

2001 DRAFTING REQUEST

Senate Substitute Amendment (SSA-AB826)

Received: 03/08/2002

Received By: **kuesejt**

Wanted: **Today**

Identical to LRB:

For: **Mark Meyer (608) 266-5490**

By/Representing: **Grant Huber**

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

Drafter: **kuesejt**

May Contact: **Kevin Kennedy- Elections Bd**

Adl. Drafters: **rmarchan
grantpr
malaigm**

Subject: **Elections - miscellaneous
Employ Priv - child labor
Education - miscellaneous**

Extra Copies:

Submit via email: **NO**

Pre Topic:

No specific pre topic given

Topic:

SSA to AB-826 (Various election-related changes)

Instructions:

Per LRBs0366/1 + AA2 to AB-826.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Rcvicwed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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TODAY

steps
PMMR

SENATE SUBSTITUTE AMENDMENT,
AB 826
TO 2001 SENATE BILL 477

NOTE

SAW

Repeal

1 AN ACT *to repeal* 8.15 (9), 8.20 (10), 9.10 (2) (em) 4. and 5., 9.10 (2) (o) and 9.10
2 (2) (r) 1. to 3.; *to renumber and amend* 6.92; *to amend* 5.86, 6.87 (2) (form),
3 6.875 (1) (at), 6.875 (2) (a), 6.875 (6), 6.88 (1), 7.03 (1) (a), 7.03 (1) (b), (bm), (c)
4 and (d), 7.08 (3) (intro.) and (4), 7.30 (2) (a), 7.30 (4) (b) 1., 7.30 (6) (b), 7.33 (2),
5 7.41 (4), 7.51 (1), 7.60 (2), 8.15 (4) (a), 8.21, 8.40 (2), 9.10 (2) (e) 3., 9.10 (4) (d),
6 10.06 (3) (am), 10.06 (3) (bm), 11.21 (3), 11.21 (14), 103.67 (1), 103.68 (1), 103.70
7 (2) and 755.01 (4); and *to create* 6.92 (2), 7.08 (5), 7.30 (2) (am) and 118.15 (3)
8 (d) of the statutes; **relating to:** various changes in election administration
9 laws.

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

10 SECTION 1. 5.86 of the statutes is amended to read:
11 **5.86 Proceedings at central counting location locations.** (1) All
12 proceedings at the each central counting location shall be under the direction of the

1 municipal clerk or an election official designated by the clerk unless the central
2 counting location is at the county seat and the municipal clerk delegates the
3 responsibility to supervise the location to the county clerk, in which case the
4 proceedings shall be under the direction of the county clerk or an election official
5 designated by the county clerk. Unless election officials are selected under s. 7.30
6 (4) (c) without regard to party affiliation, the employees at the each central counting
7 location, other than any specially trained technicians who are required for the
8 operation of the automatic tabulating equipment, shall be equally divided between
9 members of the 2 major political parties under s. 7.30 (2) (a) and all duties performed
10 by the employees shall be by teams consisting of an equal number of members of each
11 political party whenever sufficient persons from each party are available.

12 (2) At the each central counting location, a team of election officials designated
13 by the clerk or other election official having charge of the location under sub. (1) shall
14 check the container returned containing the ballots to determine that all seals are
15 intact, and thereupon shall open the container, check the inspectors' slip and
16 compare the number of ballots so delivered against the total number of electors of
17 each ward served by the polling place who voted, remove the ballots or record of the
18 votes cast and deliver them to the technicians operating the automatic tabulating
19 equipment. Any discrepancies between the number of ballots and total number of
20 electors shall be noted on a sheet furnished for that purpose and signed by the
21 election officials.

22 SECTION 2. 6.87 (2) (form) of the statutes is amended to read:

23 6.87 (2) (form)

24 [STATE OF

25 County of]

1 or

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

3 I,, certify subject to the penalties of s. 12.60 (1) (b), Wis. Stats., for false
4 statements, that I am a resident of the [.... ward of the] (town) (village) of, or of
5 the aldermanic district in the city of, residing at* in said city, the county
6 of, state of Wisconsin, and am entitled to vote in the (ward) (election district) at
7 the election to be held on; that I am not voting at any other location in this election;
8 that I am unable or unwilling to appear at the polling place in the (ward) (election
9 district) on election day or have changed my residence within the state from one ward
10 or election district to another within 10 days before the election. ~~An elector who~~
11 ~~provides an identification serial number issued under s. 6.47 (3) need not provide a~~
12 ~~street address.~~ I certify that I exhibited the enclosed ballot unmarked to the witness,
13 that I then in (his) (her) presence and in the presence of no other person marked the
14 ballot and enclosed and sealed the same in this envelope in such a manner that no
15 one but myself and any person rendering assistance under s. 6.87 (5), Wis. Stats., if
16 I requested assistance, could know how I voted.

17 Signed

18 Identification serial number, if any:

19 The witness shall execute the following:

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

25(Name)

1 (Address)**

2 * — An elector who provides an identification serial number issued under s.
3 6.47 (3), Wis. Stats., need not provide a street address.

4 ** — If this form is executed before 2 special voting deputies under s. 6.875 (6),
5 Wis. Stats., both deputies shall witness and sign.

6 SECTION 3. 6.875 (1) (at) of the statutes is amended to read:

7 6.875 (1) (at) “Qualified retirement home” means a retirement home that
8 qualifies under sub. (2) ~~(b)~~ (c) to utilize the procedures under this section.

9 SECTION 4. 6.875 (2) (a) of the statutes is amended to read:

10 6.875 (2) (a) The procedures prescribed in this section are the exclusive means
11 of absentee voting for electors who are occupants of nursing homes ~~or~~, qualified
12 community–based residential facilities or qualified retirement homes.

13 SECTION 5. 6.875 (6) of the statutes, as affected by 2001 Wisconsin Act 16, is
14 amended to read: ✓

15 6.875 (6) Special voting deputies in each municipality shall, not later than 5
16 p.m. on the Friday preceding an election, arrange one or more convenient times with
17 the administrator of each nursing home ~~or~~, qualified retirement home, and qualified
18 community–based residential facility in the municipality from which one or more
19 occupants have filed an application under s. 6.86 to conduct absentee voting for the
20 election. The time may be no earlier than the 4th Monday preceding the election and
21 no later than 5 p.m. on the Monday preceding the election. Upon request of a relative
22 of an occupant of a nursing home or qualified retirement home or qualified
23 community–based residential facility, the administrator may notify the relative of
24 the time or times at which special voting deputies will conduct absentee voting at the
25 home or facility, and permit the relative to be present in the room where the voting

1 is conducted. At the designated time, 2 deputies appointed under sub. (4) shall visit
2 the ~~nursing home or qualified retirement home or qualified community-based~~
3 ~~residential~~ facility. The municipal clerk or executive director of the board of election
4 commissioners shall issue a supply of absentee ballots to the deputies sufficient to
5 provide for the number of valid applications received by the clerk, and a reasonable
6 additional number of ballots. The municipal clerk or executive director shall keep
7 a careful record of all ballots issued to the deputies and shall require the deputies to
8 return every ballot issued to them. The deputies shall personally offer each elector
9 who has filed a proper application the opportunity to cast his or her absentee ballot.
10 If an elector is present who has not filed a proper application, the 2 deputies may
11 accept an application from the elector and shall issue a ballot to the elector if the
12 elector is qualified and the application is proper. The deputies shall ~~administer~~ each
13 witness the oath certification and may, upon request of the elector, assist the elector
14 in marking the elector's ballot. Upon request of the elector, a relative of the elector
15 who is present in the room may assist the elector in marking the elector's ballot. All
16 voting shall be conducted in the presence of the deputies. No individual other than
17 a deputy may ~~administer~~ witness the oath certification and no individual other than
18 a deputy or relative of an elector may render voting assistance to the elector. Upon
19 completion of the voting, the deputies shall promptly deliver, either personally or by
20 1st class mail, any absentee ballot applications and the sealed certificate envelope
21 containing each ballot to the clerk or board of election commissioners of the
22 municipality in which the elector casting the ballot resides, within such time as will
23 permit delivery to the polling place serving the elector's residence on election day.
24 Personal delivery may be made by the deputies no later than noon on election day.
25 If a qualified elector is not able to cast his or her ballot on 2 separate visits by the

1 deputies to the ~~nursing home or qualified retirement home~~ facility, they shall so
2 inform the municipal clerk or executive director of the board of election
3 commissioners, who may then send the ballot to the elector no later than 5 p.m. on
4 the Friday preceding the election.

5 **SECTION 6.** 6.88 (1) of the statutes is amended to read:

6 6.88 (1) When an absentee ballot arrives at the office of the municipal clerk,
7 the clerk shall enclose it, unopened, in a carrier envelope which shall be securely
8 sealed and endorsed with the name and official title of the clerk, and the words “This
9 envelope contains the ballot of an absent elector and must be opened at the polls
10 during polling hours on election day”. If the ballot was received by the elector by
11 facsimile transmission or electronic mail and is accompanied by a separate
12 certificate, the clerk shall enclose the ballot in a certificate envelope and securely
13 append the completed certificate to the outside of the envelope before enclosing the
14 ballot in the carrier envelope. The clerk shall keep the ballot in the clerk’s office until
15 delivered, as required in sub. (2).

16 **SECTION 7.** 6.92 of the statutes is renumbered 6.92 (1) and amended to read:

17 6.92 (1) ~~Each~~ Except as provided in sub. (2), each inspector shall challenge for
18 cause any person offering to vote whom the inspector knows or suspects is not a
19 qualified elector. If a person is challenged as unqualified by an inspector, one of the
20 inspectors shall administer the following oath or affirmation to the person: “You do
21 solemnly swear (or affirm) that you will fully and truly answer all questions put to
22 you regarding your place of residence and qualifications as an elector of this
23 election”; and shall then ask questions which are appropriate as determined by the
24 board, by rule, to test the person’s qualifications.

25 **SECTION 8.** 6.92 (2) of the statutes is created to read:

1 6.92 (2) An inspector appointed under s. 7.30 (2) (am) may not challenge any
2 person offering to vote.

3 **SECTION 9.** 7.03 (1) (a) of the statutes, as affected by 2001 Wisconsin Act 16, is
4 amended to read:

5 7.03 (1) (a) ~~A~~ Except as authorized under this paragraph, a reasonable daily
6 compensation shall be paid to each inspector, voting machine custodian, automatic
7 tabulating equipment technician, member of a board of canvassers, messenger, and
8 tabulator who is employed and performing duties under chs. 5 to 12. Daily
9 compensation shall also be provided to officials and trainees for attendance at
10 training sessions and examinations required by the board under s. 7.31.
11 Alternatively, such election officials and trainees may be paid by the hour at a
12 proportionate rate for each hour actually worked. Any election official or trainee may
13 choose to volunteer his or her services by filing with the municipal clerk of the
14 municipality in which he or she serves a written declination to accept compensation.
15 The volunteer status of the election official or trainee remains effective until the
16 official or trainee files a written revocation with the municipal clerk.

17 **SECTION 10.** 7.03 (1) (b), (bm), (c) and (d) of the statutes are amended to read:

18 7.03 (1) (b) Except as provided in par. (bm), payment any compensation owed
19 shall be made paid by the municipality in which the election is held, except that any
20 compensation payable to a technician, messenger, tabulator, or member of the board
21 of canvassers who is employed to perform services for the county shall be paid by the
22 county and compensation payable to any messenger or tabulator who is employed to
23 perform services for the state shall be paid by the board.

24 (bm) Whenever a special election is called by a county or by a school district,
25 a technical college district, a sewerage district, a sanitary district, or a public inland

1 lake protection and rehabilitation district, the county or district shall pay the
2 compensation of all election officials performing duties in those municipalities, as
3 determined under sub. (2).

4 (c) If a central counting location serving more than one municipality is utilized
5 under s. 7.51 (1), the cost of compensation of election officials at the location shall be
6 proportionately divided between the municipalities utilizing the location, except
7 that if all municipalities within a county utilize the location, the compensation shall
8 be paid by the county.

9 (d) ~~Special~~ Except as otherwise provided in par. (a), special registration
10 deputies appointed under s. 6.55 (6), special voting deputies appointed under s. 6.875
11 (4) and officials and trainees who attend training sessions under s. 7.15 (1) (e) or 7.25
12 (5) may also be compensated by the municipality where they serve at the option of
13 the municipality.

14 **SECTION 11.** 7.08 (3) (intro.) and (4) of the statutes are amended to read:

15 7.08 (3) ELECTION MANUAL. (intro.) Prepare and publish separate from the
16 election laws an election manual written so as to be easily understood by the general
17 public explaining the duties of the election officials, together with notes and
18 references to the statutes as the board considers advisable. ~~The manual shall be~~
19 ~~furnished by the board free to each county and municipal clerk or board of election~~
20 ~~commissioners and others in such manner as it deems most likely to promote the~~
21 ~~public welfare.~~ The election manual shall:

22 (4) ELECTION LAWS. Publish the election laws. ~~The board shall furnish the~~
23 ~~election laws free to each county and municipal clerk and board of election~~
24 ~~commissioners in sufficient supply to provide one copy for reference at each office and~~
25 ~~at each polling place.~~ The board shall sell or distribute or arrange for the sale or

1 distribution of copies of the election laws to county and municipal clerks and boards
2 of election commissioners and members of the public.

3 SECTION 12. 7.08 (5) of the statutes is created to read:

4 7.08 (5) DISTRICT MAPS. Distribute, upon request and free of charge, to any
5 candidate for representative in Congress, state senator, or representative to the
6 assembly a copy of the map or maps received under s. 16.96 (3) (b) showing district
7 boundaries.

8 SECTION 13. 7.30 (2) (a) of the statutes is amended to read:

9 7.30 (2) (a) Only election officials appointed under this section may conduct an
10 election. Except as authorized in s. 7.15 (1) (k), each inspector shall be a qualified
11 elector ~~in~~ of the ward or wards, or the election district, for which the polling place is
12 established. Special registration deputies appointed under s. 6.55 (6) and election
13 officials ~~servng more than one ward or when necessary~~ who are appointed to fill a
14 vacancy under par. (b) need not be a resident of ~~that~~ the ward or wards, or the election
15 district, but shall be a resident of the municipality. Special registration deputies may
16 be appointed to serve more than one polling place. All officials shall be able to read
17 and write the English language, be capable, be of good understanding, and may not
18 be a candidate for any office to be voted for at an election at which they serve. In 1st
19 class cities, they may hold no public office other than notary public. Except as
20 authorized under sub. (4) (c), all inspectors shall be affiliated with one of the 2
21 recognized political parties which received the largest number of votes for president,
22 or governor in nonpresidential general election years, in the ward or combination of
23 wards served by the polling place at the last election. The party which received the
24 largest number of votes is entitled to one more inspector than the party receiving the
25 next largest number of votes at each polling place. The same election officials may

1 serve the electors of more than one ward where wards are combined under s. 5.15 (6)
2 (b). If a municipality is not divided into wards, the ward requirements in this
3 paragraph apply to the municipality at large.

at least

and who has a 3.0 grade point average or the equivalent

4 SECTION 14. 7.30 (2) (am) of the statutes is created to read:

5 7.30 (2) (am) Except as otherwise provided in this paragraph, a pupil who is
6 16 or 17 years of age ~~and~~ who is enrolled in grades 9 to 12 in a public or private school
7 may serve as an inspector at the polling place serving the pupil's residence, with the
8 approval of the pupil's parent or guardian and of the principal of the school in which
9 the pupil is enrolled. A pupil may serve as an inspector at a polling place under this
10 paragraph only if at least one election official at the polling place other than the chief
11 inspector is a qualified elector of this state. No pupil may serve as chief inspector at
12 a polling place under this paragraph. Before appointment by any municipality of a
13 pupil as an inspector under this paragraph, the municipal clerk shall obtain written
14 authorization from the pupil's parent or guardian and from the principal of the school
15 where the pupil is enrolled for the pupil to serve for the entire term for which he or
16 she is appointed. Upon appointment of a pupil to serve as an inspector, the municipal
17 clerk shall notify the principal of the school where the pupil is enrolled of the date
18 of expiration of the pupil's term of office.

19 SECTION 15. 7.30 (4) (b) 1. of the statutes is amended to read:

20 7.30 (4) (b) 1. In cities where there is a board of election commissioners, the
21 aldermanic district committeemen or committeewomen under s. 8.17 of each of the
22 2 dominant recognized political parties shall submit a certified list no later than
23 November 30 of each even-numbered year containing the names of at least as many
24 electors nominees as there are inspectors from that party for each of the voting wards
25 in the aldermanic district. The chairperson may designate any individual whose

1 name is submitted as a first choice nominee. The board of election commissioners
2 shall appoint, no later than December 31 of even-numbered years, at least 5
3 inspectors for each ward. The board of election commissioners shall appoint all first
4 choice nominees for so long as positions are available, unless nonappointment is
5 authorized under par. (e), and shall appoint other individuals in its discretion. The
6 board of election commissioners may designate such alternates as it deems
7 advisable.

8 **SECTION 16.** 7.30 (6) (b) of the statutes, as affected by 2001 Wisconsin Act 16,
9 is amended to read:

10 7.30 (6) (b) Prior to the first election following the appointment of the
11 inspectors, the ~~inspectors at each polling place~~ municipal clerk shall ~~elect~~ appoint
12 ~~one of their number~~ the inspectors at each polling place to act serve as chief inspector.
13 No person may serve as chief inspector at any election who is not certified by the
14 board under s. 7.31 at the time of the election. The chief inspector shall hold the
15 position for the remainder of the term unless the inspector is removed by the clerk
16 or the inspector ceases to be certified under s. 7.31, except that whenever wards are
17 combined or separated under s. 5.15 (6) (b), the ~~inspectors~~ municipal clerk shall ~~elect~~
18 ~~a new chief~~ appoint another inspector who is certified under s. 7.31 to serve as chief
19 inspector at each polling place designated under s. 5.15 (6) (b). If a vacancy occurs
20 in the position of chief inspector at any polling place, the municipal clerk shall
21 appoint one of the other inspectors who is certified under s. 7.31 to fill the vacancy.

22 **SECTION 17.** 7.33 (2) of the statutes is amended to read:

23 7.33 (2) Service as an election official under this chapter shall be mandatory
24 upon all ~~qualified electors~~ individuals appointed, during the full 2-year term, after
25 which they shall be exempt from further service as an election official, under this

1 chapter, until 3 terms of 2 years each have elapsed. Municipal clerks may grant
2 exemptions from service at any time.

3 **SECTION 18.** 7.41 (4) of the statutes, as affected by 2001 Wisconsin Act 39, is
4 amended to read:

5 7.41 (4) No individual exercising the right under sub. (1) may view the
6 confidential portion of a registration list maintained under s. 6.36 (4) or a poll list
7 maintained under s. 6.79 (6). However, the inspectors shall disclose to such an
8 individual, upon request, the existence of such a list, the number of electors whose
9 names appear on the list, and the number of those electors who have voted at any
10 point in the proceedings. No ~~observer~~ such individual may view the
11 ~~certificate–affidavit form certificate~~ of an absent elector who obtains a confidential
12 listing under s. 6.47 (2).

13 **SECTION 19.** 7.51 (1) of the statutes is amended to read:

14 7.51 (1) CANVASS PROCEDURE. Immediately after the polls close the inspectors
15 shall proceed to canvass publicly all votes received at the polling place. In any
16 municipality where an electronic voting system is used, the municipal governing
17 body or board of election commissioners may provide or authorize the municipal
18 clerk or executive director of the board of election commissioners to provide for the
19 adjournment of the canvass to one or more central counting locations for specified
20 polling places in the manner prescribed in subch. III of ch. 5. No central counting
21 location may be used to count votes at a polling place where an electronic voting
22 system is not employed. The canvass, whether conducted at the polling place or at
23 the a central counting location, shall continue without adjournment until the
24 canvass is completed and the return statements are made. The inspectors shall not

1 permit access to the name of any elector who has obtained a confidential listing under
2 s. 6.47 (2) during the canvass, except as authorized in s. 6.47 (8).

3 SECTION 20. 7.60 (2) of the statutes is amended to read:

4 7.60 (2) COUNTY BOARD OF CANVASSERS. The county clerk and 2 qualified electors
5 of the county appointed by the clerk constitute the county board of canvassers. The
6 members of the board of canvassers shall serve for 2-year terms commencing on
7 January 1 of each odd-numbered year, except that any member who is appointed to
8 fill a permanent vacancy shall serve for the unexpired term of the original appointee.
9 One member of the board of canvassers shall belong to a political party other than
10 the clerk's. If The county clerk shall designate a deputy clerk who shall perform the
11 clerk's duties as a member of the board of canvassers in the event that the county
12 clerk's office is vacant, if the clerk cannot perform his or her duties, or if the clerk is
13 a candidate at an election being canvassed, the county clerk shall designate a deputy
14 clerk to perform the clerk's duties. If the county clerk and designated deputy clerk
15 are both unable to perform their duties, the county executive or, if there is no county
16 executive, the chairperson of the county board of supervisors shall designate another
17 qualified elector of the county to perform the clerk's duties. If a member other than
18 the clerk cannot perform his or her duties, the clerk shall appoint another member
19 to serve. No person may serve on the county board of canvassers if the person is a
20 candidate for an office to be canvassed by that board. If lists of candidates for the
21 county board of canvassers are submitted to the county clerk by political party county
22 committees, the lists shall consist of at least 3 names and the clerk shall choose the
23 board members from the lists. Where there is a county board of election
24 commissioners, it shall serve as the board of canvassers. If the county board of
25 election commissioners serves as the board of canvassers, the executive director of

1 the county board of election commissioners shall serve as a member of the board of
2 canvassers to fill a temporary vacancy on that board.

3 **SECTION 21.** 8.15 (4) (a) of the statutes is amended to read:

4 8.15 (4) (a) The certification of a qualified elector stating his or her residence
5 with street and number, if any, shall appear at the bottom of each nomination paper,
6 stating he or she personally circulated the nomination paper and personally
7 obtained each of the signatures; he or she knows they are electors of the ward,
8 aldermanic district, municipality or county, as the nomination papers require; he or
9 she knows they signed the paper with full knowledge of its content; he or she knows
10 their respective residences given; he or she knows each signer signed on the date
11 stated opposite his or her name; and, that he or she, the circulator, resides within the
12 district which the candidate named therein will represent, if elected; that he or she
13 intends to support the candidate; and that he or she is aware that falsifying the
14 certification is punishable under s. 12.13 (3) (a), Wis. stats. The circulator shall
15 indicate the date that he or she makes the certification next to his or her signature.

16 The certification may be made by the candidate or any qualified elector.

17 **SECTION 22.** 8.15 (9) of the statutes is repealed.

18 **SECTION 23.** 8.20 (10) of the statutes is repealed.

19 **SECTION 24.** 8.21 of the statutes is amended to read:

20 **8.21 Declaration of candidacy.** Each candidate, except a candidate for
21 presidential elector under s. 8.20 (2) (d), shall file a declaration of candidacy, no later
22 than the latest time provided for filing nomination papers under s. 8.10 (2) (a), 8.15
23 (1), 8.20 (8) (a) or 8.50 (3) (a), or the time provided under s. 8.16 (2) or 8.35 (2) (c).
24 A candidate shall file the declaration with the officer or agency with which
25 nomination papers are filed for the office which the candidate seeks, or if nomination

1 papers are not required, with the clerk or board of election commissioners of the
2 jurisdiction in which the candidate seeks office. The declaration shall be sworn to
3 before any officer authorized to administer oaths. The declaration shall contain the
4 name of the candidate in the form specified under s. 8.10 (2) (b) for candidates for
5 nonpartisan office or s. 8.15 (5) (a) or 8.20 (2) (a) for candidates for partisan office,
6 and shall state that the signer is a candidate for a named office, that he or she meets
7 or will at the time he or she assumes office meet applicable age, citizenship, residency
8 or voting qualification requirements, if any, prescribed by the constitutions and laws
9 of the United States and of this state, and that he or she will otherwise qualify for
10 office if nominated and elected. The declaration shall include the candidate's name
11 in the form in which it will appear on the ballot. Each candidate for state and local
12 office shall include in the declaration a statement that he or she has not been
13 convicted of any ~~infamous crime~~ misdemeanor designated under state or federal law
14 as a violation of the public trust or any felony for which he or she has not been
15 pardoned ~~and a list of all felony convictions for which he or she has not been~~
16 ~~pardoned~~. In addition, each candidate for state or local office shall include in the
17 declaration a statement that discloses his or her municipality of residence for voting
18 purposes, and the street and number, if any, on which the candidate resides. The
19 declaration is valid with or without the seal of the officer who administers the oath.
20 A candidate for state or local office shall file an amended declaration under oath with
21 the same officer or agency if any information contained in the declaration changes
22 at any time after the original declaration is filed and before the candidate assumes
23 office or is defeated for election or nomination.

24 SECTION 25. 8.40 (2) of the statutes is amended to read:

1 8.40 (2) The certification of a qualified elector stating his or her residence with
2 street and number, if any, shall appear at the bottom of each separate sheet of each
3 petition specified in sub. (1), stating that he or she personally circulated the petition
4 and personally obtained each of the signatures; that the circulator knows that they
5 are electors of the jurisdiction or district in which the petition is circulated; that the
6 circulator knows that they signed the paper with full knowledge of its content; that
7 the circulator knows their respective residences given; that the circulator knows that
8 each signer signed on the date stated opposite his or her name; that the circulator
9 resides within the jurisdiction or district in which the petition is circulated; and that
10 the circulator is aware that falsifying the certification is punishable under s. 12.13

11 (3) (a). The circulator shall indicate the date that he or she makes the certification
12 next to his or her signature.

13 **SECTION 26.** 9.10 (2) (e) 3. of the statutes is amended to read:

14 9.10 (2) (e) 3. The signature is dated after the date of the ~~notarization~~
15 certification contained on the petition sheet.

16 **SECTION 27.** 9.10 (2) (em) 4. and 5. of the statutes are repealed.

17 **SECTION 28.** 9.10 (2) (o) of the statutes is repealed.

18 **SECTION 29.** 9.10 (2) (r) 1. to 3. of the statutes are repealed.

19 **SECTION 30.** 9.10 (4) (d) of the statutes is amended to read:

20 9.10 (4) (d) The Promptly upon receipt of a certificate under par. (a), the
21 governing body, school board, or board of election commissioners upon receiving the
22 certificate shall call an a recall election. The recall election shall be held on the
23 Tuesday of the 6th week commencing after the date of on which the certificate. If is
24 filed, except that if Tuesday is a legal holiday, the recall election shall be held on the
25 first day after Tuesday which is not a legal holiday.

1 **SECTION 31.** 10.06 (3) (am) of the statutes is amended to read:

2 10.06 (3) (am) As soon as possible following the deadline for filing nomination
3 papers for any municipal election when there is to be an election for a county or state
4 office or a county or statewide referendum, but no later than 2 3 days after such
5 deadline, the municipal clerk of each municipality in which voting machines or
6 ballots containing the names of candidates for both local offices and national, state
7 or county offices are used shall certify the list of candidates for municipal office to the
8 county clerk if a primary is required, unless the municipality prepares its own ballots
9 under s. 7.15 (2) (c).

10 **SECTION 32.** 10.06 (3) (bm) of the statutes is amended to read:

11 10.06 (3) (bm) As soon as possible following the municipal canvass of the
12 primary vote or the qualification of the candidates under s. 8.05 (1) (j) when a
13 municipal caucus when is held, if there is to be an election for a county or state office
14 or a county or statewide referendum, but no later than 2 3 days after such date, the
15 municipal clerk of each municipality in which voting machines or ballots containing
16 the names of candidates for both local offices and national, state or county offices are
17 used shall certify the list of candidates for municipal office and municipal referenda
18 appearing on the ballot to the county clerk, unless the municipality prepares its own
19 ballots under s. 7.15 (2) (c).

20 **SECTION 33.** 11.21 (3) of the statutes is amended to read:

21 11.21 (3) Prepare and publish for the use of persons required to file reports and
22 statements under this chapter a manual setting forth simply and concisely
23 recommended uniform methods of bookkeeping and reporting. ~~The board shall~~
24 ~~furnish a copy of the manual without charge, upon request, to all persons who are~~

1 ~~required to file reports or statements with the board, and shall distribute or arrange~~
2 ~~for the distribution of copies of the manual for use by other filing officers.~~

3 **SECTION 34.** 11.21 (14) of the statutes is amended to read:

4 11.21 (14) Prepare, publish and periodically revise as necessary a manual
5 simply and concisely describing the filing and registration requirements established
6 in this chapter in detail, as well as other major provisions of this chapter and ch. 12.
7 ~~The board shall furnish a copy of the manual without charge, upon request, to all~~
8 ~~persons who are required to file reports or statements with the board, and shall~~
9 ~~distribute or arrange for the distribution of copies of the manual for use by other~~
10 ~~filing officers.~~

11 **SECTION 35.** 103.67 (1) of the statutes is amended to read:

12 103.67 (1) A minor 14 to 18 years of age shall may not be employed or permitted
13 to work in any gainful occupation during the hours that the minor is required to
14 attend school under s. 118.15 unless the minor has completed high school, except that
15 any minor may be employed in a public exhibitions exhibition as provided in s. 103.78
16 and a minor 16 years of age or over may be employed as an election inspector as
17 provided in s. 7.30 (2) (am).

18 **SECTION 36.** 103.68 (1) of the statutes is amended to read:

19 103.68 (1) No minor shall be employed or permitted to work at any gainful
20 occupation other than domestic service ~~or~~, farm labor, or service as an election
21 inspector under s. 7.30 (2) (am) for more than 8 hours in any one day nor more than
22 40 hours nor more than 6 days in any one week, nor during such hours as the minor
23 is required under s. 118.15 (2) to attend school.”.

24 **SECTION 37.** 103.70 (2) of the statutes is amended to read:

1 103.70 (2) Minors may be employed without permits in any employment
 2 limited to work in or around a home in work usual to the home of the employer, if the
 3 employment is not in connection with or a part of the business, trade, or profession
 4 of the employer, is in accordance with the minimum age stated in s. 103.67 (2) (d) (f),
 5 and is not specifically prohibited by ss. 103.64 to 103.82 or by any order of the
 6 department. Minors may also be employed without permits as election inspectors
 7 as provided in s. 7.30 (2) (am).

8 **SECTION 38.** 118.15 (3) (d) of the statutes is created to read:

9 118.15 (3) (d) Any child excused in writing by his or her parent or guardian and
 10 by the principal of the school that the child attends for the purpose of serving as an
 11 election official under s. 7.30 (2) (am). The principal shall allow the child to take
 12 examinations and complete course work missed during the child's absences under
 13 this paragraph. The principal shall promptly notify the municipal clerk or the board
 14 of election commissioners of the municipality that appointed the child as an election
 15 official if the child ceases to be enrolled in school.

✓
 TNS:RM
 19-11

Or if the child no longer
 has at least a 3.0 grade point
 average or the
 equivalent

16 **SECTION 39.** 755.01 (4) of the statutes is amended to read:

17 755.01 (4) Two or more cities, towns or villages of this state may enter into an
 18 agreement under s. 66.0301 for the joint exercise of the power granted under sub. (1),
 19 except that for purposes of this subsection, any agreement under s. 66.0301 shall be
 20 effected by the enactment of identical ordinances by each affected city, town or
 21 village. Electors of each municipality entering into the agreement shall be eligible
 22 to vote for the judge of the municipal court so established. If a municipality enters
 23 into an agreement with a municipality that already has a municipal court, the
 24 municipalities may provide by ordinance or resolution that the judge for the existing
 25 municipal court shall serve as the judge for the joint court until the end of the term

1 or until a special election is held under s. 8.50 (4) (fm). Each municipality shall adopt
2 an ordinance or bylaw under sub. (1) prior to entering into the agreement. The
3 contracting municipalities need not be contiguous and need not all be in the same
4 county. ~~The~~ Upon entering into or discontinuing such an agreement, the contracting
5 municipalities shall ~~notify each~~ transmit a certified copy of the ordinance or bylaw
6 effecting or discontinuing the agreement to the appropriate filing officer under s.
7 11.02 (3e) ~~when the joint court is created~~. When a municipal judge is elected under
8 this subsection, candidates shall be nominated by filing nomination papers under s.
9 8.10 (6) (bm), and shall register with the filing officer specified in s. 11.02 (3e).

10 **SECTION 40. Effective date.**

11 (1) This act takes effect on May 31, 2002.

12 (END)

**ASSEMBLY AMENDMENT 2,
TO 2001 ASSEMBLY BILL 826**

February 20, 2002 - Offered by COMMITTEE ON CAMPAIGNS AND ELECTIONS.

INSERT 19-11

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

- 1. Page 12, line 23: delete "and who" and substitute ", who".
- 2. Page 12, line 24: after "school" insert ". and who has a 3.0 grade point average or the equivalent".
- 3. Page 22, line 12: after "(am)." insert "A principal may not excuse a ~~pupil~~ ^{child} under this paragraph unless the ~~pupil~~ ^{child} has ^{at least} a 3.0 grade point average or the equivalent".
- 4. Page 22, line 16: after "school" insert "or if the pupil no longer has a 3.0 grade point average or the equivalent".

(END)

DRAFT

Sen. Meyer:

Sen. Meyer:

#

This substitute amendment incorporates

✓

AA-2 to AB-826, except that the

substitute amendment clarifies that a

student inspector must have *(at least)* a

(italics)

3.0 grade point average or the equivalent.

RSM

JTK

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

LRBs0371/1dn
RJM&JTK:ejk:kjf

March 8, 2002

Sen. Meyer:

This substitute amendment incorporates AA-2 to AB-826, except that the substitute amendment clarifies that a student inspector must have *at least* a 3.0 grade point average or the equivalent.

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Barman, Mike

From: Barman, Mike
Sent: Monday, March 11, 2002 8:43 AM
To: Sen.Meyer; Dyke, Don
Subject: LRBs0371/1 (attached) (from JTK) (requested by Grant)



01s0371/1



01s0371/1dn

Mike Barman

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