

**2001 Jr2 DRAFTING REQUEST**

**Senate Amendment (SA-SSA1-AB1)**

Received: **03/28/2002**

Received By: **rmarchan**

Wanted: **Soon**

Identical to LRB:

For: **Senate Democratic Caucus**

By/Representing: **Engel**

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

Drafter: **rmarchan**

May Contact:

Addl. Drafters: **kuesejt**

Subject: **Elections - miscellaneous**

Extra Copies:

Submit via email: **NO**

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**Pre Topic:**

SCC:.....Engel - CN3407,

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**Topic:**

SA (elections administration changes) to SSA1 (JFC sub) to AB1 (budget adjustment bill)

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**Instructions:**

Same as SSA-1 to AB-826.

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**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<br>03/28/2002<br>kuesejt<br>03/28/2002 | gilfokm<br>03/28/2002 |                        | _____          |                            |                 |                 |
| /1           | rmarchan<br>04/03/2002                          | gilfokm<br>04/03/2002 | jfrantze<br>03/28/2002 | _____          | lrb_docadmin<br>03/29/2002 |                 |                 |
| /2           |   |                       | rschluet<br>04/03/2002 | _____          | lrb_docadmin<br>04/03/2002 |                 |                 |

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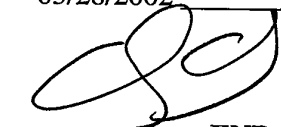
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| /?           | rmarchan<br>03/28/2002<br>kuesejt<br>03/28/2002 | gilfokm<br>03/28/2002 |                        |                |                            |                 |                 |
| /1           |   | 12-4/3<br>KMG         | jfrantze<br>03/28/2002 |                | lrb_docadmin<br>03/29/2002 |                 |                 |

FE Sent For:



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4-3-2

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|--------------|----------------|-----------------|--------------|----------------|------------------|-----------------|-----------------|
| /?           | rmarchan       | 3/28<br>King    | J3<br>028    | Jpk<br>3/28    |                  |                 |                 |

FE Sent For:

<END>

CN 3407

**2002 Budget Adjustment Amendment**

JTK/  
RJM

**CHANGES IN ELECTION LAW**

**SENATE SUBSTITUTE AMENDMENT 1 TO ASSEMBLY BILL 826 -- (LRB-S0371/1)**

- Changes to poll worker requirements
- Compensation of election officials
- Free distribution of elections board publications
- Maps of election districts
- Disqualification of candidates
- Restriction on dates of recall elections for local officers
- Method of calling recall elections for local officers
- Supervision of central counting locations
- Voting in certain homes and facilities
- Certification of the names of municipal candidates and referenda
- Notification of creation or abolition of joint municipal courts
- Membership on the county board of canvassers

This amendment / bill makes a number of changes to State elections laws. Amendments to the Assembly bill addressed concerns in committee

LOCATION/STATUS:

SS1 to Assembly Bill 826

LRB<sub>s</sub> 0371/1

Passed Committee on Universities, Housing and Government Operations 7-0

Amended in Senate

Passed Senate (Voice Vote)

Assembly failed to concur in amended version

DEPARTMENT (S):

ELECTIONS BOARD

FISCAL IMPACT:

\$0



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## WISCONSIN LEGISLATIVE COUNCIL

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*Terry C. Anderson, Director  
Laura D. Rose, Deputy Director*

TO: SENATOR MARK MEYER, CHAIR, SENATE COMMITTEE ON UNIVERSITIES,  
HOUSING, AND GOVERNMENT OPERATIONS

FROM: Don Dyke, Senior Staff Attorney

RE: Senate Substitute Amendment \_\_ (LRBs0371/1) to 2001 Assembly Bill 826, Relating to  
Various Changes in Election Administration Laws

DATE: March 11, 2002

This memorandum describes the changes made by the above-captioned substitute amendment to the bill, as passed by the Assembly (Assembly Bill 825, as amended by Assembly Amendments 1, 2, and 3).

### **CHALLENGE ELECTION INSPECTOR WHO IS A MINOR**

The substitute amendment prohibits a minor who is serving as an election inspector from challenging an elector's vote.

### **RESIDENCY OF ELECTION INSPECTORS**

The substitute amendment deletes the provision of the bill that an election inspector be a qualified elector of the county served by the polling place at which the inspector performs duties. It restores current law in this regard (must be a resident of the ward) and clarifies that when an inspector works at a polling place that serves more than one ward, the official must be an elector of one of the wards served by the polling place, and if a municipality is not divided into wards, the official must reside in the municipality.

### **RECALL ELECTIONS**

The substitute amendment deletes provisions in the bill allowing a municipal clerk or school district clerk to call a special election, restoring current law in this regard, which requires the municipal governing body or the school board to call the special election.

The substitute amendment deletes the provision in the bill that prohibits calling a recall election for an office to be filled at the spring election later than February 1 in the year of that election.

If you have any questions or need additional information, please contact me directly at the Legislative Council Staff offices.

2001

Date (time) needed \_\_\_\_\_

LRB b 2873, 1

**CAUCUS BUDGET AMENDMENT**  
[CAUCUS AMDTS. ONLY]

RJM/JTK/KMG  
PG/GMM

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**CAUCUS AMENDMENT**  
**TO SENATE SUBSTITUTE AMENDMENT 1**  
**TO 2001 SPECIAL SESSION ASSEMBLY BILL 1**

*RJM*  
*DJG*

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated, amend the substitute amendment as follows:

- ✓ #. Page 1, line 4 : delete that line and sub:  
INSERT A ✓
- ✓ #. Page 3, line 12 : after line:  
INSERT B
- ✓ #. Page 157, line 22 : after line:  
INSERT C
- ✓ #. Page 159, line 17 : after line:  
INSERT D
- ✓ #. Page 222, line 23 : after line:  
INSERT E
- ✓ #. Page 445, line 20 : after line:  
INSERT F

SENATE SUBSTITUTE AMENDMENT 1,  
TO 2001 ASSEMBLY BILL 826

March 11, 2002 - Offered by COMMITTEE ON UNIVERSITIES, HOUSING, AND  
GOVERNMENT OPERATIONS.

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. No 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:

SECTION 1. 5.86 of the statutes is amended to read:

5.86 Proceedings at central counting location locations. (1) All proceedings at the each central counting location shall be under the direction of the

11544  
A

15

19

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. *SEC 1m AM, 6.18, LCM*

22 *22m*  
 23 *1pc* SECTION 2. 6.87 (2) (form) of the statutes is amended to read:

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. (1pe)

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: (1ps)

10       6.875 (2) (a) The proccdures 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. (1ps)

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. (4pL)

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). (1pn)

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 po

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

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. 1 pr

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 17.** 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. (7pv)

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. (1px)

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 ~~servicing 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. *1re*

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, who is enrolled in grades 9 to 12 in a public or private school,  
7 and who has at least a 3.0 grade point average or the equivalent may serve as an  
8 inspector at the polling place serving the pupil's residence, with the approval of the  
9 pupil's parent or guardian and of the principal of the school in which the pupil is  
10 enrolled. A pupil may serve as an inspector at a polling place under this paragraph  
11 only if at least one election official at the polling place other than the chief inspector  
12 is a qualified elector of this state. No pupil may serve as chief inspector at a polling  
13 place under this paragraph. Before appointment by any municipality of a pupil as  
14 an inspector under this paragraph, the municipal clerk shall obtain written  
15 authorization from the pupil's parent or guardian and from the principal of the school  
16 where the pupil is enrolled for the pupil to serve for the entire term for which he or  
17 she is appointed. Upon appointment of a pupil to serve as an inspector, the municipal  
18 clerk shall notify the principal of the school where the pupil is enrolled of the date  
19 of expiration of the pupil's term of office. *1re*

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

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



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

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

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

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

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

1 which they shall be exempt from further service as an election official, under this  
2 chapter, until 3 terms of 2 years each have elapsed. Municipal clerks may grant  
3 exemptions from service at any time. 1rn

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

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

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

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

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. (1rr)

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. (1rt)

18 **SECTION 23.** 8.20 (10) of the statutes is repealed. (1rv)

19 **SECTION 24.** 8.21 of the statutes is amended to read: (1rx)

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. Itc

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

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. (1te)

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. (1tg)

17 SECTION ~~28~~. 9.10 (2) (o) of the statutes is repealed. (1tg)

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

19 SECTION ~~30~~. 9.10 (4) (d) of the statutes is amended to read: (1tn)

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.

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

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

1+r

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

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

1+r

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

11.21 (3) Prepare and publish for the use of persons required to file reports and statements under this chapter a manual setting forth simply and concisely recommended uniform methods of bookkeeping and reporting. ~~The board shall 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: (1+v)

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. "Low m57"

11 SECTION 35. 103.67 (1) of the statutes is amended to read: (274h)

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). (274j)

18 SECTION 36. 103.68 (1) of the statutes is amended to read: (274j)

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. (274L)

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

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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  
as provided in s. 7.30 (2) (am). " Low 11/13

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 105207  
 D

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). A principal may not excuse a child under this  
 12 paragraph unless the child has at least a 3.0 grade point average or the equivalent.  
 13 The principal shall allow the child to take examinations and complete course work  
 14 missed during the child's absences under this paragraph. The principal shall  
 15 promptly notify the municipal clerk or the board of election commissioners of the  
 16 municipality that appointed the child as an election official if the child ceases to be  
 17 enrolled in school or if the child no longer has at least a 3.0 grade point average or  
 18 the equivalent. " Low 11/13

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19           "SECTION 39. 755.01 (4) of the statutes is amended to read:  
 20           755.01 (4) Two or more cities, towns or villages of this state may enter into an  
 21 agreement under s. 66.0301 for the joint exercise of the power granted under sub. (1),  
 22 except that for purposes of this subsection, any agreement under s. 66.0301 shall be  
 23 effected by the enactment of identical ordinances by each affected city, town or  
 24 village. Electors of each municipality entering into the agreement shall be eligible  
 25 to vote for the judge of the municipal court so established. If a municipality enters

5128

1 into an agreement with a municipality that already has a municipal court, the  
 2 municipalities may provide by ordinance or resolution that the judge for the existing  
 3 municipal court shall serve as the judge for the joint court until the end of the term  
 4 or until a special election is held under s. 8.50 (4) (fm). Each municipality shall adopt  
 5 an ordinance or bylaw under sub. (1) prior to entering into the agreement. The  
 6 contracting municipalities need not be contiguous and need not all be in the same  
 7 county. ~~The~~ Upon entering into or discontinuing such an agreement, the contracting  
 8 municipalities shall ~~notify~~ each transmit a certified copy of the ordinance or bylaw  
 9 effecting or discontinuing the agreement to the appropriate filing officer under s.  
 10 11.02 (3e) when the joint court is created. When a municipal judge is elected under  
 11 this subsection, candidates shall be nominated by filing nomination papers under s.  
 12 8.10 (6) (bm), and shall register with the filing officer specified in s. 11.02 (3e). " *cont*

~~SECTION 40. Effective date.~~

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

(END)

*Insert A*

*Insert 20-14*

*CS ELECTIONS ADMINISTRATION. The treatment of sections*

*1/2*

14

15

SENATE SUBSTITUTE AMENDMENT 1,  
TO 2001 ASSEMBLY BILL 826

INSERT 20-14

March 11, 2002 - Offered by COMMITTEE ON UNIVERSITIES, HOUSING, AND  
GOVERNMENT OPERATIONS.

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~~AN ACT to repeal 8.15(9), 8.20(10), 9.10(2) (em) 4. and 5., 9.10(1) (o), and 9.10~~  
~~(2) (r) 1. to 3. No renumber and amend 6.92 to conform 5.86, 6.87 (2) (form),~~  
~~6.875 (1) (at), 6.875 (2) (a), 6.875 (6), 6.88 (1), 7.03 (1) (a), 7.03 (b), (bm), (c),~~  
~~and (d), 7.08 (3) (intro.) and (4), 7.30 (2) (a), 7.30 (4) (b) 1., 7.30 (6) (b), 7.33 (2),~~  
~~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),~~  
~~10.06 (3) (am), 10.06 (3) (bm), 11.21 (3), 11.21 (14), 103.67 (1), 103.68 (1), 103.70~~  
~~(2) and 755.01 (4) and to create 6.92 (2), 7.08 (5), 7.30 (2) (am) and 118.15 (3)~~  
~~of the statutes, relating to: various changes in election administration~~  
~~laws, and the creation of section 6.92 (a) of the statutes~~

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

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11  
12

SECTION 1. 5.86 of the statutes is amended to read:

5.86 Proceedings at central counting location locations. (1) All proceedings at the each central counting location shall be under the direction of the

DL802

:King

Please note that the effect of this amendment is delayed until May 31, 2002. If AB-1 appears likely to take effect after this date, this amendment will need to be redrafted.

[ROM]

[JTK]

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

LRBb2873/1dn  
RJM/JTK:kmg:jf

March 28, 2002

Please note that the effect of this amendment is delayed until May 31, 2002. If AB-1 appears likely to take effect after this date, this amendment will need to be redrafted.

Robert J. Marchant  
Legislative Attorney  
Phone: (608) 261-4454  
E-mail: [robert.marchant@legis.state.wi.us](mailto:robert.marchant@legis.state.wi.us)

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TODAY

2001 - 2002 LEGISLATURE  
January 2002 Special Session

LRBb2873/2  
RJM/JTK/PG/GMM:kmg:jf

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Camm

SCC:.....Engel - CN3407, SA (elections administration changes) to SSA1  
(JFC sub) to AB1 (budget adjustment bill)

FOR 2001-03 BUDGET -- NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT ,

TO SENATE SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 1

SEP 15 2002

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 1, line 4: delete that line and substitute:

3 "SECTION 1g. 5.86 of the statutes is amended to read:

4 5.86 Proceedings at central counting ~~location~~ locations. (1) All

5 proceedings at the each central counting location shall be under the direction of the

6 municipal clerk or an election official designated by the clerk unless the central

7 counting location is at the county seat and the municipal clerk delegates the

8 responsibility to supervise the location to the county clerk, in which case the

9 proceedings shall be under the direction of the county clerk or an election official

10 designated by the county clerk. Unless election officials are selected under s. 7.30

1 (4) (c) without regard to party affiliation, the employees at ~~the~~ each central counting  
2 location, other than any specially trained technicians who are required for the  
3 operation of the automatic tabulating equipment, shall be equally divided between  
4 members of the 2 major political parties under s. 7.30 (2) (a) and all duties performed  
5 by the employees shall be by teams consisting of an equal number of members of each  
6 political party whenever sufficient persons from each party are available.

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

17 **SECTION 1m.** 6.18 of the statutes is amended to read:".

18 **2.** Page 3, line 12: after that line insert:

19 "SECTION 1pc. 6.87 (2) (form) of the statutes is amended to read:

20 6.87 (2) (form)

21 [STATE OF ....

22 County of ....]

23 or

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

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

15 Signed ....

16 Identification serial number, if any: ....

17 The witness shall execute the following:

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

23 ....(Name)

24 ....(Address)\*\*



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

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

5       **SECTION 1pe.** 6.875 (1) (at) of the statutes is amended to read:

6       6.875 (1) (at) “Qualified retirement home” means a retirement home that  
7       qualifies under sub. (2) ~~(b)~~ (c) to utilize the procedures under this section.

8       **SECTION 1pg.** 6.875 (2) (a) of the statutes is amended to read:

9       6.875 (2) (a) The procedures prescribed in this section are the exclusive means  
10       of absentee voting for electors who are occupants of nursing homes ~~or~~ qualified  
11       community-based residential facilities or qualified retirement homes.

12       **SECTION 1pj.** 6.875 (6) of the statutes, as affected by 2001 Wisconsin Act 16,  
13       is amended to read:

14       6.875 (6) Special voting deputies in each municipality shall, not later than 5  
15       p.m. on the Friday preceding an election, arrange one or more convenient times with  
16       the administrator of each nursing home ~~or~~ qualified retirement home, and qualified  
17       community-based residential facility in the municipality from which one or more  
18       occupants have filed an application under s. 6.86 to conduct absentee voting for the  
19       election. The time may be no earlier than the 4th Monday preceding the election and  
20       no later than 5 p.m. on the Monday preceding the election. Upon request of a relative  
21       of an occupant of a nursing home or qualified retirement home or qualified  
22       community-based residential facility, the administrator may notify the relative of  
23       the time or times at which special voting deputies will conduct absentee voting at the  
24       home or facility, and permit the relative to be present in the room where the voting  
25       is conducted. At the designated time, 2 deputies appointed under sub. (4) shall visit

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

1 inform the municipal clerk or executive director of the board of election  
2 commissioners, who may then send the ballot to the elector no later than 5 p.m. on  
3 the Friday preceding the election.

4 **SECTION 1pL.** 6.88 (1) of the statutes is amended to read:

5 6.88 (1) When an absentee ballot arrives at the office of the municipal clerk,  
6 the clerk shall enclose it, unopened, in a carrier envelope which shall be securely  
7 sealed and endorsed with the name and official title of the clerk, and the words “This  
8 envelope contains the ballot of an absent elector and must be opened at the polls  
9 during polling hours on election day”. If the ballot was received by the elector by  
10 facsimile transmission or electronic mail and is accompanied by a separate  
11 certificate, the clerk shall enclose the ballot in a certificate envelope and securely  
12 append the completed certificate to the outside of the envelope before enclosing the  
13 ballot in the carrier envelope. The clerk shall keep the ballot in the clerk’s office until  
14 delivered, as required in sub. (2).

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

16 6.92 (1) ~~Each~~ Except as provided in sub. (2), each inspector shall challenge for  
17 cause any person offering to vote whom the inspector knows or suspects is not a  
18 qualified elector. If a person is challenged as unqualified by an inspector, one of the  
19 inspectors shall administer the following oath or affirmation to the person: “You do  
20 solemnly swear (or affirm) that you will fully and truly answer all questions put to  
21 you regarding your place of residence and qualifications as an elector of this  
22 election”; and shall then ask questions which are appropriate as determined by the  
23 board, by rule, to test the person’s qualifications.

24 **SECTION 1po.** 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 1pp.** 7.03 (1) (a) of the statutes, as affected by 2001 Wisconsin Act 16,  
4 is 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 1pr.** 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 1pt. 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 1pv.** 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 1px.** 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.

4 **SECTION 1rc.** 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, who is enrolled in grades 9 to 12 in a public or private school,  
7 and who has at least a 3.0 grade point average or the equivalent may serve as an  
8 inspector at the polling place serving the pupil's residence, with the approval of the  
9 pupil's parent or guardian and of the principal of the school in which the pupil is  
10 enrolled. A pupil may serve as an inspector at a polling place under this paragraph  
11 only if at least one election official at the polling place other than the chief inspector  
12 is a qualified elector of this state. No pupil may serve as chief inspector at a polling  
13 place under this paragraph. Before appointment by any municipality of a pupil as  
14 an inspector under this paragraph, the municipal clerk shall obtain written  
15 authorization from the pupil's parent or guardian and from the principal of the school  
16 where the pupil is enrolled for the pupil to serve for the entire term for which he or  
17 she is appointed. Upon appointment of a pupil to serve as an inspector, the municipal  
18 clerk shall notify the principal of the school where the pupil is enrolled of the date  
19 of expiration of the pupil's term of office.

20 **SECTION 1re.** 7.30 (4) (b) 1. of the statutes is amended to read:

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

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

9 **SECTION 1rg.** 7.30 (6) (b) of the statutes, as affected by 2001 Wisconsin Act 16,  
10 is amended to read:

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

23 **SECTION 1rj.** 7.33 (2) of the statutes is amended to read:

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



1 which they shall be exempt from further service as an election official, under this  
2 chapter, until 3 terms of 2 years each have elapsed. Municipal clerks may grant  
3 exemptions from service at any time.

4 **SECTION 1rL. 7.41 (4)** of the statutes, as affected by 2001 Wisconsin Act 39, is  
5 amended to read:

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

14 **SECTION 1rn. 7.51 (1)** of the statutes is amended to read:

15 **7.51 (1) CANVASS PROCEDURE.** Immediately after the polls close the inspectors  
16 shall proceed to canvass publicly all votes received at the polling place. In any  
17 municipality where an electronic voting system is used, the municipal governing  
18 body or board of election commissioners may provide or authorize the municipal  
19 clerk or executive director of the board of election commissioners to provide for the  
20 adjournment of the canvass to one or more central counting locations for specified  
21 polling places in the manner prescribed in subch. III of ch. 5. No central counting  
22 location may be used to count votes at a polling place where an electronic voting  
23 system is not employed. The canvass, whether conducted at the polling place or at  
24 ~~the~~ a central counting location, shall continue without adjournment until the  
25 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 1rp.** 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 1rr.** 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 1rt.** 8.15 (9) of the statutes is repealed.

18 **SECTION 1rv.** 8.20 (10) of the statutes is repealed.

19 **SECTION 1rx.** 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 1tc.** 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 1te.** 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 1tg.** 9.10 (2) (em) 4. and 5. of the statutes are repealed.

17           **SECTION 1tj.** 9.10 (2) (o) of the statutes is repealed.

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

19           **SECTION 1tn.** 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 1tp.** 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 1tr.** 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 1tt.** 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 1tv. 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 3. Page 157, line 22: after that line insert:

12 “SECTION 274h. 103.67 (1) of the statutes is amended to read:

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

19 SECTION 274j. 103.68 (1) of the statutes is amended to read:

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

1           **SECTION 274L.** 103.70 (2) of the statutes is amended to read:

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

9           **4.** Page 159, line 17: after that line insert:

10           **“SECTION 280p.** 118.15 (3) (d) of the statutes is created to read:

11           118.15 (3) (d) Any child excused in writing by his or her parent or guardian and  
12 by the principal of the school that the child attends for the purpose of serving as an  
13 election official under s. 7.30 (2) (am). A principal may not excuse a child under this  
14 paragraph unless the child has at least a 3.0 grade point average or the equivalent.  
15 The principal shall allow the child to take examinations and complete course work  
16 missed during the child’s absences under this paragraph. The principal shall  
17 promptly notify the municipal clerk or the board of election commissioners of the  
18 municipality that appointed the child as an election official if the child ceases to be  
19 enrolled in school or if the child no longer has at least a 3.0 grade point average or  
20 the equivalent.”.

21           **5.** Page 222, line 23: after that line insert:

22           **“SECTION 512f.** 755.01 (4) of the statutes is amended to read:

23           755.01 (4) Two or more cities, towns or villages of this state may enter into an  
24 agreement under s. 66.0301 for the joint exercise of the power granted under sub. (1),



1 except that for purposes of this subsection, any agreement under s. 66.0301 shall be  
2 effected by the enactment of identical ordinances by each affected city, town or  
3 village. Electors of each municipality entering into the agreement shall be eligible  
4 to vote for the judge of the municipal court so established. If a municipality enters  
5 into an agreement with a municipality that already has a municipal court, the  
6 municipalities may provide by ordinance or resolution that the judge for the existing  
7 municipal court shall serve as the judge for the joint court until the end of the term  
8 or until a special election is held under s. 8.50 (4) (fm). Each municipality shall adopt  
9 an ordinance or bylaw under sub. (1) prior to entering into the agreement. The  
10 contracting municipalities need not be contiguous and need not all be in the same  
11 county. ~~The Upon entering into or discontinuing such an agreement, the~~ contracting  
12 municipalities shall ~~notify each~~ transmit a certified copy of the ordinance or bylaw  
13 effecting or discontinuing the agreement to the appropriate filing officer under s.  
14 11.02 (3e) ~~when the joint court is created~~. When a municipal judge is elected under  
15 this subsection, candidates shall be nominated by filing nomination papers under s.  
16 8.10 (6) (bm), and shall register with the filing officer specified in s. 11.02 (3e).”.

17 **6.** Page 445, line 20: after that line insert:

18 “(1z) ELECTIONS ADMINISTRATION. The treatment of sections 5.86, 6.87 (2) (form),  
19 6.875 (1) (at), (2) (a), and (6), 6.88 (1), 7.03 (1) (a), (b), (bm), (c), and (d), 7.08 (3) (intro.),  
20 (4), and (5), 7.30 (2) (a) and (am), (4) (b) 1., and (6) (b), 7.33 (2), 7.41 (4), 7.51 (1), 7.60  
21 (2), 8.15 (4) (a) and (9), 8.20 (10), 8.21, 8.40 (2), 9.10 (2) (e) 3., (em) 4. and 5., (o), and  
22 (r) 1. to 3., and (4) (d), 10.06 (3) (am) and (bm), 11.21 (3) and (14), 103.67 (1), 103.68  
(23) (1), 103.70 (2), 118.15 (3), and 755.01 (4) of the statutes, the renumbering and

(d)

1 amendment of section 6.92 of the statutes, and the creation of section 6.92 (2) of the  
2 statutes take effect on May 31, 2002.”.

3 (END)



State of Wisconsin  
2001 - 2002 LEGISLATURE  
January 2002 Special Session

LRBb2873/2  
RJM/JTK/PG/GMM:kmg:rs

SCC:.....Engel – CN3407, SA (elections administration changes) to SSA1  
(JFC sub) to AB1 (budget adjustment bill)

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT ,

TO SENATE SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 1

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 1, line 4: delete that line and substitute:

3 “SECTION 1g. 5.86 of the statutes is amended to read:

4 **5.86 Proceedings at central counting ~~location~~ locations.** (1) All  
5 proceedings at the each central counting location shall be under the direction of the  
6 municipal clerk or an election official designated by the clerk unless the central  
7 counting location is at the county seat and the municipal clerk delegates the  
8 responsibility to supervise the location to the county clerk, in which case the  
9 proceedings shall be under the direction of the county clerk or an election official  
10 designated by the county clerk. Unless election officials are selected under s. 7.30

1 (4) (c) without regard to party affiliation, the employees at ~~the~~ each central counting  
2 location, other than any specially trained technicians who are required for the  
3 operation of the automatic tabulating equipment, shall be equally divided between  
4 members of the 2 major political parties under s. 7.30 (2) (a) and all duties performed  
5 by the employees shall be by teams consisting of an equal number of members of each  
6 political party whenever sufficient persons from each party are available.

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

17 **SECTION 1m.** 6.18 of the statutes is amended to read:".

18 **2.** Page 3, line 12: after that line insert:

19 "SECTION 1pc. 6.87 (2) (form) of the statutes is amended to read:

20 6.87 (2) (form)

21 [STATE OF ....

22 County of ....]

23 or

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

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

15 Signed ....

16 Identification serial number, if any: ....

17 The witness shall execute the following:

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

23 ....(Name)

24 ....(Address)\*\*

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

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

5       **SECTION 1pe.** 6.875 (1) (at) of the statutes is amended to read:

6       6.875 (1) (at) “Qualified retirement home” means a retirement home that  
7       qualifies under sub. (2) ~~(b)~~ (c) to utilize the procedures under this section.

8       **SECTION 1pg.** 6.875 (2) (a) of the statutes is amended to read:

9       6.875 (2) (a) The procedures prescribed in this section are the exclusive means  
10       of absentee voting for electors who are occupants of nursing homes ~~or~~, qualified  
11       community-based residential facilities or qualified retirement homes.

12       **SECTION 1pj.** 6.875 (6) of the statutes, as affected by 2001 Wisconsin Act 16,  
13       is amended to read:

14       6.875 (6) Special voting deputies in each municipality shall, not later than 5  
15       p.m. on the Friday preceding an election, arrange one or more convenient times with  
16       the administrator of each nursing home ~~or~~, qualified retirement home, and qualified  
17       community-based residential facility in the municipality from which one or more  
18       occupants have filed an application under s. 6.86 to conduct absentee voting for the  
19       election. The time may be no earlier than the 4th Monday preceding the election and  
20       no later than 5 p.m. on the Monday preceding the election. Upon request of a relative  
21       of an occupant of a nursing home or qualified retirement home or qualified  
22       community-based residential facility, the administrator may notify the relative of  
23       the time or times at which special voting deputies will conduct absentee voting at the  
24       home or facility, and permit the relative to be present in the room where the voting  
25       is conducted. At the designated time, 2 deputies appointed under sub. (4) shall visit

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

1 inform the municipal clerk or executive director of the board of election  
2 commissioners, who may then send the ballot to the elector no later than 5 p.m. on  
3 the Friday preceding the election.

4 **SECTION 1pL.** 6.88 (1) of the statutes is amended to read:

5 6.88 (1) When an absentee ballot arrives at the office of the municipal clerk,  
6 the clerk shall enclose it, unopened, in a carrier envelope which shall be securely  
7 sealed and endorsed with the name and official title of the clerk, and the words "This  
8 envelope contains the ballot of an absent elector and must be opened at the polls  
9 during polling hours on election day". If the ballot was received by the elector by  
10 facsimile transmission or electronic mail and is accompanied by a separate  
11 certificate, the clerk shall enclose the ballot in a certificate envelope and securely  
12 append the completed certificate to the outside of the envelope before enclosing the  
13 ballot in the carrier envelope. The clerk shall keep the ballot in the clerk's office until  
14 delivered, as required in sub. (2).

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

16 6.92 (1) ~~Each~~ Except as provided in sub. (2), each inspector shall challenge for  
17 cause any person offering to vote whom the inspector knows or suspects is not a  
18 qualified elector. If a person is challenged as unqualified by an inspector, one of the  
19 inspectors shall administer the following oath or affirmation to the person: "You do  
20 solemnly swear (or affirm) that you will fully and truly answer all questions put to  
21 you regarding your place of residence and qualifications as an elector of this  
22 election"; and shall then ask questions which are appropriate as determined by the  
23 board, by rule, to test the person's qualifications.

24 **SECTION 1po.** 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 1pp.** 7.03 (1) (a) of the statutes, as affected by 2001 Wisconsin Act 16,  
4 is 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 1pr.** 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 1pt.** 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 1pv.** 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 1px.** 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.

4 **SECTION 1re.** 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, who is enrolled in grades 9 to 12 in a public or private school,  
7 and who has at least a 3.0 grade point average or the equivalent may serve as an  
8 inspector at the polling place serving the pupil's residence, with the approval of the  
9 pupil's parent or guardian and of the principal of the school in which the pupil is  
10 enrolled. A pupil may serve as an inspector at a polling place under this paragraph  
11 only if at least one election official at the polling place other than the chief inspector  
12 is a qualified elector of this state. No pupil may serve as chief inspector at a polling  
13 place under this paragraph. Before appointment by any municipality of a pupil as  
14 an inspector under this paragraph, the municipal clerk shall obtain written  
15 authorization from the pupil's parent or guardian and from the principal of the school  
16 where the pupil is enrolled for the pupil to serve for the entire term for which he or  
17 she is appointed. Upon appointment of a pupil to serve as an inspector, the municipal  
18 clerk shall notify the principal of the school where the pupil is enrolled of the date  
19 of expiration of the pupil's term of office.

20 **SECTION 1re.** 7.30 (4) (b) 1. of the statutes is amended to read:

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

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

9 **SECTION 1rg.** 7.30 (6) (b) of the statutes, as affected by 2001 Wisconsin Act 16,  
10 is amended to read:

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

23 **SECTION 1rj.** 7.33 (2) of the statutes is amended to read:

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

1 which they shall be exempt from further service as an election official, under this  
2 chapter, until 3 terms of 2 years each have elapsed. Municipal clerks may grant  
3 exemptions from service at any time.

4 **SECTION 1rL.** 7.41 (4) of the statutes, as affected by 2001 Wisconsin Act 39, is  
5 amended to read:

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

14 **SECTION 1rn.** 7.51 (1) of the statutes is amended to read:

15 7.51 (1) CANVASS PROCEDURE. Immediately after the polls close the inspectors  
16 shall proceed to canvass publicly all votes received at the polling place. In any  
17 municipality where an electronic voting system is used, the municipal governing  
18 body or board of election commissioners may provide or authorize the municipal  
19 clerk or executive director of the board of election commissioners to provide for the  
20 adjournment of the canvass to one or more central counting locations for specified  
21 polling places in the manner prescribed in subch. III of ch. 5. No central counting  
22 location may be used to count votes at a polling place where an electronic voting  
23 system is not employed. The canvass, whether conducted at the polling place or at  
24 ~~the a~~ central counting location, shall continue without adjournment until the  
25 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 1rp.** 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 1rr.** 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 1rt.** 8.15 (9) of the statutes is repealed.

18 **SECTION 1rv.** 8.20 (10) of the statutes is repealed.

19 **SECTION 1rx.** 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 1tc.** 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 1te.** 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 1tg.** 9.10 (2) (em) 4. and 5. of the statutes are repealed.

17           **SECTION 1tj.** 9.10 (2) (o) of the statutes is repealed.

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

19           **SECTION 1tn.** 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 1tp.** 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 1tr.** 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 1tt.** 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 1tv.** 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 **3.** Page 157, line 22: after that line insert:

12 **“SECTION 274h.** 103.67 (1) of the statutes is amended to read:

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

19 **SECTION 274j.** 103.68 (1) of the statutes is amended to read:

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

1           **SECTION 274L.** 103.70 (2) of the statutes is amended to read:

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

9           **4.** Page 159, line 17: after that line insert:

10           **“SECTION 280p.** 118.15 (3) (d) of the statutes is created to read:

11           118.15 (3) (d) Any child excused in writing by his or her parent or guardian and  
12 by the principal of the school that the child attends for the purpose of serving as an  
13 election official under s. 7.30 (2) (am). A principal may not excuse a child under this  
14 paragraph unless the child has at least a 3.0 grade point average or the equivalent.  
15 The principal shall allow the child to take examinations and complete course work  
16 missed during the child’s absences under this paragraph. The principal shall  
17 promptly notify the municipal clerk or the board of election commissioners of the  
18 municipality that appointed the child as an election official if the child ceases to be  
19 enrolled in school or if the child no longer has at least a 3.0 grade point average or  
20 the equivalent.”

21           **5.** Page 222, line 23: after that line insert:

22           **“SECTION 512f.** 755.01 (4) of the statutes is amended to read:

23           755.01 (4) Two or more cities, towns or villages of this state may enter into an  
24 agreement under s. 66.0301 for the joint exercise of the power granted under sub. (1),

1 except that for purposes of this subsection, any agreement under s. 66.0301 shall be  
2 effected by the enactment of identical ordinances by each affected city, town or  
3 village. Electors of each municipality entering into the agreement shall be eligible  
4 to vote for the judge of the municipal court so established. If a municipality enters  
5 into an agreement with a municipality that already has a municipal court, the  
6 municipalities may provide by ordinance or resolution that the judge for the existing  
7 municipal court shall serve as the judge for the joint court until the end of the term  
8 or until a special election is held under s. 8.50 (4) (fm). Each municipality shall adopt  
9 an ordinance or bylaw under sub. (1) prior to entering into the agreement. The  
10 contracting municipalities need not be contiguous and need not all be in the same  
11 county. The Upon entering into or discontinuing such an agreement, the contracting  
12 municipalities shall notify each transmit a certified copy of the ordinance or bylaw  
13 effecting or discontinuing the agreement to the appropriate filing officer under s.  
14 11.02 (3e) when the joint court is created. When a municipal judge is elected under  
15 this subsection, candidates shall be nominated by filing nomination papers under s.  
16 8.10 (6) (bm), and shall register with the filing officer specified in s. 11.02 (3e).”

17 **6.** Page 445, line 20: after that line insert:

18 “(1z) ELECTIONS ADMINISTRATION. The treatment of sections 5.86, 6.87 (2) (form),  
19 6.875 (1) (at), (2) (a), and (6), 6.88 (1), 7.03 (1) (a), (b), (bm), (c), and (d), 7.08 (3) (intro.),  
20 (4), and (5), 7.30 (2) (a) and (am), (4) (b) 1., and (6) (b), 7.33 (2), 7.41 (4), 7.51 (1), 7.60  
21 (2), 8.15 (4) (a) and (9), 8.20 (10), 8.21, 8.40 (2), 9.10 (2) (e) 3., (em) 4. and 5., (o), and  
22 (r) 1. to 3., and (4) (d), 10.06 (3) (am) and (bm), 11.21 (3) and (14), 103.67 (1), 103.68  
23 (1), 103.70 (2), 118.15 (3) (d), and 755.01 (4) of the statutes, the renumbering and

1 amendment of section 6.92 of the statutes, and the creation of section 6.92 (2) of the  
2 statutes take effect on May 31, 2002.”

3 (END)