

**2001 DRAFTING REQUEST**

**Bill**

Received: **01/23/2001**

Received By: **rmarchan**

Wanted: **01/24/2001**

Identical to LRB:

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

By/Representing: **terri**

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

Drafter: **rmarchan**

May Contact:

Alt. Drafters: **kuesejt**

Subject: **Elections - miscellaneous  
Employ Pub - miscellaneous**

Extra Copies:

**Pre Topic:**

No specific pre topic given

**Topic:**

voter identification, universal registration, centralized registration, polling hours, poll workers, and punch card voting systems

**Instructions:**

See Attached. Compile LRBs0014, a0022, a0024, a0023, a0027, -1850, -1848, and -1849, with changes.

**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 01/23/2001	wjackson 01/23/2001		_____			Local
/P1			haugeca 01/24/2001	_____			S&L
/1	kuesejt 01/24/2001	wjackson 01/24/2001	kfollet 01/24/2001	_____	lrb_docadmin 01/24/2001	lrb_docadmin 01/24/2001	

FE Sent For:

<END>

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/?	rmarchan	1/p1 WLj 1/23 1 WLj 1/24	CH 1/23 KJ 1/24	CH 1/24 KJ 1/24			
FE Sent For: <END>							

~~SSA AB 12~~ - 1034

Freese

S 0014

- 1850

a 0022

faxed audit

faxed audit

- 1848

- 1849

a 0024

a 0023

a 0027

faxed audit



**ASSEMBLY AMENDMENT ,  
TO 2001 ASSEMBLY BILL 39**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 7: after "list." insert "The recommendations shall address issues  
3 relating to the privacy of each elector's voter registration information."

4 (END)

LRB—FILE COPY  
(Return to Room 215 North)

ASSEMBLY AMENDMENT \_\_\_\_\_

to Assembly Amendment 1 to AA 1

TO Assembly BILL 40

Offered by \_\_\_\_\_

\_\_\_\_\_

Amend the amendment as follows:

1. On page 1, line 2, delete "requiring" and substitute  
"permitting"

2. On page 1, line 7, after "s. 16.97(7)," insert "may,"

(end)

LKB—FILE COPY  
(Return to Room 215 North)

ASSEMBLY AMENDMENT 2

to \_\_\_\_\_

TO Assembly BILL 39

Offered by \_\_\_\_\_

Amend the Bill as follows:

1. On page 1, line 7, delete "April 16, 2001" and substitute "90 days after the effective date of this section."

(end)



LRB—FILE COPY  
(Return to Room 215 North)

ASSEMBLY AMENDMENT 3

to \_\_\_\_\_

TO Assembly BILL 40

Offered by \_\_\_\_\_

Amend the bill as follows:

1. On page 2, line 1, delete "April 16, 2001" and substitute "90 days after the effective date of this section".

(end)

2193/P1  
LRB-18504  
RJM/MAW  
WJ  
pmk  
~~MAW~~

Wed. 8:30 AM

2001 ASSEMBLY BILL 41

LPS: Inserts are out of order.

January 19, 2001 - Introduced by ~~COMMITTEE ON CAMPAIGNS AND ELECTIONS~~.  
Referred to Committee on Campaigns and Elections.

time off from work for service as an election official and requiring the elections board to submit ~~new~~ recommendations with regard to voter identification and registration and the administration of elections

re-fer

1 AN ACT to repeal 6.78 (1), 6.78 (2) and 6.78 (3); to renumber and amend 6.78  
2 (intro.); and to amend 67.05 (3) (f) and 120.06 (9) (a) of the statutes; relating  
3 to: polling hours

INSERT ANALYSIS A,  
then ANALYSIS B!

Analysis by the Legislative Reference Bureau

Under current law, the polls at an election in a first, second, or third class city must generally be open from 7 a.m. to 8 p.m. In a village, town, or fourth class city the polls must be open from 9 a.m. to 8 p.m., unless the village, town, or city determines to extend the opening hour to not earlier than 7 a.m. In addition, under current law, certain school district elections are not subject to either of these polling hour requirements.

This bill requires the polls at every election to be open from 7 a.m. to 8 p.m. in all municipalities.

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

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

4 SECTION 1. 6.78 (intro.) of the statutes is renumbered 6.78 (1m) and amended  
5 to read:

ASSEMBLY BILL 41

INS 2-4  
3  
4

1 6.78 (1m) The polls at any every election shall be open: from 7 a.m. until 8 p.m.

SECTION 2. 6.78 (1) of the statutes is repealed.

SECTION 3. 6.78 (2) of the statutes is repealed.

SECTION 4. 6.78 (3) of the statutes is repealed.

5 SECTION 5. 67.05 (3) (f) of the statutes is amended to read:

6 67.05 (3) (f) If a special purpose district calls a referendum to be held in

7 conjunction with a state, county, municipal or judicial election, the polling places for

8 the state, county, municipal or judicial election shall be the polling places for the

9 special purpose district referendum and the municipal election hours shall apply. If

10 no state, county, municipal or judicial election is held on the day of the special

11 purpose district referendum, the governing body of the special purpose district may

12 ~~set the election hours and~~ select the polling places to be used, except as otherwise

13 provided in s. 120.06 (9) (b) in the case of a school district. If a polling place located

14 in the special purpose district that was utilized at the most recent spring or general

15 election is not utilized by the special purpose district, the governing body of the

16 special purpose district shall post a notice on the door of the polling place indicating

17 all polling places open for voting. ~~Election hours set by the governing body of the~~

18 ~~special purpose district for each polling place shall be the same as those provided by~~

19 ~~the governing body of the municipality in which the polling place is located, except~~

20 ~~that if the opening hour is later than 7 a.m., the governing body of the special purpose~~

21 ~~district may extend the opening hour to not earlier than 7 a.m.~~ The municipal clerk

22 of each municipality in which a polling place is located shall provide the necessary

23 equipment to operate the polling place.

24 SECTION 6. 120.06 (9) (a) of the statutes is amended to read:

INS 2-23  
21  
22

ASSEMBLY BILL 41

*SEC # NSP*

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120.06 (9) (a) The primary and spring elections for school board members shall be conducted by the election officials for state and municipal elections. In a school board election held in conjunction with a state, county, municipal or judicial election, the polling places for the state, county, municipal or judicial election shall be the polling places for the school board election and the municipal election hours shall apply. If no state, county, municipal or judicial election is held on the day of the school board election, the school board may ~~set the election hours and~~ select the polling places to be used. The election costs shall be charged as provided in ss. 5.68 and 7.03. ~~Election hours set by the school board shall be the same as those provided by the municipal governing body in which the polling place is located, except that if the opening hour is later than 7 a.m., the school board may extend the opening hour to~~ not earlier than 7 a.m.

(END)

*INSERT NSP1, then NSP2, then NSP3, then NSP4, then NSP5 ✓*

# 2001 ASSEMBLY BILL 40

January 19, 2001 - Introduced by COMMITTEE ON CAMPAIGNS AND ELECTIONS.  
Referred to Committee on Campaigns and Elections.

*no later than approximately 90 days after the bill takes effect*

1 AN ACT relating to: requiring the elections board to make recommendations  
2 relating to the training and certification of election officials.

*recruitment,*

### Analysis by the Legislative Reference Bureau

Current law requires the elections board to conduct regular information and training meetings at various locations in the state for county and municipal clerks and other election officials. In addition, each municipal clerk must instruct election officials in their duties. Although current law does not require election officials to be certified, the governing body of any municipality may require all persons serving as election officials in that municipality to prove their ability to read and write English and to have a general knowledge of the election laws. A municipality may administer examinations to determine whether these qualifications are met.

This bill directs the elections board to prepare recommendations with regard to establishing a program for the training and certification of election officials. The elections board must submit the recommendations to the legislature for distribution to the appropriate standing committees of both houses by April 16, 2001.

*INSERT ANALYSIS A*

*the compensation paid to election officials and with regard to*

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

### SECTION 1. Nonstatutory provisions.

*(E) ELECTION OFFICIALS*

(1) The elections board shall prepare recommendations with regard to establishing a program for the training and certification of election officials. No later

3  
*INSERT NSP4*  
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5

**ASSEMBLY BILL 40**

1 than April 16, 2001, the elections board shall submit the recommendations to the  
2 chief clerk of each house of the legislature for distribution to the appropriate  
3 standing committees of the legislature in the manner provided under section 13.172  
4 (3) of the statutes.

5 < (END) insert >

*The first day of the 4<sup>th</sup> month beginning after the  
effective date of this subsection*

**ASSEMBLY AMENDMENT ,  
TO 2001 ASSEMBLY BILL 40**

*INSERT  
2-4*

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At the locations indicated, amend the bill as follows:

1. Page 1, line 2: after "officials" insert "and requiring government employers to grant time off to certain employees for service as an election official".

2. Page 1, line 3: before that line insert:

~~SECTION 14.~~ SECTION 7.33 (4) of the statutes is amended to read:

*may*

7.33 (4) ~~Each~~ Except as otherwise provided in this subsection, each local governmental unit, as defined in s. 16.97 (7), and each state agency shall, upon proper application under sub. (3), permit each of its employees to serve as an election official without loss of fringe benefits or seniority privileges earned for scheduled working hours during the period specified in sub. (3), ~~and~~ without loss of pay for scheduled working hours during the period specified in sub. (3) except as provided in sub. (5), and shall not impose any other penalty upon an employee who serves as an election official. For employees who are included in a collective bargaining unit

*DE*

1 for which a representative is recognized or certified under subch. V of ch. 111, this  
2 subsection shall apply unless otherwise provided in a collective bargaining  
3 agreement.

4 ~~SECTION 111.~~ 7.33 (5)<sup>1</sup> of the statutes is amended to read:

5 7.33 (5) Any employee of ~~the state~~ a local governmental unit, as defined in s.  
6 16.97 (7), or state agency who obtains a paid leave of absence under sub. (4) in order  
7 to serve as an election official under s. 7.30 shall certify in writing to the head of the  
8 local governmental unit or state agency by which he or she is employed the amount  
9 of compensation that the employee receives for such service. Upon receipt of the  
10 certification, the head of the local governmental unit or state agency shall deduct  
11 that amount from the employee's pay earned for scheduled working hours during the  
period specified in sub. (2) when the employee is on a paid leave of absence. *let insert*

12 ~~SECTION 111.~~ 111.93 (3)<sup>1</sup> of the statutes is amended to read:

13 *INSER*  
14 *2-23*  
15 111.93 (3) Except as provided in ss. 7.33 (4)<sup>1</sup>, 40.05, 40.80 (3), 111.91 (1) (cm),  
16 230.35 (2d), 230.35 (3) (e) 6., and 230.88 (2) (b), if a collective bargaining agreement  
17 exists between the employer and a labor organization representing employees in a  
18 collective bargaining unit, the provisions of that agreement shall supersede the  
19 provisions of civil service and other applicable statutes, as well as rules and policies  
20 of the board of regents of the University of Wisconsin System, related to wages, fringe  
21 benefits, hours<sup>2</sup> and conditions of employment whether or not the matters contained  
22 in those statutes, rules and<sup>3</sup> policies are set forth in the collective bargaining  
agreement. *wa*

23 **3.** Page 1, line 3: delete "1" and substitute "1z".

24 **4.** Page 1, line 4: before "The" insert "ELECTIONS BOARD RECOMMENDATIONS."

*let insert*



**ASSEMBLY SUBSTITUTE AMENDMENT ,  
TO 2001 ASSEMBLY BILL 12**

INSERT  
NSPL

1 **AN ACT relating to:** requiring the elections board to make recommendations  
2 regarding the issuance of voter identification cards to electors in this state.

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

3 **SECTION ~~8~~ Nonstatutory provisions.**

4 **~~§~~ VOTER IDENTIFICATION CARDS.**  
5 The elections board shall prepare recommendations with regard to issuing  
6 voter identification cards to electors in this state. No later than the first day of the  
7 7th month beginning after the effective date of this subsection, the elections board  
8 shall submit the recommendations to the chief clerk of each house of the legislature  
9 for distribution to the appropriate standing committees of the legislature in the  
10 manner provided under section 13.172 (3) of the statutes.

< (END) INSERT >

# 2001 ASSEMBLY BILL 39

January 19, 2001 - Introduced by COMMITTEE ON CAMPAIGNS AND ELECTIONS.  
Referred to Committee on Campaigns and Elections.

1 AN ACT relating to: requiring the elections board to make recommendations  
2 regarding statewide voter registration and maintenance of a statewide voter  
3 registration list.

*no later than approximately 90 days after the bill takes effect*

INSERT ANALYSIS B

### Analysis by the Legislative Reference Bureau

Under current law, every municipality with a population of greater than 5,000 is required to maintain a voter registration list. This bill directs the elections board to prepare recommendations with regard to requiring voter registration in every municipality and maintaining a statewide voter registration list. The elections board must submit the recommendations to the legislature for distribution to the appropriate standing committees of both houses by April 16, 2001.

INSERT NSP2

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

### SECTION 1. Nonstatutory provisions.

UNIVERSAL CENTRALIZED VOTER REGISTRATION

4 The elections board shall prepare recommendations with regard to  
5 requiring voter registration in every municipality in this state and maintaining a  
6 statewide voter registration list. *The first day of the 4th month beginning after the effective date of this subsection*  
7 No later than April 16, 2001, the elections board

*The recommendations shall address issues relating to the privacy of each elector's voter registration information.*

**ASSEMBLY BILL 39**

1 shall submit the recommendations to the chief clerk of each house of the legislature  
2 for distribution to the appropriate standing committees of the legislature in the  
3 manner provided under section 13.172 (3) of the statutes.

4 (END) INSERT

**ASSEMBLY AMENDMENT ,  
TO 2001 ASSEMBLY BILL 40**

INSERT  
NSP3

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At the locations indicated, amend the bill as follows:

1. Page 1, line 2: delete "officials" and substitute "officials and the elimination of punch card voting systems as a method of voting in this state".

2. Page 2, line 4: after that line insert.

PUNCH CARD VOTING SYSTEMS

The elections board shall prepare recommendations for eliminating the use of punch card voting systems as a method of voting in this state and for facilitating the transition from the use of punch card voting systems to another approved method of voting. No later than the first day of the 5th month beginning after the effective date of this subsection, the elections board shall submit the recommendations to the chief clerk of each house of the legislature for distribution to the appropriate standing committees of the legislature in the manner provided under section 13.172 (3) of the statutes.

(END) INSERT

INSERT  
NSP5

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5. Page 2, line 4: after that line insert:

~~SECTION 2~~ **Initial applicability.**

(1) SERVICE AS AN ELECTION OFFICIAL. The treatment of sections 7.33 (4) and (5) and 111.93 (3) of the statutes first applies to employees who are affected by a collective bargaining agreement containing provisions inconsistent with this treatment on the day on which the collective bargaining agreement expires or is extended, modified, or renewed, whichever first occurs.

(END) INSERT



Wanted by 1PM Wed 1/24

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

REGEN

1 AN ACT to repeal 6.78 (1), 6.78 (2) and 6.78 (3); to renumber and amend 6.78

2 (intro.); and to amend 7.33 (4), 7.33 (5), 67.05 (3) (f), 111.93 (3) and 120.06 (9)

3 (a) of the statutes; relating to: polling hours, time off from work for service as

4 an election official, and requiring the elections board to submit

5 recommendations with regard to voter identification and registration and the

6 administration of elections.

Sub-Sub → Polling hours

**Analysis by the Legislative Reference Bureau**

Under current law, the polls at an election in a first, second, or third class city must generally be open from 7 a.m. to 8 p.m. In a village, town, or fourth class city the polls must be open from 9 a.m. to 8 p.m., unless the village, town, or city determines to extend the opening hour to not earlier than 7 a.m. In addition, under current law, certain school district elections are not subject to either of these polling hour requirements.

(Not) This bill requires the polls at every election to be open from 7 a.m. to 8 p.m. in all municipalities. → Sub-Sub Elections board recommendations

Current law requires the elections board to conduct regular informational and training meetings at various locations in the state for county and municipal clerks and other election officials. In addition, each municipal clerk must instruct election officials in their duties. Although current law does not require election officials to be certified, the governing body of any municipality may require all persons serving

JWS  
&  
JWS AD

# This bill makes changes in the laws regarding/polling hours and leaves of absence for service as an election official and directs the elections board to submit recommendations to the legislature regarding other matters.

as election officials in that municipality to prove their ability to read and write English and to have a general knowledge of the election laws. A municipality may administer examinations to determine whether these qualifications are met.

<sup>Not</sup> This bill directs the elections board to prepare recommendations with regard to the compensation paid to election officials and with regard to establishing a program for the recruitment, training, and certification of election officials. The elections board must submit the recommendations to the legislature for distribution to the appropriate standing committees of both houses no later than approximately 90 days after the bill takes effect. *becomes law*

Under current law, every municipality with a population of greater than 5,000 is required to maintain a voter registration list. This bill directs the elections board to prepare recommendations with regard to requiring voter registration in every municipality and maintaining a statewide voter registration list. The elections board must submit the recommendations to the legislature for distribution to the appropriate standing committees of both houses no later than approximately 90 days after the bill takes effect. *becomes law*

*The recommendations must address issues relating to the privacy of each elector's registration information*

For further information see the <sup>local</sup> fiscal estimate, which will be printed as an appendix to this bill. *State and*

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

1 SECTION 1. 6.78 (intro.) of the statutes is renumbered 6.78 (1m) and amended  
2 to read:

3 6.78 (1m) The polls at any every election shall be open: from 7 a.m. until 8 p.m.

4 SECTION 2. 6.78 (1) of the statutes is repealed.

5 SECTION 3. 6.78 (2) of the statutes is repealed.

6 SECTION 4. 6.78 (3) of the statutes is repealed.

7 SECTION 5. 7.33 (4) of the statutes is amended to read:

8 7.33 (4) Each Except as otherwise provided in this subsection, each local  
9 governmental unit, as defined in s. 16.97 (7), may, and each state agency shall, upon  
10 proper application under sub. (3), permit each of its employees to serve as an election  
11 official without loss of fringe benefits or seniority privileges earned for scheduled  
12 working hours during the period specified in sub. (3), and without loss of pay for

1 scheduled working hours during the period specified in sub. (3) except as provided  
2 in sub. (5), and ~~shall not impose without any other penalty upon an employee who~~  
3 ~~serves as an election official.~~ For employees who are included in a collective  
4 bargaining unit for which a representative is recognized or certified under subch. V  
5 of ch. 111, this subsection shall apply unless otherwise provided in a collective  
6 bargaining agreement.

7 **SECTION 6.** 7.33 (5) of the statutes is amended to read:

8 7.33 (5) Any employee of ~~the state~~ a local governmental unit, as defined in s.  
9 16.97 (7), or state agency who obtains a paid leave of absence under sub. (4) in order  
10 to serve as an election official under s. 7.30 shall certify in writing to the head of the  
11 local governmental unit or state agency by which he or she is employed the amount  
12 of compensation that the employee receives for such service. Upon receipt of the  
13 certification, the head of the local governmental unit or state agency shall deduct  
14 that amount from the employee's pay earned for scheduled working hours during the  
15 period specified in sub. (2) when the employee is on a paid leave of absence.

16 **SECTION 7.** 67.05 (3) (f) of the statutes is amended to read:

17 67.05 (3) (f) If a special purpose district calls a referendum to be held in  
18 conjunction with a state, county, municipal, or judicial election, the polling places for  
19 the state, county, municipal, or judicial election shall be the polling places for the  
20 special purpose district referendum and the municipal election hours shall apply. If  
21 no state, county, municipal, or judicial election is held on the day of the special  
22 purpose district referendum, the governing body of the special purpose district may  
23 ~~set the election hours and~~ select the polling places to be used, except as otherwise  
24 provided in s. 120.06 (9) (b) in the case of a school district. If a polling place located  
25 in the special purpose district that was utilized at the most recent spring or general



1 election is not utilized by the special purpose district, the governing body of the  
2 special purpose district shall post a notice on the door of the polling place indicating  
3 all polling places open for voting. ~~Election hours set by the governing body of the~~  
4 ~~special purpose district for each polling place shall be the same as those provided by~~  
5 ~~the governing body of the municipality in which the polling place is located, except~~  
6 ~~that if the opening hour is later than 7 a.m., the governing body of the special purpose~~  
7 ~~district may extend the opening hour to not earlier than 7 a.m.~~ The municipal clerk  
8 of each municipality in which a polling place is located shall provide the necessary  
9 equipment to operate the polling place.

10 **SECTION 8.** 111.93 (3) of the statutes is amended to read:

11 111.93 (3) Except as provided in ss. 7.33 (4), 40.05, 40.80 (3), 111.91 (1) (cm),  
12 230.35 (2d), 230.35 (3) (e) 6., and 230.88 (2) (b), if a collective bargaining agreement  
13 exists between the employer and a labor organization representing employees in a  
14 collective bargaining unit, the provisions of that agreement shall supersede the  
15 provisions of civil service and other applicable statutes, as well as rules and policies  
16 of the board of regents of the University of Wisconsin System, related to wages, fringe  
17 benefits, hours, and conditions of employment whether or not the matters contained  
18 in those statutes, rules, and policies are set forth in the collective bargaining  
19 agreement.

20 **SECTION 9.** 120.06 (9) (a) of the statutes is amended to read:

21 120.06 (9) (a) The primary and spring elections for school board members shall  
22 be conducted by the election officials for state and municipal elections. In a school  
23 board election held in conjunction with a state, county, municipal, or judicial election,  
24 the polling places for the state, county, municipal, or judicial election shall be the  
25 polling places for the school board election and the municipal election hours shall

1 apply. If no state, county, municipal, or judicial election is held on the day of the  
 2 school board election, the school board may ~~set the election hours and~~ select the  
 3 polling places to be used. The election costs shall be charged as provided in ss. 5.68  
 4 and 7.03. ~~Election hours set by the school board shall be the same as those provided~~  
 5 ~~by the municipal governing body in which the polling place is located, except that if~~  
 6 ~~the opening hour is later than 7 a.m., the school board may extend the opening hour~~  
 7 ~~to not earlier than 7 a.m.~~

**SECTION 10. Nonstatutory provisions.**

move  
to  
6-16

8  
 9 <sup>H</sup>  
 10 (1) VOTER IDENTIFICATION CARDS. The elections board shall prepare  
 11 recommendations with regard to issuing voter identification cards to electors in this  
 12 state. No later than the first day of the 7th month beginning after the effective date  
 13 of this subsection, the elections board shall submit the recommendations to the chief  
 14 clerk of each house of the legislature for distribution to the appropriate standing  
 15 committees of the legislature in the manner provided under section 13.172 (3) of the  
 16 statutes.

16 <sup>H</sup>  
 17 (2) UNIVERSAL, CENTRALIZED VOTER REGISTRATION. The elections board shall  
 18 prepare recommendations with regard to requiring voter registration in every  
 19 municipality in this state and maintaining a statewide voter registration list. The  
 20 recommendations shall address issues relating to the privacy of each elector's voter  
 21 registration information. No later than <sup>20 days</sup> ~~the first day of the 4th month~~ beginning after  
 22 the effective date of this subsection, the elections board shall submit the  
 23 recommendations to the chief clerk of each house of the legislature for distribution  
 24 to the appropriate standing committees of the legislature in the manner provided  
 25 under section 13.172 (3) of the statutes.

FWS  
from  
6-9

SECTION 10

1 ~~#~~ (3) PUNCH CARD VOTING SYSTEMS. The elections board shall prepare  
 2 recommendations for eliminating the use of punch card voting systems as a method  
 3 of voting in this state and for facilitating the transition from the use of punch card  
 4 voting systems to another approved method of voting. No later than the first day of  
 5 the 5th month beginning after the effective date of this subsection, the elections  
 6 board shall submit the recommendations to the chief clerk of each house of the  
 7 legislature for distribution to the appropriate standing committees of the legislature  
 8 in the manner provided under section 13.172 (3) of the statutes.

Move  
to  
5-24

9 (A) ELECTION OFFICIALS. The elections board shall prepare recommendations  
 10 with regard to the compensation paid to election officials and with regard to  
 11 establishing a program for the <sup>recruitment</sup> training and certification of election officials. No later  
 12 than <sup>90 days</sup> the first day of the 4th month beginning after the effective date of this  
 13 subsection, the elections board shall submit the recommendations to the chief clerk  
 14 of each house of the legislature for distribution to the appropriate standing  
 15 committees of the legislature in the manner provided under section 13.172 (3) of the  
 16 statutes.

FWS from  
5-9

SECTION 11. Initial applicability.

LEAVES OF ABSENCE FOR

17 (1) SERVICE AS AN ELECTION OFFICIAL. The treatment of sections 7.33 (4) and (5)  
 18 and 111.93 (3) of the statutes first applies to employees who are affected by a  
 19 collective bargaining agreement containing provisions inconsistent with this  
 20 treatment on the day on which the collective bargaining agreement expires or is  
 21 extended, modified, or renewed, whichever first occurs.  
 22

(END)

2001-2002 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-2193/1insJTK  
JTK.....

JWSB

***Leave for service as an election official***

Currently, any public or private employer may grant an employee a leave for service as an election official, or for any other reason, without or without loss of pay, fringe benefits, or seniority privileges. If an employee is a member of a collective bargaining unit, the employee must first bargain in good faith with any representative of that unit before making a change in leave policy. In addition, state employees are entitled to time off without loss of pay, fringe benefits, or seniority privileges for service as an election official. Currently, when a state employee receives a leave of absence for service as an election official, the amount of the employee's pay for that service is deducted from the employee's regular paycheck for the leave period. This law applies to employees who are members of collective bargaining units to the extent provided in any applicable collective bargaining agreement.

This bill provides that the law entitling state employees to a leave, without loss of pay, fringe benefits, or seniority privileges, for service as an election official and requiring a paycheck deduction for the amount received for that service applies automatically to represented state employees unless otherwise provided in a collective bargaining agreement.

The bill also provides that if a local government employer grants a local government employee a leave of absence for service as an election official, the local government must deduct the amount that the employee receives for that service from the employee's regular paycheck for the leave period. The change applies to both represented and nonrepresented employees irrespective of any applicable collective bargaining agreement. However, the change does not apply to employees who are members of a collective bargaining unit covered by a current collective bargaining agreement until the expiration, extension, modification, or renewal of any collective bargaining agreement containing inconsistent provisions, whichever first occurs.

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FROM THE  
LEGISLATIVE REFERENCE BUREAU

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RJM:.....

INSERT ANALYSIS A

With certain limited exceptions, before being permitted to vote at any polling place, an elector currently must provide his or her name and address. If registration is required ~~in order~~ to vote, and an elector is not registered, the elector must provide a specified form of proof of residence ~~in order~~ to register. Also, if an elector's name does not appear on the registration list but the elector claims to be a registered voter, the elector must provide this proof and complete a certification of eligibility ~~in order~~ to vote. If registration is not required, an elector is not required to provide proof of residence, but may be required to do so by the election officials at the polls. Currently, any elector who is unable to provide required proof of residence may have his or her information corroborated by any other qualified elector who resides in the <sup>same</sup> municipality. This state does not currently issue identification cards that are designed specifically for use by electors.

NoT ~~NOT~~ This bill directs the elections board (board) to prepare recommendations with regard to issuing voter identification cards to electors in this state. The board must submit the recommendations to the legislature for distribution to the appropriate standing committees of both houses no later than approximately ~~6~~<sup>5</sup> months after the bill takes effect. <sup>becomes law</sup>

Currently, the statutes contain several references to the use of punch card voting systems as a method of voting in this state. In addition, under current law, the board must approve each voting system used in this state. This bill directs the board to prepare recommendations for eliminating the use of punch card voting systems as a method of voting in this state and for facilitating the transition from the use of punch card voting systems to another approved method of voting. The board must submit the recommendations to the legislature for distribution to the appropriate standing committees of both houses no later than approximately ~~4~~<sup>four</sup> months after the bill takes effect.

*In accordance  
with standards  
specified by law*

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

LRB-2193/1dn  
RJM & JTK.../.....

WJ

**Representative Freese:**

1. The proposed changes to s. 7.33, stats., by this draft expressly permit a local government employer to grant a local government employee time off for service as an election official without loss of pay, fringe benefits or seniority. Under current law, local government employers are already permitted to do this. However, they must first bargain the matter in good faith with any collective bargaining representative of the affected employees. Current law does not address the issue of whether an a local government employee may receive <sup>no</sup> paychecks for the period that the employee serves as an election official. The effect of this draft, as applied to local government employees, is to relieve local government employers from the requirement to bargain in good faith before implementing the leave policy specified in s. 7.33, stats., and to require a deduction from the regular paychecks of employees in the same amount that the employees receive for service as election officials. Please let us know if this is not in accord with your intent.



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

-2193 /ldn  
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WJ

~~January 23, 2001~~

~~Representative Freese.~~

2. Please note that, if the use of punch card voting systems is to be eliminated, there are several references in the statutes to the use of these ballots that should be deleted. Thus, to fully effect your intent, it may be necessary to enact a bill that eliminates the use of punch card voting systems rather than to simply allow the elections board to do so under current procedures. If you would like to have a bill drafted to this effect or would like to discuss this issue, please feel free to call.

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Jeffery T. Kuesel  
Managing Attorney  
Phone: (608) 266-6778

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

LRB-2193/1dn  
RJM&JTK:wlj:kjf

January 24, 2001

Representative Freese:

1. The proposed changes to s. 7.33, stats., by this draft expressly permit a local government employer to grant a local government employee time off for service as an election official without loss of pay, fringe benefits, or seniority. Under current law, local government employers are already permitted to do this. However, they must first bargain the matter in good faith with any collective bargaining representative of the affected employees. Current law does not address the issue of whether a local government employee may receive two paychecks for the period that the employee serves as an election official. The effect of this draft, as applied to local government employees, is to relieve local government employers from the requirement to bargain in good faith before implementing the leave policy specified in s. 7.33, stats., and to require a deduction from the regular paychecks of employees in the same amount that the employees receive for service as election officials. Please let us know if this is not in accord with your intent.

2. Please note that, if the use of punch card voting systems is to be eliminated, there are several references in the statutes to the use of these ballots that should be deleted. Thus, to fully effect your intent, it may be necessary to enact a bill that eliminates the use of punch card voting systems rather than to simply allow the elections board to do so under current procedures. If you would like to have a bill drafted to this effect or would like to discuss this issue, please feel free to call.

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STEPHEN R. MILLER  
CHIEF

# State of Wisconsin

## LEGISLATIVE REFERENCE BUREAU

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LEGAL SECTION: (608) 266-3561  
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January 24, 2001

### MEMORANDUM

To: Representative Freese

From: Robert J. Marchant, Legislative Attorney

Re: LRB-2193 voter identification, universal registration, centralized registration, polling hours, poll workers, and punch card voting systems.

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.