

2001 ASSEMBLY BILL 710

January 9, 2002 – Introduced by Representatives GROTHMAN, JESKEWITZ, KRAWCZYK, NASS, STARZYK, SUDER and TOWNSEND, cosponsored by Senator DARLING. Referred to Committee on Campaigns and Elections.

1 **AN ACT** *to repeal* 5.40 (6), 6.15 (3) (a) (title), 6.15 (3) (b), 6.26 (2) (d), 6.275 (1) (c),
2 6.29, 6.32 (3), 6.54, 6.55 (2) (a) 2., 6.55 (2) (cm) and 6.55 (6); *to renumber and*
3 **amend** 6.15 (3) (a), 6.55 (2) (a) 1. and 6.55 (2) (d); and *to amend* 5.40 (1), 6.02
4 (1), 6.02 (2), 6.10 (3), 6.10 (4), 6.15 (1), 6.15 (2) (a), 6.18, 6.275 (1) (b), 6.275 (1)
5 (d), 6.28 (1), 6.33 (1), 6.33 (2) (b), 6.40 (1) (a), 6.40 (1) (b), 6.40 (1) (c), 6.45 (1),
6 6.45 (1m), 6.55 (title), 6.55 (2) (c) 1., 6.55 (3), 6.56 (1), 6.56 (3), 6.79 (2), 6.79 (4),
7 6.85, 6.87 (2), 6.94, 7.03 (1) (d) and 7.30 (2) (a) of the statutes; **relating to:** the
8 deadline for voter registration and the determination of residency for voting
9 purposes.

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. With certain exceptions, the deadline for voter registration is 5 p.m. on the second Wednesday preceding the election. Registrations made by mail must be delivered to the office of the municipal clerk or board of election commissioners or postmarked not later than this deadline. However, under current law, voters may also register in person at the office of the municipal clerk or board of election commissioners until 5 p.m. on the day before the

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election or, in most cases, may register at the proper polling place or other designated location on election day. In addition, voters may register at any time after the deadline if the municipal clerk determines that the registration list can be revised to incorporate the registration in time for the election.

Under this bill, the deadline for registration is 5 p.m. on the 28th day preceding the election, with no exceptions. Under the bill, in-person registrations must be completed by this deadline, and registrations made by mail must be delivered or postmarked not later than this deadline. However, the bill permits an elector who changes his or her name or who moves to a new residence within the same ward or election district to update his or her registration at the proper polling place or other designated location on election day.

Under current law, with certain limited exceptions, an individual must be a resident of this state for ten days before an election to be eligible to vote in the election. This bill increases this durational residency requirement to 28 days.

If enacted, this bill would activate certain requirements under the National Voter Registration Act (commonly referred to as the motor voter law), from which this state is currently exempt. Primarily, these requirements include simultaneous voter registration with motor vehicle driver's license applications and renewals, voter registration at any office that provides public assistance, voter registration at any office that primarily provides state-funded services to persons with disabilities, and voter registration at armed forces recruiting offices.

For further information see the *state and 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:

1 **SECTION 1.** 5.40 (1) of the statutes is amended to read:

2 5.40 (1) Except as permitted in sub. (3) or as required in subs. (4) to ~~(6)~~ (5m),
3 the governing body or board of election commissioners of every municipality with a
4 population of 10,000 or more before July 1, 1995, or of 7,500 or more thereafter shall
5 require the use of voting machines or electronic voting systems in every ward in the
6 municipality at every election. Any other governing body or board of election
7 commissioners may adopt and purchase voting machines or electronic voting
8 systems for use in any ward in the municipality at any election.

9 **SECTION 2.** 5.40 (6) of the statutes is repealed.

10 **SECTION 3.** 6.02 (1) of the statutes is amended to read:

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1 6.02 (1) Every U.S. citizen age 18 or older who has resided in an election district
2 or ward for ~~10~~ 28 days before any election where the citizen offers to vote is an eligible
3 elector.

4 **SECTION 4.** 6.02 (2) of the statutes is amended to read:

5 6.02 (2) Any U.S. citizen age 18 or older who moves within this state later than
6 ~~10~~ 28 days before an election shall vote at his or her previous ward or election district
7 if the person is otherwise qualified. If the elector can comply with the ~~10-day~~ 28-day
8 residence requirement at the new address and is otherwise qualified, he or she may
9 vote in the new ward or election district.

10 **SECTION 5.** 6.10 (3) of the statutes is amended to read:

11 6.10 (3) When an elector moves from one ward to another within a municipality
12 or from one municipality to another within the state ~~after the last registration day~~
13 ~~but at least 10 days before the election, the elector may vote in and be considered a~~
14 ~~resident of the new ward or municipality where residing upon transferring~~
15 ~~registration under s. 6.40 (1) or upon registering at the proper polling place or other~~
16 ~~registration location in the new ward or municipality under s. 6.55 (2).~~ If the elector
17 moves within ~~10~~ 28 days of an election, the elector shall vote in the elector's old ward
18 or municipality if otherwise qualified to vote there.

19 **SECTION 6.** 6.10 (4) of the statutes is amended to read:

20 6.10 (4) The residence of an unmarried person sleeping in one ward and
21 boarding in another is the place where the person sleeps. The residence of an
22 unmarried person in a transient vocation, a teacher or a student who boards at
23 different places for part of the week, month, or year, if one of the places is the
24 residence of the person's parents, is the place of the parents' residence unless through
25 registration or similar act the person elects to establish a residence elsewhere. If the

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1 person has no parents and if the person has not registered elsewhere, the person's
2 residence shall be at the place ~~which~~ that the person considered his or her residence
3 in preference to any other for at least ~~10~~ 28 days before an election. If this place is
4 within the municipality, the person is entitled to all the privileges and subject to all
5 the duties of other citizens having their residence there, including voting.

6 **SECTION 7.** 6.15 (1) of the statutes is amended to read:

7 6.15 (1) QUALIFICATIONS. Any person who was or who is a qualified elector under
8 ss. 6.02 and 6.03, except that he or she has been a resident of this state for less than
9 ~~10~~ 28 days prior to the date of the presidential election, is entitled to vote for the
10 president and vice president but for no other offices. The fact that the person was
11 not registered to vote in the state from which he or she moved does not prevent voting
12 in this state if the elector is otherwise qualified.

13 **SECTION 8.** 6.15 (2) (a) of the statutes is amended to read:

14 6.15 (2) (a) The elector's request for the application form may be made to the
15 proper municipal clerk either in person or in writing any time during the ~~10-day~~
16 28-day period in which the elector's residence requirement is incomplete, but not
17 later than the applicable deadline for making application for an absentee ballot, ~~or~~
18 ~~may be made at the proper polling place in the ward or election district in which the~~
19 ~~elector resides.~~ The application form shall be returned to the municipal clerk after
20 the affidavit has been signed in the presence of the clerk or any officer authorized by
21 law to administer oaths. The affidavit shall be in substantially the following form:

22 STATE OF WISCONSIN

23 County of

24 I,, do solemnly swear that I am a citizen of the United States; that prior to
25 establishing Wisconsin residence, my legal residence was in the (town) (village)

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1 (city) of, state of, residing at (street address); that on the day of the next
2 presidential election, I shall be at least 18 years of age and that I have been a legal
3 resident of the state of Wisconsin since, (year), residing at (street address),
4 in the [... ward of the aldermanic district of] the (town) (village) (city) of, county
5 of; that I have resided in the state less than ~~10~~ 28 days, that I am qualified to vote
6 for president and vice president at the election to be held November, (year),
7 that I am not voting at any other place in this election and that I hereby make
8 application for an official presidential ballot, in accordance with section 6.15 of the
9 Wisconsin statutes.

10 Signed

11 P.O. Address

12 Subscribed and sworn to before me this day of, (year)

13(Name)

14(Title)

15 **SECTION 9.** 6.15 (3) (a) (title) of the statutes is repealed.

16 **SECTION 10.** 6.15 (3) (a) of the statutes is renumbered 6.15 (3) and 6.15 (3) (a),
17 as renumbered, is amended to read:

18 6.15 **(3)** (a) Upon proper completion of the application and cancellation card,
19 the municipal clerk shall inform the elector that he or she may vote for the
20 presidential electors not sooner than ~~9~~ 27 days nor later than 5 p.m. on the day before
21 the election at the office of the municipal clerk, ~~or at a specified polling place on~~
22 ~~election day.~~ When voting at the municipal clerk's office, the applicant shall provide
23 identification and shall mark or punch the ballot in the clerk's presence in a manner
24 that will not disclose his or her vote. Unless the ballot is utilized with an electronic
25 voting system, the applicant shall fold the ballot so as to conceal his or her vote. The

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1 applicant shall then deposit the ballot and seal it in an envelope furnished by the
2 clerk.

3 **SECTION 11.** 6.15 (3) (b) of the statutes is repealed.

4 **SECTION 12.** 6.18 of the statutes is amended to read:

5 **6.18 Former residents.** If ineligible to qualify as an elector in the state to
6 which the elector has moved, any former qualified Wisconsin elector may vote an
7 absentee ballot in the ward of the elector’s prior residence in any presidential election
8 occurring within 24 months after leaving Wisconsin by requesting an application
9 form and returning it, properly executed, to the municipal clerk of the elector’s prior
10 Wisconsin residence. When requesting an application form for an absentee ballot,
11 the applicant shall specify the applicant’s eligibility for only the presidential ballot.
12 The application form shall require the following information and be in substantially
13 the following form:

14 This blank shall be returned to the municipal clerk’s office. Application must
15 be received in sufficient time for ballots to be mailed and returned prior to any
16 presidential election at which applicant wishes to vote. Complete all statements in
17 full.

18 APPLICATION FOR PRESIDENTIAL

19 ELECTOR’S ABSENT BALLOT.

20 (To be voted at the Presidential Election

21 on November, (year)

22 I, hereby swear or affirm that I am a citizen of the United States, formerly
23 residing at in the ward aldermanic district (city, town, village) of, County
24 of for ~~10~~ 28 days prior to leaving the State of Wisconsin. I, do solemnly swear
25 or affirm that I do not qualify to register or vote under the laws of the State of(State

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1 you now reside in) where I am presently residing. A citizen must be a resident of:
2 State(Insert time) County(Insert time) City, Town or Village(Insert time),
3 in order to be eligible to register or vote therein. I further swear or affirm that my
4 legal residence was established in the State of(the State where you now reside)
5 on Month Day Year.

6 Signed

7 Address(Present address)

8(City)(State)

9 Subscribed and sworn to before me this day of (year)

10(Notary Public, or other officer authorized to administer oaths.)

11(County)

12 My Commission expires

13 MAIL BALLOT TO:

14 NAME

15 ADDRESS

16 CITY STATE ZIP CODE

17 *Penalties for Violations.* Whoever swears falsely to any absent elector affidavit
18 under this section may be fined not more than \$1,000 or imprisoned not more than
19 6 months, or both. Whoever intentionally votes more than once in an election may
20 be fined not more than \$10,000 or imprisoned not more than 3 years, or both.

21(Municipal Clerk)

22(Municipality)

23 **SECTION 13.** 6.26 (2) (d) of the statutes is repealed.

24 **SECTION 14.** 6.275 (1) (b) of the statutes is amended to read:

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1 6.275 (1) (b) Where registration applies, the total number of electors of the
2 municipality residing in that county who were ~~preregistered~~ registered on the
3 deadline specified in s. 6.28 (1), including valid mail registrations which are
4 postmarked by that day.

5 **SECTION 15.** 6.275 (1) (c) of the statutes is repealed.

6 **SECTION 16.** 6.275 (1) (d) of the statutes is amended to read:

7 6.275 (1) (d) Where registration applies, the total number of electors of the
8 municipality residing in that county who ~~registered~~ transferred registration on the
9 day of the primary or election under s. 6.55 (2).

10 **SECTION 17.** 6.28 (1) of the statutes is amended to read:

11 6.28 (1) REGISTRATION LOCATIONS; DEADLINE. Except as authorized in ~~ss. 6.29 and~~
12 s. 6.55 (2), registration in person for any election shall close at 5 p.m. on the ~~2nd~~
13 Wednesday 28th day preceding the election. Registrations made by mail ~~under s.~~
14 ~~6.30 (4)~~ must be delivered to the office of the municipal clerk or postmarked no later
15 than the ~~2nd Wednesday~~ 28th day preceding the election. ~~An~~ Except as authorized
16 in s. 6.55 (2), no application for registration ~~in person or by mail~~ may be accepted for
17 placement on the registration list after the ~~specified deadline, if the municipal clerk~~
18 ~~determines that the registration list can be revised to incorporate the registration~~
19 ~~in time for the election.~~ All applications for registration corrections and additions
20 may be made throughout the year at the office of the city board of election
21 commissioners, at the office of the municipal clerk, at the office of any register of
22 deeds, or at other locations provided by the board of election commissioners or the
23 common council in cities over 500,000 population or by either or both the municipal
24 clerk, or the common council, village or town board in all other municipalities and
25 may also be made during the school year at any high school by qualified persons

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1 under sub. (2) (a). Other registration locations may include but are not limited to fire
2 houses, police stations, public libraries, institutions of higher education,
3 supermarkets, community centers, plants and factories, banks, savings and loan
4 associations, and savings banks. Special registration deputies shall be appointed for
5 all locations. An elector who wishes to obtain a confidential listing under s. 6.47 (2)
6 shall register at the office of the municipal clerk of the municipality where the elector
7 resides.

8 **SECTION 18.** 6.29 of the statutes is repealed.

9 **SECTION 19.** 6.32 (3) of the statutes is repealed.

10 **SECTION 20.** 6.33 (1) of the statutes is amended to read:

11 6.33 (1) The municipal clerk shall supply sufficient registration forms as
12 prescribed by the board printed on loose-leaf sheets or cards to obtain from each
13 applicant information as to name, date, residence location, citizenship, age, whether
14 the applicant has resided within the ward or election district for at least 10 28 days,
15 whether the applicant has lost his or her right to vote, and whether the applicant is
16 currently registered to vote at any other location, and shall provide a space for the
17 applicant's signature. The forms shall also include a space for the identification
18 serial number of any elector who is issued such a number under s. 6.47 (3). Each
19 register of deeds shall obtain sufficient registration forms at the expense of the unit
20 of government by which he or she is employed for completion by any elector who
21 desires to register to vote.

22 **SECTION 21.** 6.33 (2) (b) of the statutes is amended to read:

23 6.33 (2) (b) The registration form shall be signed by the registering elector and
24 any corroborating elector under s. ~~6.29 (2) (a)~~ or 6.55 (2) before the clerk, issuing

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

3 **SECTION 22.** 6.40 (1) (a) of the statutes is amended to read:

4 6.40 (1) (a) ~~Within municipality~~ Change of residence. Any registered elector
5 shall transfer registration after a change of residence ~~within the municipality in~~
6 ~~which he or she is registered~~ by appearing in person or by mailing to the municipal
7 clerk of the municipality where the elector currently resides a signed request stating
8 his or her present address, affirming that this will be the elector's residence for 10
9 28 days prior to the election, and providing the address where he or she was last
10 registered. Alternatively, the elector may transfer his or her registration ~~at the~~
11 proper polling place or other registration location under s. 6.02 (2) in accordance with
12 s. 6.55 (2) (a). If an elector ~~is voting at a former ward or election district~~ changes his
13 or her residence from one municipality to another or from one ward to another within
14 the same municipality, within 28 days of an election, the change shall be effective for
15 the next election.

16 **SECTION 23.** 6.40 (1) (b) of the statutes is amended to read:

17 6.40 (1) (b) ~~Within state~~ Cancellation of previous registration. Any elector who
18 changes residence within this state from one municipality to another shall give his
19 or her previous residence upon application for registration at the new residence and
20 shall sign an authorization to cancel voting privileges at the former residence on a
21 form prescribed by the board and furnished by each municipality. The cancellation
22 authorization shall be forwarded to the proper election officials no later than 3 days
23 after the close of registration. ~~Such elector may also transfer his or her registration~~
24 ~~at the proper polling place or other registration location as provided in s. 6.55 (2) (a).~~

25 **SECTION 24.** 6.40 (1) (c) of the statutes is amended to read:

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1 6.40 (1) (c) *Name change*. Whenever an elector's name is legally changed,
2 including a change by marriage or divorce, the elector shall transfer his or her
3 registration to his or her legal name by appearing in person or mailing to the
4 municipal clerk a signed request for a transfer of registration to such name.
5 Alternatively, a registered elector may make notification of a name change at his or
6 her polling place under s. 6.55 ~~(2)~~-(d) (1).

7 **SECTION 25.** 6.45 (1) of the statutes is amended to read:

8 6.45 (1) After the deadline for revision of the registration list, the municipal
9 clerk shall make copies of the list for election use. The registration list and any
10 supplemental lists which are prepared at polling places or other registration
11 locations under s. 6.55 or 6.79, shall be open to public inspection. Under the
12 regulations prescribed by the municipal clerk, any person may copy the registration
13 list at the office of the clerk. A registration list maintained at a polling place may be
14 examined by any person who is observing the proceedings under s. 7.41 when such
15 use does not interfere with the conduct of the election.

16 **SECTION 26.** 6.45 (1m) of the statutes is amended to read:

17 6.45 (1m) The registration list and any supplemental lists which are prepared
18 at polling places or other registration locations under s. 6.55 or 6.79, shall be open
19 to public inspection. Under the regulations prescribed by the municipal clerk, any
20 person may copy the registration list at the office of the clerk. A registration list
21 maintained at a polling place may be examined by any person who is observing the
22 proceedings under s. 7.41 when such use does not interfere with the conduct of the
23 election. This subsection does not apply to information that is confidential under s.
24 6.47.

25 **SECTION 27.** 6.54 of the statutes is repealed.

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1 **SECTION 28.** 6.55 (title) of the statutes is amended to read:

2 **6.55 (title) ~~Polling place~~ Updating registration at polling place; voting**
3 **by certification.**

4 **SECTION 29.** 6.55 (2) (a) 1. of the statutes is renumbered 6.55 (2) (a) and
5 amended to read:

6 6.55 (2) (a) Except where the procedure under par. (c) ~~or (em)~~ is employed, any
7 ~~person who qualifies as an elector in the ward or election district where he or she~~
8 ~~desires to vote, but has not previously filed a registration form, or was registered at~~
9 ~~another location in a municipality where registration is required, registered elector~~
10 ~~who has changed his or her residence within the ward or election district in which~~
11 ~~he or she is registered and who has not notified the municipal clerk of the change of~~
12 ~~address under s. 6.40 (1) may request permission to vote at the polling place for that~~
13 ~~ward or election district serving the elector's residence, or at an alternate polling~~
14 ~~place assigned under s. 5.25 (5) (b). When a proper request is made, the inspector~~
15 ~~shall require the person elector to execute transfer his or her registration by~~
16 ~~executing a registration form prescribed by the board that shall contain the following~~
17 ~~certification:~~

18 “I,, hereby certify that to the best of my knowledge, I am a qualified elector,
19 having resided at for at least ~~10~~ 28 days immediately preceding this election, and
20 that I am not disqualified on any ground from voting, and I have not voted, at this
21 election.”

22 **SECTION 30.** 6.55 (2) (a) 2. of the statutes is repealed.

23 **SECTION 31.** 6.55 (2) (c) 1. of the statutes is amended to read:

24 6.55 (2) (c) 1. As an alternative to transferring registration at the polling place
25 under pars. (a) and (b), the board of election commissioners, or the governing body

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1 of any municipality in which registration is required, may by resolution require a
2 ~~person who qualifies as an elector and who is not registered and desires to register~~
3 ~~on the day of an election to do so~~ registered elector who has changed his or her
4 residence within the ward or election district in which he or she is registered, who
5 has not notified the municipal clerk of the change of address under s. 6.40 (1), and
6 who desires to vote to transfer his or her registration at another readily accessible
7 location in the same building as the polling place serving the elector's residence or
8 at an alternate polling place assigned under s. 5.25 (5) (b), instead of at the polling
9 place serving the elector's residence. In such case, the municipal clerk shall
10 prominently post a notice ~~of the registration location~~ at the polling place of the
11 location designated for transferring registrations. The municipal clerk, deputy
12 clerk, or special registration deputy at the registration location shall require such
13 person to execute transfer his or her registration by executing a registration form as
14 prescribed under par. (a) and to provide acceptable proof of residence as provided
15 under sub. (7). If the person cannot supply such proof, the registration form shall be
16 corroborated in the manner provided in par. (b). The signing by the elector executing
17 the form and by any corroborating elector shall be in the presence of the municipal
18 clerk, deputy clerk, or special registration deputy. Upon proper completion of
19 registration, the municipal clerk, deputy clerk, or special registration deputy shall
20 serially number the registration and give one copy to the elector for presentation at
21 the polling place serving the elector's residence or an alternate polling place assigned
22 under s. 5.25 (5) (b).

23 **SECTION 32.** 6.55 (2) (cm) of the statutes is repealed.

24 **SECTION 33.** 6.55 (2) (d) of the statutes is renumbered 6.55 (1) and amended to
25 read:

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1 6.55 (1) A registered elector who has changed his or her name but resides at
2 the same address, and has not notified the municipal clerk under s. 6.40 (1) (c), shall
3 notify the inspector of the change before voting. The inspector shall then notify the
4 municipal clerk at the time ~~which~~ that materials are returned under s. 6.56 (1). If
5 ~~an A registered elector changes both a name and address, the elector who has~~
6 changed his or her residence within the ward or election district in which he or she
7 is registered and who has not notified the municipal clerk of the change of address
8 under s. 6.40 (1) shall complete transfer registration by completing a registration
9 form at the polling place or other registration location under pars. (a) and (b) sub. (2)
10 before voting. A registered elector who has changed his or her residence within this
11 state from one municipality to another or within a municipality from one ward to
12 another, and who has not notified the municipal clerk of the change of address under
13 s. 6.40 (1), may not be permitted to vote, except at a subsequent election for which
14 the elector is properly registered or as authorized under s. 6.10 (3) or 6.85 (2).

15 **SECTION 34.** 6.55 (3) of the statutes is amended to read:

16 6.55 (3) Any qualified elector in the ward or election district where the elector
17 desires to vote whose name does not appear on the registration list where
18 registration is required but who claims to be registered to vote in the election may
19 request permission to vote at the polling place for that ward or election district.
20 When the request is made, the inspector shall require the person to give his or her
21 name and address. If the elector is not at the polling place which serves the ward or
22 election district where the elector resides, the inspector shall provide the elector with
23 directions to the correct polling place. If the elector is at the correct polling place, the
24 elector shall then execute the following written statement: “I,, hereby certify that
25 to the best of my knowledge, I am a qualified elector, having resided at for at least

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1 40 28 days immediately preceding this election, and that I am not disqualified on any
2 ground from voting, and I have not voted at this election and am properly registered
3 to vote in this election.” The person shall be required to provide acceptable proof of
4 residence as provided under sub. (7) and shall then be given the right to vote. If
5 acceptable proof is presented, the elector need not have the information corroborated
6 by any other elector. If acceptable proof is not presented, the statement shall be
7 certified by the elector and shall be corroborated by another elector who resides in
8 the municipality. The corroborator shall then provide acceptable proof of residence
9 as provided in sub. (7). Whenever the question cannot be satisfactorily resolved and
10 the elector permitted to vote, an inspector shall telephone the office of the municipal
11 clerk to reconcile the records at the polling place with those at the office.

12 **SECTION 35.** 6.55 (6) of the statutes is repealed.

13 **SECTION 36.** 6.56 (1) of the statutes is amended to read:

14 6.56 (1) The list containing the names of persons voting under ~~ss. 6.29 and s.~~
15 6.55 (2) and (3) shall be returned together with all forms and certificates to the
16 municipal clerk.

17 **SECTION 37.** 6.56 (3) of the statutes is amended to read:

18 6.56 (3) The municipal clerk or board of election commissioners shall make an
19 audit of all electors ~~registering to vote~~ transferring registration at the polling place
20 or other registration location under s. 6.55 (2) upon receipt of the list under sub. (1).
21 The audit shall be made by 1st class postcard. The postcard shall be labeled “ADDRESS
22 CORRECTION REQUESTED” or “DO NOT FORWARD—RETURN POSTAGE GUARANTEED”.
23 GUARANTEE. If any postcard is returned undelivered, or if the clerk or board of
24 election commissioners is informed of a different address than the one specified by
25 the elector ~~which~~ that was apparently improper on the day of the election, the clerk

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1 or board shall remove the elector's name from the registration list, mail the elector
2 a notice of the removal, and provide the name to the district attorney for the county
3 where the polling place is located.

4 **SECTION 38.** 6.79 (2) of the statutes is amended to read:

5 **6.79 (2) MUNICIPALITIES WITH REGISTRATION.** Except as provided in sub. (6) (b),
6 where there is registration, each person, before receiving a voting number, shall state
7 his or her full name and address. Upon the prepared registration list, after the name
8 of each elector, the officials shall enter the serial number of the vote as it is polled,
9 beginning with number one. Each elector shall receive a slip bearing the same serial
10 number. The officials shall enter upon the prepared registration list, after the name
11 of any elector who updates his or her registration under s. 6.55 (1), the updated name
12 of the elector. A separate list shall be maintained for electors who are voting under
13 s. 6.15, ~~6.29~~ or 6.55 (2) or (3) and electors who are reassigned from another polling
14 place under s. 5.25 (5) (b). Each such elector shall have his or her full name, address,
15 and serial number likewise entered and shall be given a slip bearing such number.

16 **SECTION 39.** 6.79 (4) of the statutes is amended to read:

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

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

4 **SECTION 40.** 6.85 of the statutes is amended to read:

5 **6.85 Absent elector; definition. (1)** An absent elector is any otherwise
6 qualified elector who for any reason is unable or unwilling to appear at the polling
7 place in his or her ward.

8 **(2)** Any otherwise qualified elector who changes residence within this state by
9 moving to a different ward or municipality later than ~~10~~ 28 days prior to an election
10 may vote an absentee ballot in the ward or municipality where he or she was
11 qualified to vote before moving.

12 **(3)** An elector qualifying under this section may vote by absentee ballot under
13 ss. 6.86 to 6.89.

14 **SECTION 41.** 6.87 (2) of the statutes is amended to read:

15 **6.87 (2)** Except as authorized under sub. (3) (d), the municipal clerk shall place
16 the ballot in an unsealed envelope furnished by the clerk. The envelope shall have
17 the name, official title and post-office address of the clerk upon its face. The other
18 side of the envelope shall have a printed certificate in substantially the following
19 form:

20 [STATE OF

21 County of]

22 or

23 [(name of foreign country and city or other jurisdictional unit)]

24 I,, certify subject to the penalties of s. 12.60 (1) (b), Wis. Stats., for false
25 statements, that I am a resident of the [... ward of the] (town) (village) of, or of

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1 the aldermanic district in the city of, residing at in said city, the county
2 of, state of Wisconsin, and am entitled to vote in the (ward) (election district) at
3 the election to be held on; that I am not voting at any other location in this election;
4 that I am unable or unwilling to appear at the polling place in the (ward) (election
5 district) on election day or have changed my residence within the state from one ward
6 or election district to another within 10 28 days before the election. An elector who
7 provides an identification serial number issued under s. 6.47 (3) need not provide a
8 street address. I certify that I exhibited the enclosed ballot unmarked to the witness,
9 that I then in (his) (her) presence and in the presence of no other person marked the
10 ballot and enclosed and sealed the same in this envelope in such a manner that no
11 one but myself and any person rendering assistance under s. 6.87 (5), Wis. Stats., if
12 I requested assistance, could know how I voted.

13 Signed

14 Identification serial number, if any:

15 The witness shall execute the following:

16 I, the undersigned witness, subject to the penalties of s. 12.60 (1) (b), Wis.
17 Stats., for false statements, certify that the above statements are true and the voting
18 procedure was executed as there stated. I am not a candidate for any office on the
19 enclosed ballot (except in the case of an incumbent municipal clerk). I did not solicit
20 or advise the elector to vote for or against any candidate or measure.

21(Name)

22(Address)

23 **SECTION 42.** 6.94 of the statutes is amended to read:

24 **6.94 Challenged elector oath.** If the person challenged refuses to answer
25 fully any relevant questions put to him or her by the inspector under s. 6.92, the

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1 inspectors shall reject the elector’s vote. If the challenge is not withdrawn after the
2 person offering to vote has answered the questions, one of the inspectors shall
3 administer to the person the following oath or affirmation: “You do solemnly swear
4 (or affirm) that: you are 18 years of age; you are a citizen of the United States; you
5 are now and for ~~10~~ 28 days have been a resident of this ward except under s. 6.02 (2);
6 you have not voted at this election; you have not made any bet or wager or become
7 directly or indirectly interested in any bet or wager depending upon the result of this
8 election; you are not on any other ground disqualified to vote at this election”. If the
9 person challenged refuses to take the oath or affirmation, the person’s vote shall be
10 rejected. If the person challenged answers fully all relevant questions put to the
11 elector by the inspector under s. 6.92, takes the oath or affirmation, fulfills the
12 registration requirements, where applicable, and the answers to the questions given
13 by the person indicate that the person meets the voting qualification requirements,
14 the person’s vote shall be received.

15 **SECTION 43.** 7.03 (1) (d) of the statutes is amended to read:

16 7.03 (1) (d) ~~Special registration deputies appointed under s. 6.55 (6), special~~
17 ~~voting~~ deputies appointed under s. 6.875 (4) and officials and trainees who attend
18 training sessions under s. 7.15 (1) (e) or 7.25 (5) may be compensated at the option
19 of the municipality.

20 **SECTION 44.** 7.30 (2) (a) of the statutes is amended to read:

21 7.30 (2) (a) Only election officials appointed under this section may conduct an
22 election. Except as authorized in s. 7.15 (1) (k), each inspector shall be a qualified
23 elector in the ward for which the polling place is established. ~~Special registration~~
24 ~~deputies appointed under s. 6.55 (6) and election~~ Election officials serving more than
25 one ward or when necessary to fill a vacancy under par. (b) need not be a resident of

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1 that ward, but shall be a resident of the municipality. Special registration deputies
2 may be appointed to serve more than one polling place. All officials shall be able to
3 read and write the English language, be capable, be of good understanding, and may
4 not be a candidate for any office to be voted for at an election at which they serve.
5 In 1st class cities, they may hold no public office other than notary public. Except
6 as authorized under sub. (4) (c), all inspectors shall be affiliated with one of the 2
7 recognized political parties ~~which~~ that received the largest number of votes for
8 president, or governor in nonpresidential general election years, in the ward or
9 combination of wards served by the polling place at the last election. The party ~~which~~
10 that received the largest number of votes is entitled to one more inspector than the
11 party receiving the next largest number of votes at each polling place. The same
12 election officials may serve the electors of more than one ward where wards are
13 combined under s. 5.15 (6) (b). If a municipality is not divided into wards, the ward
14 requirements in this paragraph apply to the municipality at large.

SECTION 45. Initial applicability.

(1) This act first applies to the 2002 September primary.

(END)