

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1034/1dn
RJM:kmg:jf

December 7, 2000

Representative Ladwig:

This bill generally requires a person to present a Wisconsin driver's license, Wisconsin identification card, or birth certificate in order to vote. However, a person who has obtained a confidential listing on a registration list may, instead, present a voting identification card issued by the municipality in which the person resides. Please let me know if this exception is inconsistent with your intent.

Because a person must pay a fee in order to obtain a driver's license or identification card, requiring the person to present one of these forms of identification in order to vote may be construed to be an unconstitutional poll tax. In order to avoid this type of challenge, the bill also permits a person to present a copy of his or her birth certificate, which costs the person nothing. Please let me know if this option is not consistent with your intent.

Currently, there are several methods by which a person may obtain an absentee ballot. Currently, the bill does not require these persons to present identification. You may want to require any person who obtains an absentee ballot in person to present identification. The bill does not currently do this. Also, although I have not researched the issue thoroughly, it is possible that the bill's more strict treatment of electors who vote in person could be challenged as a violation of Equal Protection.

Please let me know if you desire any changes.

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