

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB700)

Received: **02/02/2000**

Received By: **rmarchan**

Wanted: **02/02/2000**

Identical to LRB:

For: **Stephen Freese (608) 266-7502**

By/Representing: **bob conlin**

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

Drafter: **rmarchan**

May Contact:

Alt. Drafters:

Subject: **Elections - miscellaneous**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Affidavits of circulators of nomination papers

Instructions:

See Attached. Add affidavit of circulator provisions from Elections Board draft, LRB-3475

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	rmarchan 02/02/2000	chanaman 02/02/2000	martykr 02/02/2000	_____	lrb_docadmin 02/02/2000	lrb_docadmin 02/02/2000	

FE Sent For:

<END>

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/?	rmarchan	cmh 1	cm 2/2	cm 2/2 <u>cm 2/2</u>			
FE Sent For:		2/2					

<END>

AB 701 LRB 430 ~~6~~ 6

- Restore affid. of circulation materials
in the draft
• clear draft file

- Make affid. of circulation provisions effective
3/1/2000

- double draft, as effected by or
P.R.C.R.

- Freeze by Bob Conlin

- Need by 2 p.m.

3735

AM 8.10(3) (Intro.)

8.15(4)(a)

8.20(3)

8.40(2)

9.10(2)(em) 1.

RP 9.10(2)(em) 3.

AM 9.10(2)(n)

9.10(2)(r) 4.



State of Wisconsin
1999 - 2000 LEGISLATURE

1:45 P.M. TODAY

LRBa1268*
RJM&JTK:...

1
cmr
FMR

DRAFT

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~
ASSEMBLY AMENDMENT ,
TO 1999 ASSEMBLY BILL 700

- 1 At the locations indicated, amend the bill as follows:
- 2 1. Page 75, line 10: after that line insert:
- 3 ✓ "SECTION 147t. 8.10 (3) (intro.) of the statutes is amended to read:
- 4 8.10 (3) (intro.) The affidavit certification of a qualified elector under s. 8.15
- 5 (4) (a) shall be appended to each nomination paper. The number of required
- 6 signatures on nomination papers filed under this section is:".
- 7 2. Page 75, line 24: after that line insert:
- 8 "SECTION 150m. 8.15 (4) (a) of the statutes is amended to read:
- 9 8.15 (4) (a) The affidavit certification of a qualified elector stating his or her
- 10 residence with street and number, if any, shall appear at the bottom of each
- 11 nomination paper, stating he or she personally circulated the nomination paper and
- 12 personally obtained each of the signatures; he or she knows they are electors of the

1 ward, aldermanic district, municipality or county, as the nomination papers require;
2 he or she knows they signed the paper with full knowledge of its content; he or she
3 knows their respective residences given; he or she knows each signer signed on the
4 date stated opposite his or her name; and, that he or she, the ~~affiant~~ circulator,
5 resides within the district which the candidate named therein will represent, if
6 elected; that he or she intends to support the candidate; and that he or she is aware
7 that falsifying the affidavit certification is punishable under ~~ss. s.~~ s. 12.13 (3) (a) and
8 946.32 (1) (a), Wis. stats. The affidavit certification may be made by the candidate
9 or any qualified elector. ~~The nomination papers are valid with or without the seal~~
10 ~~of the officer who administers the oath.~~

11 **3.** Page 77, line 22: after that line insert:

12 “SECTION 155^{p.} 8.20 (3) of the statutes is amended to read:

13 8.20 (3) The affidavit certification of an elector under s. 8.15 (4) (a) shall be
14 appended to each nomination paper.”.

15 **4.** Page 80, line 15: after that line insert:

16 “SECTION 160^{e.} 8.40 (2) of the statutes is amended to read:

17 8.40 (2) The affidavit certification of a qualified elector stating his or her
18 residence with street and number, if any, shall appear at the bottom of each separate
19 sheet of each petition specified in sub. (1), stating that ~~the affiant~~ he or she personally
20 circulated the petition and personally obtained each of the signatures; that the
21 affiant circulator knows that they are electors of the jurisdiction or district in which
22 the petition is circulated; that the affiant circulator knows that they signed the paper
23 with full knowledge of its content; that the affiant circulator knows their respective
24 residences given; that the affiant circulator knows that each signer signed on the

1 date stated opposite his or her name; that the affiant circulator resides within the
2 jurisdiction or district in which the petition is circulated; and that the affiant
3 circulator is aware that falsifying the affidavit certification is punishable under ss.
4 s. 12.13 (3) (a) and 946.32 (1) (a). ~~The petition is valid with or without the seal of the~~
5 ~~officer who administers the oath.~~”

6 **5.** Page 89 line 12: after that line insert: ✓

7 “SECTION 173d. 9.10 (2) (em) 1. of the statutes is amended to read: ✓

8 9.10 (2) (em) 1. The ~~petition sheet~~ circulator fails to sign the affidavit
9 certification of circulator. ✓

10 SECTION 173f. 9.10 (2) (em) 3. of the statutes is repealed. ✓

11 SECTION 173h. 9.10 (2) (n) of the statutes is amended to read: ✓

12 9.10 (2) (n) No signature may be stricken if the individual administering the
13 affidavit of circulator does not fails to date the jurat certification of circulator. ✓

14 SECTION 173j. 9.10 (2) (r) 4. of the statutes is amended to read: ✓

15 9.10 (2) (r) 4. Failure of the circulator to sign an affidavit the certification of
16 circulator.” ✓

17 **6.** Page 103, line 15: delete ~~lines 15 and 16~~ ^{that line} and substitute ⁹¹ “election, may
18 demand file a petition requesting a referendum. The demand petition shall be in
19 writing and filed with”.

20 **7.** Page 103, line 21: after that line insert: ✓

21 “SECTION 204d. 66.061 (1) (c) of the statutes, as affected by this act, is amended
22 to read: ✓

23 66.061 (1) (c) No such ordinance shall be operative until 60 days after passage
24 and publication unless sooner approved by a referendum. Within that time electors

1999 Wisconsin Act ... A C
① - class parenthesis

1 equal in number to 20% of those voting at the last regular municipal election may
 2 file a petition requesting a referendum. The petition shall be in writing and filed with
 3 the clerk and as provided in s. 8.37. ~~Each~~ The petition shall conform to the
 4 requirements of s. 8.40, except that each signer shall also state his or her occupation
 5 ~~and residence and signatures shall be verified by the affidavit of an elector.~~ The
 6 referendum shall be held at the next regular municipal election, or at a special
 7 election within 90 days of the filing of the demand, and the ordinance shall not be
 8 effective unless approved by a majority of the votes cast thereon. This paragraph
 9 shall not apply to extensions by a utility previously franchised by the village or city.”

10 **8.** Page 114, line 15: after “66.061 (1) (c)” insert “(by SECTION 204)”.

11 **9.** Page 114, line 24: after that line insert:

12 “(1m) AFFIDAVITS OF CIRCULATORS. The treatment of sections 8.10 (3) (intro.),
 13 8.15 (4) (a), 8.20 (3), 8.40 (2), 9.10 (2) (em) 1 ~~and~~ 9.10(2)(em) 3., ~~9.10(2)(n)~~ 9.10(2)(r) ~~and~~
 14 4. and 66.061 (1) (c) (by SECTION 204d) of the statutes takes effect on August 1, 2000.”

(END)

15
 effect.
 date

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

LRBa1268/1dn
RJM&JTK:.....

cm

Representative Freese:

This amendment removes the requirement under current law that nomination papers and election-related petitions include the affidavit of the person who circulated the papers and petitions. In stead, this bill requires these papers and petitions to include a certification of the person who circulated the materials. Please feel free to call if you have any questions.

↪

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1268/1dn
RJM:cmh:km

February 2, 2000

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