08 (1) (a).

6 **SECTION 56.** 5.64 (3) (intro.) of the statutes is repealed.

7 **SECTION 57.** 5.64 (3) (a) of the statutes is renumbered 5.64 (1) (em) and  
8 amended to read:

9 5.64 (1) (em) ~~The ballot shall be titled “Official Presidential Ballot” in lettering~~  
10 ~~at least three eighths inch high. Directly underneath in plain, legible type shall be~~  
11 ~~the following voting instructions: “Make a cross (X) in the square opposite the names~~  
12 ~~of the candidates for whose electors you desire to vote or write in the names of~~  
13 ~~candidates for president and vice president in the space provided for the purpose.~~  
14 ~~Vote in ONE square only.”.~~ The names of the candidates for the offices of president  
15 and vice president certified under s. 8.16 (7) or filed under s. 8.20 shall appear on the  
16 ballot in the form prescribed in s. 7.08 (2) (a). The names of the presidential electors  
17 for the candidates supplied under ss. 8.18 (2) and 8.20 (2) (d) are not listed on the  
18 ballot but a vote for the candidates for president and vice president is a vote for them  
19 through their named presidential electors.

20 **SECTION 58.** 5.64 (3) (b) of the statutes is renumbered 5.64 (1) (es) and amended  
21 to read:

22 5.64 (1) (es) The party candidates shall be arranged consecutively from top to  
23 bottom based on the number of votes received by their party’s candidate for governor  
24 at the last election beginning with the party that received the most votes. The  
25 independent president–vice president candidates shall be listed together in an order

**SECTION 58**

1 drawn by lot by or under supervision of the board, following under the party  
2 candidates. ~~Below~~ Along with the names of the independent candidates shall appear  
3 the party or principle of the candidates, if any, in 5 words or less, as shown on their  
4 nomination papers. Following under the independent candidates, a space shall be  
5 left for writing in the names of a candidate for president and vice president.

6 **SECTION 59.** 5.65 of the statutes is amended to read:

7 **5.65 Special referendum ballots.** Unless otherwise provided, ballots for  
8 special referenda shall conform to the format prescribed ~~in~~ under s. 5.64 (2), insofar  
9 as applicable.

10 **SECTION 60.** 5.655 of the statutes is created to read:

11 **5.655 Consolidated ballots.** (1) Whenever a separate ballot is required to  
12 be used, a municipality may use a single ballot to facilitate the use of voting machines  
13 or an electronic voting system or, if the municipality employs paper ballots, may use  
14 a consolidated paper ballot that is authorized under sub. (2). If a municipality uses  
15 a single ballot in lieu of separate ballots, the ballot shall include a separate column  
16 or row for any office, referendum or party for which a separate ballot is required by  
17 law and the ballot shall be distributed only to electors who are eligible to vote for all  
18 of the offices and referenda appearing on the ballot.

19 (2) Whenever a municipality employing paper ballots is required to utilize  
20 separate ballots for certain offices, referenda or parties at an election, the  
21 municipality may, with the approval of the county clerk or board of election  
22 commissioners of each county in which there is located any portion of the  
23 municipality where one or more electors reside, substitute a single consolidated  
24 paper ballot or a ballot that is designed to be utilized with an electronic voting

1 system, if the ballot contains all of the applicable information required to be provided  
2 for paper ballots at that election.

3 (3) The board shall prescribe notices and instructions to be given to electors  
4 who use a ballot that is authorized under sub. (2) in lieu of any notices and  
5 instructions that are applicable only to municipalities employing separate paper  
6 ballots.

7 SECTION 61. 5.68 (5) of the statutes is amended to read:

8 5.68 (5) If a charge is made for the use of a polling place, the charge shall be  
9 paid by the ~~unit of government~~ municipality establishing the polling place under s.  
10 5.25 (2) ~~or 120.06 (9)(a)~~ unless the polling place is used to conduct a special election  
11 that is called by a unit of government other than the state or the municipality  
12 establishing the polling place and the special election is not held concurrently with  
13 an election specified in s. 5.02 (5), (18), (21) or (22). In such case the charge shall be  
14 paid by the unit of government that calls the special election.

15 SECTION 62. 5.81 (1) of the statutes is amended to read:

16 5.81 (1) Whenever the statutes ~~require~~ provide for the use of separate ballots  
17 or columns or rows for offices, parties or referenda, and an electronic voting system  
18 employing a ballot label or ballot card is used at a polling place, a single ballot may  
19 be used for all offices, referenda and parties. The ballot information, whether placed  
20 on the ballot or on the voting device, shall, as far as practicable, be grouped and  
21 ordered in the same manner as provided for other ballots under this chapter, except  
22 that the information on the ballot card need not be in separate columns or rows and  
23 the information in the ballot label booklet may appear on a number of pages.

24 SECTION 63. 5.81 (2) of the statutes is amended to read:

1           5.81 (2) When an electronic voting system utilizes a ballot label booklet and  
2 ballot card, ballots for candidates and ballots on referenda may be placed on the  
3 voting device by providing in the ballot booklet separate ballot label pages or series  
4 of pages distinguished by differing colors. Whenever practicable, all candidates for  
5 the same office shall appear in the booklet on the same page or facing pages. More  
6 than one question may be placed on the same ballot page or series of pages. In  
7 elections where provision is made for straight party voting by marking a party circle,  
8 the designation of the political parties for straight party voting shall be on a separate  
9 page on which no names of candidates may appear. On each succeeding page of the  
10 candidate booklet, where the ballot information is listed vertically, the party  
11 affiliation of each candidate or the designation “independent” or the candidate’s  
12 statement of principles, if any, shall appear ~~immediately to the left of~~ next to the  
13 candidate’s name, and the name of candidates for the same office shall be listed  
14 vertically under the title of that office.

15           **SECTION 64.** 6.15 (3) (b) of the statutes is amended to read:

16           6.15 (3) (b) *Election day.* An eligible elector may appear at the polling place for  
17 the ward or election district where he or she resides and make application for a ballot  
18 under sub. (2). In such case, the inspector or special registration deputy shall  
19 perform the duties of the municipal clerk. The elector shall provide identification.  
20 If the elector is qualified, he or she shall be permitted to vote. The elector shall mark  
21 or punch the ballot and, unless the ballot is utilized with an electronic voting system,  
22 the elector shall fold the ballot, and shall deposit the ballot into the ballot box or give  
23 it to the inspector. The inspector shall deposit it directly ~~in~~ into the ballot box. Voting  
24 machines or ballots utilized with electronic voting systems may ~~only~~ be used ~~only~~ by

1 electors voting under this section if they permit voting for president and vice  
2 president only.

3 **SECTION 65.** 6.22 (2) (b) of the statutes is repealed and recreated to read:

4 6.22 (2) (b) Notwithstanding s. 6.87 (4), a military elector shall make and  
5 subscribe to the certification under s. 6.87 (2) before a witness who is an adult U.S.  
6 citizen.

7 **SECTION 66.** 6.22 (4) of the statutes is amended to read:

8 6.22 (4) INSTRUCTIONS AND HANDLING. An individual who qualifies as a military  
9 elector may request an absentee ballot for any election, or for all elections until the  
10 individual otherwise requests or until the individual no longer qualifies as a military  
11 elector. A military elector's application may be received at any time. The municipal  
12 clerk shall not ~~mail~~ send a ballot for an election if the application is received later  
13 than 5 p.m. on the Friday preceding that election. The municipal clerk shall ~~mail~~  
14 send a ballot, as soon as available, to each military elector who requests a ballot. The  
15 board shall prescribe the instructions for marking or punching and returning ballots  
16 and the municipal clerk shall enclose instructions with each ballot and shall also  
17 enclose supplemental instructions for local elections. The envelope, return envelope  
18 ~~or explanatory note~~ and instructions may not contain the name of any candidate  
19 appearing on the enclosed ballots other than that of the municipal clerk affixed in  
20 the fulfillment of his or her duties. ~~The~~ Whenever the material is mailed, the  
21 material shall be prepared and mailed to make use of the federal free postage laws.  
22 The mailing list established under this subsection shall be kept current in the same  
23 manner as provided in s. 6.86 (2) (b).

24 **SECTION 67.** 6.22 (5) of the statutes is amended to read:

1           6.22 (5) VOTING PROCEDURE. Except as authorized in s. 6.25, the ballot shall be  
2 marked or punched and returned, deposited and recorded in the same manner as  
3 other absentee ballots. In addition, the affidavit certification under s. 6.87 (2) shall  
4 have a statement of the elector's birth date. Failure to return ~~the~~ any unused ballots  
5 in a primary election does not invalidate the ballot on which the elector casts his or  
6 her votes.

7           **SECTION 68.** 6.24 (1) and (2) of the statutes are amended to read:

8           6.24 (1) DEFINITION. In this section, "overseas elector" means a U.S. citizen who  
9 is not disqualified from voting under s. 6.03, who has attained or will attain the age  
10 of 18 by the date of an election at which the citizen proposes to vote and who does not  
11 qualify as a resident of this state under s. 6.10, but who was last domiciled in this  
12 state or whose parent was last domiciled in this state immediately prior to the  
13 parent's departure from the United States, and who is not registered to vote or voting  
14 in any other state, territory or possession.

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

21           **SECTION 69.** 6.24 (3) of the statutes is amended to read:

22           6.24 (3) REGISTRATION. If registration is required in the municipality where the  
23 overseas elector resides, the elector shall register on a form prescribed by the board  
24 designed to ascertain the elector's qualifications under this section. The form shall

1 be substantially similar to the original form under s. 6.33 (1), insofar as applicable.  
2 Registration shall be accomplished in accordance with s. 6.30 ~~(3)~~ (4).

3 SECTION 70. 6.24 (3) of the statutes, as affected by 1999 Wisconsin Act .... (this  
4 act), is amended to read:

5 6.24 (3) REGISTRATION. If registration is required in the municipality where the  
6 overseas elector ~~resides~~ resided or where the elector's parent resided, the elector  
7 shall register on a form prescribed by the board designed to ascertain the elector's  
8 qualifications under this section. The form shall be substantially similar to the  
9 original form under s. 6.33 (1), insofar as applicable. Registration shall be  
10 accomplished in accordance with s. 6.30 (4).

11 SECTION 71. 6.24 (4) (c) of the statutes is amended to read:

12 6.24 (4) (c) Upon receipt of a timely application from an individual who  
13 qualifies as an overseas elector and who has registered to vote in a municipality  
14 under sub. (3) whenever registration is required in that municipality, the municipal  
15 clerk of the municipality shall ~~mail~~ send an absentee ballot to the individual for all  
16 subsequent elections for national office to be held during the year in which the ballot  
17 is requested, unless the individual otherwise requests or until the individual no  
18 longer qualifies as an overseas elector.

19 SECTION 72. 6.24 (4) (d) of the statutes is amended to read:

20 6.24 (4) (d) An overseas elector who is not registered may request both a  
21 registration form and an absentee ballot at the same time, and the municipal clerk  
22 shall ~~mail~~ send the ballot automatically if the registration form is received within the  
23 time prescribed in s. ~~6.30 (3)~~ 6.28 (1). The board shall prescribe a special certificate  
24 affidavit form for the envelope in which the absentee ballot for overseas electors is  
25 contained, which shall be substantially similar to that provided under s. 6.87 (2).

## SECTION 72

1 ~~Whenever an application, affidavit or other act is required in ss. 6.86 to 6.89 an~~  
2 ~~overseas elector may fulfill the requirements by subscribing or swearing before any~~  
3 ~~person authorized to administer oaths or 2 adult U.S. citizens~~ Notwithstanding s.  
4 6.87 (4), an overseas elector shall make and subscribe to the special certificate form  
5 before a witness who is an adult U.S. citizen.

6 SECTION 73. 6.24 (5) of the statutes is amended to read:

7 6.24 (5) BALLOTS. The board shall prescribe a special ballot for use under this  
8 section whenever necessary. Official ballots ~~under ss. 5.60 (8) and 5.64 (3)~~ prescribed  
9 for use in the presidential preference primary may also be used. The ballot shall be  
10 designed to comply with the requirements of prescribed under ss. 5.60 (8), 5.62 and  
11 5.64 (1) insofar as applicable. All ballots shall be limited to national offices only.

12 SECTION 74. 6.24 (6) of the statutes is amended to read:

13 6.24 (6) INSTRUCTIONS AND HANDLING. The municipal clerk shall ~~mail~~ send a  
14 ballot, as soon as available, to each overseas elector by whom a request has been  
15 made. The board shall prescribe the instructions for marking or punching and  
16 returning ballots and the municipal clerk shall enclose such instructions with each  
17 ballot. The envelope, return envelope and instructions may not contain the name of  
18 any candidate appearing on the enclosed ballots other than that of the municipal  
19 clerk affixed in the fulfillment of his or her duties. ~~The~~ Except as authorized under  
20 s. 6.87 (3) (d), the municipal clerk shall mail the material postage prepaid to any  
21 place in the world. The overseas elector shall provide return postage.

22 SECTION 75. 6.24 (7) of the statutes is amended to read:

23 6.24 (7) VOTING PROCEDURE. Except as authorized under s. 6.25, the ballot shall  
24 be marked or punched and returned, deposited and recorded in the same manner as  
25 other absentee ballots. In addition, the ~~certificate affidavit~~ certificate shall have a

1 statement of the elector's birth date. Failure to return the unused ballots in a  
2 primary election does not invalidate the ballot on which the elector casts his or her  
3 votes.

4 **SECTION 76.** 6.275 (1) (c) of the statutes is amended to read:

5 6.275 (1) (c) Where registration applies, the total number of electors of the  
6 municipality residing in that county who registered after the close of registration and  
7 prior to the day of the primary or election under ~~s.~~ ss. 6.28 (1) and 6.29.

8 **SECTION 77.** 6.28 (1) of the statutes is amended to read:

9 6.28 (1) REGISTRATION LOCATIONS; DEADLINE. ~~Registration~~ Except as authorized  
10 in ss. 6.29 and 6.55 (2), registration in person for any election shall close at 5 p.m.  
11 on the 2nd Wednesday preceding the election. Registrations made by mail under s.  
12 6.30 (4) must be delivered to the office of the municipal clerk or postmarked no later  
13 than the 2nd Wednesday preceding the election. An application for registration in  
14 person or by mail may be accepted for placement on the registration list after the  
15 specified deadline, if the municipal clerk determines that the registration list can be  
16 revised to incorporate the registration in time for the election. All applications for  
17 registration corrections and additions may be made throughout the year at the office  
18 of the city board of election commissioners, at the office of the municipal clerk, at the  
19 office of any register of deeds or at other locations provided by the board of election  
20 commissioners or the common council in cities over 500,000 population or by either  
21 or both the municipal clerk, or the common council, village or town board in all other  
22 municipalities and may also be made during the school year at any high school by  
23 qualified persons under sub. (2) (a). Other registration locations may include but are  
24 not limited to fire houses, police stations, public libraries, institutions of higher  
25 education, supermarkets, community centers, plants and factories, banks, savings

1 and loan associations and savings banks. Special registration deputies shall be  
2 appointed for all locations. An elector who wishes to obtain a confidential listing  
3 under s. 6.47 (2) shall register at the office of the municipal clerk of the municipality  
4 where the elector resides.

5 SECTION 78. 6.29 (1) of the statutes is amended to read:

6 6.29 (1) No names may be added to a registration list for any election after the  
7 close of registration, except as authorized under this section or s. 6.28 (1) or 6.55 (2)  
8 ~~or (3)~~. Any person whose name is not on the registration list but who is otherwise  
9 a qualified elector is entitled to vote at the election upon compliance with this section.

10 SECTION 79. 6.29 (2) (b) of the statutes is amended to read:

11 6.29 (2) (b) Upon the filing of the registration form required by this section, the  
12 municipal clerk shall issue a certificate addressed to the inspectors of the proper  
13 ward directing that the elector be permitted to cast his or her vote, unless the clerk  
14 determines that the registration list will be revised to incorporate the registration  
15 in time for the election. The certificate shall be numbered serially, prepared in  
16 duplicate and one copy preserved in the office of the municipal clerk.

17 SECTION 80. 6.29 (2) (c) of the statutes is amended to read:

18 6.29 (2) (c) ~~The elector, at~~ At the time he or she appears at the correct polling  
19 place, the elector shall deliver the any certificate issued under par. (b) to the  
20 inspectors. If the elector applies for and obtains an absentee ballot, ~~the~~ any  
21 certificate shall be annexed to and mailed with the absentee ballot to the office of the  
22 municipal clerk.

23 SECTION 81. 6.30 (1) of the statutes is amended to read:

24 6.30 (1) IN PERSON. Registration applications shall be made in person, except  
25 under ~~subs. (2) to sub. (4)~~.

1 SECTION 82. 6.30 (2) and (3) of the statutes are repealed.

2 SECTION 83. 6.30 (4) of the statutes is amended to read:

3 6.30 (4) BY MAIL. Any eligible elector ~~who is located not more than 50 miles from~~  
4 ~~his or her legal voting residence~~ may register by mail on a form prescribed by the  
5 board and provided by each municipality. The form shall be designed to obtain the  
6 information required in ss. 6.33 (1) and 6.40 (1) (a) and (b). The form shall contain  
7 a certification by the elector that all statements are true and correct. The form shall  
8 be prepostpaid for return when mailed at any point within the United States, ~~and~~  
9 ~~shall be signed by a special registration deputy or shall be signed and substantiated~~  
10 ~~by one other elector residing in the same municipality in which the registering~~  
11 ~~elector resides, corroborating all material statements therein.~~ The form shall be  
12 available in the municipal clerk's office and may be distributed by any elector of the  
13 municipality. The clerk shall mail a registration form to any elector upon written or  
14 oral request.

15 ~~SECTION 84. 6.33 (1) of the statutes is amended to read:~~

16 6.33 (1) The municipal clerk shall supply sufficient registration forms as  
17 prescribed by the board printed on loose-leaf sheets or cards to obtain from each  
18 applicant information as to name, date, residence location, citizenship, age, whether  
19 the applicant has resided within the ward or election district for at least 10 days,  
20 whether the applicant has lost his or her right to vote, and whether the applicant is  
21 currently registered to vote at any other location, and shall provide a space for the  
22 applicant's signature. The forms shall also include a space for the identification  
23 serial number of any elector who is issued such a number under s. 6.47 (3). Each  
24 ~~register of deeds shall obtain sufficient registration forms at the expense of the unit~~

1 of government by which he or she is employed for completion by any elector who  
2 desires to register to vote.

3 SECTION 85. 6.33 (2) (b) of the statutes is amended to read:

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

8 SECTION 86. 6.35 (1) (intro.) of the statutes is amended to read:

9 6.35 (1) (intro.) Under the direction of the municipal clerk or board of election  
10 commissioners, the original registration forms shall be filed in one of the following  
11 ways, ~~except as provided in sub. (1m)~~:<sup>✓</sup>

12 SECTION 87. 6.35 (1m) of the statutes is created to read:

13 6.35 (1m) Original registration forms of electors who have obtained a  
14 confidential listing under s. 6.47 (2) shall be filed in alphabetical order after the  
15 forms of the other electors.

16 SECTION 88. 6.36 (2) of the statutes is renumbered 6.36 (2) (a) and amended to  
17 read:

18 6.36 (2) (a) ~~The Except as provided in par. (b), the~~ registration lists shall  
19 contain the full name and address of each registered elector, a blank column for the  
20 entry of the serial number of the electors when they vote, and a form of a certificate  
21 stating that each list is a true and complete combined check and registration list of  
22 the respective wards.

23 SECTION 89. 6.36 (2) (b) of the statutes is created to read:

1 6.36 (2) (b) If an elector obtains a confidential listing under s. 6.47 (2), the  
2 registration list shall be prepared such that the address of the elector does not appear  
3 on copies of the list that are used at polling places.

4 SECTION 90. 6.36 (4) of the statutes is created to read:

5 6.36 (4). The names and identification serial numbers of electors who have  
6 obtained a confidential listing under s. 6.47 (2) shall appear separately after the  
7 remainder of the list. These names and serial numbers shall be arranged  
8 alphabetically by last name.

9 SECTION 91. 6.40 (2) (b) of the statutes is amended to read:

10 6.40 (2) (b) In addition to the revision which is required under s. 6.50,  
11 municipal clerks may conduct door-to-door and mail registration canvasses at any  
12 time. The door-to-door canvass shall consist of both the deletion from the  
13 registration list of the names of electors who no longer reside at the address for which  
14 they are registered and the addition to the registration list of the names of electors  
15 who reside at that address. The mail canvass shall consist of the municipal clerk  
16 examining the registration records and canceling the registration of electors after  
17 the mailing of notices in accordance with s. 6.50 (1) and (2) or (2m). The mail canvass  
18 may also consist of adding to the registration list the names of eligible electors. Both  
19 door-to-door and mail canvasses whenever made shall be made throughout the  
20 municipality in a uniform manner. An elector who wishes to obtain a confidential  
21 listing under s. 6.47 (2) shall register at the office of the municipal clerk of the  
22 municipality where the elector resides.

23 SECTION 92. 6.45<sup>(1)</sup> of the statutes is amended to read:

24 (no group) 6.45 ~~Access to registration list~~ (1) After the deadline for revision of the  
25 registration list, the municipal clerk shall make copies of the list for election use.

## SECTION 92

1 ~~11111~~ (The registration list and any supplemental lists which are prepared at  
2 polling places or other registration locations under s. 6.55, shall be open to public  
3 inspection. Under the regulations prescribed by the municipal clerk, any person may  
4 copy the registration list at the office of the clerk. A registration list maintained at  
5 a polling place may be examined by ~~an observer~~ any person who is observing the  
6 proceedings under s. 7.41 when such use does not interfere with the conduct of the  
7 election. This subsection does not apply to information that is confidential under s.

8 ~~6.47~~  
9 (2) The municipal clerk shall furnish upon request to each candidate who has  
10 filed nomination papers for an office which represents at least part of the residents  
11 of the municipality one copy of the current registration list for those areas for which  
12 he or she is a candidate for a fee not to exceed the cost of reproduction. The clerk shall  
13 exclude information that is confidential under s. 6.47 (2) from copies of the list, except  
14 as authorized under s. 6.47 (8).

15 SECTION 93. 6.46 of the statutes is renumbered 6.46 (1) and amended to read:

16 **6.46 Poll lists; copying.** (1) Poll lists shall be preserved by the municipal  
17 clerk until destruction or other disposition is authorized under s. 7.23, and

18 (2) Poll lists shall be open to public inspection, except as provided in s. 6.47.  
19 The municipal clerk shall furnish upon request to each candidate who has filed  
20 nomination papers for an office which represents at least part of the municipality one  
21 copy of the current poll list for those areas for which he or she is a candidate for a fee  
22 not to exceed the cost of reproduction. If a copying machine is not accessible, the clerk  
23 shall remove the lists from the office for the purposes of copying, and return them  
24 immediately thereafter. The clerk shall exclude information that is confidential  
25 under s. 6.47 (2) from copies of the list, except as authorized under s. 6.47 (8).

1           ✓  
2           **SECTION 94. 6.47 of the statutes is created to read:**

3           **6.47 Confidentiality of information relating to victims of domestic**  
4           **abuse. (1) In this section:**

5           (a) "Eligible individual" means:

6           1. An individual who has been granted a protective order that is in effect.

7           2. An individual who files an affidavit with the municipal clerk of the  
8           municipality where the individual resides, on a form prescribed by the board, that  
9           is signed by a sheriff or the chief of a police department and directed to the municipal  
10           clerk, and that verifies that a person has been charged with or convicted of an offense  
11           relating to domestic abuse in which the individual was a victim and reasonably  
12           continues to be threatened by that person.

13           3. An individual who resides in a shelter.

14           (b) "Offense relating to domestic abuse" means an offense specified in s. 940.19,  
15           940.20 (1m), 940.201, 940.22, 940.225, 940.32, 947.013, 948.02, 948.025, 948.06,  
16           948.09 or 948.095.

17           (c) "Protected individual" means an individual whose name and address is  
18           confidential under sub. (2).

19           (d) "Protective order" means a temporary restraining order or an injunction  
20           issued under s. 813.12 or 813.125.

21           (e) "Shelter" means a place where at least 4 unrelated individuals reside that  
22           provides residential shelter to individuals whose personal security is or may be  
23           threatened by family members or other persons with whom the individuals have had  
24           contact.

25           (2) Except as authorized in sub. (8), the municipal clerk shall withhold from  
          public inspection under s. 19.35 (1) the name and address of any eligible individual

1 whose name appears on a poll list or registration list if the individual files a valid  
2 written request with the clerk to protect the individual's confidentiality. To be valid,  
3 a request under this subsection must be accompanied by a copy of a protective order  
4 that is in effect, an affidavit under sub. (1) (a) 2. that is dated within 30 days of the  
5 date of the request or a statement signed by the operator or an authorized agent of  
6 the operator of a shelter that is dated within 30 days of the date of the request and  
7 that indicates that the operator operates the shelter and that the individual making  
8 the request resides in the shelter. A physically disabled individual who appears  
9 personally at the office of the municipal clerk accompanied by another elector of this  
10 state may designate that elector to make a request under this subsection on his or  
11 her behalf.

12 (3) Upon listing of an elector under sub. (2), the municipal clerk shall issue to  
13 the elector a voting identification card on a form prescribed by the board that shall  
14 contain the name of the municipality issuing the card and in the case of a town, the  
15 county in which the town is located, the elector's name, the ward in which the elector  
16 resides, if any, and a unique identification serial number issued by the board. The  
17 number issued to an elector under this subsection shall not be changed for so long  
18 as the elector continues to qualify for a listing under sub. (2).

19 (4) Except as provided in sub. (5), a confidential listing under sub. (2) expires  
20 on the date that a protective order expires, on the date that the protected individual  
21 ceases to reside in a shelter or at the end of the 24-month period that follows creation  
22 or renewal of the listing under sub. (2), whichever is earliest.

23 (5) (a) The municipal clerk shall cancel a confidential listing under sub. (2) if:

24 1. The clerk receives notification from a sheriff or chief of police under sub. (10).

25 2. The name of the protected individual is legally changed.

1           3. The protected individual changes his or her address without notifying the  
2           municipal clerk.

3           4. The municipal clerk finds that the protected individual provided false  
4           information to the clerk for the purpose of obtaining a confidential listing under sub.  
5           (2).

6           (b) An individual whose confidential listing is canceled under par. (a) may file  
7           a new request and qualify under sub. (2) to obtain a renewal of the listing.

8           (6) Upon expiration of a confidential listing on a registration list under sub. (2),  
9           the municipal clerk shall cancel the registration of the protected individual unless  
10          the individual files a new request and qualifies under sub. (2) to obtain a renewal of  
11          the listing or unless the individual applies for and qualifies to obtain a  
12          nonconfidential voter registration. Except as authorized in sub. (8), the municipal  
13          clerk shall withhold from public inspection under s. 19.35 (1) the name and address  
14          of any individual whose registration is canceled under this subsection if the  
15          individual qualified for a confidential listing at the time of that listing.

16          (7) (a) If the municipal clerk has notice that a confidential listing under sub.  
17          (2) is scheduled to expire, the municipal clerk shall provide 30 days' notice to the  
18          protected individual of the scheduled expiration of the listing.

19          (b) If notice to a protected individual is not provided under par. (a), the  
20          municipal clerk shall provide notice to the subject individual upon canceling a  
21          confidential listing under sub. (2).

22          (8) The municipal clerk shall provide access to a name and address under sub.  
23          (2):

24          (a) To a law enforcement officer for official purposes.

1 (b) To a state or local governmental officer pursuant to a specific law that  
2 necessitates obtaining the name or address.

3 (c) Pursuant to a court order citing a reason that access to the name or address  
4 should be provided.

5 (d) To a clerk of circuit court for purposes of s. 756.04 (5) (a).

6 (e) At the request of a protected individual, for purposes of permitting that  
7 individual to sign a petition under s. 59.05 (2) or a protest petition, consent or counter  
8 petition under s. 125.05.

9 (9) No person who obtains access to a name or address under sub. (8) may  
10 disclose the name or address to any person other than a public employe for the same  
11 purpose for which the information was obtained.

12 (10) If a sheriff or chief of a police department who signs an affidavit under sub.  
13 (1) (a) 2. obtains information that the person who was charged with an offense  
14 relating to domestic abuse is no longer so charged or that the person's judgment of  
15 conviction has been vacated, and the charge or conviction was the sole basis for the  
16 affidavit, the sheriff or chief shall provide written notice of that information to the  
17 municipal clerk to whom the affidavit was directed.

18 **SECTION 95.** 6.55 (2) (a) of the statutes is amended to read:

19 6.55 (2) (a) Except where the procedure under par. (c) or (cm) is employed, any  
20 person who qualifies as an elector in the ward or election district where he or she  
21 desires to vote, but has not previously filed a registration form, or was registered at  
22 another location in a municipality where registration is required, may request  
23 permission to vote at the polling place for that ward or election district, or at an  
24 alternate polling place assigned under s. 5.25 (5) (b). When a proper request is made,

1 the inspector shall require the person to execute a registration form prescribed by  
2 the board which shall contain the following certification:

3 “I, ..., hereby certify that to the best of my knowledge, I am a qualified elector,  
4 having resided at .... for at least 10 days immediately preceding this election, and  
5 that I am not disqualified on any ground from voting, and I have not voted, at this  
6 election.” If a change of address is made from outside the municipality, the elector  
7 shall file a cancellation under s. 6.40 (1) (b) 6.

8 **SECTION 96.** 6.55 (2) (cm) of the statutes is created to read:

9 6.55 (2) (cm) If an elector who is not registered wishes to obtain a confidential  
10 listing under s. 6.47 (2), the elector shall register at the office of the municipal clerk  
11 of the municipality where the elector resides. Upon completion of registration, the  
12 municipal clerk or a deputy clerk shall serially number the registration form and  
13 issue a voting identification card to the elector under s. 6.47 (3). The elector may vote  
14 at the polling place serving his or her residence by presenting the identification card  
15 or by providing his or her name and identification serial number.

16 **SECTION 97.** 6.79 (intro.) of the statutes is amended to read:

17 **6.79 Recording electors.** (intro.) Two election officials at each election ward  
18 shall be in charge of and shall maintain 2 separate lists of all persons voting. The  
19 municipal clerk may elect to maintain the information on the poll list manually or  
20 electronically. If the list is maintained electronically, the officials shall enter the  
21 information into an electronic data recording system that enables retrieval of a  
22 printed copy of the poll list at the polling place. The system employed is subject to  
23 the approval of the board.

24 **SECTION 98.** 6.79 (1) <sup>and (2)</sup> ~~of~~ of the statutes are amended to read:

1           6.79 (1) MUNICIPALITIES WITHOUT REGISTRATION. ~~Where~~ <sup>restore</sup> ~~Except as provided in~~  
2 ~~sub. (6) (a).~~ ~~where~~ there is no registration, before being permitted to vote, each person  
3 shall state his or her full name and address. The officials shall ~~record~~ enter each  
4 name and address on a poll list in the same order as the votes are cast. If the  
5 residence of the elector does not have a number, the election officials shall, in the  
6 appropriate space, ~~write~~ enter "none". Alternatively, the municipal clerk may  
7 maintain a poll list consisting of the full name and address of electors compiled from  
8 previous elections. Whenever an elector appears to vote, the officials shall verify the  
9 correctness of the elector's name and address, and shall enter a serial number next  
10 to the name of the elector in the order that the votes are cast, beginning with the  
11 number one. If the name and address of an elector do not appear on the prepared poll  
12 list, the officials shall ~~record~~ enter the name, address and serial number of the elector  
13 at the bottom of the list. The officials may require any elector to provide  
14 identification, including acceptable proof of residence, or to have another elector  
15 corroborate his or her information in accordance with the procedure specified in s.  
16 6.55 (2) (b) before permitting the elector to vote. ~~An elector who presents an~~  
17 ~~identification card under sub. (6) (a) is not required to provide separate~~  
18 ~~identification.~~ The officials shall maintain a separate list of those persons voting  
19 under ss. 6.15 and 6.24.

20           (2) MUNICIPALITIES WITH REGISTRATION. ~~Where~~ <sup>restore</sup> ~~Except as provided in sub. (6) (b)~~  
21 ~~where~~ there is registration, each person, before receiving a voting number, shall state  
22 his or her full name and address. Upon the prepared registration list, after the name  
23 of each elector, the officials shall enter the serial number of the vote as it is polled,  
24 beginning with number one. Each elector shall receive a slip bearing the same serial  
25 number. A separate list shall be maintained for electors who are voting under s. 6.15,

1 6.29 or 6.55 (2) or (3) and electors who are reassigned from another polling place  
2 under s. 5.25 (5) (b). Each such elector shall have his or her full name, address and  
3 serial number likewise ~~recorded~~ entered and shall be given a slip bearing such  
4 number.

5 (3) REFUSAL TO GIVE NAME AND ADDRESS. If Except as provided in sub. (6), if any  
6 elector offering to vote at any polling place refuses to give his or her name and  
7 address, the elector may not be permitted to vote.

8 SECTION 99. 6.79 (5) of the statutes is amended to read:

9 6.79 (5) POLL LIST FORMS FORMAT. Poll lists shall be kept on forms designed or  
10 in an electronic format prescribed by the board to be substantially similar to the  
11 standard registration list forms used in municipalities where registration is required  
12 and shall require, for each person offering to vote, the entry of the person's full name  
13 and address, ~~except as otherwise required under sub. (6) and~~

14 ~~SECTION 100. 6.79 (6) of the statutes is created to read:~~

15 ~~6.79 (6) CONFIDENTIAL NAMES AND ADDRESSES. (a) In municipalities where there~~  
16 ~~is no registration, an elector who has a confidential listing under s. 6.47 (2) may~~  
17 ~~present an identification card issued under s. 6.47 (3) in lieu of providing his or her~~  
18 ~~name and address. If the elector resides in the area served by the polling place, the~~  
19 ~~inspectors shall then enter the elector's name and identification serial number on the~~  
20 ~~poll list in a section following the other names, shall issue a voting serial number to~~  
21 ~~the elector and shall enter that number on the poll list and permit the elector to vote.~~

22 ~~(b) In municipalities where registration is required, an elector who has a~~  
23 ~~confidential listing under s. 6.47 (2) may present his or her identification card issued~~  
24 ~~under s. 6.47 (3) or may give his or her name and identification serial number issued~~  
25 ~~under s. 6.47 (3). If the elector's name and identification serial number appear on the~~

1 confidential portion of the list, the inspectors shall issue a voting serial number to  
2 the elector, ~~enter that number on the registration list and permit the elector to vote.~~

3 SECTION 101. 6.80 (2) (e) and (f) of the statutes are amended to read:

4 6.80 (2) (e) Upon voting his or her ballot, the elector shall publicly and in person  
5 deposit it ~~in~~ into the ballot box or deliver it to an inspector ~~for, who shall deposit in~~  
6 the ballot into the ballot box.

7 (f) In the presidential preference primary and other partisan primary elections  
8 at polling places where ballots are distributed to electors, unless the ballots are  
9 prepared under s. 5.655 or are utilized with an electronic voting system in which all  
10 candidates appear on the same ballot, after the elector prepares his or her ballot the  
11 elector shall detach the remaining ballots, fold the ballots to be discarded, and fold  
12 the completed ballot unless the ballot is intended for counting with automatic  
13 tabulating equipment, The elector shall then either personally deposit the ballots  
14 to be discarded in into the separate ballot box marked "blank ballot box", and deposit  
15 the completed ballot in into the ballot box indicated by the inspectors, or give the  
16 ballots to an inspector who shall deposit the ballots directly into the appropriate  
17 ballot boxes. The inspectors shall keep the blank ballot box locked until the canvass  
18 is completed and shall dispose of the blank ballots as prescribed by the municipal  
19 clerk.

20 SECTION 102. 6.85 of the statutes is amended to read:

21 **6.85 Absent elector; definition.** An absent elector is any otherwise qualified  
22 elector who ~~is or expects to be absent from the municipality in which the absent~~  
23 ~~elector is a qualified elector on election day whether by reason of active service in the~~  
24 ~~U.S. armed forces or for any other reason, or who because of age, sickness, handicap,~~  
25 ~~physical disability, jury duty, service as an election official or religious reasons~~

1 ~~cannot is unable or unwilling to appear at the polling place in his or her ward. No~~  
2 ~~person under the age of 70 qualifies as an absent elector solely because of age. Any~~  
3 otherwise qualified elector who changes residence within this state by moving to a  
4 different ward or municipality later than 10 days prior to an election may vote an  
5 absentee ballot in the ward or municipality where he or she was qualified to vote  
6 before moving. An elector qualifying under this section may vote by absentee ballot  
7 under ss. 6.86 to 6.89.

8 **SECTION 103.** 6.86 (1) (b) of the statutes is amended to read:

9 6.86 (1) (b) Except as provided in this section, if application is made in writing,  
10 the application, signed by the elector, shall be received no later than 5 p.m. on the  
11 Friday immediately preceding the election. If application is made in person, the  
12 application shall be made no later than 5 p.m. on the day preceding the election. If  
13 the elector is making written application and the application indicates that the  
14 reason for requesting an absentee ballot is that the elector is a sequestered juror, the  
15 application shall be received no later than 5 p.m. on election day. If the application  
16 is received after 5 p.m. on the Friday immediately preceding the election, the  
17 municipal clerk or the clerk's agent shall immediately take the ballot to the court in  
18 which the elector is serving as a juror and deposit it with the judge. The judge shall  
19 recess court, as soon as convenient, and give the elector the ballot. The judge shall  
20 then ~~notarize the affidavit~~ witness the voting procedure as provided in s. 6.87 and  
21 shall deliver the ballot to the clerk or agent of the clerk who shall deliver it to the  
22 polling place as required in s. 6.88. If application is made under sub. (2), the  
23 application may be received no later than 5 p.m. on the Friday immediately  
24 preceding the election.

25 **SECTION 104.** 6.86 (3) (a) of the statutes is amended to read:

**SECTION 104**

1           6.86 (3) (a) Any elector who is registered, or otherwise qualified where  
2 registration is not required, and who ~~qualifies under ss. 6.20 and 6.85 as an absent~~  
3 ~~elector because the elector is hospitalized,~~ may apply for and obtain an official ballot  
4 by agent. The agent may apply for and obtain a ballot for the hospitalized absent  
5 elector by presenting a form prescribed by the board and containing the required  
6 information supplied by the hospitalized elector and signed by that elector and any  
7 other elector residing in the same municipality as the hospitalized elector,  
8 corroborating the information contained therein. The corroborating elector shall  
9 state on the form his or her full name and address.

10           **SECTION 105.** 6.865 (intro.) and (1) of the statutes are consolidated,  
11 renumbered 6.865 and amended to read:

12           **6.865 Federal postcard request form.** A federal postcard registration and  
13 absentee ballot request form may be used to apply for an absentee ballot under s. 6.86  
14 (1) if the form is completed in such manner that the municipal clerk or board of  
15 election commissioners with whom it is filed is able to determine ~~all of the following:~~  
16 ~~(1) That~~ that the applicant is an elector of this state and of the ward or election  
17 district where the elector seeks to vote.

18           **SECTION 106.** 6.865 (2) of the statutes is repealed.

19           **SECTION 107.** 6.87 (2) of the statutes is amended to read:

20           6.87 (2) ~~The~~ Except as authorized under sub. (3) (d), the municipal clerk shall  
21 place the ballot in an unsealed envelope furnished by the clerk. The envelope shall  
22 have the name, official title and post-office address of the clerk upon its face. The  
23 other side of the envelope shall have a printed ~~certificate-affidavit~~ certificate in  
24 substantially the following form:

25           [STATE OF ....

1 County of ....]

2 or

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

4 I, ..., (~~certify~~) (~~do solemnly swear~~) subject to the penalties of s. 12.60 (1) (b), Wis.

5 Stats., for false statements, that I am a resident of the [... ward of the] (town) (village)

6 of ..., or of the ... aldermanic district in the city of ..., residing at ... ~~in~~ said city,

7 the county of ..., state of Wisconsin, and am entitled to vote in the (ward) (election

8 district) at the election to be held on ....; that I am not voting at any other location

9 in this election; that I ~~cannot~~ am unable or unwilling to appear at the polling place

10 in the (ward) (election district) on election day because I ~~expect to be absent from the~~

11 ~~municipality or because of age, sickness, handicap, physical disability, religious~~

12 ~~reasons, jury duty, service as an election official, or because I have changed my~~

13 ~~residence within the state from one ward or election district to another within 10~~

14 ~~days before the election.~~ I (~~certify~~) (~~swear~~) that I exhibited the enclosed ballot

15 unmarked to the (~~2 witnesses~~) (~~person administering the oath~~) witness, that I then

16 in (~~their~~) (his) (her) presence and in the presence of no other person marked the ballot

17 and enclosed and sealed the same in this envelope in such a manner that no one but

18 myself and any person rendering assistance under s. 6.87 (5), Wis. Stats., if I

19 requested assistance, could know how I voted.

20 Signed ....

21 Identification serial number, if any:...

22 The (~~2 witnesses~~) (~~person administering the oath~~) witness shall execute either

23 of the following as appropriate:

24 We I, the undersigned ~~witnesses~~ witness, subject to the penalties of s. 12.60 (1)

25 (b), Wis. Stats., for false statements, certify that the above statements are true and

1 the voting procedure was executed as there stated. ~~Neither of us is~~ I am not a  
2 candidate for any office on the enclosed ballot (except in the case of an incumbent  
3 municipal clerk). ~~The elector was not solicited or advised by us~~ I did not solicit or  
4 advise the elector to vote for or against any candidate or measure.

5 ....(Name)

6 ....(Address)

7 ....(Name)

8 ....(Address)

9 ~~Subscribed and sworn to before me this .... day of ...., A.D., ...., and I hereby~~  
10 ~~certify that I am not a candidate on the ballot upon which the affiant voted (unless~~  
11 ~~I am an incumbent municipal clerk), that the voting procedure above was executed~~  
12 ~~as therein stated, and that the affiant was not solicited or advised by me to vote for~~  
13 ~~or against any candidate or measure.~~

14 ....(Name)

15 ....(Title)

16 ....(State or nation)

17 \* An elector who provides an identification serial number issued under s. 6.47  
18 (3) need not provide a street address.

19 **SECTION 108.** 6.87 (3) (a) of the statutes is amended to read:

20 6.87 (3) (a) Except as authorized under par. (d) and as otherwise provided in  
21 s. 6.875, the municipal clerk shall mail the absentee ballot postage prepaid for return  
22 to the elector's residence unless otherwise directed, or shall deliver it to the elector  
23 personally at the clerk's office.

24 **SECTION 109.** 6.87 (3) (d) of the statutes is created to read:

1           6.87 (3) (d) Unless a municipality uses an electronic voting system that  
2 requires an elector to punch a ballot in order to record the elector's votes, a municipal  
3 clerk of a municipality may, if the clerk is reliably informed by an absent elector of  
4 a facsimile transmission number or electronic mail address where the elector can  
5 receive an absentee ballot, transmit a facsimile or electronic copy of the absent  
6 elector's ballot to that elector in lieu of mailing under this subsection if, in the  
7 judgment of the clerk, the time required to send the ballot through the mail may not  
8 be sufficient to enable return of the ballot by the time provided under sub. (6). An  
9 elector may receive an absentee ballot under this subsection only if the elector has  
10 filed a valid application for the ballot under sub. (1). If the clerk transmits an  
11 absentee ballot under this paragraph, the clerk shall also transmit a facsimile or  
12 electronic copy of the text of the material that appears on the certificate envelope  
13 prescribed in sub. (2), together with instructions prescribed by the board that shall  
14 require the absent elector to sign the certificate and enclose the absentee ballot in  
15 a separate envelope contained within a larger envelope, that shall include the  
16 completed certificate. The elector shall then mail the absentee ballot with postage  
17 prepaid to the municipal clerk. An absentee ballot received under this paragraph  
18 shall not be counted unless it is cast in the manner prescribed in this paragraph and  
19 in accordance with the instructions provided by the board.

20           **SECTION 110.** 6.87 (4) of the statutes is amended to read:

21           6.87 (4) Except as otherwise provided in s. 6.875, the elector voting absentee  
22 shall ~~either make and subscribe to the affidavit before a person authorized to~~  
23 ~~administer oaths or~~ make and subscribe to the certification before ~~2 witnesses~~ one  
24 witness. The absent elector, in the presence of the ~~administrator of the oath or~~  
25 ~~witnesses~~ witness, shall mark or punch the ballot in a manner that will not disclose

**SECTION 110**

1 how the elector's vote is cast. The elector shall then, still in the presence of the  
2 ~~administrator of the oath or the 2 witnesses~~ witness, fold the ballots if they are paper  
3 ballots so each is separate and so that the elector conceals the markings or punches  
4 thereon and deposit them in the proper envelope, ~~but~~. If a consolidated paper ballot  
5 under s. 5.655 or a ballot prepared for use with an electronic voting system is used,  
6 the elector shall fold the ballot so that the elector conceals the markings thereon and  
7 deposit the ballot in the proper envelope. The elector may receive assistance under  
8 sub. (5). The return envelope shall then be sealed. ~~The witnesses or the official oath~~  
9 ~~administrator~~ witness may not be a candidate. The envelope shall be mailed by the  
10 elector, postage prepaid, or delivered in person, to the municipal clerk issuing the  
11 ballot or ballots. Failure to return an unused ballot in a primary does not invalidate  
12 the ballot on which the elector's votes are cast. Return of more than one marked or  
13 punched ballot in a primary or return of a ballot prepared under s. 5.655 or a ballot  
14 used with an electronic voting system in a primary which is marked or punched for  
15 candidates of more than one party invalidates all votes cast by the elector for  
16 candidates in the primary.

17 ~~SECTION 111. 6.87 (5) of the statutes is amended to read:~~

18 6.87 (5) If the absent elector declares that he or she is unable to read, has  
19 difficulty in reading, writing or understanding English or due to disability is unable  
20 to mark or punch his or her ballot, the elector may select any individual, except the  
21 elector's employer or an agent of that employer or an officer or agent of a labor  
22 organization which represents the elector, to assist in marking or punching the  
23 ballot, and the assistant shall then sign his or her name to a certification on the back  
24 of the ballot, as provided under s. 5.55.

25 ~~SECTION 112. 6.87 (6m) of the statutes is created to read:~~

1           6.87 (6m) Except as authorized in s. 6.47 (8), the municipal clerk shall withhold  
2           from public inspection under s. 19.35 (1) the name and address of any absent elector  
3           who obtains a confidential listing under s. 6.47 (2).

4           **SECTION 113.** 6.87 (7) of the statutes is amended to read:

5           6.87 (7) No individual who is a candidate at the election in which absentee  
6           ballots are cast may ~~administer the oath~~ or serve as a witness. Any candidate who  
7           ~~administers the oath~~ or serves as a witness shall be penalized by the discounting of  
8           a number of votes for his or her candidacy equal to the number of ~~certificate-affidavit~~  
9           certificate envelopes bearing his or her signature.

10          **SECTION 114.** 6.87 (8) of the statutes is amended to read:

11          6.87 (8) The provisions of this section which prohibit candidates from ~~assisting~~  
12          ~~or administering the oath to~~ servicing as a witness for absentee electors shall not apply  
13          to the municipal clerk in the performance of the clerk's official duties.

14          **SECTION 115.** 6.87 (9) of the statutes is amended to read:

15          6.87 (9) If a municipal clerk receives an absentee ballot with an improperly  
16          completed ~~certificate-affidavit~~ certificate or with no ~~certificate-affidavit~~ certificate,  
17          the clerk may return the ballot to the elector, inside the sealed envelope when an  
18          envelope is received, together with a new envelope if necessary, whenever time  
19          permits the elector to correct the defect and return the ballot within the period  
20          prescribed in sub. (6).

21          **SECTION 116.** 6.875 (2) (b) of the statutes is amended to read:

22          6.875 (2) (b) The municipal clerk or board of election commissioners of any  
23          municipality where a community-based residential facility home is located may  
24          adopt the procedures under this section for absentee voting in any community-based  
25          residential facility located in the municipality if the municipal clerk or board of

1 election commissioners finds that a significant number of the occupants of the  
2 community-based residential facility lack adequate transportation to the  
3 appropriate polling place, a significant number of the occupants of the  
4 community-based residential facility may need assistance in voting, there are a  
5 significant number of the occupants of the community-based residential facility  
6 aged 60 or over, or there are a significant number of indefinitely confined electors  
7 who are occupants of the community-based residential facility. ~~The municipal clerk  
8 or board of election commissioners shall promptly notify the individual submitting  
9 nominations for special voting deputies under s. 7.30 (4) of any action taken under  
10 this paragraph.~~

11 **SECTION 117.** 6.875 (2) (c) of the statutes is amended to read:

12 6.875 (2) (c) The municipal clerk or board of election commissioners of any  
13 municipality where a retirement home is located may adopt the procedures under  
14 this section for absentee voting in any retirement home located in the municipality  
15 if the municipal clerk or board of election commissioners finds that a significant  
16 number of the occupants of the retirement home lack adequate transportation to the  
17 appropriate polling place, a significant number of the occupants of the retirement  
18 home may need assistance in voting, there are a significant number of the occupants  
19 of the retirement home aged 60 or over, or there are a significant number of  
20 indefinitely confined electors who are occupants of the retirement home. ~~The  
21 municipal clerk or board of election commissioners shall promptly notify the  
22 individual submitting nominations for special voting deputies under s. 7.30 (4) of any  
23 action taken under this paragraph.~~

24 **SECTION 118.** 6.875 (4) of the statutes is amended to read:

1           6.875 (4) For the purpose of absentee voting in nursing homes and qualified  
2 retirement homes and qualified community-based residential facilities, the  
3 municipal clerk or board of election commissioners of each municipality in which one  
4 or more nursing homes or qualified retirement homes or qualified community-based  
5 residential facilities are located shall appoint at least 2 special voting deputies for  
6 the municipality ~~in the manner prescribed in s. 7.30 (4)~~. Upon application under s.  
7 6.86 (1) or (2) by one or more qualified electors who are occupants of such a nursing  
8 home or qualified retirement home or qualified community-based residential  
9 facility, the clerk or board of election commissioners shall dispatch 2 special voting  
10 deputies to visit the home or qualified community-based residential facility for the  
11 purpose of supervising absentee voting procedure by occupants of the home or  
12 qualified community-based residential facility. The 2 deputies designated to visit  
13 each nursing home or qualified retirement home and qualified community-based  
14 residential facility shall be affiliated with different political parties whenever  
15 deputies representing different parties are available. Nominations for deputy  
16 positions may be submitted by the 2 recognized political parties whose candidates  
17 for governor or president received the greatest numbers of votes in the municipality  
18 at the most recent general election. The deputies shall be specially appointed to  
19 carry out duties under this section for the period specified in s. 7.30 (6) (a). The clerk  
20 or board of election commissioners may revoke an appointment at any time. No  
21 individual who is employed or retained, or within the 2 years preceding appointment  
22 has been employed or retained at a nursing home or qualified retirement home or  
23 qualified community-based residential facility in the municipality, or any member  
24 of the immediate family of such an individual as defined in s. 19.42 (7), may be  
25 appointed to serve as a deputy.

1           **SECTION 119.** 6.875 (6) of the statutes is amended to read:

2           6.875 (6) Special voting deputies in each municipality shall, not later than 5  
3 p.m. on the Friday preceding an election, arrange one or more convenient times with  
4 the administrator of each nursing home or qualified retirement home and qualified  
5 community-based residential facility in the municipality from which one or more  
6 occupants have filed an application under s. 6.86 to conduct absentee voting for the  
7 election. The time may be no earlier than the 4th Monday preceding the election and  
8 no later than 5 p.m. on the Monday preceding the election. Upon request of a relative  
9 of an occupant of a nursing home or qualified retirement home or qualified  
10 community-based residential facility, the administrator may notify the relative of  
11 the time or times at which special voting deputies will conduct absentee voting at the  
12 home or facility, and permit the relative to be present in the room where the voting  
13 is conducted. At the designated time, 2 deputies appointed under sub. (4) shall visit  
14 the nursing home or qualified retirement home or qualified community-based  
15 residential facility. The municipal clerk or executive director of the board of election  
16 commissioners shall issue a supply of absentee ballots to the deputies sufficient to  
17 provide for the number of valid applications received by the clerk, and a reasonable  
18 additional number of ballots. The municipal clerk or executive director shall keep  
19 a careful record of all ballots issued to the deputies and shall require the deputies to  
20 return every ballot issued to them. The deputies shall personally offer each elector  
21 who has filed a proper application the opportunity to cast his or her absentee ballot.  
22 If an elector is present who has not filed a proper application, the 2 deputies may  
23 accept an application from the elector and shall issue a ballot to the elector if the  
24 elector is qualified and the application is proper. The deputies shall administer the  
25 oath and may, upon request of the elector, assist the elector in marking or punching

1 the elector's ballot. Upon request of the elector, a relative of the elector who is present  
2 in the room may assist the elector in marking or punching the elector's ballot. All  
3 voting shall be conducted in the presence of the deputies. No individual other than  
4 a deputy may administer the oath and no individual other than a deputy or relative  
5 of an elector may render voting assistance to the elector. Upon completion of the  
6 voting, the deputies shall promptly deliver, either personally or by 1st class mail, any  
7 absentee ballot applications and the sealed ~~certificate-affidavit~~ certificate envelope  
8 containing each ballot to the clerk or board of election commissioners of the  
9 municipality in which the elector casting the ballot resides, within such time as will  
10 permit delivery to the polling place serving the elector's residence on election day.  
11 Personal delivery may be made by the deputies no later than noon on election day.  
12 If a qualified elector is not able to cast his or her ballot on 2 separate visits by the  
13 deputies to the nursing home or qualified retirement home, they shall so inform the  
14 municipal clerk or executive director of the board of election commissioners, who may  
15 then ~~mail~~ send the ballot to the elector no later than 5 p.m. on the Friday preceding  
16 the election.

17 **SECTION 120.** 6.88 (1) of the statutes is amended to read:

18 6.88 (1) When an absentee ballot arrives at the office of the municipal clerk,  
19 the clerk shall enclose it, unopened, in a carrier envelope which shall be securely  
20 sealed and endorsed with the name and official title of the clerk, and the words "This  
21 envelope contains the ballot of an absent, ~~aged, sick, handicapped or disabled~~ elector  
22 ~~or the ballot of an election official~~ and must be opened at the polls during polling  
23 hours on election day". If the ballot was received by facsimile transmission or  
24 electronic mail and is accompanied by a separate certificate, the clerk shall enclose  
25 the ballot in a certificate envelope and securely append the completed certificate to

1 the outside of the envelope before enclosing the ballot in the carrier envelope. The  
2 clerk shall keep the ballot in the clerk's office until delivered, as required in sub. (2).

3 **SECTION 121.** 6.88 (2) of the statutes is amended to read:

4 6.88 (2) When an absentee ballot is received by the municipal clerk prior to the  
5 delivery of the official ballots to the election officials of the ward in which the elector  
6 resides, the municipal clerk shall seal the ballot envelope, ~~sealed~~ in the carrier  
7 envelope, as provided under sub. (1), and shall be enclosed ~~enclose the envelope in~~  
8 the a package and delivered ~~deliver the package~~ to the election inspectors of the  
9 proper ward or election district. When the official ballots for the ward or election  
10 district have been delivered to the election officials before the receipt of an absentee  
11 ballot, the clerk shall immediately enclose the envelope containing the absentee  
12 ballot in a carrier envelope as provided under sub. (1) and deliver it in person to the  
13 proper election officials.

14 **SECTION 122.** 6.88 (3) (a) of the statutes is amended to read:

15 6.88 (3) (a) Any time between the opening and closing of the polls on election  
16 day, the inspectors shall open the carrier envelope only, and announce the ~~absent~~  
17 ~~elector's name of the absent elector or the identification serial number of the absent~~  
18 ~~elector if the elector has a confidential listing under s. 6.47(2).~~ *erase* When the inspectors  
19 find that the certification or affidavit has been properly executed, the applicant is a  
20 qualified elector of the ward or election district, and the applicant has not voted in  
21 the election, they shall enter an indication on the poll or registration list next to the  
22 applicant's name indicating an absentee ballot is cast by the elector. They shall then  
23 open the envelope containing the ballot in a manner so as not to deface or destroy the  
24 affidavit or certification thereon. The inspectors shall take out the ballot without  
25 unfolding it or permitting it to be unfolded or examined. Unless the ballot is cast

1 under s. 6.95, the inspectors shall verify that the ballot has been endorsed by the  
2 issuing clerk. The inspectors shall deposit the ballot ~~in~~ <sup>✓</sup> into the proper ballot box and  
3 enter the absent elector's name or voting number after his or her name on the poll  
4 or registration list the same as if the elector had been present and voted in person.

5 **SECTION 123.** 6.88 (3) (b) of the statutes is amended to read:

6 6.88 (3) (b) When the inspectors find that ~~an affidavit or~~ a certification is  
7 insufficient, that the applicant is not a qualified elector in the ward or election  
8 district, that the ballot envelope is open or has been opened and resealed, ~~or~~ that the  
9 ballot envelope contains more than one ballot of any one kind or that the certificate  
10 of an elector who casts an absentee ballot by facsimile transmission or electronic mail  
11 is missing, or if proof is submitted to the inspectors that an elector voting an absentee  
12 ballot has since died, the inspectors shall not count the ballot. The inspectors shall  
13 endorse every ballot not counted on the back, "rejected (giving the reason)". The  
14 inspectors shall reinsert each rejected ballot into the affidavit certificate envelope in  
15 which it was delivered and enclose the affidavit certificate envelopes and ballots, and  
16 securely seal the ballots and envelopes in an envelope marked for rejected absentee  
17 ballots. The inspectors shall endorse the envelope, "rejected ballots" with a  
18 statement of the ward or election district and date of the election, signed by the chief  
19 inspector and one of the inspectors representing each of the 2 major political parties  
20 and returned to the municipal clerk in the same manner as official ballots voted at  
21 the election.

22 **SECTION 124.** 6.95 of the statutes is amended to read:

23 **6.95 Voting procedure for challenged electors.** Whenever the inspectors  
24 under ss. 6.92 to 6.94 receive the vote of a person offering to vote who has been  
25 challenged, they shall give the elector a ballot. Before depositing the ballot, the

**SECTION 124**

1 inspectors shall write on the back of the ballot the serial number of the challenged  
2 person corresponding to the number kept at the election on the registration or poll  
3 list, or other list maintained under s. 6.79. If voting machines are used in the  
4 municipality where the person is voting, the person's vote may be received only upon  
5 an absentee ballot furnished by the municipal clerk which shall have the  
6 corresponding serial number from the registration or poll list or other list  
7 maintained under s. 6.79 written on the back of the ballot before the ballot is  
8 deposited. The inspectors shall indicate on the list the reason for the challenge. The  
9 challenged ballots shall be counted under s. 5.85 or 7.51. The municipal board of  
10 canvassers may decide any challenge when making its canvass under s. 7.53. If the  
11 returns are reported under s. 7.60, a challenge may be reviewed by the county board  
12 of canvassers. If the returns are reported under s. 7.70, a challenge may be reviewed  
13 by the chairperson of the board or the chairperson's designee. The decision of any  
14 board of canvassers or of the chairperson or chairperson's designee may be appealed  
15 under s. 9.01. The standard for disqualification specified in s. 6.325 shall be used to  
16 determine the validity of challenged ballots.

17 **SECTION 125.** Chapter 7 (title) of the statutes is amended to read:

**CHAPTER 7****ELECTION OFFICIALS; BOARDS****OBSERVERS; SELECTION AND****DUTIES; CANVASSING**

22 **SECTION 126.** 7.08 (1) (c) of the statutes is amended to read:

23 7.08 (1) (c) Prescribe forms required by ss. 6.24 (3) and (4), 6.30 ~~(3) and (4)~~, 6.33  
24 (1), 6.40 (1) (b), ~~6.47 (1) (a) 2, and (3)~~ 6.55 (2) and (3), 6.79 (5) and 6.86 (2) and (3).  
25 All such forms shall contain a statement of the penalty applicable to false or

1 fraudulent registration or voting through use of the form. Forms are not required  
2 to be furnished by the board.

3 **SECTION 127.** 7.08 (2) (a) of the statutes is amended to read:

4 7.08 (2) (a) As soon as possible after the closing date for filing nomination  
5 papers or after the canvass of the primary vote, but no later than the deadlines  
6 established in s. 10.06, transmit to each county clerk a certified list of all candidates  
7 on file in its office for which electors in that county may vote. The list shall designate  
8 the order of arrangement and contain each candidate's first name, middle initial or  
9 initials and last name, unless the candidate on his or her nomination papers or  
10 declaration of candidacy specifies that the middle initial be deleted, that a full middle  
11 name or former legal surname be substituted for the middle initial, that an initial  
12 be substituted for the candidate's first name or that a nickname be substituted for  
13 a first or middle name or for a first initial or middle initial or initials, but no other  
14 abbreviations or titles are permitted. The list shall also include each candidate's  
15 residence and post-office address; the office for which the person is a candidate; and,  
16 the party or principle the candidate represents, if any, in 5 words or less. Names of  
17 candidates nominated under s. 7.38 (3) or 8.35 shall be certified by the board upon  
18 filing of the necessary papers with it. At any time prior to an election, the board may  
19 transmit an amended certification if a candidate dies or is determined not to qualify  
20 for ballot placement.

21 **SECTION 128.** 7.10 (2) of the statutes is amended to read:

22 7.10 (2) PREPARING BALLOTS. The county clerk shall prepare copy for the official  
23 ballots immediately upon receipt of the certified list of candidates' names from the  
24 board. Names certified by the board shall be arranged in the order certified. The  
25 county clerk shall place the names of all candidates filed in the clerk's office or

1 certified to the clerk by the board on the proper ballot or ballots under the  
2 appropriate office and party titles.

3 **SECTION 129.** 7.10 (6) of the statutes is created to read:

4 7.10 (6) MUNICIPAL JUDGE; CERTIFIED LIST. If candidates for the office of a  
5 municipal judge who is elected under s. 755.01 (4) file nomination papers in the office  
6 of the county clerk and any municipality served by the judge prepares its own ballots  
7 for voting machines or an electronic voting system, the county clerk shall certify to  
8 the municipal clerk of that municipality the names of the candidates for judge as soon  
9 as possible after the last day for filing nomination papers and after certification by  
10 the county board of canvassers of the results of any primary election.

11 **SECTION 130.** 7.15 (1) (cm) of the statutes is amended to read:

12 7.15 (1) (cm) Prepare official absentee ballots for delivery to electors requesting  
13 them, and ~~mail~~ send an official absentee ballot to each elector who has requested one  
14 no later than the 30th day before each September primary and general election and  
15 no later than the 21st day before each other primary and election if the request is  
16 made before that day; otherwise, the municipal clerk shall ~~mail~~ send an official  
17 absentee ballot within one day of the time the elector's request is received.

18 **SECTION 131.** 7.21 (2m) of the statutes is created to read:

19 7.21 (2m) The county board of election commissioners may:

20 (a) Bring civil actions to require forfeitures under s. 11.60 for any violation of  
21 ch. 11. Forfeiture actions brought by the county board of election commissioners may  
22 concern only violations with respect to reports or statements required by law to be  
23 filed with it. The county board of election commissioners may compromise and settle  
24 any civil action or potential action brought or authorized to be brought by it under  
25 ch. 11 which, in the opinion of the county board of election commissioners, constitutes

1 a minor violation, a violation caused by excusable neglect, or which for other good  
2 cause shown, should not in the public interest be prosecuted under such chapter.  
3 Notwithstanding s. 778.06, an action or proposed action authorized under this  
4 paragraph may be settled for such sum as may be agreed between the parties. Any  
5 settlement made by the county board of election commissioners shall be in such  
6 amount as to deprive the alleged violator of any benefit of his or her wrongdoing and  
7 may contain a penal component to serve as a deterrent to future violations. In  
8 settling actions or proposed actions, the county board of election commissioners shall  
9 treat comparable situations in a comparable manner and shall ensure that any  
10 settlement bears a reasonable relationship to the severity of the offense or alleged  
11 offense. Forfeiture actions brought by the county board of election commissioners  
12 shall be brought in the circuit court for the county served by the board of election  
13 commissioners.

14 (b) In the discharge of its authority under par. (a) and upon notice to the party  
15 or parties being investigated, subpoena and bring before it any person in the state  
16 and require the production of any papers, books or other records relevant to an  
17 investigation. A circuit court may by order permit the inspection and copying of the  
18 accounts and the depositor's and loan records at any financial institution, as defined  
19 in s. 705.01 (3), doing business in the state to obtain evidence of any violation of ch.  
20 11 upon showing by the county board of election commissioners of probable cause to  
21 believe that there is a violation and that such accounts and records may have a  
22 substantial relation to the violation. In the discharge of its duties, the county board  
23 of election commissioners may cause the deposition of witnesses to be taken in the  
24 manner prescribed for taking depositions in civil actions in circuit court.

1 (c) Delegate to its executive director the authority to issue a subpoena or apply  
2 for a search warrant under par. (b), subject to such limitations as the county board  
3 of election commissioners considers appropriate.

4 **SECTION 132.** 7.30 (2) (a) of the statutes is amended to read:

5 7.30 (2) (a) Only election officials appointed under this section may conduct an  
6 election. Except as authorized in s. 7.15 (1) (k), each inspector shall be a qualified  
7 elector in the ward for which the polling place is established. Special registration  
8 deputies appointed under s. 6.55 (6) and election officials serving more than one ward  
9 or when necessary to fill a vacancy under par. (b) need not be a resident of that ward,  
10 but shall be a resident of the municipality. Special registration deputies may be  
11 appointed to serve more than one polling place. All officials shall be able to read and  
12 write the English language, be capable, be of good understanding, and may not be  
13 a candidate, ~~other than for party committeeman or committeewoman,~~ for any office  
14 to be voted for at an election at which they serve. In 1st class cities, they may hold  
15 no public office other than notary public. Except as authorized under sub. (4) (c), all  
16 inspectors shall be affiliated with one of the 2 recognized political parties which  
17 received the largest number of votes for president, or governor in nonpresidential  
18 general election years, in the ward or combination of wards served by the polling  
19 place at the last election. The party which received the largest number of votes is  
20 entitled to one more inspector than the party receiving the next largest number of  
21 votes at each polling place. The same election officials may serve the electors of more  
22 than one ward where wards are combined under s. 5.15 (6) (b). If a municipality is  
23 not divided into wards, the ward requirements in this paragraph apply to the  
24 municipality at large.

25 **SECTION 133.** 7.30 (4) (b) 1. of the statutes is amended to read:

1           7.30 (4) (b) 1. In cities where there is a board of election commissioners, the  
2           aldermanic district committeemen or committeewomen under s. 8.17 of each of the  
3           2 dominant recognized political parties shall submit a certified list no later than  
4           November 30 of each even-numbered year containing the names of at least as many  
5           electors as there are inspectors from that party for each of the voting wards in the  
6           aldermanic district. ~~The chairperson of the city committee, or if there is none, the~~  
7           ~~chairperson of the county committee shall submit a certified list no later than~~  
8           ~~November 30 of each even-numbered year containing the names of at least as many~~  
9           ~~special voting deputies under s. 6.875 (4) as are required to be appointed in the city.~~  
10          The chairperson may designate any individual whose name is submitted as a first  
11          choice nominee. The board of election commissioners shall appoint, no later than  
12          December 31 of even-numbered years, ~~the required number of special voting~~  
13          ~~deputies and~~ at least 5 inspectors for each ward. The board of election commissioners  
14          shall appoint all first choice nominees for so long as positions are available, unless  
15          nonappointment is authorized under par. (e), and shall appoint other individuals in  
16          its discretion. The board of election commissioners may designate such alternates  
17          as it deems advisable.

18           **SECTION 134.** 7.30 (4) (b) 2. of the statutes is amended to read:

19           7.30 (4) (b) 2. In municipalities other than cities and villages located in counties  
20          having a population of more than 500,000, the committees organized under s. 8.17  
21          from each of the 2 dominant parties under sub. (2) shall submit a list containing at  
22          least as many names as there are needed appointees from that party. The list shall  
23          be submitted by the chairperson of each of the 2 committees to the mayor, president  
24          or chairperson of the municipality. If committees are organized in subdivisions of a  
25          city, the list shall be submitted through the chairperson of the city committee. If

1 there is no municipal committee, the list shall be submitted by the chairperson of the  
2 county or legislative district committee. Except as provided in par. (c), only those  
3 persons submitted by the chairperson of each committee under s. 8.17 may act as  
4 election officials. The chairperson may designate any individual whose name is  
5 submitted as a first choice nominee. The list shall contain the signature of the  
6 chairperson and secretary of the submitting committee. In cities or villages located  
7 in counties having a population of more than 500,000, other than cities where there  
8 is a board of election commissioners, the aldermanic district or village  
9 committeeman or committeewoman for the ward or wards where each polling place  
10 is located, if there is one, shall submit a list containing at least as many names as  
11 there are needed appointees for inspector positions from the party represented by the  
12 committeeman or committeewoman. For ~~appointments of special voting deputies~~  
13 ~~under s. 6.875(4)~~ and appointments of inspectors in cities and villages where there  
14 is no aldermanic district or village committeeman or committeewoman, nominations  
15 shall proceed in the same manner as in municipalities located in counties having a  
16 population of 500,000 or less. The list shall be submitted to the mayor or president.  
17 Except as provided in par. (c), only those persons whose names are submitted as  
18 provided in this paragraph may act as election officials. The committeeman or  
19 committeewoman may designate any individual whose name is submitted as a first  
20 choice nominee. The list shall contain the signature of the aldermanic district or  
21 village committeeman or committeewoman or the chairperson of the appropriate  
22 committee. Upon submission of each nominee's name, the governing body shall  
23 appoint each first choice nominee for so long as positions are available, unless  
24 nonappointment is authorized under par. (e), and shall appoint other nominees in its  
25 discretion. If any nominee is not appointed, the mayor, president or chairperson of

1 the municipality shall immediately nominate another person from the appropriate  
2 lists submitted and continue until the necessary number of election officials from  
3 each party is achieved at that meeting.

4 **SECTION 135.** 7.30 (4) (cm) of the statutes is repealed.

5 **SECTION 136.** 7.30 (4) (cn) of the statutes is repealed.

6 **SECTION 137.** 7.37 (6) of the statutes is amended to read:

7 **7.37 (6) ATTACH STICKERS.** Whenever a vacancy occurs in a nomination after the  
8 ballots have been printed and stickers are provided under s. 7.38 (3) or 8.35 (2), the  
9 inspectors shall, at the direction of the municipal clerk, properly apply the stickers  
10 to the official ballots before endorsement.

11 **SECTION 138.** 7.38 (title) and (1) of the statutes are repealed.

12 **SECTION 139.** 7.38 (3) of the statutes is renumbered 7.38, and 7.38 (1) and (5),  
13 as renumbered, are amended to read:

14 **7.38 (1)** Except as provided in ~~par. (d)~~ sub. (4), after the death of a candidate  
15 nominated for a partisan office, either in a primary or when no primary is required  
16 under s. 8.50 (3) (b), the vacancy may be filled by the candidate's political party. In  
17 the case of county offices, the vacancy shall be filled by the chairperson of the county  
18 committee. If no county committee exists, the vacancy shall be filled by the  
19 chairperson of the state committee. For other offices, the vacancy shall be filled by  
20 the chairperson of the state committee. The appropriate chairperson shall file with  
21 the official or agency with whom nomination papers are filed for the office a  
22 certificate signed, certified and sworn to the same as an original nomination paper.  
23 The certificate shall state the cause of the vacancy, the name of the new nominee and  
24 the office for which the nomination is made. A political party may not nominate a