

**SENATE AMENDMENT 14,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2001 SENATE BILL 104**

January 29, 2002 – Offered by Senators KANAVAS, ROESSLER, PANZER, HUELSMAN and ROSENZWEIG.

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

2 **1.** Page 2, line 13: after “board,” insert “identification required in order to vote
3 at a polling place or obtain an absentee ballot, the fee for an identification card issued
4 by the department of transportation.”

5 **2.** Page 3, line 10: after that line insert:

6 “SECTION 2cc. 5.40 (6) of the statutes is amended to read:

7 5.40 (6) A municipality which utilizes voting machines or an electronic voting
8 system at a polling place may permit use of the machines or system by electors voting
9 under s. 6.15 only as authorized under s. 6.15 (3) ~~(b)~~.

10 SECTION 2ce. 6.15 (2) (title) of the statutes is amended to read:

11 6.15 (2) (title) ~~APPLICATION FOR BALLOT~~ PROCEDURE AT CLERK'S OFFICE.

12 SECTION 2cg. 6.15 (2) (a) (intro.) of the statutes is amended to read:

1 6.15 (2) (a) (intro.) The elector’s request for the application form may be made
2 to the proper municipal clerk either in person or in writing ~~any time during the~~
3 ~~10-day period in which the elector’s residence requirement is incomplete, but not~~
4 ~~later than the applicable deadline for making application for an absentee ballot.~~
5 Except as provided in par. (e), application may be made not sooner than 9 days nor
6 later than 5 p.m. on the day before the election, or may be made at the proper polling
7 place ~~in~~ for the ward or election district in which the elector resides. The application
8 form shall be returned to the municipal clerk after the affidavit has been signed in
9 the presence of the clerk or any officer authorized by law to administer oaths. The
10 affidavit shall be in substantially the following form:

11 **SECTION 2cj.** 6.15 (2) (bm) of the statutes is created to read:

12 6.15 (2) (bm) When making application in person at the office of the municipal
13 clerk, each applicant shall present a valid operator’s license issued to the person
14 under ch. 343 that contains a photograph of the license holder or present a valid
15 identification card issued to the person under s. 343.50.

16 **SECTION 2cL.** 6.15 (2) (d) 1g. of the statutes is created to read:

17 6.15 (2) (d) 1g. If the elector makes application in person at the office of the
18 municipal clerk, the clerk shall verify that the name on the identification provided
19 by the elector under par. (bm) is the same as the name on the elector’s application
20 and shall verify that the photograph contained in the identification reasonably
21 resembles the elector.

22 **SECTION 2cn.** 6.15 (2) (e) of the statutes is created to read:

23 6.15 (2) (e) If the elector makes application in writing but does not appear in
24 person, and the clerk receives a properly completed application and cancellation card
25 from the elector, the clerk shall provide the elector with a ballot. If the ballot is to be

1 mailed, the application must be received no later than 5 p.m. on the Friday before
2 the election. In order to be counted, the ballot must be received by the municipal
3 clerk no later than 5 p.m. on the day before the election.

4 **SECTION 2cp.** 6.15 (3) (a) (title) of the statutes is repealed.

5 **SECTION 2cr.** 6.15 (3) (a) 1. of the statutes, as affected by 2001 Wisconsin Act
6 16, is renumbered 6.15 (2) (d) 1r. and amended to read:

7 6.15 (2) (d) 1r. Upon proper completion of the application and cancellation card,
8 and compliance with subd. 1g., the municipal clerk shall ~~inform the elector that he~~
9 ~~or she may vote for the presidential electors not sooner than 9 days nor later than~~
10 ~~5 p.m. on the day before the election at the office of the municipal clerk, or at a~~
11 ~~specified polling place on election day. When voting at the municipal clerk's office,~~
12 ~~the applicant shall provide identification and~~ permit the elector to cast his or her
13 ballot for president and vice president. The elector shall then mark the ballot in the
14 clerk's presence in a manner that will not disclose his or her vote. Unless the ballot
15 is utilized with an electronic voting system, the applicant elector shall fold the ballot
16 so as to conceal his or her vote. The applicant elector shall then deposit the ballot
17 and seal it in an envelope furnished by the clerk.

18 **SECTION 2cs.** 6.15 (3) (a) 2. and 3. of the statutes are renumbered 6.15 (2) (d)
19 2. and 3.

20 **SECTION 2ct.** 6.15 (3) (b) (title) of the statutes is repealed.

21 **SECTION 2cv.** 6.15 (3) (b) of the statutes, as affected by 2001 Wisconsin Act 16,
22 is renumbered 6.15 (3) and amended to read:

23 6.15 (3) ~~VOTING PROCEDURE~~ PROCEDURE AT POLLING PLACE. An eligible elector
24 may appear at the polling place for the ward or election district where he or she
25 resides and make application for a ballot under sub. (2). ~~In such case, the inspector~~

1 ~~or special registration deputy~~ Except as otherwise provided in this subsection, an
2 elector who casts a ballot under this subsection shall follow the same procedure
3 required for casting a ballot at the municipal clerk's office under sub. (2). The
4 inspectors shall perform the duties of the municipal clerk. The elector shall provide
5 identification. If the elector is qualified, he or she shall be permitted to vote, except
6 that the inspectors shall return the cancellation card under sub. (2) (b) to the
7 municipal clerk and the clerk shall forward the card as provided under sub. (2) (c)
8 if required. Upon proper completion of the application and cancellation card and
9 compliance with sub. (2) (d) 1g., the inspectors shall permit the elector to cast his or
10 her ballot for president and vice president. The elector shall then mark the ballot
11 and, unless the ballot is utilized with an electronic voting system, the elector shall
12 fold the ballot, and shall deposit the ballot into the ballot box or give it to the
13 inspector. The inspector shall deposit it directly into the ballot box. Voting machines
14 or ballots utilized with electronic voting systems may only be used by electors voting
15 under this section if they permit voting for president and vice president only.

16 **SECTION 2cx.** 6.29 (1) of the statutes is amended to read:

17 6.29 (1) No names may be added to a registration list for any election after the
18 close of registration, except as authorized under this section or s. 6.28 (1) or 6.55 (2).
19 Any person whose name is not on the registration list but who is otherwise a qualified
20 elector is entitled to vote at the election upon compliance with this section, if the
21 person complies with all other requirements for voting at the polling place.

22 **SECTION 2fc.** 6.55 (2) (b) of the statutes is amended to read:

23 6.55 (2) (b) Upon executing the registration form under par. (a), the person
24 shall be required by a special registration deputy or inspector to present a valid
25 operator's license issued to the person under ch. 343 that contains the photograph

1 of the license holder or a valid identification card issued to the person under s. 343.50.
2 If the identification presented is not acceptable proof of residence under sub. (7), the
3 person shall also present acceptable proof of residence under sub. (7). ~~If the person~~
4 ~~cannot supply such proof, the registration form shall be substantiated and signed by~~
5 ~~one other elector who resides in the same municipality as the registering elector,~~
6 ~~corroborating all the material statements therein. The corroborator shall then~~
7 ~~provide acceptable proof of residence. The signing by the elector executing the~~
8 registration form ~~and by any elector who corroborates the information in the form~~
9 under par. (a) shall be in the presence of the special registration deputy or inspector.
10 Upon compliance with this procedure and all other requirements for voting at the
11 polling place, such person shall then be given the right to vote.

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

13 6.55 (2) (c) 1. As an alternative to registration at the polling place under pars.
14 (a) and (b), the board of election commissioners, or the governing body of any
15 municipality in which registration is required may by resolution require a person
16 who qualifies as an elector and who is not registered and desires to register on the
17 day of an election to do so at another readily accessible location in the same building
18 as the polling place serving the elector's residence or at an alternate polling place
19 assigned under s. 5.25 (5) (b), instead of at the polling place serving the elector's
20 residence. In such case, the municipal clerk shall prominently post a notice of the
21 registration location at the polling place. The municipal clerk, deputy clerk, or
22 special registration deputy at the registration location shall require such person to
23 execute a registration form as prescribed under par. (a) and to present a valid
24 operator's license issued to the person under ch. 343 that contains the photograph
25 of the license holder or a valid identification card issued to the person under s. 343.50.

1 If the identification presented is not acceptable proof of residence under sub. (7), the
2 person shall also provide acceptable proof of residence as provided under sub. (7).
3 ~~If the person cannot supply such proof, the registration form shall be corroborated~~
4 ~~in the manner provided in par. (b).~~ The signing by the elector executing the
5 registration form and by any corroborating elector as prescribed under par. (a) shall
6 be in the presence of the municipal clerk, deputy clerk, or special registration deputy.
7 Upon proper completion of registration, the municipal clerk, deputy clerk, or special
8 registration deputy shall serially number the registration and give one copy to the
9 elector for presentation at the polling place serving the elector's residence or an
10 alternate polling place assigned under s. 5.25 (5) (b).

11 **SECTION 2fg.** 6.55 (2) (c) 2. of the statutes is amended to read:

12 6.55 (2) (c) 2. Upon compliance with the procedures under subd. 1., the
13 municipal clerk or deputy clerk shall issue a certificate addressed to the inspectors
14 of the proper polling place directing that the elector be permitted to cast his or her
15 vote. ~~If the elector's registration is corroborated, the clerk shall enter the name and~~
16 ~~address of the corroborator on the face of the certificate~~ if the elector complies with
17 all requirements for voting at the polling place. The certificate shall be numbered
18 serially and prepared in duplicate. The municipal clerk shall preserve one copy in his
19 or her office.

20 **SECTION 2fj.** 6.55 (2) (d) of the statutes is amended to read:

21 6.55 (2) (d) A registered elector who has changed his or her name but resides
22 at the same address, and has not notified the municipal clerk under s. 6.40 (1) (c),
23 shall notify the inspector of the change before voting. The inspector shall then notify
24 the municipal clerk at the time which materials are returned under s. 6.56 (1). If an
25 elector ~~changes~~ has changed both a name and address, the elector shall complete a

1 ~~registration form~~ register at the polling place or other registration location under
2 pars. (a) and (b).

3 **SECTION 2fL.** 6.55 (3) of the statutes is amended to read:

4 6.55 (3) Any qualified elector in the ward or election district where the elector
5 desires to vote whose name does not appear on the registration list where
6 registration is required but who claims to be registered to vote in the election may
7 request permission to vote at the polling place for that ward or election district.
8 When the request is made, the inspector shall require the person to give his or her
9 name and address. If the elector is not at the polling place which serves the ward or
10 election district where the elector resides, the inspector shall provide the elector with
11 directions to the correct polling place. If the elector is at the correct polling place, the
12 elector shall then execute the following written statement: “I,, hereby certify that
13 to the best of my knowledge, I am a qualified elector, having resided at for at least
14 10 days immediately preceding this election, and that I am not disqualified on any
15 ground from voting, and I have not voted at this election and am properly registered
16 to vote in this election.” The person shall be required to ~~provide~~ present a valid
17 operator’s license issued to the person under ch. 343 that contains a photograph of
18 the license holder or present a valid identification card issued to the person under
19 s. 343.50. If any identification presented by the person is not acceptable proof of
20 residence as provided under sub. (7), the person shall also present acceptable proof
21 of residence as provided under sub. (7) and shall then be given the right to vote. If
22 ~~acceptable proof is presented, the elector need not have the information corroborated~~
23 ~~by any other elector. If acceptable proof is not presented, the statement shall be~~
24 ~~certified by the elector and shall be corroborated by another elector who resides in~~
25 ~~the municipality. The corroborator shall then provide acceptable proof of residence~~

1 as ~~provided in sub. (7).~~ Whenever the question of identity or residence cannot be
2 satisfactorily resolved and the elector cannot be permitted to vote, an inspector shall
3 telephone the office of the municipal clerk to reconcile the records at the polling place
4 with those at the office.

5 **SECTION 2fn.** 6.55 (7) (c) 1. of the statutes is amended to read:

6 6.55 (7) (c) 1. ~~A Wisconsin motor vehicle~~ An operator's license issued under ch.
7 343.

8 **SECTION 2fp.** 6.55 (7) (c) 2. of the statutes is amended to read:

9 6.55 (7) (c) 2. ~~A Wisconsin~~ An identification card issued under ~~s. 125.08, 1987~~
10 ~~stats. s. 343.50.~~

11 **SECTION 2fr.** 6.56 (5) of the statutes is repealed.

12 **SECTION 2ft.** 6.79 (1) of the statutes is amended to read:

13 6.79 (1) MUNICIPALITIES WITHOUT REGISTRATION. Except as provided in sub. (6)
14 (a), where there is no registration, before being permitted to vote, each person shall
15 state his or her full name and address and present to the officials a valid operator's
16 license issued to the person under ch. 343 that contains a photograph of the license
17 holder or present a valid identification card issued to the person under s. 343.50. The
18 officials shall enter each name and address on a poll list in the same order as the votes
19 are cast. If the residence of the elector does not have a number, the election officials
20 shall, in the appropriate space, enter "none". Alternatively, the municipal clerk may
21 maintain a poll list consisting of the full name and address of electors compiled from
22 previous elections. Whenever an elector appears to vote, the officials shall verify the
23 correctness of the elector's name and address, and shall enter a serial number next
24 to the name of the elector in the order that the votes are cast, beginning with the
25 number one. If the name and address of an elector do not appear on the prepared poll

1 list, the officials shall enter the name, address and serial number of the elector at the
2 bottom of the list. Except as provided in sub. (6), before being permitted to vote, each
3 elector shall present to the officials a valid operator's license issued to the elector
4 under ch. 343 that contains a photograph of the license holder or present a valid
5 identification card issued to the elector under s. 343.50. The officials may require any
6 elector to provide identification, including acceptable proof of residence, ~~or to have~~
7 ~~another elector corroborate his or her information in accordance with the procedure~~
8 ~~specified in s. 6.55 (2) (b) under s. 6.55 (7) before permitting the elector to vote. An~~
9 ~~elector who presents an identification card under sub. (6) (a) is not required to~~
10 ~~provide separate identification.~~ The officials shall maintain a separate list of those
11 persons voting under ss. 6.15 and 6.24.

12 **SECTION 2fv.** 6.79 (2) of the statutes is amended to read:

13 **6.79 (2) MUNICIPALITIES WITH REGISTRATION.** Except as provided in sub. (6) (b),
14 where there is registration, each person, before receiving a voting number, shall state
15 his or her full name and address and present to the officials a valid operator's license
16 issued to the person under ch. 343 that contains a photograph of the license holder
17 or present a valid identification card issued to the person under s. 343.50. Upon the
18 prepared registration list, after the name of each elector, the officials shall enter the
19 serial number of the vote as it is polled, beginning with number one. Each elector
20 shall receive a slip bearing the same serial number. A separate list shall be
21 maintained for electors who are voting under s. 6.15, 6.29 or 6.55 (2) or (3) and
22 electors who are reassigned from another polling place under s. 5.25 (5) (b). Each
23 such elector shall have his or her full name, address and serial number likewise
24 entered and shall be given a slip bearing such number.

25 **SECTION 2fx.** 6.79 (3) of the statutes is amended to read:

1 **6.79 (3)** REFUSAL TO GIVE NAME AND ADDRESS AND FAILURE TO PRESENT
2 IDENTIFICATION. Except as provided in sub. (6), if any elector offering to vote at any
3 polling place refuses to give his or her name and address or is unable to present
4 identification authorized under sub. (1) or (2), the elector may not be permitted to
5 vote.

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

7 **6.79 (4)** SUPPLEMENTAL INFORMATION. ~~When any elector provides identification~~
8 ~~under sub. (1) or s. 6.15, 6.29 or 6.55 (2) or (3), the election officials shall enter the~~
9 ~~type of identification on the poll or registration list, or supplemental list maintained~~
10 ~~under sub. (2). If the form of identification includes a number which applies only to~~
11 ~~the individual holding that piece of identification, the election officials shall also~~
12 ~~enter that number on the list. When any elector corroborates the registration~~
13 ~~identity or residence of any person offering to vote under sub. (1) or s. 6.55 (2) (b) or~~
14 ~~(c) or (3) the name and address of the corroborator shall also be entered next to the~~
15 ~~name of the elector whose information is being corroborated on the registration or~~
16 ~~poll list, or the separate list maintained under sub. (2). When any person offering~~
17 ~~to vote has been challenged and taken the oath, following the person's name on the~~
18 ~~registration or poll list, the officials shall enter the word "Sworn".~~

19 **SECTION 2je.** 6.79 (6) (title) of the statutes is repealed and recreated to read:

20 **6.79 (6)** (title) EXCEPTIONS REGARDING IDENTIFICATION.

21 **SECTION 2jg.** 6.79 (6) (a) of the statutes is amended to read:

22 **6.79 (6)** (a) In municipalities where there is no registration, an elector who has
23 a confidential listing under s. 6.47 (2) may present an identification card issued
24 under s. 6.47 (3) in lieu of providing his or her name and address and presenting
25 identification under sub. (1). If the elector resides in the area served by the polling

1 place, the inspectors shall then enter the elector's name and identification serial
2 number on the poll list in a section following the other names, shall issue a voting
3 serial number to the elector and shall record that number on the poll list and permit
4 the elector to vote.

5 **SECTION 2jj.** 6.79 (6) (am) of the statutes is created to read:

6 6.79 (6) (am) The requirement under sub. (1) or (2) that a person present
7 identification does not apply to a person who is voting under s. 6.15 or 6.55 (3).

8 **SECTION 2jL.** 6.79 (6) (b) of the statutes is amended to read:

9 6.79 (6) (b) In municipalities where registration is required, an elector who has
10 a confidential listing under s. 6.47 (2) may present his or her identification card
11 issued under s. 6.47 (3) or may give his or her name and identification serial number
12 issued under s. 6.47 (3), in lieu of stating his or her name and address and presenting
13 identification under sub. (2). If the elector's name and identification serial number
14 appear on the confidential portion of the list, the inspectors shall issue a voting serial
15 number to the elector, record that number on the registration list and permit the
16 elector to vote.

17 **SECTION 2jn.** 6.82 (1) (a) of the statutes, as affected by 2001 Wisconsin Act 16,
18 is amended to read:

19 6.82 (1) (a) When any inspectors are informed that an elector is at the entrance
20 to the polling place who as a result of disability is unable to enter the polling place,
21 they shall permit the elector to be assisted in marking a ballot by any individual
22 selected by the elector, except the elector's employer or an agent of that employer or
23 an officer or agent of a labor organization which represents the elector. The
24 individual selected by the elector shall provide all information necessary for the
25 elector to obtain a ballot under s. 6.79 (1) or (2). The inspectors shall then issue a

1 ballot to the individual selected by the elector and shall accompany the individual
2 to the polling place entrance where the assistance is to be given. If the ballot is a
3 paper ballot, the assisting individual shall fold the ballot after the ballot is marked
4 by the assisting individual. The assisting individual shall then immediately take the
5 ballot into the polling place and give the ballot to an inspector. The inspector shall
6 distinctly announce that he or she has “a ballot offered by ... (stating person’s name),
7 an elector who, as a result of disability, is unable to enter the polling place without
8 assistance”. The inspector shall then ask, “Does anyone object to the reception of this
9 ballot?” If no objection is made, the inspectors shall record the elector’s name under
10 s. 6.79 and deposit the ballot in the ballot box, and shall make a notation on the
11 registration or poll list: “Ballot received at poll entrance”.

12 **SECTION 2jp.** 6.86 (1) (ar) of the statutes is amended to read:

13 6.86 (1) (ar) Except as authorized in s. 6.875 (6), the municipal clerk ~~shall~~ may
14 not issue an absentee ballot unless the clerk receives a written application therefor
15 from a qualified elector of the municipality. The clerk shall retain each absentee
16 ballot application until destruction is authorized under s. 7.23 (1). If an elector
17 applies for an absentee ballot in person at the clerk’s office, the clerk may not issue
18 the elector an absentee ballot unless the elector presents a valid operator’s license
19 issued to the elector under ch. 343 that contains a photograph of the license holder
20 or presents a valid identification card issued to the elector under s. 343.50.”.

21 **3.** Page 7, line 6: after that line insert:

22 “**SECTION 10m.** 10.02 (3) (a) of the statutes is amended to read:

23 10.02 (3) (a) Upon entering the polling place and before being permitted to vote,
24 an elector shall give state his or her name and address before being permitted to vote

1 and shall present identification as required by law. Where ballots are distributed to
2 electors, the initials of 2 inspectors must appear on the ballot. Upon being permitted
3 to vote, the elector shall retire alone to a voting booth or machine and cast his or her
4 ballot, except that an elector who is a parent or guardian may be accompanied by the
5 elector’s minor child or minor ward. An election official may inform the elector of the
6 proper manner for casting a vote, but the official may not in any manner advise or
7 indicate a particular voting choice.”.

8 **4.** Page 53, line 3: after that line insert:

9 “**SECTION 124r.** 20.395 (5) (cr) of the statutes is created to read:

10 20.395 (5) (cr) *Identification cards, state funds.* A sum sufficient from moneys
11 lapsed to the transportation fund as a result of 2001 Wisconsin Act 16, section 9152
12 (2cd) (b), equal to the amount of fees not collected under s. 343.50 (5) and (6) for the
13 issuance or renewal of identification cards without charge, for the purpose of issuing
14 or renewing such identification cards.

15 **SECTION 124s.** 20.395 (5) (cr) of the statutes, as created by 2001 Wisconsin Act
16 (this act), is repealed.”.

17 **5.** Page 55, line 2: after that line insert:

18 “**SECTION 129p.** 343.50 (5) of the statutes is amended to read:

19 343.50 (5) **VALID PERIOD; FEES.** The fee for an original card and for the
20 reinstatement of an identification card after cancellation under sub. (10) shall be \$9
21 or, upon request of the applicant, without charge. The card shall be valid for the
22 succeeding period of 4 years from the applicant’s next birthday after the date of
23 issuance.

24 **SECTION 129r.** 343.50 (6) of the statutes is amended to read:

