



15K

LRB-13012-1
RJM & JTK

SOON

RUNNR
ALBTR
CS

DOA:.....Uecker - Various election law changes

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

Do NOT GEN

1 AN ACT ...; relating to: administration of elections, granting rule-making
2 authority, providing a penalty, and making an appropriation.

HOUSE OF ANALYSIS

Analysis by the Legislative Reference Bureau

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

3 SECTION 1. 5.02 (1)^x of the statutes is renumbered 5.02 (1c). ✓

4 SECTION 2. 5.02 (1a)[^] of the statutes is created to read: ✓

5 5.02 (1a) "Alternate identification," when used in reference to any individual,
6 means any identification card other than preferred identification that contains the
7 photograph and current street address of the individual.

8 SECTION 3. 5.02 (15m)[^] of the statutes is created to read: ✓

9 5.02 (15m) "Preferred identification," when used in reference to any
10 individual, means a valid operator's license issued to the individual under ch. 343 ✓

1 that contains the photograph and current street address of the individual or a valid
2 identification card issued to the individual under s. 343.50 that contains the current
3 street address of the individual. ✓

4 SECTION 4. 5.02 (17) of the statutes is amended to read:

5 5.02 (17) "Registration list" means the list of electors who are properly
6 registered to vote in municipalities in which registration is required.

1971 c. 211; 1971 c. 304 ss. 2, 29 (2); 1973 c. 280, 334; 1975 c. 93; 1977 c. 107, 187, 394; 1977 c. 427 ss. 3 to 14; 1977 c. 449; 1979 c. 32, 89, 221; 1979 c. 260 ss. 1m, 73
1975; 1979 c. 311, 328; 1981 c. 4, 391; 1983 a. 484 ss. 5, 5g, 124m, 128; 1985 a. 303; 1985 a. 304 ss. 1m, 2, 155; 1987 a. 391 ss. 1 to 1r, 66w; 1989 a. 31; 1991 a. 5; 1993 a.
140, 184; 1995 a. 27 s. 9145 (1); 1995 a. 27; 1997 a. 35.

7 SECTION 5. 6.15 (2) (bm) of the statutes is created to read:

8 6.15 (2) (bm) ^{when making application in person at the office of the municipal clerk, each} ~~Each~~ applicant shall present preferred identification or, if the
9 applicant is unable to present preferred identification, the applicant shall present
10 alternate identification. If the applicant is unable to present preferred or alternate
11 identification, the applicant shall present any identification card that contains the
12 name and photograph of the applicant and an identification number. If the applicant
13 is unable to present any ^{authorized under this paragraph} ~~acceptable~~ identification, the application information may
14 be corroborated in a ^{that is signed} ~~signed~~ statement by any other elector who resides in the
15 municipality and who has not, during that day, corroborated the identity of more
16 ^{and that contains the current street address of the corroborator} than one other person. The corroborator shall then provide identification ^{in the same manner} as if the
17 corroborator were applying ^{for a ballot} ~~to vote~~ under this ^{paragraph} ~~subdivision~~. The clerk shall record on
18 the application form, for any applicant who is unable to present preferred or
19 alternate identification, the type of identification the applicant is able to present, if
20 any, and the identifying number contained in that identification.

21 SECTION 6. 6.15 (3) (a) 1. of the statutes is amended to read:

22 6.15 (3) (a) 1. ^{(2) (d) 1r.} ~~(2) (d) 1r.~~ Upon proper completion of the application and cancellation card,
23 ^{and verification and recording of the elector's identification under subd. 1g, if} ~~the municipal clerk shall inform the elector that he or she may vote for the~~
24 ~~presidential electors not sooner than 9 days nor later than 5 p.m. on the day before~~ ^{required,}

25-26
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7A
IN 8
2-8
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IN 5
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are renumbered 6.15(2)(d) 1r. 2. and 3. and 6.15
(2)(d) 1r. as
renumbered, is

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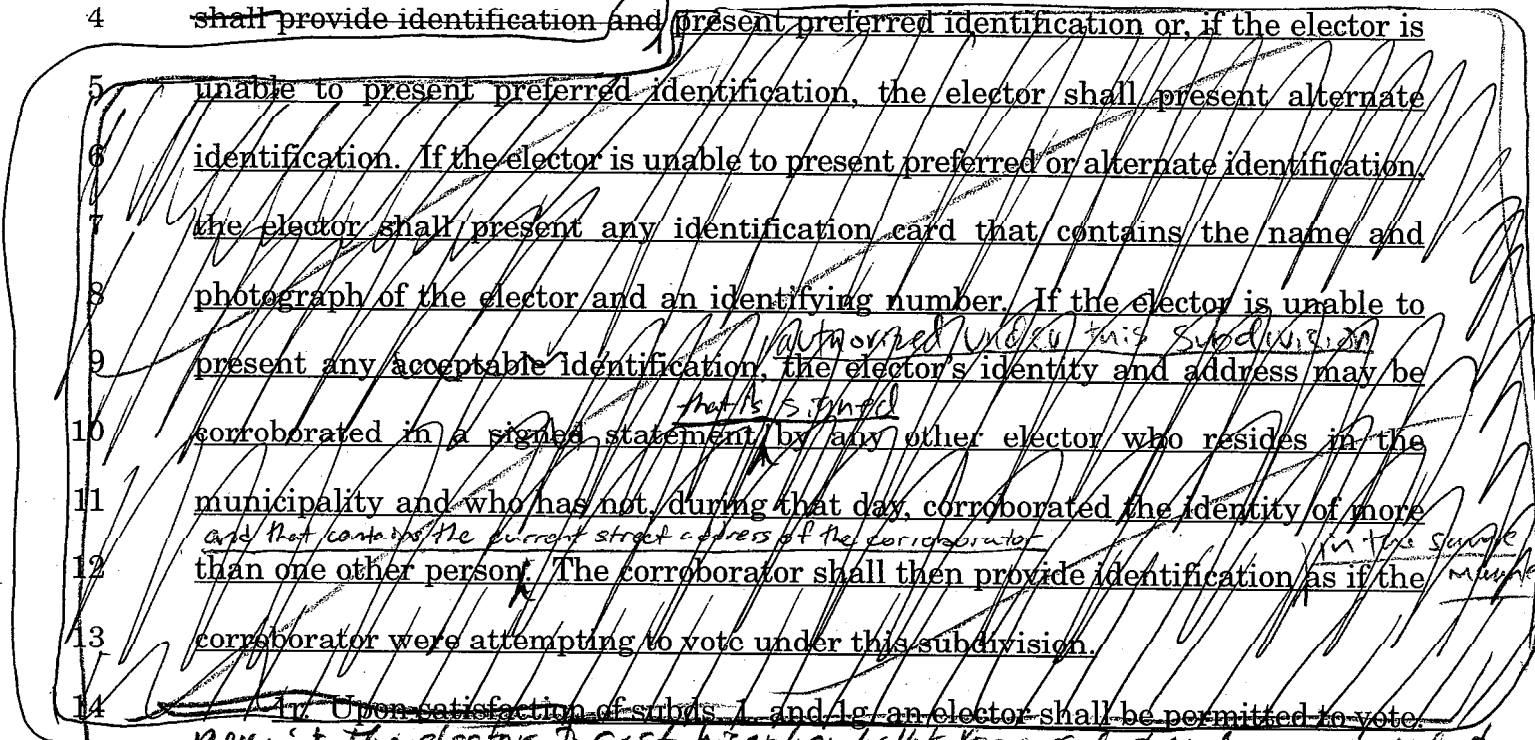
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1 ~~the election at the office of the municipal clerk, or at a specified polling place on~~
 2 ~~election day. When voting at the municipal clerk's office, ~~(unless the elector votes~~~~
 3 ~~immediately after completing the application under sub. (2), the applicant elector~~
 4 ~~shall provide identification and present preferred identification or, if the elector is~~
 5 ~~unable to present preferred identification, the elector shall present alternate~~
 6 ~~identification. If the elector is unable to present preferred or alternate identification,~~
 7 ~~the elector shall present any identification card that contains the name and~~
 8 ~~photograph of the elector and an identifying number. If the elector is unable to~~
 9 ~~present any acceptable identification, the elector's identity and address may be~~
 10 ~~corroborated in a signed statement by any other elector who resides in the~~
 11 ~~municipality and who has not, during that day, corroborated the identity of more~~
 12 ~~than one other person. The corroborator shall then provide identification as if the~~
 13 ~~corroborator were attempting to vote under this subdivision.~~

14 ~~17. Upon satisfaction of subs. 1 and 1g, an elector shall be permitted to vote.~~
 15 ~~Permit the elector to cast his/her ballot for president and vice president.~~
 16 ~~The elector shall ^{then} mark or punch the ballot in the clerk's presence in a manner that~~
 17 ~~will not disclose his or her vote. Unless the ballot is utilized with an electronic voting~~
 18 ~~system, the applicant elector shall fold the ballot so as to conceal his or her vote. The~~
 19 ~~applicant elector shall then deposit the ballot and seal it in an envelope furnished~~
 20 ~~by the clerk.~~

20 SECTION 7. 6.15 ~~(b)(1)~~ ^{(2)(d)} 1g. of the statutes is created to read:

21 6.15 ~~(b)(1)~~ ^{(2)(d)} 1g. Except as otherwise provided in this subdivision, ~~the~~ clerk shall
 22 verify that the name and address on the identification provided by the elector under
 23 ~~sub. 1~~ ^{par. (6m)} or the name and address corroborated under ~~sub. 1~~ ^{par. (6m)} are the same as the
 24 name and address on the elector's application and shall verify that the photograph
 25 contained in the identification reasonably resembles the elector. If the elector



person at
the office
of
the
municipal
clerk,

1 presents an identification card that is not preferred or alternate identification or that
 2 contains an address different from that on the application, the ^{clerk} officials shall verify
 3 that the name and identifying number on the identification card are the same as the
 4 person's name on the application and the identifying number on any identification
 5 card that the person's application indicates he or she is able to present. If the person's
 6 application does not indicate ^{that} he or she is able to present an identification card or if
 7 the identifying number on the identification card is different from the identifying
 8 number indicated in the person's application, the ^{clerk} officials shall record the type of
 9 identification and the identifying number contained in that identification ~~as~~

10 provided under s. 6.79 ~~(a)~~
 SECTION # RP1, 6.15 (3) (b) (title)

11 SECTION 8. 6.15 (3) (b) of the statutes is ^{renumbered 6.15(3) and} amended to read:

12 ~~VOTING PROCEDURE~~ PROCEDURE AT POLLING PLACE. (CS)
 6.15 (3) ~~(a) (b) (c) (d) (e) (f) (g) (h) (i) (j) (k) (l) (m) (n) (o) (p) (q) (r) (s) (t) (u) (v) (w) (x) (y) (z)~~

13 An eligible elector may appear at the polling place for
 14 the ward or election district where he or she resides and make application for a ballot

15 under sub. (2). In such case, the ^{inspector or special registration deputy} Except as otherwise provided in this subsection, an

16 elector who ^{casts a ballot} ~~votes~~ under this subsection shall follow the same procedure required for

17 ~~voting~~ ^{casting a ballot} at the municipal clerk's office under ^{sub. (2)} par. (a) ~~or (b)~~. The ^{inspector or special} ~~inspector or special~~

18 ~~registration deputy~~ ^{inspector} shall perform the duties of the municipal clerk. ^{strike period} The elector shall

19 provide identification. If the elector is qualified, he or she shall be permitted to vote ^{sub. (2)}

20 ~~except that the inspectors shall return the cancellation card under~~ ^(b)

21 The elector shall ^{then} mark or punch the ballot and, unless the ballot is utilized with an ^{to the}

22 electronic voting system, the elector shall fold the ballot, and shall deposit the ballot ^{municipal}

23 into the ballot box or give it to the inspector. The inspector shall deposit it directly ^{clerk}

24 into the ballot box. Voting machines or ballots utilized with electronic voting systems ^{and}

may be used by electors voting under this section if they permit voting for president ^{clerk}

and vice president only. ^{shall}

^{Forward}

^{the card}

^{as provided}

^{under sub. (2) -}

^{(c) if required.}

1977 c. 394; 1979 c. 311; 1981 c. 391; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1997 a. 250; 1999 a. 182.

Upon proper completion of the application and cancellation card and verification and recording of the elector's identification card and the inspectors shall permit the elector to cast his or her ballot for president and vice president ^{plain period}

1 SECTION 9. 6.20 of the statutes is amended to read:

2 6.20 Absent electors. Any qualified elector of this state who registers where
3 required may vote by absentee ballot under ss. 6.84 to 6.89.

4 1985 a. 304.

5 SECTION 10. 6.24 (3) of the statutes is amended to read:

6 6.24 (3) REGISTRATION. ~~If registration is required in the municipality where the~~
7 ~~resided or where the overseas elector's parent resided~~
8 ~~The overseas elector resides,~~ the elector shall register in the municipality where he
9 ~~or she resides~~ was last domiciled or where the overseas elector's parent was last
10 domiciled on a form prescribed by the board designed to ascertain the elector's
11 qualifications under this section. The form shall be substantially similar to the
12 original form under s. 6.33 (1), insofar as applicable. Registration shall be
13 accomplished in accordance with s. 6.30 (4).

NOTE: NOTE: Sub. (3) is amended eff. 1-1-01, by 1999 Wis. Act 182 to read as follows if in the November 2000 general election, a majority of all votes cast on the question at the election approve the changes made to subs. (1) to (3) made by Act 182, ss. 68 and 70; otherwise the amendment to sub. (3), as shown below, does not take effect. NOTE:

11 (3) REGISTRATION. If registration is required in the municipality where the overseas elector resided or where the elector's parent resided, the elector shall register
12 on a form prescribed by the board designed to ascertain the elector's qualifications under this section. The form shall be substantially similar to the original form under
13 s. 6.33 (1), insofar as applicable. Registration shall be accomplished in accordance with s. 6.30 (4).

14 1977 c. 394; 1979 c. 260, 311; 1985 a. 304; 1987 a. 391; 1989 a. 192; 1995 a. 313; 1997 a. 35; 1999 a. 182 ss. 68 to 75m, 224.

15 SECTION 11. 6.24 (4) (a) of the statutes is amended to read:

16 6.24 (4) (a) An overseas elector who is properly registered where registration
17 is required may request an absentee ballot in writing under ss. 6.86 to 6.89.

18 1977 c. 394; 1979 c. 260, 311; 1985 a. 304; 1987 a. 391; 1989 a. 192; 1995 a. 313; 1997 a. 35; 1999 a. 182 ss. 68 to 75m, 224.

19 SECTION 12. 6.24 (4) (c) of the statutes is amended to read:

20 6.24 (4) (c) Upon receipt of a timely application from an individual who
21 qualifies as an overseas elector and who has registered to vote in a municipality
22 under sub. (3) whenever registration is required in that municipality, the municipal
23 clerk of the municipality shall send an absentee ballot to the individual for all
24 subsequent elections for national office to be held during the year in which the ballot
is requested, unless the individual otherwise requests or until the individual no
longer qualifies as an overseas elector.

1977 c. 394; 1979 c. 260, 311; 1985 a. 304; 1987 a. 391; 1989 a. 192; 1995 a. 313; 1997 a. 35; 1999 a. 182 ss. 68 to 75m, 224.

*
P.W.S.
7

1 SECTION 13. 6.24 (8) of the statutes is repealed.

2 SECTION 14. 6.27 (1) of the statutes is renumbered 6.27 and amended to read:

3 ~~6.27~~ ^{Where elector} ~~Every municipality over 5,000 population shall keep a registration list~~ ^{Elector registration required.}
4 consisting of all currently registered electors. ~~Where used, registration applies to~~
5 Registration is required in every municipality for all elections.

Handwritten notes: 7/15/01, 4-6, 6

1973 c. 334 s. 57; 1977 c. 394; 1979 c. 260, 355; 1983 a. 484; 1985 a. 304; 1989 a. 192.

6 SECTION 15. 6.27 (2) to (5) of the statutes are repealed. ✓

7 SECTION 16. 6.28 (2) (b) of the statutes is amended to read:

8 6.28 (2) (b) The municipal clerk of each municipality ~~in which elector~~
9 ~~registration is required~~ shall notify the school board of each school district in which
10 the municipality is located that high schools shall be used for registration pursuant
11 to par. (a). The school board and the municipal clerk shall agree upon the
12 appointment of at least one qualified elector at each high school as a special school
13 registration deputy. The municipal clerk shall appoint such person as a school
14 registration deputy and explain the person's duties and responsibilities. Students
15 and staff may register at the high school on any day that classes are regularly held.
16 The school registration deputies shall promptly forward properly completed
17 registration forms to the municipal clerk of the municipality in which the registering
18 student or staff member resides. The municipal clerk, upon receiving such
19 registration forms, shall add all those registering electors who have met the
20 registration requirements to the registration list. The municipal clerk may reject
21 any registration form and shall promptly notify the person whose registration is
22 rejected of the rejection and the reason therefor. A person whose registration is
23 rejected may reapply for registration if he or she is qualified. The form of each high
24 school student who is qualified and will be eligible to vote at the next election shall

1 be filed in such a way that when a student attains the age of 18 years the student is
2 registered to vote automatically. Each school board shall assure that the principal
3 of every high school communicates elector registration information to students.

1971 c. 304 s. 29 (2); 1973 c. 166, 225, 334; 1975 c. 85, 199; 1977 c. 378, 394, 447; 1979 c. 32; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1989 a. 31, 192; 1991 a. 221; 1999 a. 49, 182; s. 13.93 (2) (c).

4 SECTION 17. 6.28 (3) of the statutes is amended to read:

5 6.28 (3) AT OFFICE OF REGISTER OF DEEDS. Any person who ~~resides in a~~
6 ~~municipality requiring registration of electors~~ shall be given an opportunity to
7 register to vote at the office of the register of deeds for the county in which the
8 person's municipality of residence is located. An applicant may fill out the required
9 registration form under s. 6.33. Upon receipt of a completed form, the register of
10 deeds shall forward the form within 5 days to the appropriate municipal clerk, or to
11 the board of election commissioners in cities over 500,000 population. The register
12 of deeds shall forward the form immediately whenever registration closes within 5
13 days of receipt.

1971 c. 304 s. 29 (2); 1973 c. 166, 225, 334; 1975 c. 85, 199; 1977 c. 378, 394, 447; 1979 c. 32; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1989 a. 31, 192; 1991 a. 221; 1999 a. 49, 182; s. 13.93 (2) (c).

14 SECTION 18. 6.29 (1) of the statutes is amended to read:

15 6.29 (1) No names may be added to a registration list for any election after the
16 close of registration, except as authorized under this section or s. 6.28 (1) or 6.55 (2).
17 Any person whose name is not on the registration list but who is otherwise a qualified
18 elector is entitled to vote at the election upon compliance with this section, if the
19 person complies with all other requirements ^{for voting} imposed at the polling place.

1977 c. 394; 1987 a. 391; 1989 a. 192; 1999 a. 182.

20 SECTION 19. 6.29 (2) (a) of the statutes is amended to read:

21 6.29 (2) (a) Any qualified elector of a municipality ~~where registration is~~
22 ~~required~~ who has not previously filed a registration form or whose name does not
23 appear on the registration list of the municipality ~~shall be entitled to vote at the~~

1 ~~election if he or she delivers to the municipal clerk~~ may register after the close of
2 registration but not later than 5 p.m. of the day before an election at the office of the
3 municipal clerk or at the office of the county clerk if the county clerk is acting as the
4 agent of the municipal clerk for electronic entry of registration changes under s. 6.33
5 (5) (b). The elector shall complete, in the manner provided under s. 6.33 (2), a
6 registration form executed by the elector. The form shall contain a certification by
7 the elector that all statements are true and correct. Alternatively, if the elector
8 cannot obtain a registration form, the elector may deliver a statement, signed by the
9 elector, containing all of the information required on the registration form containing
10 all information required under s. 6.33 (1). The elector shall present preferred
11 identification or, if the elector is unable to present preferred identification, the
12 elector shall present alternate identification. If the elector is unable to present
13 preferred or alternate identification, the elector shall present any identification card
14 that contains the name and photograph of the elector and an identifying number. If
15 any identification presented by the elector is not acceptable proof of residence as
16 provided in under s. 6.55 (7), the elector shall also present acceptable proof of
17 residence. If no proof is presented the elector is unable to present ^{any} acceptable
18 identification) or proof of residence, the information contained in the registration
19 form or the listing of required information shall be substantiated ^{acceptable} corroborated in a
20 ~~signed~~ statement, ^{that is signed} by one ^{authorized under this paragraph} any other elector of the municipality, corroborating all the
21 material statements therein ^{and that contains the current street address of the corroborating elector} who has not, during that day, corroborated the
22 registration information of more than one other elector. The corroborating elector
23 shall then provide identification ^{in the same manner} as if the corroborating elector were registering
24 under this paragraph and acceptable proof of residence under s. 6.55 (7). The signing
25 of the form by the registering elector and statement by the corroborating elector shall

for the county clerk if designated under
S.C. 33 (5)(b),

1 be done in the presence of the ~~municipal clerk or deputy clerk~~ not later than 5 p.m.
2 of the day before an election.

municipal

1977 c. 394; 1987 a. 391; 1989 a. 192; 1999 a. 182.

3 SECTION 20. 6.29 (2) (b) of the statutes is amended to read:

4 6.29 (2) (b) Upon Unless the clerk determines that the registration list will be
5 revised to incorporate the registration in time for the election, upon the filing of the
6 registration form required by this section, the municipal clerk shall issue a
7 certificate addressed to the inspectors of the proper ward or election district
8 be permitted to cast his or her vote if the elector complies with all requirements
9 imposed for voting at the polling place unless the clerk determines that the registration list
10 will be revised to incorporate the registration in time for the election. The certificate
11 shall be numbered serially, prepared in duplicate and one copy preserved in the office
12 of the municipal clerk. The certificate shall indicate the name and address of the
13 elector and, if the elector is unable to present preferred or alternate identification,
14 the certificate shall indicate the type of identification, if any, the elector is able to
15 present and the identifying number contained in that identification.

1977 c. 394; 1987 a. 391; 1989 a. 192; 1999 a. 182.

16 SECTION 21. 6.33 (title) of the statutes is amended to read:

17 6.33 (title) **Registration forms; manner of completing.**

1971 c. 304 s. 29 (1), (2); 1971 c. 336 s. 37; 1975 c. 85 ss. 15, 16, 17, 66 (3); 1975 c. 94 a. 21; 1977 c. 378, 394, 447; 1979 c. 32; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 182.

18 SECTION 22. 6.33 (1) of the statutes is amended to read:

19 6.33 (1) The municipal clerk shall supply sufficient registration forms as
20 prescribed by the board printed on loose-leaf sheets or cards to obtain from each
21 applicant information as to name, date, residence location, citizenship, age, whether
22 the applicant has resided within the ward or election district for at least 10 days,
23 whether the applicant has lost his or her right to vote, and whether the applicant is

1 currently registered to vote at any other location, and shall provide a space for the
 2 applicant's signature. ^{and the ward and aldermanic district, if any, where the elector resides} The forms shall also include a space for where the clerk,
 3 issuing officer, or registration deputy may record, for any applicant under s. 6.29 (2)
 4 or 6.55 (2) who is unable to present preferred or alternate identification, the type of
 5 identification serial, if any, the applicant is able to present and the identifying
 6 number of any elector who is issued such a number under s. 6.47 (3) contained in that
 7 identification. The forms shall also include a space where the clerk, issuing officer,
 8 or registration deputy, for any applicant who possesses a valid voting identification
 9 card issued to the person under s. 6.47 (3), may record the ^{identification} serial number contained
 10 ^{appearing on} the voting identification card and shall include a space for any other information
 11 prescribed by rule of the board. Each register of deeds shall obtain sufficient
 12 registration forms at the expense of the unit of government by which he or she is
 13 employed for completion by any elector who desires to register to vote at the office
 14 of the register of deeds under s. 6.28 (3) ~~or, if the county clerk is acting as the agent~~
 15 ~~of a municipal clerk for electronic entry of registration changes under s. 6.33 (5)(b)~~
 16 ~~at the office of the county clerk under s. 6.29 (2) (a)~~

1971 c. 304 s. 29 (1), (2); 1971 c. 336 s. 37; 1975 c. 85 ss. 15, 16, 17, 66 (3); 1975 c. 94 s. 91; 1977 c. 378, 394, 447; 1979 c. 32; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 182.

17 **SECTION 23.** 6.33 (2) (a) of the statutes is amended to read:

18 6.33 (2) (a) ~~The~~ All information may be recorded by any person, but the ~~except~~
 19 that ^{the ward and aldermanic district, if any, and} any information relating to the identification an applicant under s. 6.29 (2) or
 20 6.55 (2) is able to present and any information relating to an applicant's voting
 21 identification card shall be recorded by the clerk, issuing officer, or registration
 22 deputy. Each applicant shall sign his or her own name unless the applicant is unable
 23 to sign his or her name due to physical disability. In such case, the applicant may
 24 authorize another elector to sign the form on his or her behalf. If the applicant so

1 authorizes, the elector signing the form shall attest to a statement that the
2 application is made upon request and by authorization of a named elector who is
3 unable to sign the form due to physical disability. ~~Ward and aldermanic district~~
4 ~~information shall be filed in by the clerk.~~

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1971 c. 304 s. 29 (1), (2); 1971 c. 336 s. 37; 1975 c. 85 ss. 15, 16, 17, 66 (3); 1975 c. 94 s. 91; 1977 c. 378, 394, 447; 1979 c. 32; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 182.

5 SECTION 24. 6.36 (2) (a) of the statutes is amended to read:

6 6.36 (2) (a) Except as provided in par. (b), ^{each} ~~the~~ registration lists ^{list prepared for use at a polling place} shall contain
7 the full name and address of each registered elector; ; the type of identification card,
8 if any, that each elector registered under s. 6.29 (2) or 6.55 (2) is able to ^{present} ~~produce~~ and
9 the identifying number contained in that identification card; a blank column for the
10 entry of the serial number of the electors when they vote; and a form of a certificate

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11 stating that ^{the} ~~each~~ list is a true and complete ~~combined check and~~ registration list of

12 ~~the respective wards~~ ^{for which the list is prepared}

bearing the certification of
the executive director of
the board

1971 c. 304 s. 29 (2); 1975 c. 85; 1977 c. 394 ss. 21, 22, 53; 1999 a. 49.

13 SECTION 25. 6.50 (1) (intro.) of the statutes is amended to read:

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14 6.50 (1) (intro.) Within 90 days following each general election, the municipal
15 clerk or board of election commissioners of each municipality in which registration
16 is required shall examine the registration records and identify each elector who has
17 not voted within the previous 4 years if qualified to do so during that entire period
18 and shall mail a notice to the elector in substantially the following form:

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1971 c. 242; 1971 c. 304 s. 29 (2); 1971 c. 336 s. 37; 1973 c. 164; 1975 c. 85, 199, 200; 1977 c. 394 ss. 27, 53; 1979 c. 260; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1999 a. 150 s. 672.

19 SECTION 26. 6.50 (2m) (a) of the statutes is amended to read:

20 6.50 (2m) (a) As an alternative to the procedure prescribed in subs. (1) and (2),
21 the governing body of a municipality where registration is required may provide for
22 revision of registration lists under this subsection.

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1971 c. 242; 1971 c. 304 s. 29 (2); 1971 c. 336 s. 37; 1973 c. 164; 1975 c. 85, 199, 200; 1977 c. 394 ss. 27, 53; 1979 c. 260; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1999 a. 150 s. 672.

23 SECTION 27. 6.50 (10) of the statutes is amended to read:

1 6.50 (10) Any elector whose registration is canceled under this section may
2 have ~~his or her registration reinstated by filing a new registration form~~ reregister
3 as provided under s. 6.28 (1), 6.29 (2), or 6.55 (2).

1971 c. 242; 1971 c. 304 s. 29 (2); 1971 c. 336 s. 37; 1973 c. 164; 1975 c. 85, 199, 200; 1977 c. 394 ss. 27, 53; 1979 c. 260; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1999 a. 150 s. 672.

4 **SECTION 28.** 6.54 of the statutes is repealed.

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

6 6.55 (2) (a) 1. (intro.) Except where the procedure under par. (c) or (cm) is
7 employed, any person who qualifies as an elector in the ward or election district
8 where he or she desires to vote, but has not previously filed a registration form, or
9 was registered at another location ~~in a municipality where registration is required,~~
10 may request permission to vote at the polling place for that ward or election district,
11 or at an alternate polling place assigned under s. 5.25 (5) (b). When a proper request
12 is made, the inspector shall require the person to execute a registration form
13 prescribed by the board ~~that~~. The registration form shall be completed in the manner
14 provided under s. 6.33 (2) and shall contain all information required under s. 6.33
15 (1), along with the following certification:

(I) If the person wishes to obtain a certified copy of the registration form, the person shall register at the office of the municipal clerk.

16 **SECTION 30.** 6.55 (2) (b) of the statutes is amended to read:

17 6.55 (2) (b) Upon executing the registration form under par. (a), the person
18 shall ~~be required by a special registration deputy or inspector to present preferred~~
19 identification or, if the person is unable to present preferred identification, the
20 person shall present alternate identification. If the person is unable to present
21 preferred or alternate identification, the person shall present any identification card
22 that contains the name and photograph of the person and an identifying number.
23 If any identification presented by the person is not acceptable proof of residence
24 under sub. (7), the elector shall also present acceptable proof of residence. If the

authorized under this paragraph

1 person cannot supply such ~~proof~~ acceptable identification or proof of residence, the
 2 information contained in the registration form shall be substantiated and signed
 3 corroborated in a ~~signed~~ ^{that is signed} statement by one other any elector who resides in the same
 4 municipality as the registering elector, ~~corroborating all the material statements~~
 5 therein and who has not, during that day, corroborated the registration information
 6 of more than one other person ^{and that contains the current street address of the corroborator} The corroborator shall then provide identification as ^{in the same manner}
 7 if the corroborator were registering under this subsection and shall provide
 8 acceptable proof of residence. The signing by the elector person executing the
 9 registration form and by any elector who corroborates the information in the form
 10 corroborator shall be in the presence of the ~~municipal clerk~~ special registration deputy or inspector.
 11 Upon compliance with this procedure, ~~such person shall then be given the right to~~
 12 vote the elector shall be permitted to cast his or her vote, if the elector complies with
 13 all other requirements ^{for voting} imposed at the polling place.

1971 c. 304 s. 29 (2); 1973 c. 222; 1975 c. 85, 93, 199, 200; 1977 c. 394, 427; 1979 c. 311; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 186.

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

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

1 a registration form as prescribed under par. (a) and to provide present preferred
 2 identification or, if the person is unable to present preferred identification, alternate
 3 identification. If the person is unable to present preferred or alternate identification,
 4 the person shall present any identification card that contains the name and
 5 photograph of the person and an identifying number. If any identification presented
 6 by the person is not acceptable proof of residence as provided under sub. (7), the
 7 elector shall also present acceptable proof of residence. If the person cannot supply
 8 such proof ~~acceptable~~ ^{authorized under this subdivision} identification or ^{acceptable} proof of residence, the information contained
 9 in the registration form shall be corroborated in the manner provided in par. (b). The
 10 signing by the elector person executing the registration form and by any
 11 ~~corroborating elector~~ corroborator shall be in the presence of the municipal clerk,
 12 deputy clerk or special registration deputy. Upon proper completion of registration,
 13 the municipal clerk, deputy clerk or special registration deputy shall serially number
 14 the registration and give one copy to the elector for presentation at the polling place
 15 serving the elector's residence or an alternate polling place assigned under s. 5.25
 16 (5) (b).

1971 c. 304 s. 29 (2); 1973 c. 222; 1975 c. 85, 93, 199, 200; 1977 c. 394, 427; 1979 c. 311; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 186.

17 **SECTION 32.** 6.55 (2) (c) 2. of the statutes is amended to read:

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

1 or her office. The certificate shall indicate the name and address of the elector and,
2 if the elector is unable to present preferred or alternate identification, the certificate
3 shall indicate the type of identification, if any, the elector is able to present and the
4 identifying number contained in that identification.

1971 c. 304 s. 29 (2); 1973 c. 222; 1975 c. 85, 93, 199, 200; 1977 c. 394, 427; 1979 c. 311; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 186.

5 **SECTION 33.** 6.55 (2) (d) of the statutes is amended to read:

6 6.55 (2) (d) A registered elector who has changed his or her name but resides
7 at the same address, and has not notified the municipal clerk under s. 6.40 (1) (c),
8 shall notify the inspector of the change before voting. The inspector shall then notify
9 the municipal clerk at the time which materials are returned under s. 6.56 (1). If an
10 elector changes has changed both a name and address, the elector shall ~~complete a~~
11 ~~registration form~~ register at the polling place or other registration location under
12 pars. (a) and (b).

1971 c. 304 s. 29 (2); 1973 c. 222; 1975 c. 85, 93, 199, 200; 1977 c. 394, 427; 1979 c. 311; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 186.

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

14 6.55 (3) Any qualified elector in the ward or election district where the elector
15 desires to vote whose name does not appear on the registration list ~~where~~
16 ~~registration is required~~ but who claims to be registered to vote in the election may
17 request permission to vote at the polling place for that ward or election district.
18 When the request is made, the inspector shall require the person to give his or her
19 name and address. If the elector is not at the polling place which serves the ward or
20 election district where the elector resides, the inspector shall provide the elector with
21 directions to the correct polling place. If the elector is at the correct polling place, the
22 elector shall then execute the following written statement: "I, ..., hereby certify that
23 to the best of my knowledge, I am a qualified elector, having resided at for at least

1 10 days immediately preceding this election, and that I am not disqualified on any
 2 ground from voting, and I have not voted at this election and am properly registered
 3 to vote in this election." The person shall be required to provide present preferred
 4 identification or, if the person is unable to present preferred identification, alternate
 5 identification. If the person is unable to present preferred or alternate identification,
 6 the person shall present any identification card that contains the name and
 7 photograph of the person and an identifying number. If any identification presented
 8 by the person is not acceptable proof of residence as provided under sub. (7), the
 9 person shall also present acceptable proof of residence and shall then be given the
 10 right to vote. If acceptable proof is presented, the elector need not have the
 11 information corroborated by any other elector. If ^{identification authorized under this} acceptable ~~identification~~ ^{or} proof Subsection
 12 of residence is not presented, the statement shall be certified by the elector and shall
 13 be corroborated in a ^{that is signed} signed statement by another any other elector who resides in the
 14 municipality and who has not, during that day, corroborated the registration
 15 information of more than one other person ^{and that contains the current street address of the corroborator}. The corroborator shall then provide
 16 identification ^{in the same manner} as if the corroborator were executing the certification under this
 17 subsection and shall provide acceptable proof of residence as provided in sub. (7).
 18 Whenever the question of identity or residence cannot be satisfactorily resolved and
 19 the elector cannot be permitted to vote, an inspector shall telephone the office of the
 20 municipal clerk to reconcile the records at the polling place with those at the office.

1971 c. 304 s. 29 (2); 1973 c. 222; 1975 c. 85, 93, 199, 200; 1977 c. 394, 427; 1979 c. 311; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 186.

21 **SECTION 35. 6.55 (7) (c) 1. of the statutes is amended to read:**

22 6.55 (7) (c) 1. ~~A Wisconsin motor vehicle~~ An operator's license issued under ch.
 23 343.

1971 c. 304 s. 29 (2); 1973 c. 222; 1975 c. 85, 93, 199, 200; 1977 c. 394, 427; 1979 c. 311; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 186.

1 **SECTION 36.** 6.55 (7) (c) 2. of the statutes is amended to read:

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

1971 c. 304 s. 29 (2); 1973 c. 222; 1975 c. 85, 93, 199, 200; 1977 c. 394, 427; 1979 c. 311; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 186.

4 **SECTION 37.** 6.79 (intro.) of the statutes is renumbered 6.79 (1m) and amended
5 to read:

6 **6.79 (1m)** Two election officials at each election ward shall be in charge of and
7 shall maintain 2 separate poll lists of containing information relating to all persons
8 voting. The municipal clerk may elect to maintain the information on the poll list
9 lists manually or electronically. If the ~~list is~~ lists are maintained electronically, the
10 officials shall enter the information into an electronic data recording system that
11 enables retrieval of a printed copy of the poll list at the polling place. The system
12 employed is subject to the approval of the board.

1971 c. 304 s. 29 (2); 1975 c. 85, 199, 200; 1977 c. 394, 447; 1979 c. 260, 311, 355; 1985 a. 304; 1989 a. 192; 1999 a. 49, 182; s. 13.93 (2) (c).

13 **SECTION 38.** 6.79 (1) of the statutes is repealed.

14 **SECTION 39.** 6.79 (2) of the statutes is repealed and recreated to read:

15 **6.79 (2) VERIFICATION OF IDENTITY AND ADDRESS AND MAINTENANCE OF POLL LISTS.**

16 (a) Unless information on the poll list is entered electronically, the municipal clerk
17 shall supply the inspectors with 2 copies of the most current original registration list
18 or lists prepared under s. 6.36 (1) for use as poll lists at the polling place. Except as
19 provided in sub. (6), each person, before receiving a ~~voting~~ ^{Serial} number, shall state his or
20 her full name and address and shall present preferred identification or, if the person
21 is unable to present preferred identification, alternate identification. Except as
22 provided in sub. (6), if the person is unable to present preferred or alternate
23 identification, the person shall present any identification card that contains the
24 name and photograph of the person and an identifying number. If a person is unable

1 to present any ~~acceptable~~ ^{authorized} identification under this paragraph, the person's identity
2 and address may be corroborated in a ~~signed~~ ^{that is signed} statement by any other elector who
3 resides in the municipality and who has not, during that day, corroborated the
4 identity and address of more than one other person ^{and that contains the current street address of the corroborator}. The corroborator shall then
5 provide identification ^{in the same manner} as if the corroborator were attempting to vote under this
6 subsection.

7 (b) 1. Except as otherwise provided in this paragraph, the officials shall verify
8 that the name and address on the identification provided by the person under par.
9 (a) or the name and address corroborated under par. (a) are the same as the person's
10 name and address on the poll list and shall verify that the photograph contained in
11 the identification reasonably resembles the person.

12 2. If the person presents an identification card under par. (a) that is not
13 preferred or alternate identification or that contains an address different from that
14 on the poll list, the officials shall verify that the name and identifying number on the
15 identification card are the same as the person's name on the poll list and the
16 identifying number on any identification card that the person's registration indicates
17 he or she is able to present. If the person's registration does not indicate ^{that} he or she
18 is able to present an identification card or if the identifying number on the
19 identification card is different from the identifying number indicated in the person's
20 registration, the officials shall enter on the poll list, after the name of the person, the
21 type of identification and the identifying number contained in that identification.

22 3. If the person presents a certificate for that election issued to the person under
23 s. 6.29 (2) (b) or a certificate issued to the person that day under s. 6.55 (2) (c) 2., the
24 officials shall verify that the name and address on the identification provided by the
25 person under par. (a) or the name and address corroborated under par. (a) are the

1 same as the person's name and address on the certificate. If the person presents an
 2 identification card under par. (a) that is not preferred or alternate identification or
 3 that contains an address different from that on the certificate, the officials shall
 4 verify that the name and identifying number on the identification card are the same
 5 as the person's name on the certificate and the identifying number on any
 6 identification card that the certificate indicates he or she is able to present. If the
 7 certificate does not indicate he or she is able to present an identification card or if the
 8 identifying number on the identification card is different from the identifying
 9 number indicated in the certificate, the officials shall enter on the certificate the type
 10 of identification and the identifying number contained in that identification.

11 (c) Upon the poll list, after the name of each elector, the officials shall enter ~~the~~ ^a
 12 serial number ~~of the vote as it is polled~~ ^{for each elector in the order that votes are cast}, beginning with number one. The officials
 13 shall maintain a separate list for electors who are voting under s. 6.15, 6.29 or 6.55
 14 (2) or (3) and electors who are reassigned from another polling place under s. 5.25 (5)
 15 (b) and shall enter the full name, address, and serial number of each of these electors
 16 on the appropriate separate list. ~~Each elector shall receive~~ ^{The officials shall provide each} a slip bearing the same
 17 serial number as is recorded for the elector upon the ~~prepared registration~~ ^{with} list or ^{Poll}
 18 separate list.

19 1971 c. 304 s. 29 (2); 1975 c. 85, 199, 200; 1977 c. 394, 447; 1979 c. 260, 311, 355; 1985 a. 304; 1989 a. 192; 1999 a. 49, 182; s. 13.93 (2) (c).

SECTION 40. 6.79 (3) of the statutes is amended to read:

20 6.79 (3) REFUSAL TO GIVE NAME AND ADDRESS AND FAILURE TO PRESENT
 21 IDENTIFICATION. Except as provided in sub. (6), if any elector offering to vote at any
 22 polling place refuses to give his or her name and address or is unable to present

SECTION 40

1 ~~acceptable~~ ^{authorized under sub. (2)} identification or have his or her identity and address corroborated, the
2 elector may not be permitted to vote.

3 1971 c. 304 s. 29 (2); 1975 c. 85, 199, 200; 1977 c. 394, 447; 1979 c. 260, 311, 355; 1985 a. 304; 1989 a. 192; 1999 a. 49, 182; s. 13.93 (2) (c).

3 SECTION 41. 6.79 (4) of the statutes is amended to read:

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

18 1971 c. 304 s. 29 (2); 1975 c. 85, 199, 200; 1977 c. 394, 447; 1979 c. 260, 311, 355; 1985 a. 304; 1989 a. 192; 1999 a. 49, 182; s. 13.93 (2) (c).

18 SECTION 42. 6.79 (5) of the statutes is repealed.

19 SECTION 43. 6.79 (6) (title) of the statutes is repealed and recreated to read:

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

21 SECTION 44. 6.79 (6) (a) of the statutes is repealed.

22 SECTION 45. 6.79 (6) (am) of the statutes is created to read:

1 6.79 (6) (am) [^] ~~Any~~ requirement under sub. (2) that a person present
 2 identification or have his or her identity or address corroborated does not apply to
 3 a person who is voting under s. 6.15 or 6.55(3). (a) (b) or

4 **SECTION 46.** 6.79 (6) (b) of the statutes is amended to read:

5 6.79 (6) (b) ~~In municipalities where registration is required, an~~ An elector who
 6 has a confidential listing under s. 6.47 (2) may present his or her identification card
 7 issued under s. 6.47 (3), or may give his or her name and identification serial number
 8 issued under s. 6.47 (3), in lieu of stating his or her name and address and presenting
 9 identification under sub. (2). If the elector's name and identification serial number
 10 appear on the confidential portion of the list, the inspectors shall issue a voting serial
 11 number to the elector, record that number on the registration list and permit the
 12 elector to vote.

1971 c. 304 s. 29 (2); 1975 c. 85, 199, 200; 1977 c. 394, 447; 1979 c. 260, 311, 355; 1985 a. 304; 1989 a. 192; 1999 a. 49, 182; s. 13.93 (2) (c).

13 **SECTION 47.** 6.82 (1) (a) of the statutes is amended to read:

14 6.82 (1) (a) When any inspectors are informed that an elector is at the entrance
 15 to the polling place who as a result of disability is unable to enter the polling place,
 16 they shall permit the elector to be assisted in marking or punching a ballot by any
 17 individual selected by the elector, except the elector's employer or an agent of that
 18 employer or an officer or agent of a labor organization which represents the elector.
 19 The inspectors shall issue a ballot to the individual selected by the elector and shall
 20 accompany the individual to the polling place entrance where the assistance is to be
 21 given. If the ballot is a paper ballot, the assisting individual shall fold the ballot after
 22 the ballot is marked or punched by the assisting individual. The assisting individual
 23 shall then immediately take the ballot into the polling place and give the ballot to an
 24 inspector. The inspector shall distinctly announce that he or she has "a ballot offered

1 by (stating person's name), an elector who, as a result of disability, is unable to
2 enter the polling place without assistance". The inspector shall then ask, "Does
3 anyone object to the reception of this ballot?" If no objection is made, the inspectors
4 shall record the elector's name under s. 6.79 and deposit the ballot in the ballot box,
5 and shall make a notation on the ~~registration or~~ poll list: "Ballot received at poll
6 entrance".

7 1971 c. 304 s. 29 (2); 1975 c. 85, 199, 275; 1977 c. 26; 1977 c. 394 s. 53; 1979 c. 260, 311, 355; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 192.

SECTION 48. 6.82 (2) (d) of the statutes is amended to read:

8 6.82 (2) (d) ~~The election officials shall enter upon the poll registration list, after~~
9 ~~the name of any elector who had assistance in voting, the word "assisted". The~~
10 ~~officials shall also record on the poll registration list the full name and address of the~~
11 ~~individual who renders assistance.~~

12 1971 c. 304 s. 29 (2); 1975 c. 85, 199, 275; 1977 c. 26; 1977 c. 394 s. 53; 1979 c. 260, 311, 355; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 192.

SECTION 49. 6.86 (3) (a) of the statutes is amended to read:

13 6.86 (3) (a) Any elector who is registered, ~~or otherwise qualified where~~
14 ~~registration is not required,~~ and who is hospitalized, may apply for and obtain an
15 official ballot by agent. The agent may apply for and obtain a ballot for the
16 hospitalized absent elector by presenting a form prescribed by the board and
17 containing the required information supplied by the hospitalized elector and signed
18 by that elector and any other elector residing in the same municipality as the
19 hospitalized elector, corroborating the information contained therein. The
20 corroborating elector shall state on the form his or her full name and address.

21 1975 c. 85 ss. 37, 38, 65; 1975 a. 90, 100, 200, 275, 422; 1977 c. 394 ss. 14, 40, 41; 1979 c. 232, 311; 1981 c. 391; 1983 a. 183, 484; 1985 a. 304 ss. 69, 156; 1987 a. 391;
1995 a. 313; 1999 a. 182.

SECTION 50. 6.88 (3) (a) of the statutes is amended to read:

22 6.88 (3) (a) Any time between the opening and closing of the polls on election
23 day, the inspectors shall open the carrier envelope only, and announce the name of

1 the absent elector or the identification serial number of the absent elector if the
 2 elector has a confidential listing under s. 6.47 (2). When the inspectors find that the
 3 certification has been properly executed, the applicant is a qualified elector of the
 4 ward or election district, and the applicant has not voted in the election, they shall
 5 enter an indication on the ^{plain} ~~poll or registration~~ list next to the applicant's name
 6 indicating an absentee ballot is cast by the elector. They shall then open the envelope
 7 containing the ballot in a manner so as not to deface or destroy the certification
 8 thereon. The inspectors shall take out the ballot without unfolding it or permitting
 9 it to be unfolded or examined. Unless the ballot is cast under s. 6.95, the inspectors
 10 shall verify that the ballot has been endorsed by the issuing clerk. The inspectors
 11 shall deposit the ballot into the proper ballot box and enter the absent elector's name
 12 or voting number after his or her name on the ^{plain} ~~poll or registration~~ list ⁱⁿ the same ^{manner} as if
 13 the elector had been present and voted in person.

14 ~~NOTE: NOTE: NOTE: Par. (a) is shown as affected by two acts of the 1999 legislature and as merged by the revisor under s. 13.93 (2) (c). NOTE:~~

15 1971 c. 304 s. 29 (2); 1975 c. 85, 199; 1977 c. 394 ss. 43, 53; 1979 c. 232, 260; 1983 a. 183, 484, 1987 a. 391; 1999 a. 49, 182; s. 13.93 (2) (c).

16 **SECTION 51. 6.94 of the statutes is amended to read:**

17 **6.94 Challenged elector oath.** If the person challenged refuses to answer
 18 fully any relevant questions put to him or her by the inspector under s. 6.92, the
 19 inspectors shall reject the elector's vote. If the challenge is not withdrawn after the
 20 person offering to vote has answered the questions, one of the inspectors shall
 21 administer to the person the following oath or affirmation: "You do solemnly swear
 22 (or affirm) that: you are 18 years of age; you are a citizen of the United States; you
 23 are now and for 10 days have been a resident of this ward except under s. 6.02 (2);
 24 you have not voted at this election; you have not made any bet or wager or become
 25 directly or indirectly interested in any bet or wager depending upon the result of this
 election; you are not on any other ground disqualified to vote at this election". If the

1 person challenged refuses to take the oath or affirmation, the person's vote shall be
2 rejected. If the person challenged answers fully all relevant questions put to the
3 elector by the inspector under s. 6.92, takes the oath or affirmation, and fulfills the
4 ^{applicable} registration requirements, ~~where applicable~~, and if the answers to the questions
5 given by the person indicate that the person meets the voting qualification
6 requirements, the person's vote shall be received.

1971 c. 304 s. 29 (2); 1971 c. 336 s. 37; 1975 c. 85 ss. 45, 66 (3); 1977 c. 394 s. 54; 1983 a. 484.

7 **SECTION 52.** 6.95 of the statutes is amended to read:

8 **6.95 Voting procedure for challenged electors.** Whenever the inspectors
9 under ss. 6.92 to 6.94 receive the vote of a person offering to vote who has been
10 challenged, they shall give the elector a ballot. Before depositing the ballot, the
11 inspectors shall write on the back of the ballot the serial number of the challenged
12 person corresponding to the number kept at the election on the ~~registration or~~ poll
13 list, or other list maintained under s. 6.79. If voting machines are used in the
14 municipality where the person is voting, the person's vote may be received only upon
15 an absentee ballot furnished by the municipal clerk which shall have the
16 corresponding serial number from the ~~registration or~~ poll list or other list
17 maintained under s. 6.79 written on the back of the ballot before the ballot is
18 deposited. The inspectors shall indicate on the list the reason for the challenge. The
19 challenged ballots shall be counted under s. 5.85 or 7.51. The municipal board of
20 canvassers may decide any challenge when making its canvass under s. 7.53. If the
21 returns are reported under s. 7.60, a challenge may be reviewed by the county board
22 of canvassers. If the returns are reported under s. 7.70, a challenge may be reviewed
23 by the chairperson of the board or the chairperson's designee. The decision of any
24 board of canvassers or of the chairperson or chairperson's designee may be appealed

under s. 9.01. The standard for disqualification specified in s. 6.325 shall be used to determine the validity of challenged ballots.

1977 c. 427; 1989 a. 484; 1985 a. 304; 1997 a. 27; 1999 a. 182.

SECTION 53. 7.10 (1) (b) of the statutes is amended to read:

7.10 (1) (b) The county clerk shall supply sufficient ~~poll list blanks for municipalities that do not have elector registration and other~~ election supplies for national, state and county elections to municipalities within the county having populations of not more than 5,000. The ~~poll list blanks and other~~ election supplies shall be enclosed in the sealed package containing the official ballots and delivered to the municipal clerk.

1971 c. 304 s. 29 (2); 1973 c. 280; 1973 c. 334 s. 57; 1977 c. 394 s. 53; 1977 c. 427; 1979 c. 221, 260, 311, 355; 1981 c. 377; 1983 a. 484; 1985 a. 89, 304; 1991 a. 316; 1999 a. 150 s. 672; 1999 a. 182.

SECTION 54. 7.15 (1) (c) of the statutes is amended to read:

7.15 (1) (c) Prepare ballots for municipal elections, and distribute ballots and provide other supplies for conducting all elections. The municipal clerk shall deliver ~~poll list forms received from the county clerk to the polling places with the ballots to the polling places~~ before the polls open.

1971 c. 304 s. 29 (2); 1973 c. 334 s. 57; 1975 c. 85 ss. 50, 65; 1975 c. 275, 422; 1977 c. 283; 1977 c. 394 s. 54; 1977 c. 427, 447; 1979 c. 260, 311; 1981 c. 391; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 192; 1991 a. 316; 1999 a. 182.

SECTION 55. 7.15 (4) of the statutes is amended to read:

7.15 (4) RECORDING ELECTORS. After each election ~~where registration is used,~~ the municipal clerk shall make a record of each elector who has voted at the election by stamping or writing the date of the election in the appropriate space on the original registration form of the elector. Municipalities employing data processing may, in lieu of this requirement, record voting information in such a manner that it is readily available for retrieval by computer.

1971 c. 304 s. 29 (2); 1973 c. 334 s. 57; 1975 c. 85 ss. 50, 65; 1975 c. 275, 422; 1977 c. 283; 1977 c. 394 s. 54; 1977 c. 427, 447; 1979 c. 260, 311; 1981 c. 391; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 192; 1991 a. 316; 1999 a. 182.

SECTION 56. 7.33 (2) of the statutes is amended to read:

205
25-21
INSECT
25-3

205
25-19
INSECT

205
25-15
INSECT

205
25-22
INSECT

1 7.33 (2) Service Except as otherwise provided in this subsection, service as an
2 election official under this chapter shall be is mandatory upon all qualified electors
3 appointed, during the full 2-year term, after which they shall be exempt from further
4 service as an election official, under this chapter, until 3 terms of 2 years each have
5 elapsed. Municipal clerks may grant exemptions from service at any time. At all
6 times while performing his or her duties, a person serving as an election official shall
7 wear a sticker or badge that indicates the person is an election official and that
8 contains the person's full name.

1977 c. 398; 1979 c. 260 s. 44; Stats. 1979 s. 7.33; 1987 a. 111; 1987 a. 391 ss. 37m, 41g, 41r; 1989 a. 56 s. 259; 1995 a. 27.

9 **SECTION 57.** 7.37 (7) of the statutes is amended to read:

10 7.37 (7) ~~REGISTRATION AND POLL~~ POLL LISTS. Two inspectors shall be assigned
11 to have charge of the ~~registration or~~ poll lists at each election.

1971 c. 304 s. 29 (2); 1975 c. 85; 1977 c. 427; 1979 c. 260. 311. 355; 1981 c. 391; 1983 a. 484 ss. 68, 69, 71 to 73, 172 (3); 1985 a. 304; 1989 a. 192; 1999 a. 182.

12 **SECTION 58.** 7.51 (2) (a) of the statutes is amended to read:

13 7.51 (2) (a) The inspectors shall first compare the ~~poll or registration~~ lists, ^(plain)
14 correcting any mistakes until the ~~poll or~~ registration lists agree. The chief inspector
15 and the inspectors who are responsible for recording electors under s. 6.79 shall
16 verify the correctness of the ~~poll or registration~~ lists after the polls close by each ^(plain)
17 signing their name thereto. Where ballots are distributed to electors, the inspectors
18 shall then open the ballot box and remove and count the number of ballots therein
19 without examination except as is necessary to ascertain that each is a single ballot.
20 If 2 or more ballots are folded together so as to appear as a single ballot, the inspectors
21 shall lay them aside until the count is completed; and if, after a comparison of the
22 count and the appearance of the ballots it appears to a majority of the inspectors that
23 the ballots folded together were voted by the same person they may not be counted

1 but the inspectors shall mark them as to the reason for removal, set them aside and
2 carefully preserve them. The inspectors shall then proceed under par. (b).

1971 c. 304 s. 29 (2); 1977 c. 29; 1977 c. 394 s. 53; 1977 c. 427, 447; 1979 c. 260 ss. 36, 48; 1979 c. 311; 1981 c. 4, 391; 1983 a. 183, 442; 1983 a. 484 ss. 76, 77, 172 (3);
1983 a. 538; 1985 a. 120, 304; 1987 a. 391; 1989 a. 56, 192; 1993 a. 399; 1997 a. 127; 1999 a. 49, 182.

3 **SECTION 59.** 7.51 (2) (c) of the statutes is amended to read:

4 7.51 (2) (c) Whenever the number of ballots exceeds the number of voting
5 electors as indicated on the ~~poll~~^{poll} ~~or registration~~ list, the inspectors shall place all
6 ballots face up to check for blank ballots. In this paragraph, "blank ballot" means
7 a ballot on which no votes are cast for any office or question. The inspectors shall
8 mark, lay aside and preserve any blank ballots. If the number of ballots still exceeds
9 the number of voting electors, the inspectors shall place all ballots face down and
10 proceed to check for the initials. The inspectors shall mark, lay aside and preserve
11 any ballot not bearing the initials of 2 inspectors or any absentee ballot not bearing
12 the initials of the municipal clerk. During the count the inspectors shall count those
13 ballots cast by challenged electors the same as the other ballots.

1971 c. 304 s. 29 (2); 1977 c. 29; 1977 c. 394 s. 53; 1977 c. 427, 447; 1979 c. 260 ss. 36, 48; 1979 c. 311; 1981 c. 4, 391; 1983 a. 183, 442; 1983 a. 484 ss. 76, 77, 172 (3);
1983 a. 538; 1985 a. 120, 304; 1987 a. 391; 1989 a. 56, 192; 1993 a. 399; 1997 a. 127; 1999 a. 49, 182.

14 **SECTION 60.** 7.51 (2) (e) of the statutes is amended to read:

15 7.51 (2) (e) If, after any ballots have been laid aside, the number of ballots still
16 exceeds the total number of electors recorded on the ~~registration or~~ poll list, the
17 inspectors shall separate the absentee ballots from the other ballots. If there is an
18 excess number of absentee ballots, the inspectors shall place the absentee ballots in
19 the ballot box and one of the inspectors shall publicly and without examination draw
20 therefrom by chance the number of ballots equal to the excess number of absentee
21 ballots. If there is an excess number of other ballots, the inspectors shall place those
22 ballots in the ballot box and one of the inspectors shall publicly and without
23 examination draw therefrom by chance the number of ballots equal to the excess

1 number of those ballots. All ballots so removed may not be counted but shall be
2 specially marked as having been removed by the inspectors on original canvass due
3 to an excess number of ballots, set aside and preserved. When the number of ballots
4 and total shown on the ~~poll or~~ registration list agree, the inspectors shall return all
5 ballots to be counted to the ballot box and shall turn the ballot box in such manner
6 as to thoroughly mix the ballots. The inspectors shall then open, count and record
7 the number of votes. When the ballots are counted, the inspectors shall separate
8 them into piles for ballots similarly voted. Objections may be made to placement of
9 ballots in the piles at the time the separation is made.

1971 c. 304 s. 29 (2); 1977 c. 29; 1977 c. 394 s. 53; 1977 c. 427, 447; 1979 c. 260 ss. 36, 48; 1979 c. 311; 1981 c. 4, 391; 1983 a. 183, 442; 1983 a. 484 ss. 76, 77, 172 (3),
1983 a. 538; 1985 a. 120, 304; 1987 a. 391; 1989 a. 56, 192; 1993 a. 399; 1997 a. 127; 1999 a. 49, 182.

10 **SECTION 61.** 7.51 (4) (a) of the statutes is amended to read:

11 7.51 (4) (a) The tally sheets shall state the total number of votes cast for each
12 office and for each individual receiving votes for that office, whether or not the
13 individual's name appears on the ballot, and shall state the vote for and against each
14 proposition voted on. Upon completion of the tally sheets, the inspectors shall
15 immediately complete inspectors' statements in duplicate. The inspectors shall state
16 the excess by which the number of ballots exceeds the number of electors voting as
17 shown by the ~~poll or registration list, if any,~~ and shall state the number of the last
18 elector as shown by the ~~registration or~~ poll lists. At least 3 inspectors, including the
19 chief inspector and, unless election officials are appointed under s. 7.30 (4) (c)
20 without regard to party affiliation, at least one inspector representing each political
21 party, shall then certify to the correctness of the statements and tally sheets and sign
22 their names. All other election officials assisting with the tally shall also certify to

1 the correctness of the tally sheets. When the tally is complete, the inspectors shall
2 publicly announce the results from the statements.

1971 c. 304 s. 29 (2); 1977 c. 29; 1977 c. 394 s. 53; 1977 c. 427, 447; 1979 c. 260 ss. 36, 48; 1979 c. 311; 1981 c. 4, 391; 1983 a. 183, 442; 1983 a. 484 ss. 76, 77, 172 (3);
1983 a. 538; 1985 a. 120, 304; 1987 a. 391; 1989 a. 56, 192; 1993 a. 399; 1997 a. 127; 1999 a. 49, 182.

3 **SECTION 62.** 7.51 (5) of the statutes is amended to read:

4 7.51 (5) RETURNS. The inspectors shall make full and accurate return of the
5 votes cast for each candidate and proposition on tally sheet blanks provided by the
6 municipal clerk for the purpose. Each tally sheet shall record the returns for each
7 office or referendum by ward, unless combined returns are authorized in accordance
8 with s. 5.15 (6) (b) in which case the tally sheet shall record the returns for each group
9 of combined wards. After recording the votes, the inspectors shall seal in a carrier
10 envelope outside the ballot bag or container one inspectors' statement under sub. (4)
11 (a), one tally sheet and one ^(Plain) ~~poll or registration~~ list for delivery to the county clerk,
12 unless the election relates only to municipal or school district offices or referenda.
13 The inspectors shall also similarly seal one inspectors' statement, one tally sheet and
14 one ^(crested plain) ~~poll or registration~~ list for delivery to the municipal clerk. For school district
15 elections, except in 1st class cities, the inspectors shall similarly seal one inspectors'
16 ^(crested plain) ~~poll or registration~~ list for delivery to the school
17 district clerk. The inspectors shall immediately deliver all ballots, statements, tally
18 sheets, lists and envelopes to the municipal clerk. The municipal clerk shall arrange
19 for delivery of all ballots, statements, tally sheets, lists and envelopes relating to a
20 school district election to the school district clerk. The municipal clerk shall deliver
21 the ballots, statements, tally sheets, lists and envelopes for his or her municipality
22 relating to any county, technical college district, state or national election to the
23 county clerk by 2 p.m. on the day following each such election. The person delivering
24 the returns shall be paid out of the municipal treasury. Each clerk receiving ballots,

1 statements, tally sheets or envelopes shall retain them until destruction is
2 authorized under s. 7.23 (1).

3 1971 c. 304 s. 29 (2); 1977 c. 29; 1977 c. 394 s. 53; 1977 c. 427, 447; 1979 c. 260 ss. 36, 48; 1979 c. 311; 1981 c. 4, 391; 1983 a. 183, 442; 1983 a. 484 ss. 76, 77, 172 (3);
1983 a. 538; 1985 a. 120, 304; 1987 a. 391; 1989 a. 56, 192; 1993 a. 399; 1997 a. 127; 1999 a. 49, 182.

3 **SECTION 63.** 9.01 (1) (b) 1. of the statutes is amended to read:

4 9.01 (1) (b) 1. The board of canvassers shall first compare the registration or
5 poll lists and determine the number of voting electors.

6 1971 c. 251; 1971 c. 304 s. 29 (2); 1971 c. 336; 1973 c. 313; 1973 c. 334 ss. 23 to 26, 57; 1975 c. 41, 422; 1977 c. 394 s. 53; 1977 c. 427; 1979 c. 200; 1979 c. 260 ss. 66
to 68, 92; 1979 c. 311, 335; 1983 a. 183; 1983 a. 484 s. 172 (3); 1983 a. 538; 1985 a. 304; 1987 a. 391; 1989 a. 192; 1993 a. 213; 1997 a. 27; 1999 a. 40, 182.

6 **SECTION 64.** 12.60 (1) (b) of the statutes is amended to read:

7 12.60 (1) (b) ~~Whoever~~ Except as provided in sub. (3), whoever violates s. 12.03,
8 12.05, 12.07, 12.08 or 12.13 (2) (b) 8.,(3) (b), (c), (d), (g), (i), (n) to (x), (zm) or (zn) may
9 be fined not more than \$1,000, or imprisoned not more than 6 months or both.

10 1973 c. 334; 1975 c. 85; 1977 c. 418 s. 924 (18) (e); 1977 c. 427; 1979 c. 249, 311, 328; 1983 a. 484; 1985 a. 304; 1997 a. 283; 1999 a. 49.

10 **SECTION 65.** 12.60 (1) (c) of the statutes is amended to read:

11 12.60 (1) (c) ~~Whoever~~ Except as provided in sub. (3), whoever violates s. 12.13
12 (3) (am) or (4) may be required to forfeit not more than \$500.

13 1973 c. 334; 1975 c. 85; 1977 c. 418 s. 924 (18) (e); 1977 c. 427; 1979 c. 249, 311, 328; 1983 a. 484; 1985 a. 304; 1997 a. 283; 1999 a. 49.

13 **SECTION 66.** 12.60 (1) (d) of the statutes is amended to read:

14 12.60 (1) (d) ~~Whoever~~ Except as provided in sub. (3), whoever violates s. 12.13
15 (3) (h) may be required to forfeit not more than \$100.

16 1973 c. 334; 1975 c. 85; 1977 c. 418 s. 924 (18) (e); 1977 c. 427; 1979 c. 249, 311, 328; 1983 a. 484; 1985 a. 304; 1997 a. 283; 1999 a. 49.

16 **SECTION 67.** 12.60 (3) of the statutes is renumbered 12.60 (3) (b).

17 **SECTION 68.** 12.60 (3) (a) of the statutes is created to read:

18 12.60 (3) (a) Except as otherwise provided in this paragraph, an election official
19 who violates a statute listed under sub. (1) (b), (c), or (d) with respect to an election
20 for which that election official has a duty may be required to forfeit not more than
21 twice the amount specified for the violation under sub. (1) (b), (c), or (d). This
22 paragraph does not apply to a violation of s. 12.03 (1) or 12.13 (2).

23 **SECTION 69.** 20.510 (1) (b) of the statutes is created to read:

Handwritten notes: "INSET 2 30-6A" with an arrow pointing to line 3, and "INSET 30-6B" with an arrow pointing to line 6.

NOTE: BOD

*** NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

20.510 (1) (b) Unpaid municipal election expenses. A sum sufficient equal to the total amount of unpaid reimbursements owing to the board under ss. 6.50 (2s) and 7.08 (7) that are deducted from payments made to municipalities under s. 79.02, as determined on August 1 and December 1 of each year by the department of administration, to be used for the purpose of financing the expenses incurred by the board under ss. 6.50 (2s) and 7.08 (7).

INSTR 31-7

SECTION 70. 59.05 (2) of the statutes is amended to read:

(plain) 59.05 (2) If two-fifths of the legal voters of any county, to be determined by the registration or poll lists of the last previous general election held in the county, the names of which voters shall appear on some one of the (plain) registration or poll lists of such election, present to the board a petition conforming to the requirements of s. 8.40 asking for a change of the county seat to some other place designated in the petition, the board shall submit the question of removal of the county seat to a vote of the qualified voters of the county. The board shall file the question as provided in s. 8.37. The election shall be held only on the day of the general election, notice of the election shall be given and the election shall be conducted as in the case of the election of officers on that day, and the votes shall be canvassed, certified and returned in the same manner as other votes at that election. The question to be submitted shall be "Shall the county seat of ... county be removed to?"

INSTR 31-20

SECTION 71. 120.06 (5) of the statutes is amended to read:

120.06 (5) If elector With respect to elections for school board members, the registration is required requirement under s. 6.27 in a city, village or town lying wholly or partially within a school district, the same requirement shall apply applies to electors for school board members who reside within such any city, village, or town,

INSTR 31-21

SECTION 71

1 ~~and provisions lying wholly or partially within the school district. Provisions shall~~
 2 ~~be made for identifying the electors of the city, village, or town who are eligible to vote~~
 3 ~~at the primary and spring elections for school board members.~~

1973 c. 340; 1975 c. 138, 199; 1977 c. 340; 1979 c. 32, 260, 1981 c. 47, 1983 a. 484; 1985 a. 225 s. 100; 1985 a. 304 ss. 150 to 153, 156; 1985 a. 332; 1987 a. 391; 1989 a. 114, 192; 1991 a. 62; 1993 a. 266; 1995 a. 16 s. 2; 1997 a. 286; 1999 a. 83, 182; s. 13.93 (2) (c).

4 SECTION 72. 125.05 (2) (h) of the statutes is amended to read:

5 125.05 (2) (h) *Number of electors.* The number of electors in a residence district
 6 shall equal ^{not less than} the number of names with residences in the district which appear on a ~~the~~
 7 registration list, as defined in s. 5.02 (17). ~~If there is no registration list, the number~~
 8 ~~of electors shall equal the number of names with residences in the district which~~
 9 ~~appear on a poll list as defined in s. 5.02 (14) compiled at the last gubernatorial or~~
 10 ~~presidential election, whichever is most recent.~~ ^{for the residence district on the date that the} A person whose name does not
 11 appear on a registration list or poll list may not sign a protest petition, consent or
 12 counter petition.

*remonstrance
 consent
 or
 counter
 petition
 is
 filed*

13 1981 c. 79, 377; 1989 a. 31, 192; 1991 a. 39; 1993 a. 246; 1995 a. 16 s. 2; 1999 a. 182.

(END)

*JNS
 32-12*

INSERT ANALYSIS

STATE GOVERNMENT

OTHER STATE GOVERNMENT

Elections administration

Voter registration.

Under current law, every municipality with a population of greater than 5,000 is required to maintain a voter registration list. This bill expands current law to require voter registration in every municipality. This bill also establishes a centralized, state-wide voter registration list that is compiled and maintained by the state elections board (board). Under the bill, the centralized registration list must be electronically accessible by any person, but no person other than the board or an authorized election official may change the list. The bill permits the board to change the list only for the purpose of deleting the registration of certain individuals who have registered to vote in another state, territory, or possession or whose registrations are required to be cancelled under current law. Under this bill, each municipal clerk must electronically enter valid registrations or changes of registration on the centralized list maintained by the board. The town clerk of any town having a population of not more than 5,000 may designate the county clerk of the county where the town is located as the town clerk's agent for entry of this data onto the centralized list. Each municipality must retain the original registrations or changes of registration as provided under current law. Under the bill, the original forms are controlling whenever there is a discrepancy between the centralized list and the original forms. *as the result of a canvass required*

Currently, if registration *of a municipality* is required, any individual who qualifies as an elector *register* in a ward or election district but who is not registered to vote may ~~do so~~ in person at various locations within the applicable municipality or may mail to the appropriate municipal clerk a completed registration form. With certain exceptions, the deadline for voter registration is 5 p.m. on the second Wednesday preceding the election. Registrations made by mail must be delivered to the office of the municipal clerk or board of election commissioners or postmarked not later than this deadline. However, under current law, voters may also register in person at the office of the municipal clerk or board of election commissioners up to 5 p.m. on the day before the election or, in most cases, may register at the proper polling place on election day. In addition, voters may register at any time after the deadline if the municipal clerk determines that the registration list can be revised to incorporate the registration in time for the election. *NY*

Currently An individual who makes a late or election day registration must complete a registration form and a certification of eligibility and must present acceptable proof of residence. If an individual attempting to vote under these late registration or election day registration procedures is not able to present acceptable proof of residence, as an alternative, current law permits another qualified elector who resides in the same municipality to corroborate the information contained in the individual's registration form or certification. The corroborating elector currently

must provide acceptable proof of residence. Currently, there is no limit on the number of times a person may act as a corroborating elector.

This bill requires any elector who registers to vote under the late registration or election day registration procedures to present a valid Wisconsin driver's license or valid Wisconsin identification card containing the elector's photograph and current street address (preferred identification). If the elector is unable to present preferred identification, the bill permits the elector to present any identification card that contains the photograph and current street address of the elector (alternate identification). If the elector is unable to present preferred or alternate identification, the bill permits the elector to present any identification card that contains the name and photograph of the elector and an identifying number. For each elector that presents an identification card that is not preferred or alternate identification, the registration official must record on the elector's registration form the type of identification card presented and the identifying number listed on the card.

Any elector who is unable to present any satisfactory identification may have his or her identity and registration information corroborated by another elector as provided under current law. However, under this bill, a corroborating elector may not corroborate more than two registrations in one day. The bill also requires a corroborating elector to present identification.

This bill makes certain other changes to the laws relating to voter registration. The bill permits the town clerk of any town with a population of not more than 5,000 to designate the county clerk of the county where the town is located as the town clerk's agent for receiving registrations under the late registration procedure. The bill also permits the board, by rule, to specify additional information that must be provided on registration forms.

~~The bill also requires each election official to exercise due care to lawfully register any elector to vote.~~ who fails *provides that any*

In addition, the Identification required to vote. Forfeiture (civil penalty) of not more than \$1,000.

With certain limited exceptions, before being permitted to vote at any polling place, an elector currently must provide ~~to confirm~~ his or her name and address. ~~Current law does not require a person to present identification in order to vote.~~ *if registration is required in order to vote and the elector is not registered the elector must provide a special form of proof of residence in order to register.* Where registration is not required, the election officials keep a poll list indicating which electors have voted. Where registration is required, elections officials create a poll list by marking a prepared registration list.

With certain limited exceptions, this bill requires each elector attempting to vote at any polling place to present preferred identification. If the elector is unable to present preferred identification, the bill permits the elector to present alternate identification. If the elector is unable to present preferred or alternate identification, the bill permits the elector to present any identification card that contains the name and photograph of the elector and an identifying number. Any elector who is unable to present any acceptable identification ^{signed} may have his or her identity and address corroborated in a signed statement by any other elector who resides in the municipality and who has not, during that day, corroborated the identity and address of more than one other person.

authorized under the bill

If registration is not required the elector may be required to provide this proof.

The bill requires the election officials to verify that the name and address on the identification provided by an elector or corroborated for an elector are the same as the elector's name and address on the poll list. The elections officials must also verify that the photograph contained in any identification presented reasonably resembles the elector. If the elector presents an identification card that is not preferred or alternate identification or that contains an address that is different from that on the poll list, the bill requires the elections officials to verify that the name and identifying number on the identification presented are the same as the elector's name on the poll list and identifying number on any identification card that the poll list indicates the elector is able to present. If the poll list does not indicate the elector is able to present an identification card or if the identifying number presented is different from that indicated in the poll list, the elections officials must enter on the poll list, after the elector's name, the type of identification presented and the identifying number contained in that identification.

This bill does not affect absentee voting or voting by ~~overseas~~ military electors.

Supervision of local election practices

Currently, following each general election, a municipality where registration is required must complete a canvass to identify each qualified elector who has failed to vote within the previous 4 years, attempt to notify each such elector, and revise and correct its registration list accordingly. This bill requires each municipality to complete this canvass within 90 days following the general election. In addition, if a municipality has not completed the canvass within 120 days following the general election, this bill permits the board to conduct the canvass and submit a statement to the municipality for the costs incurred. If a municipality fails to reimburse the board for the costs within 30 days after receiving the statement, the bill permits the board to direct that the municipality's next shared revenue payment from the state be reduced by the amount of the costs.

In addition, under the bill, if an inspector (poll worker) repeatedly and materially fails to substantially comply with the election laws or rules of the board in performing his or her functions, the board may remove the inspector and appoint a qualified replacement inspector to serve the remainder of the inspector's unexpired term. The replacement inspector must be compensated by the municipality on the same basis as other inspectors and, like other inspectors, is subject to the supervision of the municipal clerk or board of election commissioners. The bill also permits the board to appoint a special master to assume all functions of the municipal clerk or board of election commissioners if the board finds that ~~the municipality~~ repeatedly and materially failed to substantially comply with the election laws or rules of the board in administering elections. The initial term of the special master may not exceed one year, but is renewable for additional periods of not more than one year if the board finds that the municipality is incapable of substantial compliance or unwilling to substantially comply with the election laws or rules. The bill requires the board to submit a statement to the municipality for the costs incurred relating to the special master. If a municipality fails to reimburse the board for the costs within 30 days after receiving the statement, the bill permits the board to direct that

But, unlike most other inspectors, may be appointed without regard to party affiliation.

a has



the municipality's next shared revenue payment from the state be reduced by the amount of the costs.

Under current law, the board may promulgate rules to interpret or implement the laws relating to the conduct and administration of elections and election campaigns. This bill expands the board's rule-making authority, permitting the board to promulgate rules to promote the efficient and fair conduct of elections.

Prohibited election practices by election officials Δ

doubles

This bill ^Δthe maximum penalty that applies to an election official who, with respect to an election for which the election official has a duty, violates certain ~~election~~ laws relating to false representations affecting elections, election restrictions on employers, or the denial of government benefits or other election laws specified in the bill.

FE-SL



JMS 2-8

6.15(2)(title)

SECTION XX. Am; 6.15(2)(title) ~~APPLICATION FOR BALLOT PROCEDURE~~

Section #. 6.15 (2) (a) of the statutes is amended to read:

AT CLERK'S OFFICE

CS

6.15 (2) (a) The elector's request for the application form may be made to the proper municipal clerk either in person or in writing ~~any time during the 10 day period in which the elector's residence requirement is incomplete, but not later than the applicable deadline for making application for an~~ ~~may be made not sooner than 9 days nor later than 5 p.m. on the day before~~ ~~absentee ballot~~, or may be made at the proper polling place ~~in~~ ^{for} the ward or election district in which the elector resides. The application form shall be returned to the municipal clerk after the affidavit has been signed in the presence of the clerk or any officer authorized by law to administer oaths.

Except as provided in par. (b), application

before the election

The affidavit shall be in substantially the following form:

STATE OF WISCONSIN

County of

I,, do solemnly swear that I am a citizen of the United States; that prior to establishing Wisconsin residence, my legal residence was in the (town) (village) (city) of, state of, residing at (street address); that on the day of the next presidential election, I shall be at least 18 years of age and that I have been a legal resident of the state of Wisconsin since, (year), residing at (street address), in the [... ward of the aldermanic district of] the (town) (village) (city) of, county of; that I have resided in the state less than 10 days, that I am qualified to vote for president and vice president at the election to be held November, (year), that I am not voting at any other place in this election and that I hereby make application for an official presidential ballot, in accordance with section 6.15 of the Wisconsin statutes.

LPS: make sure that this material remains formatted like this

Signed

P.O. Address

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

....(Name)

....(Title)

History: 1977 c. 394; 1979 c. 311; 1981 c. 391; 1983 a. 484; 1985 a. 364; 1987 a. 391; 1997 a. 250; 1999 a. 182

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1301/1iJTK2
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INSERT 2-20:

SECTION 1. 6.15 (2) (e) of the statutes is created to read:

6.15 (2) (e) If the elector makes application in writing but does not appear in person, and the clerk receives a properly completed application and cancellation card from the elector, the clerk shall provide the elector with a ballot. If the ballot is to be mailed, the application must be received no later than 5 p.m. on the Friday before the election. ~~If the ballot is to be sent by electronic mail or facsimile transmission, the ballot may be sent no later than 8 p.m. on the Monday before the election.~~ In order to be counted, the ballot must be received by the municipal clerk no later than 5 p.m. on the day before the election.

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1301/linsJTK
JTK & RJM.....

INSERT 2-7

SECTION 1. 5.05 (1) (f) of the statutes is amended to read:

5.05 (1) (f) Promulgate rules under ch. 227 applicable to all jurisdictions for the purpose of promoting the efficient and fair conduct of elections, interpreting or implementing the laws regulating the conduct of elections or election campaigns or ensuring their proper administration.

History: 1973 c. 334; 1975 c. 85, 93, 199; 1977 c. 29; 1977 c. 196 s. 131; 1977 c. 418, 427, 447; 1979 c. 32 s. 92 (8); 1979 c. 89, 154, 328; 1983 a. 27, 484, 524, 538; 1985 a. 303; 1985 a. 304 ss. 3, 155; 1989 a. 31, 192; 1999 a. 182.

SECTION 2. 5.15 (6) (b) of the statutes is amended to read:

5.15 (6) (b) No later than 60 days before each September primary and general election, and no later than 30 days before each other election the governing body of any municipality may by resolution combine 2 or more wards for voting purposes to facilitate using a common polling place. Whenever wards are so combined, the original ward numbers shall continue to be utilized for all official purposes. Except as otherwise authorized under this paragraph, every municipality having a population of 35,000 or more shall maintain separate returns for each ward so combined. In municipalities having a population of less than 35,000, the governing body may provide in the resolution that returns shall be maintained only for each group of combined wards at any election. Whenever a governing body provides for common ballot boxes and ballots or voting machines, separate returns shall be maintained for each separate ballot required under ss. 5.62 and 5.64 at the September primary and general election. The municipal clerk shall transmit a copy of the resolution to the county clerk of each county in which the municipality is contained. In municipalities having a population of less than 35,000, the resolution shall remain in effect for each election until modified or rescinded, or until a new division is made under this section. Whenever a municipality combines wards or

discontinues any ward combination under this paragraph, the municipal clerk shall promptly notify the board in writing or by electronic transmission.

Leads to 2-77

History: 1971 c. 304 ss. 3 to 5, 29 (2); 1977 c. 26, 418, 427, 449; 1979 c. 260; 1981 c. 4 ss. 2 to 10, 18; 1981 c. 314; 1983 a. 29, 192, 442; 1983 a. 484 ss. 8e, 174; 1983 a. 538; 1985 a. 304 ss. 8 to 10, 12; 1987 a. 391; 1991 a. 5, 143, 315; 1993 a. 213; 1995 a. 201; 1999 a. 182.

~~SECTION 3. 6.28 (1) of the statutes is amended to read:~~

~~6.28 (1) REGISTRATION LOCATIONS; DEADLINE. Except as authorized in ss. 6.29 and 6.55 (2), registration in person for any election shall close at 5 p.m. on the 2nd Wednesday preceding the election. Registrations made by mail under s. 6.30 (4) must be delivered to the office of the municipal clerk or postmarked no later than the 2nd Wednesday preceding the election. An application for registration in person or by mail may be accepted for placement on the registration list after the specified deadline, if the municipal clerk, or the county clerk, if designated under s. 6.33 (5) (b), determines that the registration list can be revised to incorporate the registration in time for the election. All applications for registration corrections and additions may be made throughout the year at the office of the city board of election commissioners, at the office of the municipal clerk, at the office of any register of deeds or at other locations provided by the board of election commissioners or the common council in cities over 500,000 population or by either or both the municipal clerk, or the common council, village or town board in all other municipalities and may also be made during the school year at any high school by qualified persons under sub. (2) (a). Other registration locations may include but are not limited to fire houses, police stations, public libraries, institutions of higher education, supermarkets, community centers, plants and factories, banks, savings and loan associations and savings banks. Special registration deputies shall be appointed for all locations. An elector who wishes to obtain a confidential listing under s. 6.47 (2) shall register at the office of the municipal clerk of the municipality where the elector~~

MORE TO
PAGE 5

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~~resides, or if the elector wishes to register after the close of registration and the county clerk is the designated agent of the town clerk under s. 6.33 (5) (b), at the office of the county clerk. If a town clerk designates a county clerk as his or her agent for electronic entry of registration changes under s. 6.33 (5) (a), the town clerk shall immediately forward all registration changes filed with the town clerk to the county clerk for electronic entry on the registration list.~~

NOTE: NOTE: Sub. (1) is shown as affected by two acts of the 1999 legislature and as merged by the revisor under s. 13.93 (2) (c). NOTE: History: 1974 c. 304 s. 29 (2); 1975 c. 166, 226, 334; 1975 c. 85, 199, 1977 c. 378, 394, 447; 1979 c. 32; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1989 a. 31, 192; 1991 a. 227; 1999 a. 69, 182; s. 13.93 (2) (c).

~~SECTION 4. 6.29 (2) (a) of the statutes is amended to read:~~

~~6.29 (2) (a) Any qualified elector of a municipality where registration is required who has not previously filed a registration form or whose name does not appear on the registration list of the municipality shall be entitled to vote at the election if he or she delivers to the municipal clerk a registration form executed by the elector to the municipal clerk of the municipality where the elector resides, or to the county clerk if the county clerk is acting as the agent of the municipal clerk for electronic entry of registration changes under s. 6.33 (5) (b). The form shall contain a certification by the elector that all statements are true and correct. Alternatively, if the elector cannot obtain a registration form, the elector may deliver a statement, signed by the elector, containing all of the information required on the registration form. The elector shall present acceptable proof of residence as provided in s. 6.55 (7). If no proof is presented, the registration form or the listing of required information shall be substantiated by one other elector of the municipality, corroborating all the material statements therein. The corroborating elector shall then provide acceptable proof of residence under s. 6.55 (7). The signing of the form by the registering elector and statement by the corroborating elector shall be done in the presence of the municipal or county clerk authorized to accept the form under~~

~~this paragraph, or a deputy clerk authorized by that clerk, not later than 5 p.m. of the day before an election.~~

~~History: 1977 c. 394; 1987 a. 391; 1989 a. 192; 1999 a. 182.~~

~~SECTION 5. 6.29 (2) (b) of the statutes is amended to read:~~

~~6.29 (2) (b) Upon the filing of the registration form required by this section, the municipal clerk, or the county clerk if designated under s. 6.33 (5) (b), shall issue a certificate addressed to the inspectors of the proper ward directing that the elector be permitted to cast his or her vote, unless the municipal or county clerk determines under s. 6.28 (1) that the registration list will be revised to incorporate the registration in time for the election. The certificate shall be numbered serially, prepared in duplicate and one copy preserved in the office of the municipal clerk.~~

~~History: 1977 c. 394; 1987 a. 391; 1989 a. 192; 1999 a. 182.~~

~~SECTION 6. 6.33 (1) of the statutes is amended to read:~~

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

~~History: 1971 c. 304 s. 29 (1), (2); 1971 c. 336 A 37; 1975 c. 85 ss. 15, 16, 17, 66 (3); 1975 c. 94 s. 91; 1977 c. 378, 394, 447; 1979 c. 32; 1981 c. 44 s. 3; 1981 c. 202 s. 28; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 182.~~

~~SECTION 7. 6.33 (5) of the statutes is created to read:~~

INS 11-5



6.33 (5) (a) Except as provided in par. (b), whenever a municipal clerk receives a valid registration or valid change of a name or address under an existing registration and whenever a municipal clerk cancels a registration, the municipal clerk shall promptly enter electronically on the list maintained by the board under s. 6.36 (1) the information required under that subsection, except that the municipal clerk may update any entries that change on the date of an election in the municipality within 10 days after that date, and the municipal clerk shall provide to the board information that is confidential under s. 6.47 (2) in such manner as the board prescribes.

as the town clerk's agent

(b) The town clerk of any town having a population of not more than 5,000 may designate the county clerk of the county where the town is located to carry out the functions of the town clerk under this subsection for that town. The town clerk shall notify the county clerk of any such designation in writing. The town clerk may, by similar notice to the county clerk at least 14 days prior to the effective date of any change, discontinue the designation.

INSET FROM PAGE 3

SECTION 8. 6.35 (2) of the statutes is repealed.

SECTION 9. 6.35 (3) of the statutes is amended to read:

6.35 (3) ~~In municipalities employing data processing for keeping of registration forms, original~~ Original registration forms shall be maintained in the office of the municipal clerk or board of election commissioners at all times.

History: 1971 c. 249; 1971 c. 304 s. 29 (2); 1971 c. 336; 1975 c. 85; 1977 c. 394; 1983 a. 484; 1985 a. 304; 1989 a. 192; 1999 a. 49.

SECTION 10. 6.35 (5) and (6) of the statutes are repealed.

SECTION 11. 6.36 (1) of the statutes is repealed and recreated to read:

6.36 (1) (a) The board shall compile and maintain electronically an official registration list. Except as provided in sub. (2) (b), the list shall contain the name and

address of each registered elector in the state and such other information as the board prescribes by rule.

(b) Except for the addresses of electors who obtain a confidential listing under s. 6.47 (2), the list shall be open to public inspection under s. 19.35 (1) and shall be electronically accessible by any person, but no person other than the board or an election official who is authorized by a municipal clerk may make a change in the list. The list shall be electronically accessible by name and shall also be accessible in alphabetical order of the electors' names for the entire state and for each county, municipality, ward, and combination of wards authorized under s. 5.15 (6) (b).

(c) The list shall be designed in such a way that the municipal clerk or board of election commissioners of any municipality may, by electronic transmission, add, revise, or remove entries on the list for any elector who resides in, or who the list identifies as residing in, that municipality and no other municipality.

(d) The board shall not make any changes in entries to the registration list except as follows:

1. Upon receipt of official notification by the appropriate election administrative authority of another state, territory, or possession that an elector whose name appears on the list has registered to vote in that state, territory, or possession, the board shall remove the name of that elector from the list.

2. If the board conducts the canvass required under s. 6.50 (1) and (2) or (2m), the board shall cancel the registration of any elector whose registration is required to be canceled by the municipal clerk or board of election commissioners under those provisions.

(e) If the board removes the name of any elector from the list, the board shall promptly notify the municipal clerk of the municipality where the elector resides or resided, in writing or by electronic transmission.

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~~SECTION 12. 6.36 (2) (a) of the statutes is amended to read:~~

~~6.36 (2) (a) Except as provided in par. (b), the each registration lists list prepared for use at a polling place shall contain the full name and address of each registered elector, a blank column for the entry of the serial number of the electors when they vote, and a form of a certificate bearing the certification of the executive director of the board stating that each the list is a true and complete combined check and registration list of the respective municipality or the ward or wards for which the list is prepared.~~

History: 1971 c. 304 s. 29 (2); 1975 c. 85; 1977 c. 394 ss. 21, 22, 53; 1999 a. 49.

~~SECTION 13. 6.36 (3) of the statutes is amended to read:~~

~~6.36 (3) Municipalities shall prepare at least 2 copies of the registration list for each ward and bind them in book form. The original registration forms constitute the official registration list and shall be controlling whenever discrepancies occur in entering information from the forms under s. 6.33 (5).~~

History: 1971 c. 304 s. 29 (2); 1975 c. 85; 1977 c. 394 ss. 21, 22, 53; 1999 a. 49.

~~SECTION 14. 6.50 (2m) (b) of the statutes is amended to read.~~

~~6.50 (2m) (b) Following Within 90 days following each general election, the municipal clerk of the municipality shall revise and correct the registration list by reviewing the registration of any elector who failed to vote within the past 4 years if qualified to do so during that entire period. Each such elector shall be mailed an address verification card under par. (c). If an address verification card is returned by the postal service to the clerk, the registration of such elector shall be canceled.~~

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within 30 days following receipt of the statement. If the municipality fails to timely reimburse the board, the board may submit a statement to the department of administration indicating the amount of the reimbursement due from the municipality and directing the department to deduct that amount from the next payment made to the municipality under s. 79.02

Otherwise, the registration shall be retained notwithstanding failure of the elector to vote at any election, except as provided in subs. (4) to (7).

History: 1971 c. 242; 1971 c. 304 s. 29 (2); 1971 c. 336 s. 37; 1973 c. 164; 1975 c. 85, 199, 200; 1977 c. 394 ss. 27, 53; 1979 c. 260; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1999 a. 150 s. 672.

SECTION 15. 6.50 (2s) of the statutes is created to read:

6.50 (2s) If, within 120 days following a general election, the municipal clerk or board of election commissioners has not completed the canvass required under sub. (1) and (2) or (2m), the board may conduct the canvass and may submit to the municipal clerk or board of election commissioners a statement of its reasonable costs incurred. The municipality shall reimburse the board for those costs.

SECTION 16. 6.79 (2) of the statutes is amended to read:

~~6.79 (2) MUNICIPALITIES WITH REGISTRATION ENTRY OF INFORMATION; SERIAL NUMBERS. Unless information on the registration list is entered electronically, the municipal clerk shall supply the inspectors with 2 copies of the most current original registration list or lists prepared under s. 6.36 (1) for use at the polling place. Except as provided in sub. (6) (b), where there is registration, each person, before receiving a voting number, shall state his or her full name and address. Upon the prepared registration list, after the name of each elector, the officials shall enter the serial number of the vote as it is polled, beginning with number one. Each elector shall receive a slip bearing the same serial number. A separate list shall be maintained for electors who are voting under s. 6.15, 6.29 or 6.55 (2) or (3) and electors who are reassigned from another polling place under s. 5.25 (5) (b). Each such elector shall have his or her full name, address and serial number likewise entered and shall be given a slip bearing such number.~~

NOTE-NOTE: Sub. (2) is shown as affected by tyo acts of the 1999 legislature and as merged by the revisor under s. 13.93 (2) (c) NOTE:

SECTION 17. 7.08 (5) of the statutes is created to read:

INSERT
2.5-3

7.08 (5) TRAINING, EXAMINATION AND QUALIFICATION OF ELECTION OFFICIALS. The board may, by rule, prescribe standards and procedures for the training, qualification and examination of election officials.

History: 1971 c. 304 s. 29 (2); 1975 c. 85, 199, 200; 1977 c. 394, 447; 1979 c. 260, 311, 355; 1985 a. 304; 1989 a. 192; 1999 a. 49, 182; s. 13.93 (2) (c).

SECTION 18. 7.08 (6) of the statutes is created to read:

7.08 (6) APPOINTMENT OF SPECIALLY DESIGNATED INSPECTORS. If the board finds, in a proceeding under s. 5.066, that an inspector has repeatedly and materially failed to substantially comply with the election laws or rules of the board in performing his or her functions, the board may remove that inspector and may appoint a qualified individual to fill the vacancy in the inspector's office, without regard to party affiliation. The specially designated inspector so appointed shall serve for the remainder of the unexpired term of the former inspector. A specially designated inspector shall be compensated by the municipality in which the inspector serves on the same basis as other inspectors, and shall be supervised by the municipal clerk or board of election commissioners in the same manner as provided by law for other inspectors.

****NOTE: This subsection assumes incorporation of LRB-1157 into the budget bill. If LRB-1157 is not incorporated, this subsection must be redrafted.

SECTION 19. 7.08 (7) of the statutes is created to read:

(a)

7.08 (7) APPOINTMENT OF SPECIAL MASTER. If the board finds, in a proceeding under s. 5.066, that a municipality has repeatedly and materially failed to substantially comply with the election laws or rules of the board in administering elections, the board may appoint a special master to assume all functions of the municipal clerk or board of election commissioners of that municipality with respect to administration of the election laws. The board shall specify in the appointment order the period in which the appointment applies, which may not exceed 12 months.

within 30 days following receipt of the statement. If the municipality fails to timely reimburse the board, the board may submit a statement to the department of administration indicating the amount of the reimbursement due from the municipality and directing the department to deduct that amount from the next payment made to the municipality under s. 79.02

An appointment under this subsection may be renewed for additional periods of not more than 12 months, if the board finds, at the time of renewal, that the municipality served by the special master is incapable of substantial compliance or is unwilling to substantially comply with the election laws or rules of the board. During the period of service of a special master in any municipality, all election officials other than the municipal clerk or board of election commissioners shall continue to hold their offices and positions and exercise their functions, unless the special master removes an official under s. 7.15 (1) (f) or 7.30 (6) (c) or the board removes an official under sub. (6). ^{(P(b))} The board shall employ the special master outside the classified service. The board shall submit a statement of its reasonable costs incurred under this subsection to the municipal treasurer. The municipal treasurer shall then reimburse the board for those costs.

****NOTE: This subsection assumes incorporation of LRB-1157 into the budget bill. If LRB-1157 is not incorporated, this subsection must be redrafted.

LEAD MS 25-3

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25-10

SECTION 20. 7.10 (7) of the statutes is created to read:

7.10 (7) REGISTRATION AGENT FOR TOWN CLERK. The county clerk shall carry out the registration functions specified in ss. 6.29 (2) and 6.33 (5) (b) for any town clerk who designates the county clerk as the agent of the town clerk under s. 6.33 (5) (b).

SECTION 21. 7.15 (1) (intro.) of the statutes is amended to read:

7.15 (1) SUPERVISE REGISTRATION AND ELECTIONS. (intro.) Each Except as ^{ss. 6.33(5)(b)} provided in ~~s. 6.36 (1)~~ ^{and 7.08(7)} each municipal clerk has charge and supervision of elections and registration in the municipality. The clerk shall perform the following duties and any others which may be necessary to properly conduct elections or registration:

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25-15

History: 1971 c. 304 s. 29 (2); 1973 c. 334 s. 57; 1975 c. 85 ss. 50, 65; 1975 c. 275, 422; 1977 c. 283; 1977 c. 394 s. 54; 1977 c. 427, 447; 1979 c. 260, 311; 1981 c. 391; 1981 a. 484; 1985 a. 304; 1987 s. 191; 1988 s. 102; 1989 s. 116; 1999 a. 482

SECTION 22. 7.15 (1) (e) of the statutes is amended to read:

7.15 (1) (e) ~~Instruct~~ Except as otherwise required by rules of the board under s. 7.08 (5), determine whether election officials meet the qualifications prescribed by law and whether their conduct is in compliance with the law; instruct election officials in their duties, calling them together whenever advisable; advise them election officials of changes in laws, rules and procedures affecting the performance of their duties; and administer examinations as authorized under s. 7.30 (2) (c). The clerk shall assure that officials who serve at polling places where an electronic voting system is used are familiar with the system and competent to instruct electors in its proper use. The clerk shall inspect systematically and thoroughly the conduct of elections in the municipality so that elections are honestly, efficiently and uniformly conducted.

Lead ms 25-157

History: 1971 c. 304 s. 29 (2); 1973 c. 334 s. 57; 1975 c. 85 ss. 50, 65; 1975 c. 275, 422; 1977 c. 283; 1977 c. 304 s. 54; 1977 c. 427, 447; 1979 c. 260, 311; 1981 c. 391; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 192; 1991 a. 316; 1999 a. 182

SECTION 23. 7.30 (1) of the statutes is amended to read:

7.30 (1) NUMBER. There shall be 7 inspectors for each polling place at each election. In municipalities where voting machines are used, the municipal governing body may reduce the number of inspectors to 5. A municipal governing body may provide for the appointment of additional inspectors whenever more than one voting machine is used or wards are combined under s. 5.15 (6) (b). A municipal governing body may provide by ordinance for the selection of alternate officials or the selection of 2 sets of officials to work at different times on election day. Unless officials are appointed without regard to party affiliation under sub. (1) (c) or unless a specially designated inspector is appointed under s. 7.08 (6), additional officials shall be appointed in such a manner that the total number of officials is an odd number and

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25-22

the predominant party under sub. (2) is represented by one more official than the other party.

History: 1971 c. 242; 1971 c. 304 s. 29 (1), (2); 1971 c. 336; 1973 c. 280, 334; 1975 c. 93, 101; 1977 c. 394, 427, 447; 1979 c. 89, 260, 355; 1983 a. 183, 484, 538; 1985 a. 131 s. 3; 1985 a. 304, 332; 1987 a. 391; 1989 a. 192, 359; 1995 a. 16 s. 2; 1997 a. 127; 1999 a. 182.

SECTION 24. 7.30 (2) of the statutes is amended to read:

7.30 (2) QUALIFICATIONS AND PROCEDURE. (a) Only Except as otherwise provided in s. 7.08 (6), only election officials appointed under this section may conduct an election. ~~Except as authorized in s. 7.15 (1) (k), each~~ Each inspector shall be a qualified elector in of the ward or other area for which the polling place is established. Special, except that special registration deputies appointed under s. 6.55 (6) and election officials serving more than one ward or when necessary to fill a vacancy under par. (b) and specially designated inspectors under s. 7.08 (6) need not be a resident an elector of that ward, or area but, except in the case of specially designated inspectors, shall be a resident an elector of the municipality. Special registration deputies may be appointed to serve more than one polling place. All officials shall be able to read and write the English language, be capable, be of good understanding, and may not be a candidate for any office to be voted for at an election at which they serve. In 1st class cities, they may hold no public office other than notary public. Except for specially designated inspectors and appointed under s. 7.08 (6) and except as authorized under sub. (4) (c), all inspectors shall be affiliated with one of the 2 recognized political parties which received the largest number of votes for president, or governor in nonpresidential general election years, in the ward or combination of wards served by the polling place at the last election. The party which received the largest number of votes is entitled to one more inspector than the party receiving the next largest number of votes at each polling place. The same election officials may serve the electors of more than one ward where wards are combined

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under s. 5.15 (6) (b). If a municipality is not divided into wards, the ward requirements in this paragraph apply to the municipality at large.

(b) ~~When~~ Except as provided in s. 7.08 (6), whenever a vacancy occurs, the vacancy shall be filled by appointment of the municipal clerk. ~~The vacancy~~ Vacancies filled by the municipal clerk shall be filled from the remaining names on the lists submitted under sub. (4) or from additional names submitted by the chairperson of the county party committee of the appropriate party under sub. (4) whenever names are submitted under sub. (4) (d). If the vacancy is due to candidacy, sickness or any other temporary cause, the appointment shall be a temporary appointment and effective only for the election at which the temporary vacancy occurs. The same qualifications shall be required of persons who fill vacancies. Vacancies may be filled in cases of emergency or because of time limitations by a person from another aldermanic district or ward within the municipality.

(c) ~~The~~ Unless otherwise required by the board under s. 7.08 (5), the governing body of any municipality may require all persons serving as election officials to prove their ability to read and write English ^{Plain} ~~and~~ to have a general knowledge of the election laws. ~~Examinations~~ and may be given ~~give examinations~~ to prove the qualifications can be met. Any examinations shall be consistent with rules of the board under s. 7.08 (5).

History: 1971 c. 242; 1971 c. 304 s. 29 (1), (2); 1971 c. 336; 1973 c. 280, 334; 1975 c. 93, 101; 1977 c. 394, 427, 447; 1979 c. 89, 260, 355; 1983 a. 183, 484, 538; 1985 a. 131 s. 3; 1985 a. 304, 332; 1987 a. 391; 1989 a. 192, 359; 1995 a. 16 s. 2; 1997 a. 127; 1999 a. 182.

SECTION 25. 7.30 (4) (b) 2. of the statutes is amended to read:

7.30 (4) (b) 2. In municipalities other than cities and villages located in counties having a population of more than 500,000, the committees organized under s. 8.17 from each of the 2 dominant parties under sub. (2) shall submit a list containing at least as many names as there are needed appointees from that party. The list shall

be submitted by the chairperson of each of the 2 committees to the mayor, president or chairperson of the municipality. If committees are organized in subdivisions of a city, the list shall be submitted through the chairperson of the city committee. If there is no municipal committee, the list shall be submitted by the chairperson of the county or legislative district committee. Except as provided in par. (c) and except for specially designated inspectors appointed under s. 7.08 (6), only those persons submitted by the chairperson of each committee under s. 8.17 may act as election officials. The chairperson may designate any individual whose name is submitted as a first choice nominee. The list shall contain the signature of the chairperson and secretary of the submitting committee. In cities or villages located in counties having a population of more than 500,000, other than cities where there is a board of election commissioners, the aldermanic district or village committeeman or committeewoman for the ward or wards where each polling place is located, if there is one, shall submit a list containing at least as many names as there are needed appointees for inspector positions from the party represented by the committeeman or committeewoman. For appointments of inspectors in cities and villages where there is no aldermanic district or village committeeman or committeewoman, nominations shall proceed in the same manner as in municipalities located in counties having a population of 500,000 or less. The list shall be submitted to the mayor or president. Except as provided in par. (c) and except for specially designated inspectors appointed under s. 7.08 (6), only those persons whose names are submitted as provided in this paragraph may act as election officials. The committeeman or committeewoman may designate any individual whose name is submitted as a first choice nominee. The list shall contain the signature of the aldermanic district or village committeeman or committeewoman or the chairperson

of the appropriate committee. Upon submission of each nominee's name, the governing body shall appoint each first choice nominee for so long as positions are available, unless nonappointment is authorized under par. (e), and shall appoint other nominees in its discretion. If any nominee is not appointed, the mayor, president or chairperson of the municipality shall immediately nominate another person from the appropriate lists submitted and continue until the necessary number of election officials from each party is achieved at that meeting.

END INS 25-22

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30-6B

History: 1971 c. 242, 1971 c. 304 s. 29 (1), 1971 c. 336, 1973 c. 280, 334; 1975 c. 93, 101; 1977 c. 394, 427, 447; 1979 c. 89, 260, 355; 1983 a. 183, 484, 538; 1985 a. 31 s. 3, 1985 a. 304, 332; 1987 a. 391; 1989 a. 182, 359; 1995 a. 10 s. 2; 1997 a. 127; 1999 a. 182.

SECTION 26. 12.13 (2) (b) 9. of the statutes is created to read:

12.13 (2) (b) 9. Fail to exercise due care to lawfully register an elector to vote.

SECTION 27. 12.60 (1) (bm) of the statutes is created to read:

12.13 (1) (bm) Whoever violates s.12.13 (2) (b) 9. may be required to forfeit not more than \$1,000.

INSERT
31-7

SECTION 28. 20.510 (1) (gm) of the statutes is created to read:

20.510 (1) (g~~mm~~) *Municipal election expenses*. All moneys received from municipalities for costs incurred by the board under ss. 6.50 (2s) and 7.08 (7), to be used for the purpose of financing the expenses incurred by the board under those

~~STET~~ PROVISIONS. ~~sections~~
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***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 29. 20.923 (6) (bb) of the statutes is created to read:

end INS 31-7

20.923 (6) (bb) Elections board: special masters appointed under s. 7.08 (7).

SECTION 30. 230.08 (2) (oe) of the statutes is created to read:

INS
32-12

230.08 (2) (oe) Special masters employed by the elections board under s. 7.08 (7).

(END)

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

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INSERT 6-6

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

6.28 (1) REGISTRATION LOCATIONS; DEADLINE. Except as authorized in ss. 6.29 and 6.55 (2), registration in person for any election shall close at 5 p.m. on the 2nd Wednesday preceding the election. Registrations made by mail under s. 6.30 (4) must be delivered to the office of the municipal clerk or postmarked no later than the 2nd Wednesday preceding the election. An application for registration in person or by mail may be accepted for placement on the registration list after the specified deadline, if the municipal clerk determines that the registration list can be revised to incorporate the registration in time for the election. All applications for registration corrections and additions may be made throughout the year at the office of the city board of election commissioners, at the office of the municipal clerk, at the office of any register of deeds or at other locations provided by the board of election commissioners or the common council in cities over 500,000 population or by either or both the municipal clerk, or the common council, village or town board in all other municipalities and may also be made during the school year at any high school by qualified persons under sub. (2) (a). Other registration locations may include but are not limited to fire houses, police stations, public libraries, institutions of higher education, supermarkets, community centers, plants and factories, banks, savings and loan associations and savings banks. Special registration deputies shall be appointed for all locations. An elector who registers under this section and who wishes to obtain a confidential listing under s. 6.47 (2) shall register at the office of the municipal clerk of the municipality where the elector resides.

NOTE: NOTE: Sub. (1) is shown as affected by two acts of the 1999 legislature and as merged by the revisor under s. 13.93 (2) (c).NOTE:
History: 1971 c. 304 s. 29 (2); 1973 c. 166, 225, 334; 1975 c. 85, 199; 1977 c. 378, 394, 447; 1979 c. 32; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1989 a. 31, 192; 1991 a. 221; 1999 a. 49, 182; s. 13.93 (2) (c).

INSERT 11-13B

SECTION 2. 6.47 (2) of the statutes is amended to read:

6.47 (2) Except as authorized in sub. (8), the ~~municipal clerk~~ ^{board and each} shall withhold from public inspection under s. 19.35 (1) the name and address of any eligible individual whose name appears on a poll list or registration list if the individual files provides the municipal clerk, or the county clerk if designated under s. 6.33 (5) (b), with a valid written request with the clerk to protect the individual's confidentiality. To be valid, a request under this subsection must be accompanied by a copy of a protective order that is in effect, an affidavit under sub. (1) (a) 2. that is dated within 30 days of the date of the request or a statement signed by the operator or an authorized agent of the operator of a shelter that is dated within 30 days of the date of the request and that indicates that the operator operates the shelter and that the individual making the request resides in the shelter. A physically disabled individual who appears personally at the office of the municipal clerk, or the county clerk if designated under s. 6.33 (5) (b), accompanied by another elector of this state may designate that elector to make a request under this subsection on his or her behalf. Any county clerk that receives a valid written request under this subsection shall promptly forward the request to the municipal clerk.

and each county clerk who is designated under s. 6.33 (5) (b) as the agent of a municipal clerk

History: 1999 a. 49, 186.

SECTION 3. 6.47 (3) of the statutes is amended to read:

6.47 (3) Upon ~~listing of receiving a valid written request from an elector under~~ sub. (2), the municipal clerk, or the county clerk if designated under s. 6.33 (5) (b), shall issue to the elector a voting identification card on a form prescribed by the board that shall contain the name of the elector's municipality issuing the card of residence

and in the case of a town, the county in which the town is located, the elector's name, the ward in which the elector resides, if any, and a unique identification serial number issued by the board. The number issued to an elector under this subsection shall not be changed for so long as the elector continues to qualify for a listing under sub. (2).

History: 1999 a. 49, 186.

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SECTION 1. 10.02 (3) (a) of the statutes is amended to read:

10.02 (3) (a) Upon entering the polling place and before being permitted to vote, an elector shall give state his or her name and address before being permitted to vote and shall present identification or have his or her identification corroborated as required by law. Where ballots are distributed to electors, the initials of 2 inspectors must appear on the ballot. Upon being permitted to vote, the elector shall retire alone to a voting booth or machine and cast his or her ballot, except that an elector who is a parent or guardian may be accompanied by the elector's minor child or minor ward. An election official may inform the elector of the proper manner for casting a vote, but the official may not in any manner advise or indicate a particular voting choice.

History: 1971 c. 304 s. 29 (2); 1973 c. 334 s. 57; 1975 c. 85, 199; 1977 c. 107, 427, 447; 1979 c. 311; 1981 c. 377; 1983 a. 484 ss. 119, 172 (3); 1985 a. 304; 1989 a. 31; 1997 a. 250; 1999 a. 182.

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as provided in a statement concerning the
municipality

1 SECTION 1. 79.02 (2) (b) of the statutes is amended to read:

2 79.02 (2) (b) Subject to s. 59.605 (4), payments in July shall equal 15% of the
3 municipality's or county's estimated payments under ss. 79.03, 79.04, 79.058 and
4 79.06, minus any amount deducted from a municipality's payment under ss. 6.50 (2s)
5 and 7.08 (7), and 100% of the municipality's estimated payments under s. 79.05.

6 History: 1983 a. 27; 1985 a. 29 ss. 1505p, 1505t, 3202 (46); 1985 a. 120; 1987 a. 27; 1989 a. 336; 1991 a. 307; 1993 a. 16; 1999 a. 150 s. 672.

6 SECTION 2. 79.02 (3) of the statutes is amended to read:

7 79.02 (3) Subject to s. 59.605 (4), payments to each municipality and county in
8 November shall equal that municipality's or county's entitlement to shared revenues
9 under ss. 79.03, 79.04, 79.05, 79.058 and 79.06 for the current year, minus the
10 amount distributed to the municipality or county in July and minus any amount
11 deducted from a municipality's entitlement under ss. 6.50 (2s) and 7.08 (7).

History: 1983 a. 27; 1985 a. 29 ss. 1505p, 1505t, 3202 (46); 1985 a. 120; 1987 a. 27; 1989 a. 336; 1991 a. 307; 1993 a. 16; 1999 a. 150 s. 672.

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SECTION 1. 5.40 (6) of the statutes is amended to read:

JWS 2-7A
5.40 (6) A municipality which utilizes voting machines or an electronic voting system at a polling place may permit use of the machines or system by electors voting under s. 6.15 only as authorized under s. 6.15 (3) (b).

History: 1971 c. 304 s. 29 (2); 1973 c. 112; 1977 c. 427; 1979 c. 235, 311, 355; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 192; 1993 a. 399.

SECTION 2. 7.08 (1) (c) of the statutes is amended to read:

JWS 25-2
7.08 (1) (c) Prescribe forms required by ss. 6.24 (3) and (4), 6.30 (4), 6.33 (1), 6.40 (1) (b), 6.47 (1) (a) 2. and (3), 6.55 (2) and (3), ~~6.79 (5)~~ and 6.86 (2) and (3). All such forms shall contain a statement of the penalty applicable to false or fraudulent registration or voting through use of the form. Forms are not required to be furnished by the board.

NOTE: NOTE: Par. (c) is shown as affected by two acts of the 1999 legislature and as merged by the revisor under s. 13.93 (2) (c). NOTE:

History: 1971 c. 242; 1973 c. 334 s. 6, 57; 1975 c. 85, 93, 94, 199; 1977 c. 29, 107, 394, 427; 1979 c. 89, 177, 260, 311; 1981 c. 377; 1983 a. 51, 484; 1985 a. 120, 304; 1989 a. 192; 1993 a. 140; 1995 a. 16 s. 2; 1997 a. 27; 1999 a. 49, 182; s. 13.93 (2) (c).

SECTION 3. 117.20 (2) of the statutes is amended to read:

JWS 31-2
117.20 (2) The clerk of each affected school district shall publish notice, as required under s. 8.55, in the territory of that school district. The procedures for school board elections under s. 120.06 (5), (9), (11), (13) and (14) apply to a referendum held under this section. The school board and school district clerk of each affected school district shall each perform, for that school district, the functions assigned to the school board and the school district clerk, respectively, under those subsections. The form of the ballot shall correspond to the form prescribed by the elections board under ss. 5.64 (2) and 7.08 (1) (a). The clerk of each affected school district shall file with the secretary of the board a certified statement prepared by the school district board of canvassers of the results of the referendum in that school district.

History: 1989 a. 114; 1997 a. 286.

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DRAFT NOTE

3. This draft alters slightly the procedure under s. 6.15, stats. whereby electors who have resided in Wisconsin for less than 10 days may vote for president and vice president only. Presently, application may be made in person or in writing at the office of the municipal clerk or at the proper polling place on election day. If application is made at the office of the municipal clerk, the elector may either vote there at that time, vote there later before the day of the election, or vote at the polling place on election day. Because the identification procedure under this draft is more thorough than the one currently provided, we did not think it would be appropriate for an elector to go through that procedure twice for the purpose of casting one ballot. Therefore, under this draft, the elector either applies at the office of the municipal clerk or at the polling place. If the elector applies in person at the office of the municipal clerk, the elector provides identification at that office and votes there at the time of application. If the elector makes written application to the municipal clerk, no identification need be presented (consistently with absentee balloting procedure). If the elector applies at his or her polling place, the elector provides identification at the polling place and votes there. Please let us know if this is not in accord with your intent.

4. The requirements contained in the proposed treatment of ss. 6.15, 6.29, and 6.55, stats., for an elector to provide photo identification in order to vote or to register to vote other than in the normal manner before the close of registration, or to obtain a corroborator, may be held to deny equal protection to an elector who has no photo identification and who is unable to find and convince another elector of his or her municipality who is able to corroborate the elector's identity to accompany the elector to the polls. Because free photo identification is not available under the draft and under the 24th Amendment to the U.S. Constitution, the right to vote in federal elections cannot be taxed by requiring a voter to purchase and maintain photo identification, the corroboration procedure becomes the critical qualifier in some cases. It may be argued that the absentee voting option should cure this defect, but that depends upon finding that a separate absentee voting procedure does not deny equal protection and that there is a rational basis for requiring some voters to vote absentee.

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- (other than to require registration by overseas electors who vote in municipalities where registration does not apply currently)
1. This draft does not affect the method of obtaining an absentee ballot or the procedure for absentee voting. Under this draft, electors voting absentee need not present an I.D. to vote but electors voting at the polls must present an I.D. or have their identity corroborated. This more strict treatment of electors who vote at the polls may be subject to a challenge under the Equal Protection provisions of the Wisconsin or U.S. Constitution. Although there may well be a constitutional, rational basis for this disparate treatment, if you intend to avoid the issue entirely, you may want to consider requiring any absent elector (other than a military and overseas elector) to obtain an absentee ballot in person and to present an I.D. or have his or her identity corroborated.
 2. The draft applies the I.D. requirement to new residents voting in the presidential election under s. 6.15, stats., and to electors voting under s. 6.55 (3) who claim to be registered but whose names do not appear on the registration list. Please review the treatment of these statutes and let us know if you desire any changes. (stats.)
- (5) You may want to consider a delayed effective date of January 1, 2002, in order to avoid the confusion that may occur if this bill takes effect during an election cycle.

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