

2001 DRAFTING REQUEST

Bill

Received: 11/15/2000

Received By: **rmarchan**

Wanted: **As time permits**

Identical to LRB:

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

By/Representing: **herself**

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

Drafter: **rmarchan**

May Contact:

Alt. Drafters: **kuesejt**

Subject: **Elections - miscellaneous**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Eliminate registration by corroboration and require identification to register to vote

Instructions:

See Attached. Require person to present Wisconsin driver's license or identification card when registering to vote. Eliminate registration by corroboration. See 1999 AB-649.

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|---|------------------------|------------------------|----------------|----------------------------|---|-----------------|
| /? | rmarchan 11/17/2000 kuesejt 12/05/2000 | wjackson 12/06/2000 | | _____ | | | |
| /1 | | | rschluct 12/07/2000 | _____ | lrb_docadmin 12/07/2000 | gretskl 01/04/2001 lrb_docadmin 01/04/2001 | |

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|--------------|-----------------------------------|-----------------|--|--|------------------|-----------------|-----------------|
| /? | rmarchan 11/17/2000 kuesejt | /i WJ 12/6 |  12.7.00 |  12.7.00 | | | |
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FE Sent For:

<END>

1999 ASSEMBLY BILL 649

January 11, 2000 - Introduced by Representatives LADWIG, GOETSCH, HUNDERTMARK, MUSSER, NASS, OWENS, STONE, SUDER, SYKORA and URBAN, cosponsored by Senators HUELSMAN, DARLING, FARROW, ROESSLER, SCHULTZ and WELCH. Referred to Committee on Campaigns and Elections.

1 **AN ACT to repeal** 6.56 (5); and **to amend** 6.33 (2) (b), 6.55 (2) (b), 6.55 (2) (c) 1.
2 and 2., 6.55 (3), 6.79 (1) and 6.79 (4) of the statutes; **relating to:** the registration
3 of electors on election day and the determination of eligible electors in certain
4 municipalities on election day.

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 register on election day to vote in that ward or election district. An individual who registers to vote on election day must complete a registration form and a certification of eligibility and must present acceptable proof of residence. Current law also permits any individual whose name does not appear on a registration list on election day but who claims to be a registered voter in that ward or election district to vote after completing a certification of eligibility and presenting acceptable proof of residence. If an individual attempting to vote under either of these 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.

ASSEMBLY BILL 649

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

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

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

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

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

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

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

18 6.55 (2) (c) 1. As an alternative to registration at the polling place under pars.
19 (a) and (b), the board of election commissioners, or the governing body of any
20 municipality in which registration is required may by resolution require a person
21 who qualifies as an elector and who is not registered and desires to register on the

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

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

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

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1 6.55 (3) Any qualified elector in the ward or election district where the elector
2 desires to vote whose name does not appear on the registration list where
3 registration is required but who claims to be registered to vote in the election may
4 request permission to vote at the polling place for that ward or election district.
5 When the request is made, the inspector shall require the person to give his or her
6 name and address. If the elector is not at the polling place which serves the ward or
7 election district where the elector resides, the inspector shall provide the elector with
8 directions to the correct polling place. If the elector is at the correct polling place, the
9 elector shall then execute the following written statement: "I, ..., hereby certify that
10 to the best of my knowledge, I am a qualified elector, having resided at for at least
11 10 days immediately preceding this election, and that I am not disqualified on any
12 ground from voting, and I have not voted at this election and am properly registered
13 to vote in this election." The person shall be required to provide acceptable proof of
14 residence as provided under sub. (7) and shall then be given the right to vote. If
15 acceptable proof is presented, the elector need not have the information corroborated
16 by any other elector. ~~If acceptable proof is not presented, the statement shall be~~
17 ~~certified by the elector and shall be corroborated by another elector who resides in~~
18 ~~the municipality. The corroborator shall then provide acceptable proof of residence~~
19 ~~as provided in sub. (7).~~ Whenever the question cannot be satisfactorily resolved and
20 the elector cannot be permitted to vote, an inspector shall telephone the office of the
21 municipal clerk to reconcile the records at the polling place with those at the office.

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

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

24 6.79 (1) MUNICIPALITIES WITHOUT REGISTRATION. Where there is no registration,
25 before being permitted to vote, each person shall state his or her full name and

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

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

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

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SECTION 7

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

3 (END)



State of Wisconsin
2001 - 2002 LEGISLATURE

1

LRB-1032A

RJM & JTK.....

BY 12-8-00

wlj
Pm NR
DNOTR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

for cont.

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

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

within the applicable municipality

for a ward or election district

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.

[Handwritten scribble]

not for an individual who resides outside of the United States and who qualifies as an "overseas elector under the law"

or a copy of the individual's birth certificate

This bill repeals the authority for an individual to utilize corroboration under these late registration or election day procedures. ~~With certain limited exceptions, this bill also requires each individual who registers to vote to present a Wisconsin driver's license that contains a photograph of the individual or a Wisconsin identification card issued to the individual.~~ Current law does not contain this requirement. In addition ^{with} ~~with certain limited exceptions~~, this bill repeals the authority to register by mail.

for any individual other than an overseas elector

This bill has no effect upon military electors.

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.

NOTE: NOTE: Sub. (3) is amended eff. 1-1-01, by 1999 Wis. Act 182 to read as follows if in the November 2000 general election, a majority of all votes cast on the question at the election approve the changes made to subs. (1) to (3) made by Act 182, ss. 68 and 70; otherwise the amendment to sub. (3), as shown below, does not take effect. NOTE:

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

History: 1977 c. 394; 1979 c. 260, 311; 1985 a. 304; 1987 a. 39; 1989 a. 192; 1995 a. 313; 1997 a. 35; 1999 a. 182 ss. 68 to 75m, 224.

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

14 6.24 (3) (b) Notwithstanding s. 6.30, an overseas elector may register by
15 mailing a completed registration form to the office of the appropriate municipal
16 clerk. Upon receipt of a registration form which ^{that that} is submitted ~~by mail~~ under this
17 paragraph, the municipal clerk shall examine the form for sufficiency. If the form
18 is insufficient to accomplish registration, or the clerk knows or has reliable
19 information that the proposed elector is not qualified, the clerk shall notify the

1 proposed elector within 5 days, if possible. If the form is sufficient to accomplish
 2 registration and the clerk has no reliable information to indicate that the proposed
 3 elector is not qualified, the clerk shall enter the elector's name on the registration list
 4 and transmit a 1st class letter or postcard to the registrant, specifying the elector's
 5 ward or aldermanic district, and polling place. If the letter or postcard is returned,
 6 or if the clerk is informed of a different address than the one specified by the elector,
 7 the clerk shall strike the name of the elector from the list. The letter or postcard shall
 8 specify "Address correction requested" or "Do not forward—", and if a postcard,
 9 "Return postage guaranteed".

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

11 6.275 (1) (b) Where registration applies, the total number of electors of the
 12 municipality residing in that county who were preregistered on the deadline
 13 specified in s. 6.28 (1), including valid mail registrations under s. 6.24 (3) (b) which
 14 are postmarked by that day.

History: 1979 c. 260; 1979 c. 355 ss. 12 to 14; 1983 a. 494; 1985 a. 304; 1989 a. 192; 1999 a. 182.

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

16 6.28 (1) REGISTRATION LOCATIONS; DEADLINE. Except as authorized in ss. 6.29 and
 17 6.55 (2), registration ~~in person~~ for any election shall close at 5 p.m. on the 2nd
 18 Wednesday preceding the election. ~~Registrations made by mail under s. 6.30 (4) must~~
 19 ~~be delivered to the office of the municipal clerk or postmarked no later than the 2nd~~
 20 ~~Wednesday preceding the election.~~ An application for registration ~~in person or by~~
 21 ~~mail~~ may be accepted for placement on the registration list after the specified
 22 deadline, if the municipal clerk determines that the registration list can be revised
 23 to incorporate the registration in time for the election. All applications for
 24 registration corrections and additions may be made throughout the year at the office

1 of the city board of election commissioners, at the office of the municipal clerk, at the
 2 office of any register of deeds, or at other locations provided by the board of election
 3 commissioners or the common council in cities over 500,000 population or by either
 4 or both the municipal clerk, or the common council, village or town board in all other
 5 municipalities and may also be made during the school year at any high school by
 6 qualified persons under sub. (2) (a). Other registration locations may include but are
 7 not limited to fire houses, police stations, public libraries, institutions of higher
 8 education, supermarkets, community centers, plants and factories, banks,
 9 savings and loan associations, and savings banks; and qualified community-based
 10 residential facilities, qualified retirement homes, and nursing homes as defined in

11 ⁽¹⁾ s. 6.875 Special registration deputies shall be appointed for all locations. An elector
 12 who wishes to obtain a confidential listing under s. 6.47 (2) shall register at the office
 13 of the municipal clerk of the municipality where the elector resides.

14 NOTE: NOTE: NOTE: Sub. (1) is shown as affected by two acts of the 1999 legislature and as merged by the revisor under s. 13.93 (2) (c). NOTE:
 History: 1974 c. 304 s. 29 (2); 1973 c. 166, 225, 334; 1975 c. 85, 199, 1977 c. 378, 394, 447, 1979 c. 32; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1989
 a. 31, 1991 a. 221; 1999 a. 49, 182; s. 13.93 (2) (c).

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

16 6.28 (3) AT OFFICE OF REGISTER OF DEEDS. Any person who resides in a
 17 municipality requiring registration of electors shall be given an opportunity to
 18 register to vote at the office of the register of deeds. ~~An applicant may fill out the~~
 19 ~~required~~ The registration form shall be completed as required under s. 6.33. Upon
 20 receipt of a completed form, the register of deeds shall forward the form within 5 days
 21 to the appropriate municipal clerk, or to the board of election commissioners in cities
 22 over 500,000 population. The register of deeds shall forward the form immediately
 23 whenever registration closes within 5 days of receipt.

24 History: 1974 c. 304 s. 29 (2); 1973 c. 166, 225, 334; 1975 c. 85, 199, 1977 c. 378, 394, 447, 1979 c. 32; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1989
 a. 31, 1991 a. 221; 1999 a. 49, 182; s. 13.93 (2) (c).

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

1 **6.29 (title) Late registration in person.**

2 ~~History: 1977 c. 394; 1987 a. 391; 1989 a. 192; 1999 a. 182.~~

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

4 6.29 (2) (a) Any qualified elector of a municipality where registration is
5 required who has not previously filed a registration form or whose name does not
6 appear on the registration list of the municipality shall be entitled to vote at the
7 election if he or she delivers to the municipal clerk a registration form executed by
8 the elector registers at the office of the municipal clerk not later than 5 p.m. ^{5:15} of the
9 day before an election. ~~The form shall contain a certification by the elector that all~~
10 ~~statements are true and correct. Alternatively, if the elector cannot obtain a~~
11 ~~registration form, the elector may deliver a statement, signed by the elector,~~
12 ~~containing all of the information required on the registration form. The elector shall~~
13 ~~present acceptable proof of residence as provided in s. 6.55 (7). If no proof is~~
14 ~~presented, the registration form or the listing of required information shall be~~
15 ~~substantiated by one other elector of the municipality, corroborating all the material~~
16 ~~statements therein. The corroborating elector shall then provide acceptable proof of~~
17 ~~residence under s. 6.55 (7). The signing of the form by the registering elector and~~
18 ~~statement by the corroborating elector shall be done in the presence of the municipal~~
19 ~~clerk or deputy clerk not later than 5 p.m. of the day before an election.~~

20 ~~History: 1977 c. 394; 1987 a. 391; 1989 a. 192; 1999 a. 182.~~

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

22 6.29 (2) (b) Upon ~~the filing of the registration form required by~~ registering an
23 elector under this section, the municipal clerk shall issue a certificate addressed to
24 the inspectors of the proper ward directing that the elector be permitted to cast his
or her vote, unless the clerk determines that the registration list will be revised to
incorporate the registration in time for the election. The certificate shall be

1 numbered serially, prepared in duplicate and one copy preserved in the office of the
2 municipal clerk.

, or a copy of the person's birth certificate

3 ~~History: 1977 c. 394; 1987 a. 391; 1989 c. 192; 1999 a. 182.~~
SECTION 9. 6.30 (1) (title) of the statutes is repealed.

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

5 **6.30** Registration applications shall be made in person, ~~except under sub. (4).~~

6 Each person making a registration application shall present to the clerk, issuing
7 officer, or registration deputy a valid operator's license issued to the person under
8 ch. 343 that contains the photograph of the license holder ~~or~~, a valid identification

9 card issued to the person under s. 343.50. ~~If the operator's license or identification~~
10 ~~card, in the opinion of the clerk, issuing officer, or registration deputy, is not~~

under s. 6.55 (7)

11 acceptable proof of residence, the person shall also present acceptable proof of

12 residence ~~as provided in s. 6.55 (7).~~

identification presented

13 ~~History: 1971 c. 249; 1975 c. 85 ss. 12, 65; 1975 c. 199, 200, 273, 422; 1977 c. 283, 394; 1983 a. 404; 1989 a. 192; 1999 a. 182.~~
SECTION 11. 6.30 (4) of the statutes is repealed.

14 SECTION 12. 6.32 of the statutes is repealed.

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

16 **6.33 (title) Registration forms; manner of completing.**

17 ~~History: 1971 c. 304 s. 29 (1), (2); 1971 c. 336 s. 37; 1975 c. 85 ss. 15, 16, 17, 66 (3); 1975 c. 94 s. 91; 1977 c. 378, 394, 447; 1979 c. 32; 1981 c. 44 s. 3; 1981 c. 202 s. 2; 1989 a. 304; 1987 a. 391; 1989 a. 31; 192; 1999 a. 49, 182.~~
SECTION 14. 6.33 (1) of the statutes is amended to read:

18 6.33 (1) The municipal clerk shall supply sufficient registration forms as
19 prescribed by the board printed on loose-leaf sheets or cards to obtain from each
20 applicant information as to name, date, residence location, citizenship, age, whether
21 the applicant has resided within the ward or election district for at least 10 days,
22 whether the applicant has lost his or her right to vote, and whether the applicant is
23 currently registered to vote at any other location, and shall provide a space for the

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

11 ~~History: 1971 c. 304 s. 29 (1), (2); 1971 c. 386 s. 37; 1975 c. 85 ss. 15, 16, 17, 66 (3); 1975 c. 94 s. 91; 1977 c. 378, 394, 447; 1979 c. 32; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 182.~~
 SECTION 15. 6.33 (2) (a) of the statutes is amended to read:

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

~~History: 1971 c. 304 s. 29 (1), (2); 1971 c. 336 s. 37; 1975 c. 85 ss. 15, 16, 17, 66 (3); 1975 c. 94 s. 91; 1977 c. 378, 394, 447; 1979 c. 32; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 182.~~

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

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

6 History: 1971 c. 304 s. 29 (1), (2); 1971 c. 336 s. 37; 1975 c. 85 ss. 15, 16, 17, 66 (3); 1975 c. 94 s. 91; 1977 c. 378, 394, 447; 1979 c. 32; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 182.
SECTION 17. 6.40 (2) (b) of the statutes is amended to read:

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

20 History: 1971 c. 242; 1971 c. 304 s. 29 (1), (2); 1975 c. 85, 199, 200; 1977 c. 304 ss. 23, 24, 53; 1983 a. 484; 1985 a. 304; 1999 a. 49.
SECTION 18. 6.50 (10) of the statutes is repealed.

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

identification
presented

or a copy of the person's birth certificate

1 operator's license issued to the person under ch. 343[✓] that contains the photograph
 2 of the license holder ~~or~~ a valid identification card issued to the person under s. 343.50[✓]
 3 ~~If the operator's license or identification card, in the opinion of the special~~
 4 ~~registration deputy or inspector, is not acceptable proof of residence, the person shall~~
 5 ~~also present acceptable proof of residence under sub. (7). If the person cannot supply~~
 6 ~~such proof, the registration form shall be substantiated and signed by one other~~
 7 ~~elector who resides in the same municipality as the registering elector, corroborating~~
 8 ~~all the material statements therein. The corroborator shall then provide acceptable~~
 9 ~~proof of residence.~~ ^[plain text] The signing by the elector executing the registration form and by
 10 any elector who corroborates the information in the form under par. (a) shall be in
 11 the presence of the special registration deputy or inspector. Upon compliance with
 12 this procedure, such person shall then be given the right to vote.

History: 1971 c. 304 s. 29 (2); 1973 c. 222; 1975 c. 85, 93, 199, 200; 1977 c. 394, 427; 1979 c. 311; 1981 c. 44 s. 3; 1981 c. 202 s. 25; 1983 a. 484; 1985 a. 304; 1987 a. 291; 1987 a. 31; 1991; 1999 a. 49, 186.

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

6.55 (2) (c) 1. As an alternative to registration at the polling place under pars.

(a) and (b), the board of election commissioners, or the governing body of any
 municipality in which registration is required may by resolution require a person
 who qualifies as an elector and who is not registered and desires to register on the
 day of an election to do so at another readily accessible location in the same building
 as the polling place serving the elector's residence or at an alternate polling place
 assigned under s. 5.25 (5) (b), instead of at the polling place serving the elector's
 residence. In such case, the municipal clerk shall prominently post a notice of the
 registration location at the polling place. The municipal clerk, deputy clerk or special
 registration deputy at the registration location shall require such person to execute
 a registration form as prescribed under par. (a) and to present a valid operator's

identification presented

or a copy of the person's birth certificate

1 license issued to the person under ch. 343 that contains the photograph of the license
 2 holder ~~or~~ a valid identification card issued to the person under s. 343.50. If the
 3 operator's license or identification card, in the opinion of the municipal clerk, deputy
 4 clerk, or special registration deputy, is not acceptable ^{under sub. (7)} proof of residence, the person
 5 shall also provide acceptable proof of residence ~~as provided under sub. (7).~~ If the
 6 person cannot supply such proof, the registration form shall be corroborated in the
 7 manner provided in par. (b). ^(plum text) The signing by the elector executing the registration
 8 form and by any corroborating elector as prescribed under par. (a) shall be in the
 9 presence of the municipal clerk, deputy clerk or special registration deputy. Upon
 10 proper completion of registration, the municipal clerk, deputy clerk or special
 11 registration deputy shall serially number the registration and give one ^u copy to the
 12 elector for presentation at the polling place serving the elector's residence or an
 13 alternate polling place assigned under s. 5.25 (5) (b).

History: 1971 c. 304 s. 29 (2); 1973 c. 222; 1975 c. 85, 93, 199, 200; 1977 c. 394, 427; 1979 c. 311; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 186.

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

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

History: 1971 c. 304 s. 29 (2); 1973 c. 222; 1975 c. 85, 93, 199, 200; 1977 c. 394, 427; 1979 c. 311; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 186.

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

1 6.55 (2) (d) A registered elector who has changed his or her name but resides
2 at the same address, and has not notified the municipal clerk under s. 6.40 (1) (c),
3 shall notify the inspector of the change before voting. The inspector shall then notify
4 the municipal clerk at the time which materials are returned under s. 6.56 (1). If an
5 elector ~~changes~~ has changed both a name and address, the elector shall ~~complete a~~
6 ~~registration form~~ register at the polling place or other registration location under
7 pars. (a) and (b).

8 ~~History: 1971 c. 304 s. 29 (2); 1973 c. 222; 1975 c. 85, 93, 199, 200; 1977 c. 394, 427; 1979 c. 311; 1981 c. 44 s. 9; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 504; 1987 a. 391; 1989 a. 31; 1992; 1999 a. 49, 186.~~

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

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

1 certified by the elector and shall be corroborated by another elector who resides in
2 the municipality. The corroborator shall then provide acceptable proof of residence
3 as provided in sub. (7). Whenever the question of residence cannot be satisfactorily
4 resolved and the elector cannot be permitted to vote, an inspector shall telephone the
5 office of the municipal clerk to reconcile the records at the polling place with those
6 at the office.

History: 1971 c. 304 s. 29 (2); 1973 c. 222; 1975 c. 85, 93, 199, 200; 1977 c. 394, 427; 1979 c. 311; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 186.

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

8 6.55 (7) (c) 1. A Wisconsin motor vehicle An operator's license issued under ch.
9 343.

History: 1971 c. 304 s. 29 (2); 1973 c. 222; 1975 c. 85, 93, 199, 200; 1977 c. 394, 427; 1979 c. 311; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 186.

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

11 6.55 (7) (c) 2. A Wisconsin An identification card issued under s. ~~125.08, 1987~~
12 stats s. 343.50.

History: 1971 c. 304 s. 29 (2); 1973 c. 222; 1975 c. 85, 93, 199, 200; 1977 c. 394, 427; 1979 c. 311; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 186.

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

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

1 service notifies the clerk of an improper address which was apparently improper on
2 the day of the election, the clerk shall notify the district attorney.

3 ~~History: 1975 c. 85, 199, 1977 c. 394; 1979 c. 260; 1983 s. 484; 1985 a. 304; 1989 a. 192.~~

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

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

5 6.79 (1) MUNICIPALITIES WITHOUT REGISTRATION. Except as provided in sub. (6)

6 (a), where there is no registration, before being permitted to vote, each person shall
7 state his or her full name and address. The officials shall enter each name and
8 address on a poll list in the same order as the votes are cast. If the residence of the
9 elector does not have a number, the election officials shall, in the appropriate space,
10 enter "none". Alternatively, the municipal clerk may maintain a poll list consisting
11 of the full name and address of electors compiled from previous elections. Whenever
12 an elector appears to vote, the officials shall verify the correctness of the elector's
13 name and address, and shall enter a serial number next to the name of the elector
14 in the order that the votes are cast, beginning with the number one. If the name and
15 address of an elector do not appear on the prepared poll list, the officials shall enter
16 the name, address, and serial number of the elector at the bottom of the list. The
17 officials may require any elector to provide identification, including acceptable proof
18 of residence, ~~or to have another elector corroborate his or her information in~~
19 ~~accordance with the procedure specified in s. 6.55 (2) (b) before permitting the elector~~
20 to vote. An elector who presents an identification card under sub. (6) (a) is not
21 required to provide separate identification. The officials shall maintain a separate
22 list of those persons voting under ss. 6.15 and 6.24.

23 ~~NOTE: NOTE: NOTE: Sub. (1) is shown as affected by two acts of the 1999 legislature and as merged by the revisor under s. 13.93 (2) (c). NOTE:~~
24 ~~History: 1971 c. 304 s. 29 (2); 1975 c. 85, 199, 200; 1977 a. 394, 447; 1979 c. 260, 311, 355; 1985 a. 304; 1989 a. 192; 1999 a. 49, 182; s. 13.93 (2) (c).~~

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

1 6.79 (4) SUPPLEMENTAL INFORMATION. When any elector provides identification
 2 or proof of residence under sub. (1) or s. 6.15, 6.29 or 6.55 (2) or (3), the election
 3 officials shall enter the type of identification or proof and any unique identifying
 4 number contained in the identification or proof on the poll or registration list, or
 5 supplemental list maintained under sub. (2). If the form of identification includes
 6 a number which applies only to the individual holding that piece of identification, the
 7 election officials shall also enter that number on the list. When any elector
 8 corroborates the registration identity or residence of any person offering to vote
 9 under sub. (1) or s. 6.55 (2) (b) or (c) or (3) the name and address of the corroborator
 10 shall also be entered next to the name of the elector whose information is being
 11 corroborated on the registration or poll list, or the separate list maintained under
 12 sub. (2). When any person offering to vote has been challenged and taken the oath,
 13 following the person's name on the registration or poll list, the officials shall enter
 14 the word "Sworn".

History: 1971 c. 304 s. 29 (2); 1975 c. 85, 199, 200; 1977 c. 394, 447; 1979 c. 260, 311, 355; 1985 a. 304; 1989 a. 192; 1999 a. 49, 182; s. 13.93 (2) (b)

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

16 7.08 (1) (c) Prescribe forms required by ss. 6.24 (3) and (4), ~~6.30 (4)~~, 6.33 (1),
 17 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). All
 18 such forms shall contain a statement of the penalty applicable to false or fraudulent
 19 registration or voting through use of the form. Forms are not required to be furnished
 20 by the board.

21 NOTE: NOTE: NOTE: Par. (c) is shown as affected by two acts of the 1999 legislature and as merged by the revisor under s. 13.93 (2) (c). NOTE:
 History: 1971 c. 242; 1973 c. 334 s. 6, 57; 1975 c. 85, 93, 94, 199; 1977 c. 29, 107, 394, 427; 1979 c. 89, 177, 260, 311; 1981 c. 377; 1983 a. 51, 484; 1985 a. 120, 304;
 1989 a. 192; 1993 a. 140; 1995 a. 16 s. 2; 1997 a. 27; 1999 a. 49, 182; s. 13.93 (2) (c).

(END)

221
 JWS
 14-21

LPS: Sorry, I pulled
this from my notes to
the drafter in Word.

Insert to Analysis

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 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.

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1032/lins

RJM:.....

INSERT 8-20

SECTION ~~6.50~~[#] 6.50 (10)[✓] of the statutes is amended to read:

6.50 (10) Any elector whose registration is canceled under this section may have his or her registration reinstated by filing a new registration form ~~re~~^g register as provided under s. 6.30[✓].

INSERT 14-21

SECTION ~~6.30~~[#] **Initial applicability.**

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1032/1dm
RJM & JTK: WJ

obtain the registration required to

1. Because a person must pay a fee to obtain a driver's license or identification card, requiring a person to present one of these forms of identification in order to vote may be considered an unconstitutional poll tax. In order to avoid this potential challenge, this bill permits a person to present his or her birth certificate, which costs nothing. Please let me know if this option is inconsistent with your intent.

The bill also contains

Representative Ladwig:

This bill contains the provisions of 1999 AB-649 (repealing registration by corroboration on election day), along with provisions repealing the use of corroboration for late voter registration, and provisions generally requiring an individual to present a Wisconsin driver's license or identification card in order to register. Please let me know if the draft is not consistent with your intent. As you review the draft, please note the following issues:

bill

bill

1. This bill repeals ss. 6.30 (4) and 6.32, stats., which allow registration by mail, because these provisions are incompatible with a requirement that a person show identification when registering. However, because the bill permits overseas electors to register by mail, these provisions have been incorporated into the overseas voting statute. See proposed s. 6.24 (3) (b).

The bill does not incorporate these provisions exactly, however. It did not seem logical to require a municipal clerk to inform an overseas elector who mails an incomplete registration form or whose registration form is not timely that the elector may register in person at the municipal clerk's office or polling place. Although this requirement is in current law, this bill does not include it.

Repealing the provisions allowing registration by mail may disproportionately affect the elderly, who are less likely to travel to a location where they may register in person. In order to address this concern, this bill makes clear that certain nursing homes, community-based residential facilities, and retirement homes may be designated as registration locations. See proposed s. 6.28 (1).

3/2. The bill does not change current law with regard to transferring registration to a new address within a municipality or transferring registration to a new legal name. Thus, a person whose address changes within a municipality or whose name is legally changed need not present identification when submitting a request to update his or her registration. However, a person who moves to a new municipality generally must complete a new registration form and present identification.

4. The bill does not change current law with regard to the suspension of registrations for registered electors who have not voted during a ^{four} year period. Current law permits these electors to avoid suspension of their registration by mailing a form certifying that

they still reside at the address at which they are registered and desire to continue their registration. These electors are not required to present identification.

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

LRB-1032/1dn
RJM:wlj:rs

December 7, 2000

Representative Ladwig:

This bill contains the provisions of 1999 AB-649 (repealing registration by corroboration on election day), along with provisions repealing the use of corroboration for late voter registration. The bill also contains provisions generally requiring an individual to present a Wisconsin driver's license or identification card in order to register. Please let me know if the bill is not consistent with your intent. As you review the bill, please note the following issues:

1. Because a person must pay a fee to obtain a driver's license or identification card, requiring a person to present one of these forms of identification in order to obtain the registration required to vote may be considered an unconstitutional poll tax. To avoid this potential challenge, this bill permits a person to present his or her birth certificate, which costs nothing. Please let me know if this option is inconsistent with your intent.
2. This bill repeals ss. 6.30 (4) and 6.32, stats., which allow registration by mail, because these provisions are incompatible with a requirement that a person show identification when registering. However, because the bill permits overseas electors to register by mail, these provisions have been incorporated into the overseas voting statute. See proposed s. 6.24 (3) (b).

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3. The bill does not change current law with regard to transferring registration to a new address within a municipality or transferring registration to a new legal name. Thus, a person whose address changes within a municipality or whose name is legally changed need not present identification when submitting a request to update his or her registration. However, a person who moves to a new municipality generally must complete a new registration form and present identification.

4. The bill does not change current law with regard to the suspension of registrations for registered electors who have not voted during a four-year period. Current law permits these electors to avoid suspension of their registration by mailing a form certifying that they still reside at the address at which they are registered and desire to continue their registration. These electors are not required to present identification.

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State of Wisconsin

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CHIEF

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

December 7, 2000

MEMORANDUM

To: Representative Ladwig

From: Robert J. Marchant, Legislative Attorney

Re: LRB-1032 Eliminate registration by corroboration and require identification to register to vote

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 261-4454 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.