

2003 Assembly Bill 123

Date of enactment: **July 24, 2003**  
Date of publication\*: **August 7, 2003**

# 2003 WISCONSIN ACT 35

(Vetoed in Part)

AN ACT to create 5.05 (10m), 5.05 (11), 20.002 (11) (d) 2m., 20.510 (1) (x), 25.17 (1) (e) and 25.425 of the statutes; relating to: financing of election administration costs, creation of an election administration fund, granting rule-making authority, and making an appropriation. **Vetoed In Part**

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

**Vetoed In Part** SECTION 1d. 5.05 (10m) of the statutes is created to read:

5.05 (10m) ALLOCATION OF EXPENDITURES FROM ELECTION ADMINISTRATION FUND. Prior to expending any moneys from the election administration fund in any fiscal year, the board shall, by rule, specify the moneys to be allocated for each specific purpose from the fund for that fiscal year. The board may promulgate rules under this subsection as emergency rules under s. 227.24, except that any proposed emergency rule shall be filed under s. 227.19 before promulgation. Notwithstanding s. 227.24 (1) (c) and (2), the emergency rules may remain in effect for 180 days or until the date on which permanent rules take effect. Notwithstanding s. 227.24 (1) (a) and (3), the board is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

SECTION 1m. 5.05 (11) of the statutes is created to read:

5.05 (11) AIDS TO COUNTIES AND MUNICIPALITIES. From the appropriation under s. 20.510 (1) (x), the board may provide financial assistance to eligible counties and municipalities for election administration costs.

SECTION 2. 20.002 (11) (d) 2m. of the statutes is created to read:

20.002 (11) (d) 2m. The election administration fund.

SECTION 3. 20.510 (1) (x) of the statutes is created to read:

20.510 (1) (x) *Federal aid.* From the election administration fund, all moneys received from the federal government, as authorized by the governor under s. 16.54, to be used for election administration costs under P.L. 107-252 in accordance with rules promulgated under s. 5.05 (1m) . **Vetoed In Part**

SECTION 4. 25.17 (1) (e) of the statutes is created to read:

25.17 (1) (e) Election administration fund (s. 25.425);

SECTION 5. 25.425 of the statutes is created to read: **25.425 Election administration fund.** There is established a separate nonlapsible trust fund, designated the election administration fund, consisting of all moneys

\* Section 991.11, WISCONSIN STATUTES 2001-02 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

received from the federal government under P.L.  
107–252.

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