

**2001 ASSEMBLY BILL 10**

January 16, 2001 – Introduced by Representatives LADWIG, FREESE, KRAWCZYK, McCORMICK, STARZYK, ALBERS, DUFF, GROTHMAN, HAHN, HOVEN, HUEBSCH, JESKEWITZ, KEDZIE, KESTELL, F. LASEE, M. LEHMAN, MONTGOMERY, MUSSER, NASS, STONE, TOWNSEND, URBAN, VRAKAS, WADE and OTT, cosponsored by Senators FARROW, COWLES, ROESSLER and SCHULTZ. Referred to Committee on Campaigns and Elections.

1     **AN ACT** *to repeal* 6.30 (1) (title), 6.30 (4), 6.32, 6.54 and 6.56 (5); *to renumber*  
 2             *and amend* 6.24 (3) and 6.30 (1); *to amend* 6.275 (1) (b), 6.28 (1), 6.28 (3), 6.29  
 3             (title), 6.29 (2) (a), 6.29 (2) (b), 6.33 (title), 6.33 (1), 6.33 (2) (a), 6.33 (2) (b), 6.40  
 4             (2) (b), 6.50 (10), 6.55 (2) (b), 6.55 (2) (c) 1., 6.55 (2) (c) 2., 6.55 (2) (d), 6.55 (3),  
 5             6.55 (7) (c) 1., 6.55 (7) (c) 2., 6.56 (2), 6.79 (1), 6.79 (4) and 7.08 (1) (c); and *to*  
 6             *create* 6.24 (3) (b) of the statutes; **relating to:** the registration of electors and  
 7             the determination of eligible electors in certain municipalities on election day.

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

Under current law, voter registration is required in every municipality having a population of more than 5,000. If registration is required, any individual who qualifies as an elector in a ward or election district but who is not registered to vote may do so in person at various locations within the applicable municipality or, provided the envelope is postmarked by the close of registration (the second Wednesday preceding the election), may mail to the appropriate municipal clerk a completed registration form. In addition, current law permits late registration at the municipal clerk's office after the close of registration but before 5 p.m. on the day before the election and permits election day registration in the appropriate ward or election district. An individual who makes a late or election day registration must complete a registration form and a certification of eligibility and must present

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acceptable proof of residence. Current law also permits any individual whose name does not appear on a registration list for a ward or election district on election day but who claims to be a registered voter in that ward or election district to vote after completing a certification of eligibility and presenting acceptable proof of residence.

If an individual attempting to vote under these late registration or election day procedures is not able to present acceptable proof of residence, as an alternative, current law permits another qualified elector who resides in the same municipality to corroborate the information contained in the individual's registration form or certification. In any municipality where registration is not required, a similar procedure may be followed on election day to determine whether an individual is an eligible elector.

This bill repeals the authority for an individual to utilize corroboration under these late registration or election day procedures. This bill also requires an individual who registers to vote, other than an individual who resides outside of the United States and who qualifies as an "overseas elector" under the law, to present a Wisconsin driver's license or a Wisconsin identification card that was issued to the individual and that contains a photograph of the individual, or a copy of the individual's birth certificate. Current law does not contain this requirement. In addition, this bill repeals the authority for any individual other than the overseas elector to register by mail. This bill has no effect upon military electors.

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

1           **SECTION 1.** 6.24 (3) of the statutes is renumbered 6.24 (3) (a) and amended to  
2 read:

3           6.24 **(3)** (a) If registration is required in the municipality where the overseas  
4 elector resided or where the elector's parent resided, the elector shall register on a  
5 form prescribed by the board designed to ascertain the elector's qualifications under  
6 this section. The form shall be substantially similar to the original form required  
7 under s. 6.33 (1), insofar as applicable. ~~Registration shall be accomplished in~~  
8 ~~accordance with s. 6.30 (4)~~ Notwithstanding s. 6.30, the elector is not required to  
9 present identification as a prerequisite to registering.

10           **SECTION 2.** 6.24 (3) (b) of the statutes is created to read:

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1           6.24 (3) (b) Notwithstanding s. 6.30, an overseas elector may register by  
2 mailing a completed registration form to the office of the appropriate municipal  
3 clerk. Upon receipt of a registration form that is submitted under this paragraph,  
4 the municipal clerk shall examine the form for sufficiency. If the form is insufficient  
5 to accomplish registration, or the clerk knows or has reliable information that the  
6 proposed elector is not qualified, the clerk shall notify the proposed elector within 5  
7 days, if possible. If the form is sufficient to accomplish registration, and the clerk has  
8 no reliable information to indicate that the proposed elector is not qualified, the clerk  
9 shall enter the elector's name on the registration list and transmit a 1st class letter  
10 or postcard to the registrant, specifying the elector's ward or aldermanic district, and  
11 polling place. If the letter or postcard is returned, or if the clerk is informed of a  
12 different address than the one specified by the elector, the clerk shall strike the name  
13 of the elector from the list. The letter or postcard shall specify "Address correction  
14 requested" or "Do not forward--", and if a postcard, "Return postage guaranteed".

15           **SECTION 3.** 6.275 (1) (b) of the statutes is amended to read:

16           6.275 (1) (b) Where registration applies, the total number of electors of the  
17 municipality residing in that county who were preregistered on the deadline  
18 specified in s. 6.28 (1), including valid mail registrations under s. 6.24 (3) (b) which  
19 are postmarked by that day.

20           **SECTION 4.** 6.28 (1) of the statutes is amended to read:

21           6.28 (1) REGISTRATION LOCATIONS; DEADLINE. Except as authorized in ss. 6.29 and  
22 6.55 (2), registration ~~in person~~ for any election shall close at 5 p.m. on the 2nd  
23 Wednesday preceding the election. ~~Registrations made by mail under s. 6.30 (4) must~~  
24 ~~be delivered to the office of the municipal clerk or postmarked no later than the 2nd~~  
25 ~~Wednesday preceding the election.~~ An application for registration ~~in person or by~~

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1 mail may be accepted for placement on the registration list after the specified  
2 deadline, if the municipal clerk determines that the registration list can be revised  
3 to incorporate the registration in time for the election. All applications for  
4 registration corrections and additions may be made throughout the year at the office  
5 of the city board of election commissioners, at the office of the municipal clerk, at the  
6 office of any register of deeds, or at other locations provided by the board of election  
7 commissioners or the common council in cities over 500,000 population or by either  
8 or both the municipal clerk, or the common council, village or town board in all other  
9 municipalities and may also be made during the school year at any high school by  
10 qualified persons under sub. (2) (a). Other registration locations may include but are  
11 not limited to fire houses, police stations, public libraries, institutions of higher  
12 education, supermarkets, community centers, plants and factories, banks,  
13 savings and loan associations, and savings banks; and qualified community-based  
14 residential facilities, qualified retirement homes, and nursing homes as defined in  
15 s. 6.875 (1). Special registration deputies shall be appointed for all locations. An  
16 elector who wishes to obtain a confidential listing under s. 6.47 (2) shall register at  
17 the office of the municipal clerk of the municipality where the elector resides.

18 **SECTION 5.** 6.28 (3) of the statutes is amended to read:

19 **6.28 (3)** AT OFFICE OF REGISTER OF DEEDS. Any person who resides in a  
20 municipality requiring registration of electors shall be given an opportunity to  
21 register to vote at the office of the register of deeds. ~~An applicant may fill out the~~  
22 ~~required~~ The registration form shall be completed as required under s. 6.33. Upon  
23 receipt of a completed form, the register of deeds shall forward the form within 5 days  
24 to the appropriate municipal clerk, or to the board of election commissioners in cities

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1 over 500,000 population. The register of deeds shall forward the form immediately  
2 whenever registration closes within 5 days of receipt.

3 **SECTION 6.** 6.29 (title) of the statutes is amended to read:

4 **6.29 (title) Late registration in-person.**

5 **SECTION 7.** 6.29 (2) (a) of the statutes is amended to read:

6 6.29 (2) (a) Any qualified elector of a municipality where registration is  
7 required who has not previously filed a registration form or whose name does not  
8 appear on the registration list of the municipality shall be entitled to vote at the  
9 election if he or she ~~delivers to the municipal clerk a registration form executed by~~  
10 ~~the elector~~ registers at the office of the municipal clerk not later than 5 p.m. of the  
11 day before an election. ~~The form shall contain a certification by the elector that all~~  
12 ~~statements are true and correct. Alternatively, if the elector cannot obtain a~~  
13 ~~registration form, the elector may deliver a statement, signed by the elector,~~  
14 ~~containing all of the information required on the registration form. The elector shall~~  
15 ~~present acceptable proof of residence as provided in s. 6.55 (7). If no proof is~~  
16 ~~presented, the registration form or the listing of required information shall be~~  
17 ~~substantiated by one other elector of the municipality, corroborating all the material~~  
18 ~~statements therein. The corroborating elector shall then provide acceptable proof of~~  
19 ~~residence under s. 6.55 (7). The signing of the form by the registering elector and~~  
20 ~~statement by the corroborating elector shall be done in the presence of the municipal~~  
21 ~~clerk or deputy clerk not later than 5 p.m. of the day before an election.~~

22 **SECTION 8.** 6.29 (2) (b) of the statutes is amended to read:

23 6.29 (2) (b) Upon the ~~filing of the registration form required by~~ registering an  
24 elector under this section, the municipal clerk shall issue a certificate addressed to  
25 the inspectors of the proper ward directing that the elector be permitted to cast his

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1 or her vote, unless the clerk determines that the registration list will be revised to  
2 incorporate the registration in time for the election. The certificate shall be  
3 numbered serially, prepared in duplicate and one copy preserved in the office of the  
4 municipal clerk.

5 **SECTION 9.** 6.30 (1) (title) of the statutes is repealed.

6 **SECTION 10.** 6.30 (1) of the statutes is renumbered 6.30 and amended to read:

7 **6.30** Registration applications shall be made in person, ~~except under sub. (4).~~  
8 Each person making a registration application shall present to the clerk, issuing  
9 officer, or registration deputy a valid operator's license issued to the person under  
10 ch. 343 that contains the photograph of the license holder, or a valid identification  
11 card issued to the person under s. 343.50, or a copy of the person's birth certificate.  
12 If the identification presented is not acceptable proof of residence under s. 6.55 (7),  
13 the person shall also present acceptable proof of residence.

14 **SECTION 11.** 6.30 (4) of the statutes is repealed.

15 **SECTION 12.** 6.32 of the statutes is repealed.

16 **SECTION 13.** 6.33 (title) of the statutes is amended to read:

17 **6.33** (title) **Registration forms; manner of completing.**

18 **SECTION 14.** 6.33 (1) of the statutes is amended to read:

19 **6.33 (1)** The municipal clerk shall supply sufficient registration forms as  
20 prescribed by the board printed on loose-leaf sheets or cards to obtain from each  
21 applicant information as to name, date, residence location, citizenship, age, whether  
22 the applicant has resided within the ward or election district for at least 10 days,  
23 whether the applicant has lost his or her right to vote, and whether the applicant is  
24 currently registered to vote at any other location, and shall provide a space for the  
25 applicant's signature. The forms shall also include a space for where the clerk,

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1 issuing officer, or registration deputy may record the type of identification serial  
2 provided by the applicant and any unique identifying number of any elector who is  
3 issued such a number under s. 6.47 (3) contained in that identification. The forms  
4 shall also include a space where the clerk, issuing officer, or registration deputy, for  
5 any applicant who possesses a valid voting identification card issued to the person  
6 under s. 6.47 (3), may record the serial number contained in the voting identification  
7 card. Each register of deeds shall obtain sufficient registration forms at the expense  
8 of the unit of government by which he or she is employed for completion by any elector  
9 who desires to register to vote.

10 **SECTION 15.** 6.33 (2) (a) of the statutes is amended to read:

11 6.33 (2) (a) The All information other than information relating to the  
12 identification provided by an applicant or relating to an applicant's voting  
13 identification card may be recorded by any person, ~~but the~~ . The clerk, issuing officer,  
14 or registration deputy shall record all information relating to the identification  
15 provided by an applicant or relating to an applicant's voting identification card. Each  
16 applicant shall sign his or her own name unless the applicant is unable to sign his  
17 or her name due to physical disability. In such case, the applicant may authorize  
18 another elector to sign the form on his or her behalf. If the applicant so authorizes,  
19 the elector signing the form shall attest to a statement that the application is made  
20 upon request and by authorization of a named elector who is unable to sign the form  
21 due to physical disability. Ward and aldermanic district information shall be filled  
22 in by the clerk.

23 **SECTION 16.** 6.33 (2) (b) of the statutes is amended to read:

24 6.33 (2) (b) The registration form shall be signed by the registering elector and  
25 ~~any corroborating elector under s. 6.29 (2) (a) or 6.55 (2)~~ before the clerk, issuing

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1 officer, or registration deputy. The form shall contain a certification by the  
2 registering elector that all statements are true and correct.

3 **SECTION 17.** 6.40 (2) (b) of the statutes is amended to read:

4 6.40 (2) (b) In addition to the revision which is required under s. 6.50,  
5 municipal clerks may conduct door-to-door and mail registration canvasses at any  
6 time. The door-to-door canvass shall consist of both the deletion from the  
7 registration list of the names of electors who no longer reside at the address for which  
8 they are registered and the addition to the registration list of the names of electors  
9 who reside at that address. The mail canvass shall consist of the municipal clerk  
10 examining the registration records and canceling the registration of electors after  
11 the mailing of notices in accordance with s. 6.50 (1) and (2) or (2m). ~~The mail canvass~~  
12 ~~may also consist of adding to the registration list the names of eligible electors.~~ Both  
13 door-to-door and mail canvasses whenever made shall be made throughout the  
14 municipality in a uniform manner. An elector who wishes to obtain a confidential  
15 listing under s. 6.47 (2) shall register at the office of the municipal clerk of the  
16 municipality where the elector resides.

17 **SECTION 18.** 6.50 (10) of the statutes is amended to read:

18 6.50 (10) Any elector whose registration is canceled under this section may  
19 ~~have his or her registration reinstated by filing a new registration form~~ reregister  
20 as provided under s. 6.30.

21 **SECTION 19.** 6.54 of the statutes is repealed.

22 **SECTION 20.** 6.55 (2) (b) of the statutes is amended to read:

23 6.55 (2) (b) Upon executing the registration form under par. (a), the person  
24 shall be required by a special registration deputy or inspector to present a valid  
25 operator's license issued to the person under ch. 343 that contains the photograph



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1 of the license holder, a valid identification card issued to the person under s. 343.50,  
2 or a copy of the person's birth certificate. If the identification presented is not  
3 acceptable proof of residence under sub. (7), the person shall also present acceptable  
4 proof of residence under sub. (7). If the person cannot supply such proof, the  
5 registration form shall be substantiated and signed by one other elector who resides  
6 in the same municipality as the registering elector, corroborating all the material  
7 statements therein. The corroborator shall then provide acceptable proof of  
8 residence. The signing by the elector executing the registration form and by any  
9 elector who corroborates the information in the form under par. (a) shall be in the  
10 presence of the special registration deputy or inspector. Upon compliance with this  
11 procedure, such person shall then be given the right to vote.

12 **SECTION 21.** 6.55 (2) (c) 1. of the statutes is amended to read:

13 6.55 (2) (c) 1. As an alternative to registration at the polling place under pars.  
14 (a) and (b), the board of election commissioners, or the governing body of any  
15 municipality in which registration is required may by resolution require a person  
16 who qualifies as an elector and who is not registered and desires to register on the  
17 day of an election to do so at another readily accessible location in the same building  
18 as the polling place serving the elector's residence or at an alternate polling place  
19 assigned under s. 5.25 (5) (b), instead of at the polling place serving the elector's  
20 residence. In such case, the municipal clerk shall prominently post a notice of the  
21 registration location at the polling place. The municipal clerk, deputy clerk, or  
22 special registration deputy at the registration location shall require such person to  
23 execute a registration form as prescribed under par. (a) and to present a valid  
24 operator's license issued to the person under ch. 343 that contains the photograph  
25 of the license holder, a valid identification card issued to the person under s. 343.50,

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1 or a copy of the person's birth certificate. If the identification presented is not  
2 acceptable proof of residence under sub. (7), the person shall also provide acceptable  
3 proof of residence as provided under sub. (7). If the person cannot supply such proof,  
4 the registration form shall be corroborated in the manner provided in par. (b). The  
5 signing by the elector executing the registration form and by any corroborating  
6 elector as prescribed under par. (a) shall be in the presence of the municipal clerk,  
7 deputy clerk, or special registration deputy. Upon proper completion of registration,  
8 the municipal clerk, deputy clerk, or special registration deputy shall serially  
9 number the registration and give one copy to the elector for presentation at the  
10 polling place serving the elector's residence or an alternate polling place assigned  
11 under s. 5.25 (5) (b).

12 **SECTION 22.** 6.55 (2) (c) 2. of the statutes is amended to read:

13 6.55 (2) (c) 2. Upon compliance with the procedures under subd. 1., the  
14 municipal clerk or deputy clerk shall issue a certificate addressed to the inspectors  
15 of the proper polling place directing that the elector be permitted to cast his or her  
16 vote. ~~If the elector's registration is corroborated, the clerk shall enter the name and~~  
17 ~~address of the corroborator on the face of the certificate.~~ The certificate shall be  
18 numbered serially and prepared in duplicate. The municipal clerk shall preserve one  
19 copy in his or her office.

20 **SECTION 23.** 6.55 (2) (d) of the statutes is amended to read:

21 6.55 (2) (d) A registered elector who has changed his or her name but resides  
22 at the same address, and has not notified the municipal clerk under s. 6.40 (1) (c),  
23 shall notify the inspector of the change before voting. The inspector shall then notify  
24 the municipal clerk at the time which materials are returned under s. 6.56 (1). If an  
25 elector ~~changes~~ has changed both a name and address, the elector shall complete a

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1 registration form register at the polling place or other registration location under  
2 pars. (a) and (b).

3 **SECTION 24.** 6.55 (3) of the statutes is amended to read:

4 6.55 (3) Any qualified elector in the ward or election district where the elector  
5 desires to vote whose name does not appear on the registration list where  
6 registration is required but who claims to be registered to vote in the election may  
7 request permission to vote at the polling place for that ward or election district.  
8 When the request is made, the inspector shall require the person to give his or her  
9 name and address. If the elector is not at the polling place which serves the ward or  
10 election district where the elector resides, the inspector shall provide the elector with  
11 directions to the correct polling place. If the elector is at the correct polling place, the  
12 elector shall then execute the following written statement: “I, ....., hereby certify that  
13 to the best of my knowledge, I am a qualified elector, having resided at .... for at least  
14 10 days immediately preceding this election, and that I am not disqualified on any  
15 ground from voting, and I have not voted at this election and am properly registered  
16 to vote in this election.” The person shall be required to provide acceptable proof of  
17 residence as provided under sub. (7) and shall then be given the right to vote. If  
18 acceptable proof is presented, the elector need not have the information corroborated  
19 by any other elector. ~~If acceptable proof is not presented, the statement shall be~~  
20 ~~certified by the elector and shall be corroborated by another elector who resides in~~  
21 ~~the municipality. The corroborator shall then provide acceptable proof of residence~~  
22 ~~as provided in sub. (7).~~ Whenever the question of residence cannot be satisfactorily  
23 resolved and the elector cannot be permitted to vote, an inspector shall telephone the  
24 office of the municipal clerk to reconcile the records at the polling place with those  
25 at the office.

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1           **SECTION 25.** 6.55 (7) (c) 1. of the statutes is amended to read:

2           6.55 (7) (c) 1. ~~A Wisconsin motor vehicle~~ An operator's license issued under ch.  
3           343.

4           **SECTION 26.** 6.55 (7) (c) 2. of the statutes is amended to read:

5           6.55 (7) (c) 2. ~~A Wisconsin~~ An identification card issued under ~~s. 125.08, 1987~~  
6           ~~stats s. 343.50.~~

7           **SECTION 27.** 6.56 (2) of the statutes is amended to read:

8           6.56 (2) Upon receipt of the list, the municipal clerk shall make a check to  
9           determine whether each person who has been allowed to vote under s. 6.55 (3) is  
10          properly registered. If so, the clerk shall correct the registration list. If the address  
11          on the registration list is not correct, the clerk shall correct the address. The clerk  
12          shall then notify the elector by postcard when he or she is properly registered. If such  
13          ~~person~~ the person is found not to be properly registered, the clerk shall send the  
14          person a 1st class letter with that information, ~~containing a mail registration form~~  
15          ~~under s. 6.30 (4) indicating that the person may contact the clerk for instruction on~~  
16          how to continue the person's registration. The letter shall be marked "ADDRESS  
17          CORRECTION REQUESTED". If such letter is returned undelivered, or if the U.S. postal  
18          service notifies the clerk of an improper address which was apparently improper on  
19          the day of the election, the clerk shall notify the district attorney.

20          **SECTION 28.** 6.56 (5) of the statutes is repealed.

21          **SECTION 29.** 6.79 (1) of the statutes is amended to read:

22          6.79 (1) MUNICIPALITIES WITHOUT REGISTRATION. Except as provided in sub. (6)  
23          (a), where there is no registration, before being permitted to vote, each person shall  
24          state his or her full name and address. The officials shall enter each name and  
25          address on a poll list in the same order as the votes are cast. If the residence of the

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

15 **SECTION 30.** 6.79 (4) of the statutes is amended to read:

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

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1 ~~corroborated on the registration or poll list, or the separate list maintained under~~  
2 ~~sub. (2).~~ When any person offering to vote has been challenged and taken the oath,  
3 following the person's name on the registration or poll list, the officials shall enter  
4 the word "Sworn".

5 **SECTION 31.** 7.08 (1) (c) of the statutes is amended to read:

6 7.08 (1) (c) Prescribe forms required by ss. 6.24 (3) and (4), ~~6.30 (4)~~, 6.33 (1),  
7 6.40 (1) (b), 6.47 (1) (a) 2. and (3), 6.55 (2) and (3), 6.79 (5),<sub>1</sub> and 6.86 (2) and (3). All  
8 such forms shall contain a statement of the penalty applicable to false or fraudulent  
9 registration or voting through use of the form. Forms are not required to be furnished  
10 by the board.

11 **SECTION 32. Initial applicability.**

12 (1) The treatment of sections 6.30 (4) and 6.32 of the statutes first applies to  
13 completed mail registration forms that are delivered to a municipal clerk or  
14 postmarked on the effective date of this subsection.

15 (END)