

2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB55)

Received: **06/23/2001**

Received By: **kuesejt**

Wanted: **Soon**

Identical to LRB:

For: **Assembly Republican Caucus 6-1452**

By/Representing: **Jefferson**

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

Drafter: **kuesejt**

May Contact:

Addl. Drafters: **rmarchan**

Subject: **Elections - campaign finance**

Extra Copies:

Submit via email: **NO**

Requester's email:

Pre Topic:

ARC:.....Jefferson - AM60,

Topic:

Elimination of punch card voting systems

Instructions:

See Attached.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kuesejt 06/24/2001 rmarchan 06/25/2001	gilfokm 06/26/2001		_____			
/1			kfollet 06/26/2001	_____	lrb_docadmin 06/27/2001		

FE Sent For:

<END>

2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB55)

Received: 06/23/2001

Received By: kuesejt

Wanted: Soon

Identical to LRB:

For: Assembly Republican Caucus 6-1452

By/Representing: Jefferson

This file may be shown to any legislator: NO

Drafter: kuesejt

May Contact:

Addl. Drafters: rmarchan

Subject: Elections - campaign finance

Extra Copies:

Submit via email: NO

Requester's email:

Pre Topic:

ARC:.....Jefferson - AM60,

Topic:

Elimination of punch card voting systems

Instructions:

See Attached.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
12/1	kuesejt 6/24	6/26 King	6/26	6/26			

FE Sent For:

<END>

60
Jefferson

MES

Effective January 1, 2004 towns will have the opportunity to opt out of county zoning and planning. In order to do so, towns must develop zoning plans and comprehensive plans that are at least as restrictive as the county zoning and comprehensive plan. The town must provide 60 days written notice to the county of an opt out request

Further, beginning Dec 31, 2010 towns again have a window of opportunity to opt out of county zoning plans and comprehensive plans if they have developed zoning plans and comprehensive plans that are at least as restrictive as the county zoning and comprehensive plan. Then every 5 years, 2015, 2020, etc is another opt out opportunity.

Effective January 1, 2004 towns without any zoning plans or comprehensive plans must either fall under the county zoning plan and comprehensive plan or develop zoning plans and comprehensive plans that are at least as restrictive as the county zoning and comprehensive plan. Note under all scenarios a 60-day written notice to the county is required.

Effective Dec 31, 2010, counties may tell towns falling under their zoning plan and comprehensive plan, that the county is dropping its zoning plan and comprehensive plan as it applies to the town and that the town will have to develop its own zoning and comprehensive plan. The county must provide one year of notice to the towns.

None of these requirements applies to county mandated wetland zoning, shoreland zoning or floodplain zoning. These three zoning requirements – wetland, shoreland, floodplain will still be done by the county as required under current state statute.

JTR
RJM

Motion: To provide Green County funding for the conversion from punch cards for elections. (info provided by Rep. Freese's office)

Eliminates punch card voting and authorizes funding to enable the Elections Board to provide assistance to municipalities in eliminating punch card voting systems. The financial assistance is designed to enable municipalities to employ another type of electronic voting system and provide training for election officials in the use of a replacement voting system.

Fiscal Impact: The Elections Board indicates the cost for acquisition for Green County will be \$178,750. The breakdown: 23 voting devices @ \$6,250; Accumulation software, \$15,000; Ballot printing software, \$10,000; Internet upload software, \$5,000; Computer \$1,000; printer, \$4,000.

2001

Date (time) needed

SOON

LRB b

1601, 1

**ARC CAUCUS BUDGET AMENDMENT
[ONLY FOR CAUCUS]**

JM + KJM:
KMG

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

Q-NOTE

**CAUCUS AMENDMENT
TO ASSEMBLY SUBSTITUTE AMENDMENT 1
TO 2001 SENATE BILL 55**

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

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

#. Page , line :

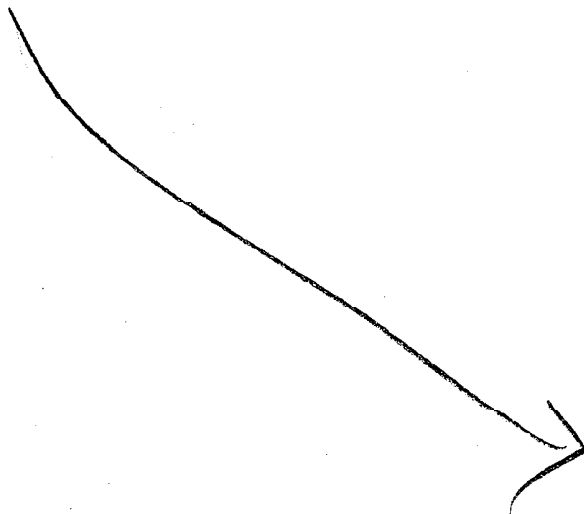
#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :



**ASSEMBLY AMENDMENT 8,
TO 2001 SENATE BILL 110**

June 12, 2001 - Offered by Representative POWERS.

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

1. Page 1, line 1: delete "SECTION 1" and substitute "SECTION 1m".

2. Page 2, line 4: after "electors," insert "elimination of punch card electronic voting systems,"

3. Page 6, line 1: ²⁵ before that line insert: ^{after}

"SECTION ~~1a~~^{2m} 5.02 (1e) of the statutes is amended to read:

5.02 (1e) "Ballot" means a ~~tabulating card~~, ballot label, sheet of paper or envelope on which votes are recorded. The term also includes a sheet or card, filmstrip or other device listing or containing information relative to offices, candidates and referenda which is placed, projected or composed on the board or screen inside a voting machine.

SECTION ~~1b~~^{2p} 5.02 (1m) of the statutes is repealed.

4. Page 7, line 7: after that line insert.

Keep

1

~~SECTION~~ ^{8m} Am. 5.35 (2) of the statutes is amended to read:

2

5.35 (2) VOTING BOOTHS. There shall be one voting booth for every 200 electors who voted at the last general election. The booths shall have a surface on which to write or work and be sufficiently enclosed to assure privacy for the elector and anyone lawfully assisting the elector while marking ~~or punching~~ the elector's ballots.

3

4

5

6

~~5. Page 8, line 2: after that line insert:~~

Keep

7

~~SECTION~~ ^{8p} Am. 5.35 (6) (b) of the statutes is amended to read:

8

5.35 (6) (b) At each polling place in the state where a consolidated ballot under s. 5.655 is used or an electronic voting system is utilized at a partisan primary election incorporating a ballot upon which electors may mark ~~or punch~~ votes for candidates of more than one recognized political party or for candidates of a recognized political party and independent candidates, the municipal clerk or board of election commissioners shall prominently post a sign in the form prescribed by the board warning electors in substance that on any ballot with votes cast for candidates of more than one recognized political party or any ballot with votes cast for candidates of a recognized political party and independent candidates, no votes cast for any candidates for partisan office will be counted unless a preference for a party or for the independent candidates is made. If the elector designates a preference, only votes cast for candidates of that preference will be counted.

9

10

11

12

13

14

15

16

17

18

19

20

~~SECTION~~ ^{9e} Sp. 5.54 of the statutes is amended to read:

21

5.54 Notice to electors. Every ballot, except a ~~ballot label or voting machine~~ ballot, shall bear substantially the following information on the face: "NOTICE TO ELECTORS: This ballot may be invalid unless initialed by 2 election inspectors. If cast

22

23

1 as an absentee ballot, the ballot must bear the initials of the municipal clerk or
2 deputy clerk. ~~Ag~~

3 SECTION ~~8~~⁹ 5.55 of the statutes is amended to read:

4 **5.55 Ballot identification.** On every ballot, except a ~~ballot label or~~ voting
5 machine ballot, shall be printed "Official Ballot" or "Official Ballot for"
6 followed by the designation of the polling place for which the ballot has been
7 prepared, the date of the election, and the official endorsement and blank
8 certificates. The number of the ward or wards or aldermanic district, if any, and the
9 name of the municipality may be omitted in printing and stamped or written on the
10 ballots at any location which is clearly visible at the option of the county clerk.
11 Printed information and initials shall appear on the back and outside of the ballot.
12 ~~When a ballot card is employed with an electronic voting system, the date of the~~
13 ~~election may be printed or stamped on the back of the ballot card in such a manner~~
14 ~~that the card is not reusable, at the option of the county clerk.~~

15 SECTION ~~8~~⁹ 5.66 (2) of the statutes is amended to read:

16 5.66 (2) The county clerk or board of election commissioners shall print a
17 sufficient number of sample ballots. The municipal clerk or board of election
18 commissioners shall print sample ballots whenever the municipality prepares
19 ballots under s. 7.15 (2) (b) or (c). Sample ballots shall be printed on nonwhite colored
20 paper and shall be overprinted "SAMPLE". Voting machine sample ballots shall be
21 a reduced size diagram of the face of the board or screen inside the voting machine
22 with all candidates, issues and voting instructions as they will appear on the official
23 ballot. Sample ballots to be used with an electronic voting system in which ~~ballot~~
24 ~~labels and ballot cards~~ ballots that are distributed to electors are used shall be an
25 actual size copy of the ~~ballot label and ballot card~~. The clerk or board of election

1 commissioners printing the ballots shall distribute the samples approximately as
2 follows: 45% shall be kept in the clerk's or board's office and distributed to electors
3 requesting them; 45% shall be sent to the municipalities, or, if the municipality
4 prints ballots, 45% shall be sent to the county for distribution to the electors; and 10%
5 shall be reserved to be sent to the polling places by municipalities in proportion to
6 the number certified in sub. (1) and made available to electors at the polls on election
7 day.

8 ^{gk} SECTION ~~8s.~~ 5.68 (3) of the statutes is amended to read:

9 5.68 (3) If voting machines are used or if an electronic voting system is used
10 in which all candidates and referenda appear on the same ballot card, the ballots for
11 all national, state and county offices and for county and state referenda shall be
12 prepared and paid for by the county wherein they are used. If the voting machine
13 or electronic voting system ballot includes a municipal or school, technical college,
14 sewerage or sanitary district ballot, the cost of that portion of the ballot shall be
15 reimbursed to the county or paid for by the municipality or district, except as
16 provided in a 1st class city school district under sub. (2).

17 ^{gm} SECTION ~~8s.~~ 5.79 of the statutes is amended to read:

18 **5.79 Instruction of electors.** At polling places where an electronic voting
19 system employing the use of ~~ballot cards or ballot labels~~ ballots and voting devices
20 is used, the election officials shall offer each elector instruction in the operation of
21 the voting device and ballot label ~~or ballot card~~ before the elector enters the voting
22 booth. No instructions may be given after the elector has entered the voting booth,
23 except as authorized under s. 6.82 (2). All instructions shall be given by election
24 officials in such a manner that they may be observed by other persons in the polling
25 place.

1 SECTION ^{an}~~St.~~ 5.81 (1) of the statutes is amended to read:

2 5.81 (1) Whenever the statutes provide for the use of separate ballots or
3 columns or rows for offices, parties or referenda, and an electronic voting system
4 ~~employing a ballot label or ballot card~~ in which ballots are distributed to electors is
5 used at a polling place, a single ballot may be used for all offices, referenda and
6 parties. The ballot information, whether placed on the ballot or on the voting device,
7 shall, as far as practicable, be grouped and ordered in the same manner as provided
8 for other ballots under this chapter, except that the information on the ballot card
9 need not be in separate columns or rows ~~and the information in the ballot label~~
10 ~~booklet may appear on a number of pages.~~

11 SECTION ^{gp}~~St.~~ 5.81 (2) of the statutes is repealed.

12 SECTION ^{gp}~~St.~~ 5.81 (3) of the statutes is amended to read:

13 5.81 (3) If a municipality utilizes an electronic voting system in which ballots
14 distributed to electors are employed, absentee ballots may consist of ballots utilized
15 with the system or paper ballots and envelopes voted in person in the office of the
16 municipal clerk or voted by mail. ~~If a ballot card is used for voting by mail it shall~~
17 ~~be accompanied by a punching tool or marking device, elector instructions and a~~
18 ~~sample ballot showing the proper positions to vote on the ballot card for each party,~~
19 ~~candidate or referendum and, if the ballot card is to be punched, shall be mounted~~
20 ~~on a suitable material.~~

21 SECTION ^{at}~~St.~~ 5.82 of the statutes is amended to read:

22 5.82 ~~Write-in ballots.~~ If the ballot card employed by a municipality does not
23 provide a space for write-in votes, the municipality shall provide a separate write-in
24 ballot, which may be in the form of a paper ballot, to permit electors to write in the

1 names of persons whose names are not on the ballot whenever write-in votes are
2 authorized.

3 SECTION ⁹~~Sym.~~ ^{t m} 5.84 (1) of the statutes is amended to read:

4 5.84 (1) Where any municipality employs an electronic voting system which
5 utilizes automatic tabulating equipment, either at the polling place or at a central
6 counting location, the municipal clerk shall, on any day not more than 10 days prior
7 to the election day on which the equipment is to be utilized, have the equipment
8 tested to ascertain that it will correctly count the votes cast for all offices and on all
9 measures. Public notice of the time and place of the test shall be given by the clerk
10 at least 48 hours prior to the test by publication of a class 1 notice under ch. 985 in
11 one or more newspapers published within the municipality if a newspaper is
12 published therein, otherwise in a newspaper of general circulation therein. The test
13 shall be open to the public. The test shall be conducted by processing a preaudited
14 group of ballots so ~~punched or~~ marked as to record a predetermined number of valid
15 votes for each candidate and on each referendum. The test shall include for each
16 office one or more ballots which have votes in excess of the number allowed by law
17 and, for a partisan primary election, one or more ballots which have votes cast for
18 candidates of more than one recognized political party, in order to test the ability of
19 the automatic tabulating equipment to reject such votes. If any error is detected, the
20 municipal clerk shall ascertain the cause and correct the error. The clerk shall make
21 an errorless count before the automatic tabulating equipment is approved by the
22 clerk for use in the election.

23 SECTION ^{9w}~~Sym.~~ 5.85 (2) and (3) of the statutes are amended to read:

24 5.85 (2) The election officials shall examine the ballots or record of votes cast
25 for write-in votes and shall count and tabulate the write-in votes. When an

1 electronic voting system is used which utilizes a ballot which is distributed to
2 electors, before separating the remaining ~~ballot cards~~ ballots from their respective
3 covering envelopes, the election officials shall examine the ballots for write-in votes.
4 When an elector has cast a write-in vote, the election officials shall compare the
5 write-in vote with the votes on the ballot to determine whether the write-in vote
6 results in an overvote for any office. In case of an overvote for any office, the election
7 officials shall make a true duplicate ballot of all votes on the ballot card except for
8 the office which is overvoted, by using ~~the~~ an official ballot label booklet and voting
9 ~~device for the ward, if any of that kind used by the elector who voted the original~~
10 ballot, and one of the ~~punching or~~ marking devices so as to transfer all votes of the
11 elector except for the office overvoted, to an official ballot of that kind used in the
12 ward at that election. Unless election officials are selected under s. 7.30 (4) (c)
13 without regard to party affiliation, the election officials shall consist in each case of
14 at least one election official of each of the 2 major political parties, whenever officials
15 of both parties are present. Write-in votes shall be counted as provided in s. 7.50 (2)
16 (d). The original ballot upon which there is an overvote shall be clearly labeled
17 "Overvoted Ballot" and the ballot so produced "Duplicate Overvoted Ballot", and
18 each shall bear the same serial number which shall be placed thereon by the election
19 officials, commencing with number "1" and continuing consecutively for each of the
20 ballots of that kind in that ward or election district. The election officials shall initial
21 the "Duplicate Overvoted Ballot" ballots and shall place them in the container for
22 return of the ballots. The "Overvoted Ballot" ballots and their envelopes shall be
23 placed in the "Original Ballots" envelope. Ballots bearing write-in votes marked in
24 the place designated therefor and bearing the initials of an election official and not
25 resulting in an overvote and otherwise complying with the election laws as to

1 marking shall be counted, tallied, and their votes recorded on a tally sheet provided
2 by the municipal clerk. ~~Ballot cards~~ Ballots and ballot ~~card~~ envelopes shall be
3 separated and all ballots except any which are defective or overvoted shall be placed
4 separately in the container for return of the ballots, along with the ballots marked
5 “Duplicate Overvoted Ballots”.

6 (3) The election officials shall examine the ballots to determine if any is
7 damaged or defective so that it cannot be counted by the automatic tabulating
8 equipment. If any ballot is damaged or defective so that it cannot be properly counted
9 by the automatic tabulating equipment, the election officials, in the presence of
10 witnesses, shall make a true duplicate ballot of all votes on that ballot by using the
11 ~~ballot label booklet and voting device for the ward, if any, and one of the punching~~
12 ~~or marking devices~~ so as to transfer all votes of the elector to an official ballot of that
13 kind used in the ward by the elector who voted the original ballot in that election.
14 Unless election officials are selected under s. 7.30 (4) (c) without regard to party
15 affiliation, the election officials shall consist in each case of at least one election
16 official of each of the 2 major political parties, whenever officials of both parties are
17 present. The original ballot shall be clearly labeled “Damaged Ballot” and the ballot
18 so produced “Duplicate Damaged Ballot”, and each shall bear the same number
19 which shall be placed thereon by the election officials, commencing with number “1”
20 and continuing consecutively for the ballots of that kind in the ward. The election
21 officials shall initial the “Duplicate Damaged Ballot” ballots, and shall place them
22 in the container for return of the ballots. The officials shall place “Damaged Ballot”
23 ballots and their envelopes in the “Original Ballots” envelope.

24 ^{9x} SECTION 8yo. 5.91 (14) of the statutes is created to read:

1 5.91 (14) It does not employ any mechanism by which a ballot is punched or
2 punctured to record the votes cast by an elector.

3 ^{9y}
SECTION ~~8yq~~ 5.94 of the statutes is amended to read:

4 **5.94 Sample ballot labels and cards ballots; publication.** When an
5 electronic voting system employing a ballot label and ballot card that is distributed
6 to electors is used, the county and municipal clerk of the county and municipality in
7 which the polling place designated for use of the system is located shall cause to be
8 published, in the type B notices, a true actual-size copy of the ballot label and ballot
9 card containing the names of offices and candidates and statements of measures to
10 be voted on, as nearly as possible, in the form in which they will appear on the official
11 ballot label and ballot card on election day. The notice may be published as a
12 newspaper insert. Municipal clerks may post the notice if the remainder of the type
13 B notice is posted.

14 ^{16ab}
SECTION ~~8yq~~ 6.15 (3) (a) 1. ~~and (b)~~ of the statutes are ¹³ amended to read:

15 6.15 (3) (a) 1. Upon proper completion of the application and cancellation card,
16 the municipal clerk shall inform the elector that he or she may vote for the
17 presidential electors not sooner than 9 days nor later than 5 p.m. on the day before
18 the election at the office of the municipal clerk, or at a specified polling place on
19 election day. When voting at the municipal clerk's office, the applicant shall provide
20 identification and shall mark ~~or punch~~ the ballot in the clerk's presence in a manner
21 that will not disclose his or her vote. Unless the ballot is utilized with an electronic
22 voting system, the applicant shall fold the ballot so as to conceal his or her vote. The
23 applicant shall then deposit the ballot and seal it in an envelope furnished by the
24 clerk.

SECTION 17ab. Am; 6.15(3)(b)

1 6.15(3)(b) Election day. An eligible elector may appear at the polling place for the ward
2 or election district where he or she resides and make application for a ballot under
3 sub. (2). In such case, the inspector or special registration deputy shall perform the
4 duties of the municipal clerk. The elector shall provide identification. If the elector
5 is qualified, he or she shall be permitted to vote. The elector shall mark ~~or punch~~ the
6 ballot and, unless the ballot is utilized with an electronic voting system, the elector
7 shall fold the ballot, and shall deposit the ballot into the ballot box or give it to the
8 inspector. The inspector shall deposit it directly into the ballot box. Voting machines
9 or ballots utilized with electronic voting systems may only be used by electors voting
10 under this section if they permit voting for president and vice president only.

11 SECTION ^{19m} ~~Syr.~~ 6.22 (4) and (5) of the statutes are amended to read:

12 6.22 (4) INSTRUCTIONS AND HANDLING. An individual who qualifies as a military
13 elector may request an absentee ballot for any election, or for all elections until the
14 individual otherwise requests or until the individual no longer qualifies as a military
15 elector. A military elector's application may be received at any time. The municipal
16 clerk shall not send a ballot for an election if the application is received later than
17 5 p.m. on the Friday preceding that election. The municipal clerk shall send a ballot,
18 as soon as available, to each military elector who requests a ballot. The board shall
19 prescribe the instructions for marking ~~or punching~~ and returning ballots and the
20 municipal clerk shall enclose instructions with each ballot and shall also enclose
21 supplemental instructions for local elections. The envelope, return envelope and
22 instructions may not contain the name of any candidate appearing on the enclosed
23 ballots other than that of the municipal clerk affixed in the fulfillment of his or her
24 duties. Whenever the material is mailed, the material shall be prepared and mailed

1 to make use of the federal free postage laws. The mailing list established under this
2 subsection shall be kept current in the same manner as provided in s. 6.86 (2) (b).

3 (5) VOTING PROCEDURE. Except as authorized in s. 6.25, the ballot shall be
4 marked ~~or punched~~ and returned, deposited and recorded in the same manner as
5 other absentee ballots. In addition, the certification under s. 6.87 (2) shall have a
6 statement of the elector's birth date. Failure to return any unused ballots in a
7 primary election does not invalidate the ballot on which the elector casts his or her
8 votes.

9 ^{22m} SECTION 8. ~~Sys.~~ 6.24 (6) and (7) of the statutes are amended to read:

10 6.24 (6) INSTRUCTIONS AND HANDLING. The municipal clerk shall send a ballot,
11 as soon as available, to each overseas elector by whom a request has been made. The
12 board shall prescribe the instructions for marking ~~or punching~~ and returning ballots
13 and the municipal clerk shall enclose such instructions with each ballot. The
14 envelope, return envelope and instructions may not contain the name of any
15 candidate appearing on the enclosed ballots other than that of the municipal clerk
16 affixed in the fulfillment of his or her duties. Except as authorized in s. 6.87 (3), the
17 municipal clerk shall mail the material postage prepaid to any place in the world.
18 The overseas elector shall provide return postage.

19 (7) VOTING PROCEDURE. Except as authorized under s. 6.25, the ballot shall be
20 marked ~~or punched~~ and returned, deposited and recorded in the same manner as
21 other absentee ballots. In addition, the certificate shall have a statement of the
22 elector's birth date. Failure to return the unused ballots in a primary election does
23 not invalidate the ballot on which the elector casts his or her votes.

24 ~~6. Page 15, line 17. after that line insert.~~ *Keep*

1 SECTION ^{68ab} 25m. 6.82 (1) (a) and (2) (a) and (b) of the statutes are amended to
2 read:

3 6.82 (1) (a) When any inspectors are informed that an elector is at the entrance
4 to the polling place who as a result of disability is unable to enter the polling place,
5 they shall permit the elector to be assisted in marking ~~or punching~~ a ballot by any
6 individual selected by the elector, except the elector's employer or an agent of that
7 employer or an officer or agent of a labor organization which represents the elector.
8 The inspectors shall issue a ballot to the individual selected by the elector and shall
9 accompany the individual to the polling place entrance where the assistance is to be
10 given. If the ballot is a paper ballot, the assisting individual shall fold the ballot after
11 the ballot is marked ~~or punched~~ by the assisting individual. The assisting individual
12 shall then immediately take the ballot into the polling place and give the ballot to an
13 inspector. The inspector shall distinctly announce that he or she has "a ballot offered
14 by (stating person's name), an elector who, as a result of disability, is unable to
15 enter the polling place without assistance". The inspector shall then ask, "Does
16 anyone object to the reception of this ballot?" If no objection is made, the inspectors
17 shall record the elector's name under s. 6.79 and deposit the ballot in the ballot box,
18 and shall make a notation on the registration or poll list: "Ballot received at poll
19 entrance".

20 (2) (a) If an elector declares to the presiding election official that he or she
21 cannot read or write, or has difficulty in reading, writing or understanding English
22 or that due to disability is unable to mark ~~or punch~~ a ballot or depress a button or
23 lever on a voting machine, the elector shall be informed by the officials that he or she
24 may have assistance. When assistance is requested, the elector may select any
25 individual to assist in casting his or her vote. The selected individual rendering

1 assistance may not be the elector's employer or an agent of that employer or an officer
2 or agent of a labor organization which represents the elector. The selected individual
3 shall certify on the back of the ballot that it was marked ~~or punched~~ with his or her
4 assistance. Where voting machines are used, certification shall be made on the
5 registration list.

6 (b) The individual chosen shall enter the voting booth or machine with the
7 elector and shall read the names of all candidates on the ballot for each office, and
8 ask, "For which one do you vote?". The ballot shall be marked ~~or punched~~ or the lever
9 or button depressed according to the elector's expressed preference. The individual
10 selected to assist may not disclose to anyone how the elector voted.

11 ~~7. Page 16, line 7: after that line insert:~~

12 ~~SECTION 28m.~~ ^{6re} 6.87 (3) (d) of the statutes is amended to read:

13 6.87 (3) (d) ~~Unless a municipality uses an electronic voting system that~~
14 ~~requires an elector to punch a ballot in order to record the elector's votes, a~~ A
15 municipal clerk of a municipality may, if the clerk is reliably informed by an absent
16 elector of a facsimile transmission number or electronic mail address where the
17 elector can receive an absentee ballot, transmit a facsimile or electronic copy of the
18 absent elector's ballot to that elector in lieu of mailing under this subsection if, in the
19 judgment of the clerk, the time required to send the ballot through the mail may not
20 be sufficient to enable return of the ballot by the time provided under sub. (6). An
21 elector may receive an absentee ballot under this subsection only if the elector has
22 filed a valid application for the ballot under sub. (1). If the clerk transmits an
23 absentee ballot under this paragraph, the clerk shall also transmit a facsimile or
24 electronic copy of the text of the material that appears on the certificate envelope

1 prescribed in sub. (2), together with instructions prescribed by the board. The
2 instructions shall require the absent elector to make and subscribe to the
3 certification as required under sub. (4) and to enclose the absentee ballot in a
4 separate envelope contained within a larger envelope, that shall include the
5 completed certificate. The elector shall then mail the absentee ballot with postage
6 prepaid to the municipal clerk. An absentee ballot received under this paragraph
7 shall not be counted unless it is cast in the manner prescribed in this paragraph and
8 in accordance with the instructions provided by the board.

9 SECTION ^{69 m} 6.87 (4) and (5) of the statutes are amended to read:

10 6.87 (4) Except as otherwise provided in s. 6.875, the elector voting absentee
11 shall make and subscribe to the certification before one witness. The absent elector,
12 in the presence of the witness, shall mark ~~or punch~~ the ballot in a manner that will
13 not disclose how the elector's vote is cast. The elector shall then, still in the presence
14 of the witness, fold the ballots if they are paper ballots so each is separate and so that
15 the elector conceals the markings thereon and deposit them in the proper envelope.
16 If a consolidated ballot under s. 5.655 is used, the elector shall fold the ballot if it is
17 a paper ballot so that the elector conceals the markings thereon and deposit the ballot
18 in the proper envelope. The elector may receive assistance under sub. (5). The return
19 envelope shall then be sealed. The witness may not be a candidate. The envelope
20 shall be mailed by the elector, postage prepaid, or delivered in person, to the
21 municipal clerk issuing the ballot or ballots. Failure to return an unused ballot in
22 a primary does not invalidate the ballot on which the elector's votes are cast. Return
23 of more than one marked ~~or punched~~ ballot in a primary or return of a ballot prepared
24 under s. 5.655 or a ballot used with an electronic voting system in a primary which

1 is marked ~~or punched~~ for candidates of more than one party invalidates all votes cast
2 by the elector for candidates in the primary.

3 (5) If the absent elector declares that he or she is unable to read, has difficulty
4 in reading, writing or understanding English or due to disability is unable to mark
5 ~~or punch~~ his or her ballot, the elector may select any individual, except the elector's
6 employer or an agent of that employer or an officer or agent of a labor organization
7 which represents the elector, to assist in marking ~~or punching~~ the ballot, and the
8 assistant shall then sign his or her name to a certification on the back of the ballot,
9 as provided under s. 5.55⁶⁹⁵.

Keep

~~8. Page 19, line 21: after that line insert:~~

~~SECTION 20m.~~ ⁶⁹⁵ 6.875 (6) of the statutes is amended to read:

12 6.875 (6) Special voting deputies in each municipality shall, not later than 5
13 p.m. on the Friday preceding an election, arrange one or more convenient times with
14 the administrator of each nursing home or qualified retirement home and qualified
15 community-based residential facility in the municipality from which one or more
16 occupants have filed an application under s. 6.86 to conduct absentee voting for the
17 election. The time may be no earlier than the 4th Monday preceding the election and
18 no later than 5 p.m. on the Monday preceding the election. Upon request of a relative
19 of an occupant of a nursing home or qualified retirement home or qualified
20 community-based residential facility, the administrator may notify the relative of
21 the time or times at which special voting deputies will conduct absentee voting at the
22 home or facility, and permit the relative to be present in the room where the voting
23 is conducted. At the designated time, 2 deputies appointed under sub. (4) shall visit
24 the nursing home or qualified retirement home or qualified community-based

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

JWS
17-2

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

executive director of the board of election commissioners, who may then send the ballot to the elector no later than 5 p.m. on the Friday preceding the election.

9. Page 21, line 10: after that line insert:

SECTION 33m. 7.15 (3) (b) of the statutes is amended to read:

7.15 (3) (b) Sample ballots, and voting machine ballots ~~and ballot labels for electronic voting systems, whenever the labels are affixed to the voting devices,~~ shall be furnished to the officials in the ward or election district at least one day before each election."

Keep

✓

10. Page 24, line 24: after that line insert:

SECTION 41m. 7.37 (4) of the statutes is amended to read:

7.37 (4) BALLOTING PROCEDURE. At polling places which utilize paper ballots or electronic voting systems in which ballots are distributed to electors, 2 inspectors shall be assigned to take charge of the official ballots. They shall write their initials on the back of each ballot and deliver to each elector as he or she enters the voting booth one ballot properly endorsed by each of them. Where paper ballots are used, the inspectors shall fold each ballot in the proper manner to be deposited before delivering it to the elector. If asked, inspectors may instruct any elector as to the proper manner of marking ~~or punching~~ the ballot, but they may not give advice, suggestions, express any preferences or make any requests as to the person for whom, the question on which or the ballot on which the elector shall vote.

SECTION 41r. 7.37 (8) of the statutes is amended to read:

7.37 (8) ELECTRONIC VOTING SYSTEMS. Prior to the opening of the polling place, wherever electronic voting systems employing voting devices are used, the inspectors shall place the voting devices in position for voting and examine them to

1 see that they are in proper working order and that they have the correct ballot labels
2 by comparing them with the sample ballots.

keep

3 ~~11. Page 25, line 23. after that line insert:~~

4 ~~SECTION 46m.~~ ⁸⁷³ 7.50 (1) (d) and (2) (a), (b) and (d) of the statutes are amended
5 to read:

6 7.50 (1) (d) Whenever an electronic voting system is used at a polling place in
7 a partisan primary, and the same ballot is utilized to cast votes for candidates of more
8 than one recognized political party or candidates of a party and independent
9 candidates, if an elector designates a preference for a party or for independent
10 candidates, only votes cast within that preference category may be counted. If an
11 elector does not designate a preference and makes a mark ~~or punch~~ or affixes a
12 sticker opposite candidates of more than one recognized political party or opposite
13 a candidate in the independent candidates' column and a candidate of a recognized
14 political party, no votes cast by the elector for any candidate for partisan office are
15 valid. Votes for other candidates and votes on ballot questions, if any, shall be
16 counted if otherwise valid.

17 (2) (a) At a general election, if the elector places a mark, symbol or sticker ~~or~~
18 ~~punches a hole~~ under a party designation at the head of a column in or near the space
19 indicated for that purpose, it is a vote for all the candidates whose names appear in
20 the marked ~~or punched~~ column except as otherwise provided in this paragraph. If
21 a name is stricken, it is not a vote for that candidate. If a name is written in, it is a
22 vote for the write-in candidate. If a sticker is attached it is a vote for the candidate
23 whose name appears on the sticker. If in some other column there is a mark ~~or punch~~
24 in the square to the right of a specific candidate's name or at the place designated on

1 the ballot for marking ~~or punching~~ a vote for a specific candidate for the same office,
2 it is a vote for that specific candidate and no vote may be counted for the candidate
3 for the same office in the column marked ~~or punched~~ for a straight party vote.

4 (b) A ballot cast without any marks, ~~or stickers or punches~~ may not be counted.
5 A ballot without a mark ~~or punch~~ at the top of a party column may be counted only
6 for persons for whom marks ~~or punches~~ are applicable.

7 (d) If an elector writes a person's name in the proper space for write-in
8 candidates for an office, it is a vote for the person written in for the office indicated,
9 regardless of whether the elector strikes the names appearing in the same column
10 for the same office, or places a mark ~~or punch~~ by the same or any other name for the
11 same office, or omits placing a mark ~~or punch~~ to the right of the name written in. If
12 an elector is permitted to vote for more than one candidate for the same office in an
13 election and casts one or more write-in votes which, when added to the votes cast for
14 candidates whose names appear on the ballot, exceed the number of votes authorized
15 to be cast for the office, the write-in votes shall be counted and the votes for
16 candidates whose names appear on the ballot may not be counted, unless there are
17 more write-in votes than votes authorized to be cast, in which case no votes may be
18 counted for the office.

19 *At page 7, line 4: after that line insert:*
SECTION ~~10.01~~ 10.01 (2) (b) of the statutes is amended to read:

20 10.01 (2) (b) Type B—The type B notice shall include the relevant facsimile
21 ballots and the relevant portions of voting instructions to electors under s. 10.02 for
22 each office or referendum and shall specify the date of the election. In counties or
23 municipalities where an electronic voting system ~~employing a ballot label and ballot~~
24 card in which ballots are distributed to electors is used, the notice shall include the
25 information specified in s. 5.94. The type B notice shall be published once by the

1 county clerks, and for primaries and other elections in municipalities or special
2 purpose districts, once by the clerk of the municipality or special purpose district on
3 the day preceding each primary and other election.

4 ^{95M ✓} SECTION ~~46q~~. 10.06 (3) (e) of the statutes is amended to read:

5 10.06 (3) (e) When electronic or mechanical voting machines or electronic
6 voting systems ~~employing a ballot card or label~~ in which ballots are distributed to
7 electors are used in a municipality at a municipal election, the municipal clerk shall
8 publish a type B notice on the Monday before the election. The notice shall include
9 all offices and questions to be voted on at the election. The cost of this notice shall
10 be shared under s. 5.68 (2) and (3). ~~X~~

11 ~~12. Page 27, line 3 after that line insert:~~

95MS

12 ^{95M ✓} SECTION ~~51m~~. 12.13 (1) (f) and (3) (e) and ~~(j)~~ of the statutes ^{is} are amended to
13 read:

14 12.13 (1) (f) Shows his or her marked ~~or punched~~ ballot to any person or places
15 a mark upon the ballot so it is identifiable as his or her ballot.

16 ^{SECTION 96M. AM: 12.13(3)(e) and (j)} 12.13 (3) (e) Prepare or cause to be prepared an official ballot with intent to change
17 the result of the election as to any candidate or referendum; prepare an official ballot
18 which is premarked ~~or prepunched~~ or which has an unauthorized sticker affixed
19 prior to delivery to an elector; or deliver to an elector an official ballot bearing a mark
20 ~~or punch~~ opposite the name of a candidate or referendum question that might be
21 counted as a vote for or against a candidate or question.

22 (j) When called upon to assist an elector who cannot read or write, has difficulty
23 in reading, writing or understanding English, or is unable to mark ~~or punch~~ a ballot
24 or depress a lever or button on a voting machine, inform the elector that a ballot

1 contains names or words different than are printed or displayed on the ballot with
2 the intent of inducing the elector to vote contrary to his or her inclination,
3 intentionally fail to cast a vote in accordance with the elector's instructions or reveal
4 the elector's vote to any 3rd person."

5 ✓ 13. Page 27, line 22: after that line insert:

6 "SECTION 54L. 20.005 (3) (schedule) of the statutes: at the appropriate place
7 insert the following amounts for the purposes indicated:

8	2001-02	2002-03
9		
10		

10 (1) ADMINISTRATION OF ELECTION AND CAMPAIGN LAWS

11 (1) (c) ~~Electronic voting system~~ ^{Voting} ~~master~~ ^{transitional}

12 ~~assistance~~ ^{ASSISTANCE} ~~lease payments~~ ^{GPR B} -0- -0-
13 ✓ #. Page 400, line 22: after that line insert:

14 ((SECTION 54p. 20.510 (1) (c) of the statutes is created to read:

15 20.510 (1) (c) ~~Electronic voting system~~ ^{transitional assistance} ~~master lease payments~~ ^{and municipalities} Biennially, the
16 amounts in the schedule to provide assistance to counties ^{in eliminating punch card voting} under 2001 Wisconsin Act

17 (this act), section ~~76.67~~ ⁹¹¹⁵ (20x)

18 SECTION ~~54q~~ ^{906m} 20.510 (1) (c) of the statutes, as created by 2001 Wisconsin Act

19 (this act), is repealed."

20 ✓ 14. Page 28, line 3: after that line insert:

21 "SECTION ~~55m~~ ^{660 fs} 59.08 (9) of the statutes is amended to read:
22 1994m

23 59.08 (9) The ballot shall have on the back or reverse side the endorsements
24 provided by law for ballots for general elections and shall be marked, punched or
labeled by the elector and counted and canvassed as other ballots cast on questions
in the county are counted and canvassed. The election shall be conducted by the

make the payment required under the master lease for electronic voting system

1 same officers and in the same manner as are other elections in the county. The
2 results of the election shall be certified to the judges of the circuit courts for the
3 counties."

4 15. Page 38, line 2 after that line insert:

5 ~~15.01~~ LEASE OF ELECTRONIC VOTING EQUIPMENT.

6 (6) ~~15.01~~ The department of administration shall enter into a master lease under
7 section 16.76 (4) of the statutes on behalf of the elections board to obtain sufficient
8 electronic voting system equipment suitable for use with an electronic voting system
9 in municipalities that employed a punch card electronic voting system at the 2001

10 spring election and that are required under this act to eliminate that system in
11 future elections. The elections board shall ~~sublease~~ the equipment obtained under
12 this paragraph to any county in which the municipalities are wholly or partly
13 contained at nominal cost to the county. The elections board shall make the
14 payments required under the master lease to the department of administration from

15 the appropriation under section 20.510 (1) (c) of the statutes, as created by this act.
16 # Page 1340, line 17. after that line insert:

17 (1) Notwithstanding section 13.101 (3) (a) of the statutes, if the elections board
18 requests a supplemental appropriation from the joint committee on finance for the
19 purpose of making payments under the master lease entered into under paragraph
7.08 (-) of the statutes, as created by this act, or section 9.115 (a) of this act

20 (3) of the statutes, if the elections board requests a supplemental appropriation
21 under this subsection, and the cochairpersons of the joint committee on finance do not notify the elections
22 board that a meeting of the committee has been scheduled to discuss the request
23 within 14 working days of the date that the request is made, the request is considered
24 to be approved by the committee. If, within 14 working days of the date of the request,

Remedy

298 16

NOA

SECTION 9.101 (20X) of this act and shall sublease the equipment using that equipment

THIS SUBSECTION
TRANSITIONAL ASSISTANCE

7.08 (-)

(S)

(X)

subsection

1 ~~the cochairpersons of the committee notify the elections board that the committee~~
2 ~~has scheduled a meeting to discuss the request, no supplement is approved."~~

3 **16.** Page 39, line 3: after that line insert:

4 "(2x) ELIMINATION OF PUNCH CARD ELECTRONIC VOTING SYSTEMS. The treatment
5 of sections 5.02 (1e) and (1m), 5.35 (2) and (6) (b), 5.54, 5.55, 5.66 (2), 5.68 (3), 5.79,
6 5.81 (1), (2), and (3), 5.82, 5.84 (1), 5.85 (2) and (3), 5.91 (14), 5.94, 6.15 (3) (a) 1. and
7 (b), 6.22 (4) and (5), 6.24 (6) and (7), 6.82 (1) (a) and (2) (a) and (b), 6.87 (3) (d), (4),
8 and (5), 6.875 (6), 7.15 (3) (b), 7.37 (4) and (8), 7.50 (1) (d) and (2) (a), (b), and (d), 10.01
9 (2) (b), 10.06 (3) (e), 12.13 (1) (f) and (3) (e) and (j), and 59.08 (9) of the statutes takes
10 effect on January 1, 2002.

11 (2y) VOTING SYSTEM ~~MASTER LEASE PAYMENTS~~ ^{TRANSITIONAL ASSISTANCE} The repeal of section 20.510 (1) (c)
12 of the statutes takes effect on July 1, ²⁰⁰⁸ ~~2008~~.

13 (END)

7.08(7) and
sections

RS 17-2

1 executive director of the board of election commissioners, who may then send the
2 ballot to the elector no later than 5 p.m. on the Friday preceding the election." X

3 **11.** Page 20, line 23: after that line insert:

4 ~~SECTION 32m.~~ ^{76ab} 7.08 (7) of the statutes is created to read: 76ab

5 7.08 (7) VOTING SYSTEM TRANSITIONAL ASSISTANCE. From the appropriation under
6 s. 20.510 (1) (c), provide ~~financial~~ ^{financial} assistance to municipalities that used punch card
7 electronic voting systems at the 2001 spring election ~~and to counties in which~~
8 ~~municipalities that used punch card electronic voting systems at the 2001 spring~~
9 ~~election are wholly or partly contained,~~ to enable the municipalities to employ
10 another type of electronic voting system, and provide training for election officials
11 in the use of replacement systems.

12 ~~SECTION 32n.~~ ^{76ac} 7.08 (7) of the statutes, as created by 2001 Wisconsin Act (this
13 act), is repealed. *e*

14 **12.** Page 21, line 10: after that line insert:

15 "SECTION 33m. 7.15 (3) (b) of the statutes is amended to read:

16 7.15 (3) (b) Sample ballots, and voting machine ballots and ballot labels for
17 electronic voting systems, whenever the labels are affixed to the voting devices, shall
18 be furnished to the officials in the ward or election district at least one day before each
19 election."

20 **13.** Page 24, line 24: after that line insert:

21 "SECTION 41m. 7.37 (4) of the statutes is amended to read:

22 7.37 (4) BALLOTING PROCEDURE. At polling places which utilize paper ballots or
23 electronic voting systems in which ballots are distributed to electors, 2 inspectors
24 shall be assigned to take charge of the official ballots. They shall write their initials

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1601/1dn
JTK & RJM...:.....

mg

Mark Jefferson:

This amendment provides for state acquisition of voting equipment, and subsequent lease to Green County, by means of the state master lease program, per AA 8 to SB-110. This method of acquisition is more expensive than paying cash, but defers a portion of the cost into the next two fiscal biennia. Please let us know if this is not in accord with your intent.

Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1601/1dn
JTK&RJM:kmg:kjf

June 26, 2001

Mark Jefferson:

This amendment provides for state acquisition of voting equipment, and subsequent lease to Green County, by means of the state master lease program, per AA 8 to SB-110. This method of acquisition is more expensive than paying cash, but defers a portion of the cost into the next two fiscal biennia. Please let us know if this is not in accord with your intent.

Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778

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



ARC:.....Jefferson – AM60, Elimination of punch card voting systems

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

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

2 **1.** Page 2, line 25: before that line insert:

3 **“SECTION 2m.** 5.02 (1e) of the statutes is amended to read:

4 5.02 (1e) “Ballot” means a tabulating card, ballot label, sheet of paper or
5 envelope on which votes are recorded. The term also includes a sheet or card,
6 filmstrip or other device listing or containing information relative to offices,
7 candidates and referenda which is placed, projected or composed on the board or
8 screen inside a voting machine.

9 **SECTION 2p.** 5.02 (1m) of the statutes is repealed.

10 **SECTION 8m.** 5.35 (2) of the statutes is amended to read:

1 **5.35 (2) VOTING BOOTHS.** There shall be one voting booth for every 200 electors
2 who voted at the last general election. The booths shall have a surface on which to
3 write or work and be sufficiently enclosed to assure privacy for the elector and anyone
4 lawfully assisting the elector while marking ~~or punching~~ the elector's ballot.

5 **SECTION 8p.** 5.35 (6) (b) of the statutes is amended to read:

6 **5.35 (6) (b)** At each polling place in the state where a consolidated ballot under
7 s. 5.655 is used or an electronic voting system is utilized at a partisan primary
8 election incorporating a ballot upon which electors may mark ~~or punch~~ votes for
9 candidates of more than one recognized political party or for candidates of a
10 recognized political party and independent candidates, the municipal clerk or board
11 of election commissioners shall prominently post a sign in the form prescribed by the
12 board warning electors in substance that on any ballot with votes cast for candidates
13 of more than one recognized political party or any ballot with votes cast for
14 candidates of a recognized political party and independent candidates, no votes cast
15 for any candidates for partisan office will be counted unless a preference for a party
16 or for the independent candidates is made. If the elector designates a preference,
17 only votes cast for candidates of that preference will be counted.

18 **SECTION 9e.** 5.54 of the statutes is amended to read:

19 **5.54 Notice to electors.** Every ballot, except a ~~ballot label or~~ voting machine
20 ballot, shall bear substantially the following information on the face: "NOTICE TO
21 ELECTORS: This ballot may be invalid unless initialed by 2 election inspectors. If cast
22 as an absentee ballot, the ballot must bear the initials of the municipal clerk or
23 deputy clerk.

24 **SECTION 9g.** 5.55 of the statutes is amended to read:

1 **5.55 Ballot identification.** On every ballot, except a ~~ballot label or voting~~
2 machine ballot, shall be printed “Official Ballot” or “Official Ballot for”
3 followed by the designation of the polling place for which the ballot has been
4 prepared, the date of the election, and the official endorsement and blank
5 certificates. The number of the ward or wards or aldermanic district, if any, and the
6 name of the municipality may be omitted in printing and stamped or written on the
7 ballots at any location which is clearly visible at the option of the county clerk.
8 Printed information and initials shall appear on the back and outside of the ballot.
9 ~~When a ballot card is employed with an electronic voting system, the date of the~~
10 ~~election may be printed or stamped on the back of the ballot card in such a manner~~
11 ~~that the card is not reusable, at the option of the county clerk.~~

12 **SECTION 9i.** 5.66 (2) of the statutes is amended to read:

13 5.66 (2) The county clerk or board of election commissioners shall print a
14 sufficient number of sample ballots. The municipal clerk or board of election
15 commissioners shall print sample ballots whenever the municipality prepares
16 ballots under s. 7.15 (2) (b) or (c). Sample ballots shall be printed on nonwhite colored
17 paper and shall be overprinted “SAMPLE”. Voting machine sample ballots shall be
18 a reduced size diagram of the face of the board or screen inside the voting machine
19 with all candidates, issues and voting instructions as they will appear on the official
20 ballot. Sample ballots to be used with an electronic voting system in which ~~ballot~~
21 ~~labels and ballot cards~~ ballots that are distributed to electors are used shall be an
22 actual size copy of the ballot ~~label and ballot card~~. The clerk or board of election
23 commissioners printing the ballots shall distribute the samples approximately as
24 follows: 45% shall be kept in the clerk’s or board’s office and distributed to electors
25 requesting them; 45% shall be sent to the municipalities, or, if the municipality

1 prints ballots, 45% shall be sent to the county for distribution to the electors; and 10%
2 shall be reserved to be sent to the polling places by municipalities in proportion to
3 the number certified in sub. (1) and made available to electors at the polls on election
4 day.

5 **SECTION 9k.** 5.68 (3) of the statutes is amended to read:

6 5.68 (3) If voting machines are used or if an electronic voting system is used
7 in which all candidates and referenda appear on the same ballot card, the ballots for
8 all national, state and county offices and for county and state referenda shall be
9 prepared and paid for by the county wherein they are used. If the voting machine
10 or electronic voting system ballot includes a municipal or school, technical college,
11 sewerage or sanitary district ballot, the cost of that portion of the ballot shall be
12 reimbursed to the county or paid for by the municipality or district, except as
13 provided in a 1st class city school district under sub. (2).

14 **SECTION 9m.** 5.79 of the statutes is amended to read:

15 **5.79 Instruction of electors.** At polling places where an electronic voting
16 system employing the use of ~~ballot cards or ballot labels~~ ballots and voting devices
17 is used, the election officials shall offer each elector instruction in the operation of
18 the voting device and ~~ballot label or ballot card~~ before the elector enters the voting
19 booth. No instructions may be given after the elector has entered the voting booth,
20 except as authorized under s. 6.82 (2). All instructions shall be given by election
21 officials in such a manner that they may be observed by other persons in the polling
22 place.

23 **SECTION 9n.** 5.81 (1) of the statutes is amended to read:

24 5.81 (1) Whenever the statutes provide for the use of separate ballots or
25 columns or rows for offices, parties or referenda, and an electronic voting system

1 ~~employing a ballot label or ballot card in which ballots are distributed to electors is~~
2 used at a polling place, a single ballot may be used for all offices, referenda and
3 parties. The ballot information, whether placed on the ballot or on the voting device,
4 shall, as far as practicable, be grouped and ordered in the same manner as provided
5 for other ballots under this chapter, except that the information on the ballot card
6 need not be in separate columns or rows and the information in the ballot label
7 booklet may appear on a number of pages.

8 **SECTION 9p.** 5.81 (2) of the statutes is repealed.

9 **SECTION 9r.** 5.81 (3) of the statutes is amended to read:

10 5.81 (3) If a municipality utilizes an electronic voting system in which ballots
11 distributed to electors are employed, absentee ballots may consist of ballots utilized
12 with the system or paper ballots and envelopes voted in person in the office of the
13 municipal clerk or voted by mail. ~~If a ballot card is used for voting by mail it shall~~
14 ~~be accompanied by a punching tool or marking device, elector instructions and a~~
15 ~~sample ballot showing the proper positions to vote on the ballot card for each party,~~
16 ~~candidate or referendum and, if the ballot card is to be punched, shall be mounted~~
17 ~~on a suitable material.~~

18 **SECTION 9t.** 5.82 of the statutes is amended to read:

19 **5.82 Write-in ballots.** If the ballot card employed by a municipality does not
20 provide a space for write-in votes, the municipality shall provide a separate write-in
21 ballot, which may be in the form of a paper ballot, to permit electors to write in the
22 names of persons whose names are not on the ballot whenever write-in votes are
23 authorized.

24 **SECTION 9tm.** 5.84 (1) of the statutes is amended to read:

1 5.84 (1) Where any municipality employs an electronic voting system which
2 utilizes automatic tabulating equipment, either at the polling place or at a central
3 counting location, the municipal clerk shall, on any day not more than 10 days prior
4 to the election day on which the equipment is to be utilized, have the equipment
5 tested to ascertain that it will correctly count the votes cast for all offices and on all
6 measures. Public notice of the time and place of the test shall be given by the clerk
7 at least 48 hours prior to the test by publication of a class 1 notice under ch. 985 in
8 one or more newspapers published within the municipality if a newspaper is
9 published therein, otherwise in a newspaper of general circulation therein. The test
10 shall be open to the public. The test shall be conducted by processing a preaudited
11 group of ballots so ~~punched or~~ marked as to record a predetermined number of valid
12 votes for each candidate and on each referendum. The test shall include for each
13 office one or more ballots which have votes in excess of the number allowed by law
14 and, for a partisan primary election, one or more ballots which have votes cast for
15 candidates of more than one recognized political party, in order to test the ability of
16 the automatic tabulating equipment to reject such votes. If any error is detected, the
17 municipal clerk shall ascertain the cause and correct the error. The clerk shall make
18 an errorless count before the automatic tabulating equipment is approved by the
19 clerk for use in the election.

20 **SECTION 9w.** 5.85 (2) and (3) of the statutes are amended to read:

21 5.85 (2) The election officials shall examine the ballots or record of votes cast
22 for write in votes and shall count and tabulate the write-in votes. When an
23 electronic voting system is used which utilizes a ballot which is distributed to
24 electors, before separating the remaining ~~ballot cards~~ ballots from their respective
25 covering envelopes, the election officials shall examine the ballots for write-in votes.

1 When an elector has cast a write-in vote, the election officials shall compare the
2 write-in vote with the votes on the ballot to determine whether the write-in vote
3 results in an overvote for any office. In case of an overvote for any office, the election
4 officials shall make a true duplicate ballot of all votes on the ballot card except for
5 the office which is overvoted, by using the an official ballot label booklet and voting
6 device for the ward, if any of that kind used by the elector who voted the original
7 ballot, and one of the ~~punching or~~ marking devices so as to transfer all votes of the
8 elector except for the office overvoted, to an official ballot of that kind used in the
9 ward at that election. Unless election officials are selected under s. 7.30 (4) (c)
10 without regard to party affiliation, the election officials shall consist in each case of
11 at least one election official of each of the 2 major political parties, whenever officials
12 of both parties are present. Write-in votes shall be counted as provided in s. 7.50 (2)
13 (d). The original ballot upon which there is an overvote shall be clearly labeled
14 "Overvoted Ballot" and the ballot so produced "Duplicate Overvoted Ballot", and
15 each shall bear the same serial number which shall be placed thereon by the election
16 officials, commencing with number "1" and continuing consecutively for each of the
17 ballots of that kind in that ward or election district. The election officials shall initial
18 the "Duplicate Overvoted Ballot" ballots and shall place them in the container for
19 return of the ballots. The "Overvoted Ballot" ballots and their envelopes shall be
20 placed in the "Original Ballots" envelope. Ballots bearing write-in votes marked in
21 the place designated therefor and bearing the initials of an election official and not
22 resulting in an overvote and otherwise complying with the election laws as to
23 marking shall be counted, tallied, and their votes recorded on a tally sheet provided
24 by the municipal clerk. ~~Ballot cards~~ Ballots and ballot card envelopes shall be
25 separated and all ballots except any which are defective or overvoted shall be placed

1 separately in the container for return of the ballots, along with the ballots marked
2 “Duplicate Overvoted Ballots”.

3 (3) The election officials shall examine the ballots to determine if any is
4 damaged or defective so that it cannot be counted by the automatic tabulating
5 equipment. If any ballot is damaged or defective so that it cannot be properly counted
6 by the automatic tabulating equipment, the election officials, in the presence of
7 witnesses, shall make a true duplicate ballot of all votes on that ballot by using ~~the~~
8 ~~ballot label booklet and voting device for the ward, if any, and one of the punching~~
9 ~~or marking devices so as to transfer all votes of the elector to an official ballot of that~~
10 ~~kind used in the ward by the elector who voted the original ballot~~ in that election.

11 Unless election officials are selected under s. 7.30 (4) (c) without regard to party
12 affiliation, the election officials shall consist in each case of at least one election
13 official of each of the 2 major political parties, whenever officials of both parties are
14 present. The original ballot shall be clearly labeled “Damaged Ballot” and the ballot
15 so produced “Duplicate Damaged Ballot”, and each shall bear the same number
16 which shall be placed thereon by the election officials, commencing with number “1”
17 and continuing consecutively for the ballots of that kind in the ward. The election
18 officials shall initial the “Duplicate Damaged Ballot” ballots, and shall place them
19 in the container for return of the ballots. The officials shall place “Damaged Ballot”
20 ballots and their envelopes in the “Original Ballots” envelope.

21 **SECTION 9x.** 5.91 (14) of the statutes is created to read:

22 5.91 (14) It does not employ any mechanism by which a ballot is punched or
23 punctured to record the votes cast by an elector.

24 **SECTION 9y.** 5.94 of the statutes is amended to read:

1 **5.94 Sample ballot labels and cards ballots; publication.** When an
2 electronic voting system employing a ballot label and ballot card that is distributed
3 to electors is used, the county and municipal clerk of the county and municipality in
4 which the polling place designated for use of the system is located shall cause to be
5 published, in the type B notices, a true actual-size copy of the ballot label and ballot
6 card containing the names of offices and candidates and statements of measures to
7 be voted on, as nearly as possible, in the form in which they will appear on the official
8 ballot label and ballot card on election day. The notice may be published as a
9 newspaper insert. Municipal clerks may post the notice if the remainder of the type
10 B notice is posted.

11 **SECTION 16ab.** 6.15 (3) (a) 1. of the statutes is amended to read:

12 6.15 (3) (a) 1. Upon proper completion of the application and cancellation card,
13 the municipal clerk shall inform the elector that he or she may vote for the
14 presidential electors not sooner than 9 days nor later than 5 p.m. on the day before
15 the election at the office of the municipal clerk, or at a specified polling place on
16 election day. When voting at the municipal clerk's office, the applicant shall provide
17 identification and shall mark or punch the ballot in the clerk's presence in a manner
18 that will not disclose his or her vote. Unless the ballot is utilized with an electronic
19 voting system, the applicant shall fold the ballot so as to conceal his or her vote. The
20 applicant shall then deposit the ballot and seal it in an envelope furnished by the
21 clerk.

22 **SECTION 17ab.** 6.15 (3) (b) of the statutes is amended to read:

23 6.15 (3) (b) *Election day.* An eligible elector may appear at the polling place for
24 the ward or election district where he or she resides and make application for a ballot
25 under sub. (2). In such case, the inspector or special registration deputy shall

1 perform the duties of the municipal clerk. The elector shall provide identification.
2 If the elector is qualified, he or she shall be permitted to vote. The elector shall mark
3 ~~or punch~~ the ballot and, unless the ballot is utilized with an electronic voting system,
4 the elector shall fold the ballot, and shall deposit the ballot into the ballot box or give
5 it to the inspector. The inspector shall deposit it directly into the ballot box. Voting
6 machines or ballots utilized with electronic voting systems may only be used by
7 electors voting under this section if they permit voting for president and vice
8 president only.

9 **SECTION 19m.** 6.22 (4) and (5) of the statutes are amended to read:

10 6.22 (4) INSTRUCTIONS AND HANDLING. An individual who qualifies as a military
11 elector may request an absentee ballot for any election, or for all elections until the
12 individual otherwise requests or until the individual no longer qualifies as a military
13 elector. A military elector's application may be received at any time. The municipal
14 clerk shall not send a ballot for an election if the application is received later than
15 5 p.m. on the Friday preceding that election. The municipal clerk shall send a ballot,
16 as soon as available, to each military elector who requests a ballot. The board shall
17 prescribe the instructions for marking ~~or punching~~ and returning ballots and the
18 municipal clerk shall enclose instructions with each ballot and shall also enclose
19 supplemental instructions for local elections. The envelope, return envelope and
20 instructions may not contain the name of any candidate appearing on the enclosed
21 ballots other than that of the municipal clerk affixed in the fulfillment of his or her
22 duties. Whenever the material is mailed, the material shall be prepared and mailed
23 to make use of the federal free postage laws. The mailing list established under this
24 subsection shall be kept current in the same manner as provided in s. 6.86 (2) (b).

1 (5) VOTING PROCEDURE. Except as authorized in s. 6.25, the ballot shall be
2 marked ~~or punched~~ and returned, deposited and recorded in the same manner as
3 other absentee ballots. In addition, the certification under s. 6.87 (2) shall have a
4 statement of the elector's birth date. Failure to return any unused ballots in a
5 primary election does not invalidate the ballot on which the elector casts his or her
6 votes.

7 **SECTION 22m.** 6.24 (6) and (7) of the statutes are amended to read:

8 6.24 (6) INSTRUCTIONS AND HANDLING. The municipal clerk shall send a ballot,
9 as soon as available, to each overseas elector by whom a request has been made. The
10 board shall prescribe the instructions for marking ~~or punching~~ and returning ballots
11 and the municipal clerk shall enclose such instructions with each ballot. The
12 envelope, return envelope and instructions may not contain the name of any
13 candidate appearing on the enclosed ballots other than that of the municipal clerk
14 affixed in the fulfillment of his or her duties. Except as authorized in s. 6.87 (3), the
15 municipal clerk shall mail the material postage prepaid to any place in the world.
16 The overseas elector shall provide return postage.

17 (7) VOTING PROCEDURE. Except as authorized under s. 6.25, the ballot shall be
18 marked ~~or punched~~ and returned, deposited and recorded in the same manner as
19 other absentee ballots. In addition, the certificate shall have a statement of the
20 elector's birth date. Failure to return the unused ballots in a primary election does
21 not invalidate the ballot on which the elector casts his or her votes.

22 **SECTION 68ab.** 6.82 (1) (a) and (2) (a) and (b) of the statutes are amended to
23 read:

24 6.82 (1) (a) When any inspectors are informed that an elector is at the entrance
25 to the polling place who as a result of disability is unable to enter the polling place,

1 they shall permit the elector to be assisted in marking ~~or punching~~ a ballot by any
2 individual selected by the elector, except the elector's employer or an agent of that
3 employer or an officer or agent of a labor organization which represents the elector.
4 The inspectors shall issue a ballot to the individual selected by the elector and shall
5 accompany the individual to the polling place entrance where the assistance is to be
6 given. If the ballot is a paper ballot, the assisting individual shall fold the ballot after
7 the ballot is marked ~~or punched~~ by the assisting individual. The assisting individual
8 shall then immediately take the ballot into the polling place and give the ballot to an
9 inspector. The inspector shall distinctly announce that he or she has "a ballot offered
10 by (stating person's name), an elector who, as a result of disability, is unable to
11 enter the polling place without assistance". The inspector shall then ask, "Does
12 anyone object to the reception of this ballot?" If no objection is made, the inspectors
13 shall record the elector's name under s. 6.79 and deposit the ballot in the ballot box,
14 and shall make a notation on the registration or poll list: "Ballot received at poll
15 entrance".

16 (2) (a) If an elector declares to the presiding election official that he or she
17 cannot read or write, or has difficulty in reading, writing or understanding English
18 or that due to disability is unable to mark ~~or punch~~ a ballot or depress a button or
19 lever on a voting machine, the elector shall be informed by the officials that he or she
20 may have assistance. When assistance is requested, the elector may select any
21 individual to assist in casting his or her vote. The selected individual rendering
22 assistance may not be the elector's employer or an agent of that employer or an officer
23 or agent of a labor organization which represents the elector. The selected individual
24 shall certify on the back of the ballot that it was marked ~~or punched~~ with his or her

1 assistance. Where voting machines are used, certification shall be made on the
2 registration list.

3 (b) The individual chosen shall enter the voting booth or machine with the
4 elector and shall read the names of all candidates on the ballot for each office, and
5 ask, "For which one do you vote?". The ballot shall be marked ~~or punched~~ or the lever
6 or button depressed according to the elector's expressed preference. The individual
7 selected to assist may not disclose to anyone how the elector voted."

8 **SECTION 69e.** 6.87 (3) (d) of the statutes is amended to read:

9 6.87 (3) (d) ~~Unless a municipality uses an electronic voting system that~~
10 ~~requires an elector to punch a ballot in order to record the elector's votes, a~~ A
11 municipal clerk of a municipality may, if the clerk is reliably informed by an absent
12 elector of a facsimile transmission number or electronic mail address where the
13 elector can receive an absentee ballot, transmit a facsimile or electronic copy of the
14 absent elector's ballot to that elector in lieu of mailing under this subsection if, in the
15 judgment of the clerk, the time required to send the ballot through the mail may not
16 be sufficient to enable return of the ballot by the time provided under sub. (6). An
17 elector may receive an absentee ballot under this subsection only if the elector has
18 filed a valid application for the ballot under sub. (1). If the clerk transmits an
19 absentee ballot under this paragraph, the clerk shall also transmit a facsimile or
20 electronic copy of the text of the material that appears on the certificate envelope
21 prescribed in sub. (2), together with instructions prescribed by the board. The
22 instructions shall require the absent elector to make and subscribe to the
23 certification as required under sub. (4) and to enclose the absentee ballot in a
24 separate envelope contained within a larger envelope, that shall include the
25 completed certificate. The elector shall then mail the absentee ballot with postage

1 prepaid to the municipal clerk. An absentee ballot received under this paragraph
2 shall not be counted unless it is cast in the manner prescribed in this paragraph and
3 in accordance with the instructions provided by the board.

4 **SECTION 69m.** 6.87 (4) and (5) of the statutes are amended to read:

5 6.87 (4) Except as otherwise provided in s. 6.875, the elector voting absentee
6 shall make and subscribe to the certification before one witness. The absent elector,
7 in the presence of the witness, shall mark ~~or punch~~ the ballot in a manner that will
8 not disclose how the elector's vote is cast. The elector shall then, still in the presence
9 of the witness, fold the ballots if they are paper ballots so each is separate and so that
10 the elector conceals the markings thereon and deposit them in the proper envelope.
11 If a consolidated ballot under s. 5.655 is used, the elector shall fold the ballot if it is
12 a paper ballot so that the elector conceals the markings thereon and deposit the ballot
13 in the proper envelope. The elector may receive assistance under sub. (5). The return
14 envelope shall then be sealed. The witness may not be a candidate. The envelope
15 shall be mailed by the elector, postage prepaid, or delivered in person, to the
16 municipal clerk issuing the ballot or ballots. Failure to return an unused ballot in
17 a primary does not invalidate the ballot on which the elector's votes are cast. Return
18 of more than one marked ~~or punched~~ ballot in a primary or return of a ballot prepared
19 under s. 5.655 or a ballot used with an electronic voting system in a primary which
20 is marked ~~or punched~~ for candidates of more than one party invalidates all votes cast
21 by the elector for candidates in the primary.

22 (5) If the absent elector declares that he or she is unable to read, has difficulty
23 in reading, writing or understanding English or due to disability is unable to mark
24 ~~or punch~~ his or her ballot, the elector may select any individual, except the elector's
25 employer or an agent of that employer or an officer or agent of a labor organization

1 which represents the elector, to assist in marking ~~or punching~~ the ballot, and the
2 assistant shall then sign his or her name to a certification on the back of the ballot,
3 as provided under s. 5.55.

4 **SECTION 69s.** 6.875 (6) of the statutes is amended to read:

5 6.875 (6) Special voting deputies in each municipality shall, not later than 5
6 p.m. on the Friday preceding an election, arrange one or more convenient times with
7 the administrator of each nursing home or qualified retirement home and qualified
8 community-based residential facility in the municipality from which one or more
9 occupants have filed an application under s. 6.86 to conduct absentee voting for the
10 election. The time may be no earlier than the 4th Monday preceding the election and
11 no later than 5 p.m. on the Monday preceding the election. Upon request of a relative
12 of an occupant of a nursing home or qualified retirement home or qualified
13 community-based residential facility, the administrator may notify the relative of
14 the time or times at which special voting deputies will conduct absentee voting at the
15 home or facility, and permit the relative to be present in the room where the voting
16 is conducted. At the designated time, 2 deputies appointed under sub. (4) shall visit
17 the nursing home or qualified retirement home or qualified community-based
18 residential facility. The municipal clerk or executive director of the board of election
19 commissioners shall issue a supply of absentee ballots to the deputies sufficient to
20 provide for the number of valid applications received by the clerk, and a reasonable
21 additional number of ballots. The municipal clerk or executive director shall keep
22 a careful record of all ballots issued to the deputies and shall require the deputies to
23 return every ballot issued to them. The deputies shall personally offer each elector
24 who has filed a proper application the opportunity to cast his or her absentee ballot.
25 If an elector is present who has not filed a proper application, the 2 deputies may

1 accept an application from the elector and shall issue a ballot to the elector if the
2 elector is qualified and the application is proper. The deputies shall administer the
3 oath and may, upon request of the elector, assist the elector in marking ~~or punching~~
4 the elector's ballot. Upon request of the elector, a relative of the elector who is present
5 in the room may assist the elector in marking ~~or punching~~ the elector's ballot. All
6 voting shall be conducted in the presence of the deputies. No individual other than
7 a deputy may administer the oath and no individual other than a deputy or relative
8 of an elector may render voting assistance to the elector. Upon completion of the
9 voting, the deputies shall promptly deliver, either personally or by 1st class mail, any
10 absentee ballot applications and the sealed certificate envelope containing each
11 ballot to the clerk or board of election commissioners of the municipality in which the
12 elector casting the ballot resides, within such time as will permit delivery to the
13 polling place serving the elector's residence on election day. Personal delivery may
14 be made by the deputies no later than noon on election day. If a qualified elector is
15 not able to cast his or her ballot on 2 separate visits by the deputies to the nursing
16 home or qualified retirement home, they shall so inform the municipal clerk or
17 executive director of the board of election commissioners, who may then send the
18 ballot to the elector no later than 5 p.m. on the Friday preceding the election.

19 **SECTION 76ab.** 7.08 (7) of the statutes is created to read:

20 **7.08 (7) VOTING SYSTEM TRANSITIONAL ASSISTANCE.** From the appropriation under
21 s. 20.510 (1) (c), provide assistance to municipalities that used punch card electronic
22 voting systems at the 2001 spring election to enable the municipalities to employ
23 another type of electronic voting system, and provide training for election officials
24 in the use of replacement systems.

1 **SECTION 76ac.** 7.08 (7) of the statutes, as created by 2001 Wisconsin Act ... (this
2 act), is repealed.

3 **SECTION 81m.** 7.15 (3) (b) of the statutes is amended to read:

4 7.15 (3) (b) Sample ballots, and voting machine ballots ~~and ballot labels for~~
5 ~~electronic voting systems, whenever the labels are affixed to the voting devices,~~ shall
6 be furnished to the officials in the ward or election district at least one day before each
7 election.”.

8 **2.** Page 3, line 3: after that line insert:

9 “**SECTION 87e.** 7.37 (4) of the statutes is amended to read:

10 **7.37 (4) BALLOTING PROCEDURE.** At polling places which utilize paper ballots or
11 electronic voting systems in which ballots are distributed to electors, 2 inspectors
12 shall be assigned to take charge of the official ballots. They shall write their initials
13 on the back of each ballot and deliver to each elector as he or she enters the voting
14 booth one ballot properly endorsed by each of them. Where paper ballots are used,
15 the inspectors shall fold each ballot in the proper manner to be deposited before
16 delivering it to the elector. If asked, inspectors may instruct any elector as to the
17 proper manner of marking ~~or punching~~ the ballot, but they may not give advice,
18 suggestions, express any preferences or make any requests as to the person for
19 whom, the question on which or the ballot on which the elector shall vote.

20 **SECTION 87m.** 7.37 (8) of the statutes is amended to read:

21 **7.37 (8) ELECTRONIC VOTING SYSTEMS.** Prior to the opening of the polling place,
22 wherever electronic voting systems employing voting devices are used, the
23 inspectors shall place the voting devices in position for voting and examine them to

1 see that they are in proper working order ~~and that they have the correct ballot labels~~
2 ~~by comparing them with the sample ballots.~~

3 **SECTION 87s.** 7.50 (1) (d) and (2) (a), (b) and (d) of the statutes are amended to
4 read:

5 7.50 (1) (d) Whenever an electronic voting system is used at a polling place in
6 a partisan primary, and the same ballot is utilized to cast votes for candidates of more
7 than one recognized political party or candidates of a party and independent
8 candidates, if an elector designates a preference for a party or for independent
9 candidates, only votes cast within that preference category may be counted. If an
10 elector does not designate a preference and makes a mark ~~or punch~~ or affixes a
11 sticker opposite candidates of more than one recognized political party or opposite
12 a candidate in the independent candidates' column and a candidate of a recognized
13 political party, no votes cast by the elector for any candidate for partisan office are
14 valid. Votes for other candidates and votes on ballot questions, if any, shall be
15 counted if otherwise valid.

16 (2) (a) At a general election, if the elector places a mark, symbol or sticker ~~or~~
17 ~~punches a hole~~ under a party designation at the head of a column in or near the space
18 indicated for that purpose, it is a vote for all the candidates whose names appear in
19 the marked ~~or punched~~ column except as otherwise provided in this paragraph. If
20 a name is stricken, it is not a vote for that candidate. If a name is written in, it is a
21 vote for the write-in candidate. If a sticker is attached it is a vote for the candidate
22 whose name appears on the sticker. If in some other column there is a mark ~~or punch~~
23 in the square to the right of a specific candidate's name or at the place designated on
24 the ballot for marking ~~or punching~~ a vote for a specific candidate for the same office,

1 it is a vote for that specific candidate and no vote may be counted for the candidate
2 for the same office in the column marked ~~or punched~~ for a straight party vote.

3 (b) A ballot cast without any marks, or stickers ~~or punches~~ may not be counted.
4 A ballot without a mark ~~or punch~~ at the top of a party column may be counted only
5 for persons for whom marks ~~or punches~~ are applicable.

6 (d) If an elector writes a person's name in the proper space for write-in
7 candidates for an office, it is a vote for the person written in for the office indicated,
8 regardless of whether the elector strikes the names appearing in the same column
9 for the same office, or places a mark ~~or punch~~ by the same or any other name for the
10 same office, or omits placing a mark ~~or punch~~ to the right of the name written in. If
11 an elector is permitted to vote for more than one candidate for the same office in an
12 election and casts one or more write-in votes which, when added to the votes cast for
13 candidates whose names appear on the ballot, exceed the number of votes authorized
14 to be cast for the office, the write-in votes shall be counted and the votes for
15 candidates whose names appear on the ballot may not be counted, unless there are
16 more write-in votes than votes authorized to be cast, in which case no votes may be
17 counted for the office.”.

18 **3.** Page 7, line 4: after that line insert:

19 “**SECTION 94sm.** 10.01 (2) (b) of the statutes is amended to read:

20 10.01 (2) (b) Type B—The type B notice shall include the relevant facsimile
21 ballots and the relevant portions of voting instructions to electors under s. 10.02 for
22 each office or referendum and shall specify the date of the election. In counties or
23 municipalities where an electronic voting system employing a ~~ballot label and ballot~~
24 card in which ballots are distributed to electors is used, the notice shall include the

1 information specified in s. 5.94. The type B notice shall be published once by the
2 county clerks, and for primaries and other elections in municipalities or special
3 purpose districts, once by the clerk of the municipality or special purpose district on
4 the day preceding each primary and other election.

5 **SECTION 95m.** 10.06 (3) (e) of the statutes is amended to read:

6 10.06 (3) (e) When electronic or mechanical voting machines or electronic
7 voting systems ~~employing a ballot card or label~~ in which ballots are distributed to
8 electors are used in a municipality at a municipal election, the municipal clerk shall
9 publish a type B notice on the Monday before the election. The notice shall include
10 all offices and questions to be voted on at the election. The cost of this notice shall
11 be shared under s. 5.68 (2) and (3).

12 **SECTION 95ms.** 12.13 (1) (f) of the statutes is amended to read:

13 12.13 (1) (f) Shows his or her marked ~~or punched~~ ballot to any person or places
14 a mark upon the ballot so it is identifiable as his or her ballot.

15 **SECTION 96m.** 12.13 (3) (e) and (j) of the statutes are amended to read:

16 12.13 (3) (e) Prepare or cause to be prepared an official ballot with intent to
17 change the result of the election as to any candidate or referendum; prepare an
18 official ballot which is premarked ~~or prepunched~~ or which has an unauthorized
19 sticker affixed prior to delivery to an elector; or deliver to an elector an official ballot
20 bearing a mark ~~or punch~~ opposite the name of a candidate or referendum question
21 that might be counted as a vote for or against a candidate or question.

22 (j) When called upon to assist an elector who cannot read or write, has difficulty
23 in reading, writing or understanding English, or is unable to mark ~~or punch~~ a ballot
24 or depress a lever or button on a voting machine, inform the elector that a ballot
25 contains names or words different than are printed or displayed on the ballot with

1 the intent of inducing the elector to vote contrary to his or her inclination,
2 intentionally fail to cast a vote in accordance with the elector's instructions or reveal
3 the elector's vote to any 3rd person.”.

4 **4.** Page 255, line 11: after that line insert:

5 “(c) Voting system transitional assis-
6 tance GPR B –0– –0–”.

7 **5.** Page 400, line 22: after that line insert:

8 “SECTION 906m. 20.510 (1) (c) of the statutes is created to read:

9 20.510 (1) (c) *Voting system transitional assistance.* Biennially, the amounts
10 in the schedule to provide assistance to counties and municipalities in eliminating
11 punch card voting systems under s. 7.08 (7) and 2001 Wisconsin Act (this act),
12 section 9115 (20x).

13 SECTION 906n. 20.510 (1) (c) of the statutes, as created by 2001 Wisconsin Act
14 (this act), is repealed.”.

15 **6.** Page 660, line 5: after that line insert:

16 “SECTION 1994m. 59.08 (9) of the statutes is amended to read:

17 59.08 (9) The ballot shall have on the back or reverse side the endorsements
18 provided by law for ballots for general elections and shall be marked, ~~punched or~~
19 labeled by the elector and counted and canvassed as other ballots cast on questions
20 in the county are counted and canvassed. The election shall be conducted by the
21 same officers and in the same manner as are other elections in the county. The
22 results of the election shall be certified to the judges of the circuit courts for the
23 counties.”.

24 **7.** Page 1298, line 16: after that line insert:

1 “(20x) LEASE OF ELECTRONIC VOTING EQUIPMENT. The department of
2 administration shall enter into a master lease under section 16.76 (4) of the statutes
3 on behalf of the elections board to obtain sufficient electronic voting system
4 equipment suitable for use with an electronic voting system in municipalities that
5 employed a punch card electronic voting system at the 2001 spring election and that
6 are required under this act to eliminate that system in future elections.”.

7 **8.** Page 1332, line 8: after that line insert:

8 “(1x) SUBLEASE OF ELECTRONIC VOTING EQUIPMENT. The elections board shall
9 make the payments required under the master lease for electronic voting system
10 equipment entered into under SECTION 9101 (20x) of this act and shall sublease the
11 equipment to any county in which municipalities using that equipment are wholly
12 or partly contained at nominal cost to the county. The elections board shall make the
13 payments required under this subsection from the appropriation under section
14 20.510 (1) (c) of the statutes, as created by this act.”.

15 **9.** Page 1340, line 17: after that line insert:

16 “(1x) VOTING SYSTEM TRANSITIONAL ASSISTANCE. Notwithstanding section 13.101
17 (3) (a) of the statutes, if the elections board requests a supplemental appropriation
18 from the joint committee on finance for the purpose of providing voting system
19 transitional assistance under section 7.08 (7) of the statutes, as created by this act,
20 or SECTION 9115 (1x) of this act, no finding of emergency is required.
21 Notwithstanding sections 13.10 and 13.101 (3) of the statutes, if the elections board
22 requests a supplemental appropriation under this subsection, and the
23 cochairpersons of the joint committee on finance do not notify the elections board that
24 a meeting of the committee has been scheduled to discuss the request within 14

1 working days of the date that the request is made, the request is considered to be
2 approved by the committee.”.

3 **10.** Page 1418, line 8: after that line insert:

4 “(2x) **ELIMINATION OF PUNCH CARD ELECTRONIC VOTING SYSTEMS.** The treatment
5 of sections 5.02 (1e) and (1m), 5.35 (2) and (6) (b), 5.54, 5.55, 5.66 (2), 5.68 (3), 5.79,
6 5.81 (1), (2), and (3), 5.82, 5.84 (1), 5.85 (2) and (3), 5.91 (14), 5.94, 6.15 (3) (a) 1. and
7 (b), 6.22 (4) and (5), 6.24 (6) and (7), 6.82 (1) (a) and (2) (a) and (b), 6.87 (3) (d), (4),
8 and (5), 6.875 (6), 7.15 (3) (b), 7.37 (4) and (8), 7.50 (1) (d) and (2) (a), (b), and (d), 10.01
9 (2) (b), 10.06 (3) (e), 12.13 (1) (f) and (3) (e) and (j), and 59.08 (9) of the statutes takes
10 effect on January 1, 2002.

11 (2y) **VOTING SYSTEM TRANSITIONAL ASSISTANCE.** The repeal of sections 7.08 (7) and
12 20.510 (1) (c) of the statutes takes effect on July 1, 2008.”.

13 (END)