



DNOTE
State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-0610/P1-P2
JTK:cjs:rs

↓
stays

SAV
new creates ✓

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

inserts

(regenerate)

1 AN ACT ~~to repeal~~ 6.24 (8), 6.27 (2) to (5), 6.35 (2), 6.35 (5) and (6), 6.54, 6.79 (1),
2 6.79 (5), 6.79 (6) (a) and 120.06 (5); **to renumber and amend** 6.27 (1), 6.79
3 (intro.) (except 6.79 (title)) and 6.79 (6) (b); **to amend** 5.02 (17), 6.20, 6.24 (3),
4 6.24 (4) (a), 6.24 (4) (c), 6.28 (2) (b), 6.28 (3), 6.29 (2) (a), 6.29 (2) (b), 6.33 (title),
5 6.33 (1), 6.33 (2), 6.35 (3), 6.36 (2) (a), 6.36 (3), 6.47 (2), 6.47 (3), 6.50 (1) (intro.),
6 6.50 (2m) (a), 6.50 (10), 6.55 (2) (a) 1. (intro.), 6.55 (2) (b), 6.55 (2) (c) 1., 6.55 (2)
7 (c) 2., 6.55 (2) (d), 6.55 (3), 6.55 (7) (c) 1., 6.55 (7) (c) 2., 6.79 (4), 6.82 (1) (a), 6.86
8 (3) (a) 1., 6.86 (3) (a) 2., 6.88 (3) (a), 6.94, 6.95, 7.08 (1) (c), 7.10 (1) (b), 7.15 (1)
9 (c), 7.15 (4), 7.23 (1) (e), 7.37 (7), 7.51 (2) (a), 7.51 (2) (c), 7.51 (2) (e), 7.51 (4) (a),
10 7.51 (5) (a), 9.01 (1) (b) 1., 59.05 (2), 117.20 (2) and 125.05 (2) (h); **to repeal and**
11 **recreate** 6.36 (1) and 6.79 (2); and **to create** 6.285 and 6.33 (5) of the statutes;

*election administration
election administration,*

1 relating to voter registration and voting requirements and procedures,
2 administration of elections, and making appropriations.

4 This bill makes various changes in state law relating to voter registration and voting requirements and procedures and administration of elections. Significant provisions include:

STATEWIDE VOTER REGISTRATION

Under current law, voter registration is required in every municipality with a population of greater than 5,000. This bill requires voter registration in every municipality. The bill also establishes a centralized, state-wide voter registration list that is compiled and maintained by the state elections board. Under the bill, the list must be electronically accessible by any person, but no person other than the board or an authorized election official may change the list. The bill permits the board to change the list only for the purpose of deleting the registration of certain individuals who have registered to vote in another state, territory, or possession or whose registrations are required to be cancelled as the result of a municipal canvass required under current law. Under the bill, each municipal clerk or board of election commissioners must electronically enter valid registrations or changes of registration on the list. Each municipality must retain the original registrations or changes of registration as provided under current law. Under the bill, the original forms are controlling whenever there is a discrepancy between the list and the original forms.

REQUIREMENTS FOR REGISTRATION

Currently, if registration is required, any individual who qualifies as an elector of a municipality but who is not registered to vote may register in person at various locations within the applicable municipality or may mail to the appropriate municipal clerk a completed registration form. With certain exceptions, the deadline for voter registration is 5 p.m. on the second Wednesday preceding the election. Registrations made by mail must be delivered to the office of the municipal clerk or board of election commissioners or postmarked not later than this deadline. However, under current law, voters may also register in person at the office of the municipal clerk or board of election commissioners up to 5 p.m. on the day before the election or, in most cases, may register at the proper polling place on election day. In addition, voters may register at any time after the deadline if the municipal clerk determines that the registration list can be revised to incorporate the registration in time for the election. Currently, an individual who makes a late or election day registration must complete a registration form and a certification of eligibility and must present acceptable proof of residence. If an individual attempting to vote under these late registration or election day registration procedures is not able to present acceptable proof of residence, as an alternative, current law permits another qualified elector who resides in the same municipality to corroborate the information contained in the individual's registration form or certification. The corroborating elector must then provide acceptable proof of residence.

This bill requires every elector who registers to vote to provide a driver's license number from a valid Wisconsin driver's license, or if the elector does not have a driver's license, the last four digits of the elector's social security number. If the

elector does not have either a driver's license or a social security number, the bill requires the elector to obtain from the state elections board and provide a voting identification number.

space
For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 SECTION 1. 5.02 (17) of the statutes is amended to read:

2 5.02 (17) "Registration list" means the list of electors who are properly
3 registered to vote in municipalities in which registration is required.

4 SECTION 2. 6.20 of the statutes is amended to read:

5 **6.20 Absent electors.** Any qualified elector of this state who registers where
6 required may vote by absentee ballot under ss. 6.84 to 6.89.

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

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

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

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

18 SECTION 5. 6.24 (4) (c) of the statutes is amended to read:

✓
JWS
3 A

✓
JWS
3-3

1 6.24 (4) (c) Upon receipt of a timely application from an individual who
2 qualifies as an overseas elector and who has registered to vote in a municipality
3 under sub. (3) ~~whenever registration is required in that municipality~~, the municipal
4 clerk of the municipality shall send an absentee ballot to the individual for all
5 subsequent elections for national office to be held during the year in which the ballot
6 is requested, unless the individual otherwise requests or until the individual no
7 longer qualifies as an overseas elector.

8 **SECTION 6.** 6.24 (8) of the statutes is repealed.

9 **SECTION 7.** 6.27 (1) of the statutes is renumbered 6.27 and amended to read:

10 **6.27** ~~Where elector~~ **Elector registration required.** ~~Every municipality~~
11 ~~over 5,000 population shall keep a registration list consisting of all currently~~
12 ~~registered electors. Where used, registration applies to~~ **Registration is required in**
13 **every municipality for all elections.**

14 **SECTION 8.** 6.27 (2) to (5) of the statutes are repealed.

15 **SECTION 9.** 6.28 (2) (b) of the statutes is amended to read:

16 6.28 (2) (b) The municipal clerk of each municipality ~~in which elector~~
17 ~~registration is required~~ shall notify the school board of each school district in which
18 the municipality is located that high schools shall be used for registration pursuant
19 to par. (a). The school board and the municipal clerk shall agree upon the
20 appointment of at least one qualified elector at each high school as a special school
21 registration deputy. The municipal clerk shall appoint such person as a school
22 registration deputy and explain the person's duties and responsibilities. Students
23 and staff may register at the high school on any day that classes are regularly held.
24 The school registration deputies shall promptly forward properly completed
25 registration forms to the municipal clerk of the municipality in which the registering

1 student or staff member resides. The municipal clerk, upon receiving such
2 registration forms, shall add all those registering electors who have met the
3 registration requirements to the registration list. The municipal clerk may reject
4 any registration form and shall promptly notify the person whose registration is
5 rejected of the rejection and the reason therefor. A person whose registration is
6 rejected may reapply for registration if he or she is qualified. The form of each high
7 school student who is qualified and will be eligible to vote at the next election shall
8 be filed in such a way that when a student attains the age of 18 years the student is
9 registered to vote automatically. Each school board shall assure that the principal
10 of every high school communicates elector registration information to students.

11 **SECTION 10.** 6.28 (3) of the statutes is amended to read:

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

20 **SECTION 11.** 6.285 of the statutes is created to read:

21 **6.285 Registration identification numbers.** (1) The board shall assign a
22 unique registration identification number to each elector who does not have either
23 a valid Wisconsin driver's license or a social security account number, upon request
24 of that elector.

1 (2) The board shall ensure that each municipal clerk receiving a request from
2 an elector who qualifies for a registration identification number under sub. (1) is able
3 to obtain the number electronically as a part of the system maintained by the board
4 under s. 6.36 (1).

5 **SECTION 12.** 6.29 (2) (a) of the statutes is amended to read:

6 6.29 (2) (a) Any qualified elector of a municipality ~~where registration is~~
7 ~~required~~ who has not previously filed a registration form or whose name does not
8 appear on the registration list of the municipality ~~shall be entitled to vote at the~~
9 ~~election if he or she delivers to the municipal clerk~~ may register after the close of
10 registration but not later than 5 p.m. of the day before an election at the office of the
11 municipal clerk. The elector shall complete, in the manner provided under s. 6.33
12 (2), a registration form executed by the elector. The form shall contain a certification
13 by the elector that all statements are true and correct. Alternatively, if the elector
14 cannot obtain a registration form, the elector may deliver a statement, signed by the
15 elector, containing all of the information required on the registration form containing
16 all information required under s. 6.33 (1). The elector shall present also provide
17 acceptable proof of residence as provided in under s. 6.55 (7). If no proof is presented
18 Alteratively, if the elector is unable to provide acceptable proof of residence under s.
19 6.55 (7), the information contained in the registration form or the listing of required
20 information shall be substantiated corroborated in a statement that is signed by one
21 any other elector of the municipality, corroborating all the material statements
22 therein and that contains the current street address of the corroborating elector. The
23 corroborating elector shall then provide acceptable proof of residence under s. 6.55
24 (7). ~~The signing of the form by the registering elector and statement by the~~

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

3 SECTION 13. 6.29 (2) (b) of the statutes is amended to read:

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

14 SECTION 14. 6.33 (title) of the statutes is amended to read:

15 **6.33 (title) Registration forms; manner of completing.**

16 SECTION 15. 6.33 (1) of the statutes is amended to read:

17 6.33 (1) The municipal clerk shall supply sufficient registration forms as
18 prescribed by the board printed on loose-leaf sheets or cards to obtain from each
19 applicant information as to name, date, residence location, citizenship, age, whether
20 the applicant has resided within the ward or election district for at least 10 days,
21 whether the applicant has lost his or her right to vote, and whether the applicant is
22 currently registered to vote at any other location, and shall provide a space for the
23 applicant's signature and the ward and aldermanic district, if any, where the elector
24 resides. The forms shall also include a space for ~~the identification serial number of~~
25 ~~any elector who is issued such a number under s. 6.47 (3)~~ where the clerk, issuing

1 officer, or registration deputy, for any applicant who possesses a valid voting
2 identification card issued to the person under s. 6.47 (3), may record the
3 identification serial number appearing on the voting identification card. Each
4 register of deeds shall obtain sufficient registration forms at the expense of the unit
5 of government by which he or she is employed for completion by any elector who
6 desires to register to vote at the office of the register of deeds under s. 6.28 (3).

7 **SECTION 16.** 6.33 (2) of the statutes is amended to read:

8 6.33 (2) (a) The All information may be recorded by any person, ~~but the~~ except
9 that the ward and aldermanic district, if any, and any information relating to an
10 applicant's voting identification card shall be recorded by the clerk, issuing officer,
11 or registration deputy. Each applicant shall sign his or her own name unless the
12 applicant is unable to sign his or her name due to physical disability. In such case,
13 the applicant may authorize another elector to sign the form on his or her behalf. If
14 the applicant so authorizes, the elector signing the form shall attest to a statement
15 that the application is made upon request and by authorization of a named elector
16 who is unable to sign the form due to physical disability. ~~Ward and aldermanic~~
17 ~~district information shall be filled in by the clerk.~~

18 (b) Except as provided ~~under ss. 6.30 (4) and in s. 6.86 (3) (a) 2.,~~ the registration
19 form shall be signed by the registering elector and any corroborating elector under
20 s. 6.29 (2) (a) or 6.55 (2) before the clerk, issuing officer or registration deputy. The
21 form shall contain a certification by the registering elector that all statements are
22 true and correct.

23 **SECTION 17.** 6.33 (5) of the statutes is created to read:

24 6.33 (5) Whenever a municipal clerk receives a valid registration or valid
25 change of a name or address under an existing registration and whenever a

1 municipal clerk cancels a registration, the municipal clerk shall promptly enter
2 electronically on the list maintained by the board under s. 6.36 (1) the information
3 required under that subsection.

4 **SECTION 18.** 6.35 (2) of the statutes is repealed.

5 **SECTION 19.** 6.35 (3) of the statutes is amended to read:

6 6.35 (3) ~~In municipalities employing data processing for keeping of registration~~
7 ~~records, original~~ Original registration records shall be maintained in the office of the
8 municipal clerk or board of election commissioners at all times.

9 **SECTION 20.** 6.35 (5) and (6) of the statutes are repealed.

10 **SECTION 21.** 6.36 (1) of the statutes is repealed and recreated to read:

11 6.36 (1) (a) The board shall compile and maintain electronically an official
12 registration list. The list shall contain the name and address of each registered
13 elector in the state, the ward and aldermanic district of the elector, if any, and, for
14 each elector, the number of a valid operator's license issued to the elector under ch.
15 343, the last 4 digits of the elector's social security account number, or the
16 registration identification number issued to the elector under s. 6.285.

17 (b) Except for the addresses of electors who obtain a confidential listing under
18 s. 6.47 (2), the list shall be open to public inspection under s. 19.35 (1) and shall be
19 electronically accessible by any person, but no person other than the board, a
20 municipal clerk, or an election official who is authorized by a municipal clerk may
21 make a change in the list. The list shall be electronically accessible by name and shall
22 also be accessible in alphabetical order of the electors' names for the entire state and
23 for each county, municipality, ward, and combination of wards authorized under s.
24 5.15 (6) (b).

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

5 (d) The board shall not make any changes in entries to the registration list
6 except that, upon receipt of official notification by the appropriate election
7 administrative authority of another state, territory, or possession that an elector
8 whose name appears on the list has registered to vote in that state, territory, or
9 possession, the board shall remove the name of that elector from the list.

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

13 **SECTION 22.** 6.36 (2) (a) of the statutes is amended to read:

14 6.36 (2) (a) Except as provided in par. (b), the each registration lists list
15 prepared for use at a polling place shall contain the full name and address of each
16 registered elector; the number of a valid operator's license issued to the elector under
17 ch. 343, the last 4 digits of the elector's social security account number, or the
18 registration identification number issued to the elector under s. 6.285; a blank
19 column for the entry of the serial number of the electors when they vote; and a form
20 of a certificate bearing the certification of the executive director of the board stating
21 that each the list is a true and complete combined check and registration list of the
22 respective municipality or the ward or wards for which the list is prepared.

23 **SECTION 23.** 6.36 (3) of the statutes is amended to read:

24 6.36 (3) ~~Municipalities shall prepare at least 2 copies of the registration list for~~
25 ~~each ward and bind them in book form. The original registration forms constitute the~~

1 ~~official registration list and~~ shall be controlling whenever discrepancies occur in
2 entering information from the forms under s. 6.33 (5).

3 SECTION 24. 6.47 (2) of the statutes is amended to read:

4 6.47 (2) Except as authorized in sub. (8), the board, each municipal clerk, and
5 each election official shall withhold from public inspection under s. 19.35 (1) the
6 name and address of any eligible individual whose name appears on a poll list or
7 registration list if the individual files provides the municipal clerk with a valid
8 written request ~~with the clerk~~ to protect the individual's confidentiality. To be valid,
9 a request under this subsection must be accompanied by a copy of a protective order
10 that is in effect, an affidavit under sub. (1) (a) 2. that is dated within 30 days of the
11 date of the request or a statement signed by the operator or an authorized agent of
12 the operator of a shelter that is dated within 30 days of the date of the request and
13 that indicates that the operator operates the shelter and that the individual making
14 the request resides in the shelter. A physically disabled individual who appears
15 personally at the office of the municipal clerk accompanied by another elector of this
16 state may designate that elector to make a request under this subsection on his or
17 her behalf.

18 SECTION 25. 6.47 (3) of the statutes is amended to read:

19 6.47 (3) Upon ~~listing of~~ receiving a valid written request from an elector under
20 sub. (2), the municipal clerk shall issue to the elector a voting identification card on
21 a form prescribed by the board that shall contain the name of the elector's
22 municipality issuing the card of residence and, in the case of a town, the county in
23 which the town is located, the elector's name, the ward in which the elector resides,
24 if any, and a unique identification serial number issued by the board. The number

1 issued to an elector under this subsection shall not be changed for so long as the
2 elector continues to qualify for a listing under sub. (2).

3 **SECTION 26.** 6.50 (1) (intro.) of the statutes is amended to read:

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

9 **SECTION 27.** 6.50 (2m) (a) of the statutes is amended to read:

10 6.50 (2m) (a) As an alternative to the procedure prescribed in subs. (1) and (2),
11 the governing body of a municipality ~~where registration is required~~ may provide for
12 revision of registration lists under this subsection.

13 **SECTION 28.** 6.50 (10) of the statutes is amended to read:

14 6.50 (10) Any elector whose registration is canceled under this section may
15 ~~have his or her registration reinstated by filing a new registration form~~ reregister
16 as provided under s. 6.28 (1), 6.29 (2), or 6.55 (2).

17 **SECTION 29.** 6.54 of the statutes is repealed.

18 **SECTION 30.** 6.55 (2) (a) 1. (intro.) of the statutes is amended to read:

19 6.55 (2) (a) 1. (intro.) Except where the procedure under par. (c) or (cm) is
20 employed, any person who qualifies as an elector in the ward or election district
21 where he or she desires to vote, but has not previously filed a registration form, or
22 was registered at another location ~~in a municipality where registration is required,~~
23 may request permission to vote at the polling place for that ward or election district,
24 or at an alternate polling place assigned under s. 5.25 (5) (b). When a proper request
25 is made, the inspector shall require the person to execute a registration form

1 ~~prescribed by the board that.~~ The registration form shall be completed in the manner
2 provided under s. 6.33 (2) and shall contain all information required under s. 6.33
3 (1), along with the following certification:

4 **SECTION 31.** 6.55 (2) (b) of the statutes is amended to read:

5 6.55 (2) (b) Upon executing the registration form under par. (a), the ~~person~~
6 ~~elector~~ shall be ~~required by a special registration deputy or inspector to present~~
7 ~~provide the number of a valid operator's license issued to the elector under ch. 343,~~
8 ~~the last 4 digits of the elector's social security account number, or the registration~~
9 ~~identification number issued to the elector under s. 6.285.~~ The elector shall also
10 ~~provide~~ acceptable proof of residence under sub. (7). If the ~~person~~ elector cannot
11 ~~supply such~~ provide one of the numbers specified in this paragraph and proof of
12 residence, the information contained in the registration form shall be substantiated
13 ~~and signed~~ corroborated in a statement that is signed by one other any elector who
14 resides in the same municipality as the registering elector, ~~corroborating all the~~
15 ~~material statements therein.~~ The corroborator shall then provide one of the numbers
16 specified in this paragraph and acceptable proof of residence as provided in sub. (7).
17 The signing by the elector executing the registration form and by any ~~elector who~~
18 ~~corroborates the information in the form~~ corroborator shall be in the presence of the
19 special registration deputy or inspector. Upon compliance with this procedure, ~~such~~
20 ~~person shall then be given the right to vote~~ the elector shall be permitted to cast his
21 or her vote, if the elector complies with all other requirements for voting at the polling
22 place.

23 **SECTION 32.** 6.55 (2) (c) 1. of the statutes is amended to read:

24 6.55 (2) (c) 1. As an alternative to registration at the polling place under pars.
25 (a) and (b), the board of election commissioners, or the governing body of any

1 municipality ~~in which registration is required~~ may by resolution require a person
2 who qualifies as an elector and who is not registered and desires to register on the
3 day of an election to do so at another readily accessible location in the same building
4 as the polling place serving the elector's residence or at an alternate polling place
5 assigned under s. 5.25 (5) (b), instead of at the polling place serving the elector's
6 residence. In such case, the municipal clerk shall prominently post a notice of the
7 registration location at the polling place. The municipal clerk, deputy clerk or special
8 registration deputy at the registration location shall require such person to execute
9 a registration form as prescribed under par. (a) and to provide the number of a valid
10 operator's license issued to the elector under ch. 343, the last 4 digits of the elector's
11 social security account number, or the registration identification number issued to
12 the elector under s. 6.285. The elector shall also provide acceptable proof of residence
13 as provided under sub. (7). If the ~~person~~ elector cannot ~~supply such~~ provide one of
14 the numbers specified in this subdivision and acceptable proof of residence, the
15 information contained in the registration form shall be corroborated in the manner
16 provided in par. (b). The signing by the elector executing the registration form and
17 by any ~~corroborating elector~~ corroborator shall be in the presence of the municipal
18 clerk, deputy clerk or special registration deputy. Upon proper completion of
19 registration, the municipal clerk, deputy clerk or special registration deputy shall
20 serially number the registration and give one copy to the elector for presentation at
21 the polling place serving the elector's residence or an alternate polling place assigned
22 under s. 5.25 (5) (b).

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

24 6.55 (2) (c) 2. Upon compliance with the procedures under subd. 1., the
25 municipal clerk or deputy clerk shall issue a certificate addressed to the inspectors

1 of the proper polling place directing that the elector be permitted to cast his or her
2 vote if the elector complies with all requirements for voting at the polling place. The
3 clerk shall enter the name and address of the elector and the number provided by the
4 elector on the face of the certificate. If the elector's registration is corroborated, the
5 clerk shall also enter the name and address of the corroborator and the number
6 provided by the corroborator on the face of the certificate. The certificate shall be
7 numbered serially and prepared in duplicate. The municipal clerk shall preserve one
8 copy in his or her office.

9 **SECTION 34.** 6.55 (2) (d) of the statutes is amended to read:

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

17 **SECTION 35.** 6.55 (3) of the statutes is amended to read:

18 6.55 (3) Any qualified elector in the ward or election district where the elector
19 desires to vote whose name does not appear on the registration list ~~where~~
20 ~~registration is required~~ but who claims to be registered to vote in the election may
21 request permission to vote at the polling place for that ward or election district.
22 When the request is made, the inspector shall require the person to give his or her
23 name and address. If the elector is not at the polling place which serves the ward or
24 election district where the elector resides, the inspector shall provide the elector with
25 directions to the correct polling place. If the elector is at the correct polling place, the

1 elector shall then execute the following written statement: “I,, hereby certify that
2 to the best of my knowledge, I am a qualified elector, having resided at for at least
3 10 days immediately preceding this election, and that I am not disqualified on any
4 ground from voting, and I have not voted at this election and am properly registered
5 to vote in this election.” The person shall be required to provide the number of a valid
6 operator’s license issued to the elector under ch. 343, the last 4 digits of the elector’s
7 social security number, or the registration identification number issued to the elector
8 under s. 6.285. The elector shall also provide acceptable proof of residence as
9 provided under sub. (7) and shall then be given the right to vote. If acceptable proof
10 is presented, the elector need not have the information corroborated by any other
11 elector. If acceptable the elector cannot provide one of the numbers specified in this
12 subsection and acceptable proof is not presented of residence, the statement shall be
13 certified by the elector and shall be corroborated in a statement that is signed by
14 another any other elector who resides in the municipality. The corroborator shall
15 then provide one of the numbers specified in this subsection and acceptable proof of
16 residence as provided in sub. (7). Whenever the question of identity or residence
17 cannot be satisfactorily resolved and the elector cannot be permitted to vote, an
18 inspector shall telephone the office of the municipal clerk to reconcile the records at
19 the polling place with those at the office.

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

21 6.55 (7) (c) 1. ~~A Wisconsin motor vehicle~~ An operator’s license issued under ch.
22 343.

23 SECTION 37. 6.55 (7) (c) 2. of the statutes is amended to read:

24 6.55 (7) (c) 2. ~~A Wisconsin~~ An identification card issued under s. 125.08, 1987
25 stats s. 343.50.

1 **SECTION 38.** 6.79 (intro.) (except 6.79 (title)) of the statutes is renumbered 6.79
2 (1m) and amended to read:

3 **6.79 (1m) SEPARATE POLL LISTS.** Two election officials at each election ward shall
4 be in charge of and shall maintain 2 separate poll lists of containing information
5 relating to all persons voting. The municipal clerk may elect to maintain the
6 information on the ~~poll list~~ lists manually or electronically. If the ~~list is~~ lists are
7 maintained electronically, the officials shall enter the information into an electronic
8 data recording system that enables retrieval of ~~a printed copy~~ copies of the ~~poll list~~
9 lists at the polling place. The system employed is subject to the approval of the board.

10 **SECTION 39.** 6.79 (1) of the statutes is repealed.

11 **SECTION 40.** 6.79 (2) of the statutes is repealed and recreated to read:

12 **6.79 (2) VERIFICATION OF NAME AND ADDRESS AND MAINTENANCE OF POLL LISTS.** (a)
13 Unless information on the poll list is entered electronically, the municipal clerk shall
14 supply the inspectors with 2 copies of the most current official registration list or lists
15 prepared under s. 6.36 (1) for use as poll lists at the polling place. Except as provided
16 in sub. (6), each person, before receiving a serial number, shall state his or her full
17 name and address. The officials shall verify that the name and address provided by
18 the person are the same as the person's name and address on the poll list.

19 (b) Upon the poll list, after the name of each elector, the officials shall enter a
20 serial number for each elector in the order that votes are cast, beginning with
21 number one. The officials shall maintain a separate list for electors who are voting
22 under s. 6.15, 6.29, or 6.55 (2) or (3) and electors who are reassigned from another
23 polling place under s. 5.25 (5) (b) and shall enter the full name, address, and serial
24 number of each of these electors on the appropriate separate list. The officials shall

1 provide each elector with a slip bearing the same serial number as is recorded for the
2 elector upon the poll list or separate list.

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

4 **6.79 (4) SUPPLEMENTAL INFORMATION.** When any elector provides identification,
5 a license, social security or identifying number, or proof of residence under sub. (1)
6 ~~or~~ s. 6.15, 6.29 or 6.55 (2) or (3), the election officials shall enter the type of
7 identification on the poll ~~or registration~~ list, or supplemental list maintained under
8 sub. (2). If the form of identification or proof includes a number which applies only
9 to the individual holding that piece of identification or proof, the election officials
10 shall also enter that number on the list. When any elector corroborates the
11 registration identity or residence of any person offering to vote under sub. (1) ~~or~~ s.
12 6.55 (2) (b) or (c) or (3), or the registration identity or residence of any person
13 registering on election day under s. 6.86 (3) (a) 2., the election officials shall also enter
14 the name and address of the corroborator shall also be entered and the license, social
15 security or identifying number, or proof of residence next to the name of the elector
16 whose information is being corroborated on the ~~registration or~~ poll list, or the
17 separate list maintained under sub. (2). When any person offering to vote has been
18 challenged and taken the oath, following the person's name on the ~~registration or~~ poll
19 list, the officials shall enter the word "Sworn".

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

21 **SECTION 43.** 6.79 (6) (a) of the statutes is repealed.

22 **SECTION 44.** 6.79 (6) (b) of the statutes is renumbered 6.79 (6) and amended to
23 read:

24 **6.79 (6) CONFIDENTIAL NAMES AND ADDRESSES.** ~~In municipalities where~~
25 ~~registration is required, an~~ An elector who has a confidential listing under s. 6.47 (2)

1 may present his or her identification card issued under s. 6.47 (3), or may give his
2 or her name and identification serial number issued under s. 6.47 (3), in lieu of
3 stating his or her name and address under sub. (2). If the elector's name and
4 identification serial number appear on the confidential portion of the list, the
5 inspectors shall issue a voting serial number to the elector, record that number on
6 the registration poll list and permit the elector to vote.

7 **SECTION 45.** 6.82 (1) (a) of the statutes is amended to read:

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

24 **SECTION 46.** 6.86 (3) (a) 1. of the statutes is amended to read:

1 6.86 (3) (a) 1. Any elector who is registered, ~~or otherwise qualified where~~
2 ~~registration is not required,~~ and who is hospitalized, may apply for and obtain an
3 official ballot by agent. The agent may apply for and obtain a ballot for the
4 hospitalized absent elector by presenting a form prescribed by the board and
5 containing the required information supplied by the hospitalized elector and signed
6 by that elector and any other elector residing in the same municipality as the
7 hospitalized elector, corroborating the information contained therein. The
8 corroborating elector shall state on the form his or her full name and address.

9 **SECTION 47.** 6.86 (3) (a) 2. of the statutes is amended to read:

10 6.86 (3) (a) 2. If a hospitalized elector is not registered ~~where registration is~~
11 ~~required,~~ the elector may register by agent under this subdivision at the same time
12 that the elector applies for an official ballot by agent under subd. 1. To register the
13 elector under this subdivision, the agent shall present a completed registration form
14 that contains the required information supplied by the elector and the elector's
15 signature, unless the elector is unable to sign due to physical disability. In this case,
16 the elector may authorize another elector to sign on his or her behalf. Any elector
17 signing a form on another elector's behalf shall attest to a statement that the
18 application is made on request and by authorization of the named elector, who is
19 unable to sign the form due to physical disability. The agent shall present this
20 statement along with all other information required under this subdivision. Except
21 as otherwise provided in this subdivision, the agent shall in every case ~~present~~
22 provide the number of a valid driver's operator's license issued to the elector under
23 ch. 343, the last 4 digits of the elector's social security account number, or the
24 registration identification number issued to the elector under s. 6.285, together with
25 acceptable proof of the elector's residence under s. 6.55 (7). If the agent cannot

1 present this proof, the registration form shall be signed and substantiated by
2 another elector residing in the elector's municipality of residence, corroborating the
3 information in the form. The form shall contain the full name and address of the
4 corroborating elector. The agent shall then ~~present~~ provide one of the numbers
5 specified in this subdivision together with acceptable proof of the corroborating
6 elector's residence under s. 6.55 (7).

7 **SECTION 48.** 6.88 (3) (a) of the statutes is amended to read:

8 6.88 (3) (a) Any time between the opening and closing of the polls on election
9 day, the inspectors shall open the carrier envelope only, and announce the name of
10 the absent elector or the identification serial number of the absent elector if the
11 elector has a confidential listing under s. 6.47 (2). When the inspectors find that the
12 certification has been properly executed, the applicant is a qualified elector of the
13 ward or election district, and the applicant has not voted in the election, they shall
14 enter an indication on the poll ~~or registration~~ list next to the applicant's name
15 indicating an absentee ballot is cast by the elector. They shall then open the envelope
16 containing the ballot in a manner so as not to deface or destroy the certification
17 thereon. The inspectors shall take out the ballot without unfolding it or permitting
18 it to be unfolded or examined. Unless the ballot is cast under s. 6.95, the inspectors
19 shall verify that the ballot has been endorsed by the issuing clerk. The inspectors
20 shall deposit the ballot into the proper ballot box and enter the absent elector's name
21 or voting number after his or her name on the poll ~~or registration~~ list in the same
22 manner as if the elector had been present and voted in person.

23 **SECTION 49.** 6.94 of the statutes is amended to read:

24 **6.94 Challenged elector oath.** If the person challenged refuses to answer
25 fully any relevant questions put to him or her by the inspector under s. 6.92, the

1 inspectors shall reject the elector's vote. If the challenge is not withdrawn after the
2 person offering to vote has answered the questions, one of the inspectors shall
3 administer to the person the following oath or affirmation: "You do solemnly swear
4 (or affirm) that: you are 18 years of age; you are a citizen of the United States; you
5 are now and for 10 days have been a resident of this ward except under s. 6.02 (2);
6 you have not voted at this election; you have not made any bet or wager or become
7 directly or indirectly interested in any bet or wager depending upon the result of this
8 election; you are not on any other ground disqualified to vote at this election". If the
9 person challenged refuses to take the oath or affirmation, the person's vote shall be
10 rejected. If the person challenged answers fully all relevant questions put to the
11 elector by the inspector under s. 6.92, takes the oath or affirmation, and fulfills the
12 applicable registration requirements, ~~where applicable,~~ and if the answers to the
13 questions given by the person indicate that the person meets the voting qualification
14 requirements, the person's vote shall be received.

15 **SECTION 50.** 6.95 of the statutes is amended to read:

16 **6.95 Voting procedure for challenged electors.** Whenever the inspectors
17 under ss. 6.92 to 6.94 receive the vote of a person offering to vote who has been
18 challenged, they shall give the elector a ballot. Before depositing the ballot, the
19 inspectors shall write on the back of the ballot the serial number of the challenged
20 person corresponding to the number kept at the election on the ~~registration or~~ poll
21 list, or other list maintained under s. 6.79. If voting machines are used in the
22 municipality where the person is voting, the person's vote may be received only upon
23 an absentee ballot furnished by the municipal clerk which shall have the
24 corresponding serial number from the ~~registration or~~ poll list or other list
25 maintained under s. 6.79 written on the back of the ballot before the ballot is

1 deposited. The inspectors shall indicate on the list the reason for the challenge. The
2 challenged ballots shall be counted under s. 5.85 or 7.51. The municipal board of
3 canvassers may decide any challenge when making its canvass under s. 7.53. If the
4 returns are reported under s. 7.60, a challenge may be reviewed by the county board
5 of canvassers. If the returns are reported under s. 7.70, a challenge may be reviewed
6 by the chairperson of the board or the chairperson's designee. The decision of any
7 board of canvassers or of the chairperson or chairperson's designee may be appealed
8 under s. 9.01. The standard for disqualification specified in s. 6.325 shall be used to
9 determine the validity of challenged ballots.

10 **SECTION 51.** 7.08 (1) (c) of the statutes is amended to read:

11 7.08 (1) (c) Prescribe forms required by ss. 6.24 (3) and (4), 6.30 (4), 6.33 (1),
12 6.40 (1) (b), 6.47 (1) (a) 2. and (3), 6.55 (2) and (3), ~~6.79 (5)~~ and 6.86 (2) and (3). All
13 such forms shall contain a statement of the penalty applicable to false or fraudulent
14 registration or voting through use of the form. Forms are not required to be furnished
15 by the board.

16 **SECTION 52.** 7.10 (1) (b) of the statutes is amended to read:

17 7.10 (1) (b) The county clerk shall supply sufficient ~~poll list forms for~~
18 ~~municipalities that do not have elector registration and other~~ election supplies for
19 national, state and county elections to municipalities within the county. The ~~poll list~~
20 ~~forms and other~~ election supplies shall be enclosed in the sealed package containing
21 the official ballots and delivered to the municipal clerk.

22 **SECTION 53.** 7.15 (1) (c) of the statutes is amended to read:

23 7.15 (1) (c) Prepare ballots for municipal elections, and distribute ballots and
24 provide other supplies for conducting all elections. The municipal clerk shall deliver

1 ~~poll list forms received from the county clerk to the polling places with the ballots to~~
2 the polling places before the polls open.

3 **SECTION 54.** 7.15 (4) of the statutes is amended to read:

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

10 **SECTION 55.** 7.23 (1) (e) of the statutes is amended to read:

11 7.23 (1) (e) ~~Registration and poll~~ Poll lists created at a nonpartisan primary or
12 election may be destroyed 2 years after the primary or election at which they were
13 created and ~~registration and poll~~ lists created at a partisan primary or election may
14 be destroyed 4 years after the primary or election at which they were created.

15 **SECTION 56.** 7.37 (7) of the statutes is amended to read:

16 7.37 (7) ~~REGISTRATION AND POLL~~ POLL LISTS. Two inspectors shall be assigned
17 to have charge of the ~~registration or~~ poll lists at each election.

18 **SECTION 57.** 7.51 (2) (a) of the statutes is amended to read:

19 7.51 (2) (a) The inspectors shall first compare the poll ~~or registration~~ lists,
20 correcting any mistakes until the poll ~~or registration~~ lists agree. The chief inspector
21 and the inspectors who are responsible for recording electors under s. 6.79 shall
22 verify the correctness of the poll ~~or registration~~ lists after the polls close by each
23 signing their name thereto. Where ballots are distributed to electors, the inspectors
24 shall then open the ballot box and remove and count the number of ballots therein
25 without examination except as is necessary to ascertain that each is a single ballot.

1 If 2 or more ballots are folded together so as to appear as a single ballot, the inspectors
2 shall lay them aside until the count is completed; and if, after a comparison of the
3 count and the appearance of the ballots it appears to a majority of the inspectors that
4 the ballots folded together were voted by the same person they may not be counted
5 but the inspectors shall mark them as to the reason for removal, set them aside and
6 carefully preserve them. The inspectors shall then proceed under par. (b).

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

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

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

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

1 ballots in the ballot box and one of the inspectors shall publicly and without
2 examination draw therefrom by chance the number of ballots equal to the excess
3 number of those ballots. All ballots so removed may not be counted but shall be
4 specially marked as having been removed by the inspectors on original canvass due
5 to an excess number of ballots, set aside and preserved. When the number of ballots
6 and total shown on the poll ~~or registration~~ list agree, the inspectors shall return all
7 ballots to be counted to the ballot box and shall turn the ballot box in such manner
8 as to thoroughly mix the ballots. The inspectors shall then open, count and record
9 the number of votes. When the ballots are counted, the inspectors shall separate
10 them into piles for ballots similarly voted. Objections may be made to placement of
11 ballots in the piles at the time the separation is made.

12 **SECTION 60.** 7.51 (4) (a) of the statutes is amended to read:

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

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

3 SECTION 61. 7.51 (5) (a) of the statutes is amended to read:

4 7.51 (5) (a) The inspectors shall make full and accurate return of the votes cast
5 for each candidate and proposition on tally sheet forms provided by the municipal
6 clerk for that purpose. Each tally sheet shall record the returns for each office or
7 referendum by ward, unless combined returns are authorized in accordance with s.
8 5.15 (6) (b) in which case the tally sheet shall record the returns for each group of
9 combined wards. After recording the votes, the inspectors shall seal in a carrier
10 envelope outside the ballot bag or container one inspectors' statement under sub. (4)
11 (a), one tally sheet, and one poll ~~or registration~~ list for delivery to the county clerk,
12 unless the election relates only to municipal or school district offices or referenda.
13 The inspectors shall also similarly seal one inspectors' statement, one tally sheet,
14 and one poll ~~or registration~~ list for delivery to the municipal clerk. For school district
15 elections, except in 1st class cities, the inspectors shall similarly seal one inspectors'
16 statement, one tally sheet, and one poll ~~or registration~~ list for delivery to the school
17 district clerk. The inspectors shall immediately deliver all ballots, statements, tally
18 sheets, lists, and envelopes to the municipal clerk.

19 SECTION 62. 9.01 (1) (b) 1. of the statutes is amended to read:

20 9.01 (1) (b) 1. The board of canvassers shall first compare the ~~registration or~~
21 poll lists and determine the number of voting electors.

22 SECTION 63. 59.05 (2) of the statutes is amended to read:

23 59.05 (2) If two-fifths of the legal voters of any county, to be determined by the
24 registration ~~or poll~~ lists of the last previous general election held in the county, the
25 names of which voters shall appear on some one of the registration ~~or poll~~ lists of such

✓
JWS
27-21-22
JWS
27-24
✓

1 election, present to the board a petition conforming to the requirements of s. 8.40
2 asking for a change of the county seat to some other place designated in the petition,
3 the board shall submit the question of removal of the county seat to a vote of the
4 qualified voters of the county. The board shall file the question as provided in s. 8.37.
5 The election shall be held only on the day of the general election, notice of the election
6 shall be given and the election shall be conducted as in the case of the election of
7 officers on that day, and the votes shall be canvassed, certified and returned in the
8 same manner as other votes at that election. The question to be submitted shall be
9 “Shall the county seat of county be removed to?”.

10 **SECTION 64.** 117.20 (2) of the statutes is amended to read:

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

22 **SECTION 65.** 120.06 (5) of the statutes is repealed.

23 **SECTION 66.** 125.05 (2) (h) of the statutes is amended to read:

24 125.05 (2) (h) *Number of electors.* The number of electors in a residence district
25 shall equal not less than the number of names with residences in the district which

1 appear on a ~~the~~ registration list, as defined in s. 5.02 (17). ~~If there is no registration~~
2 ~~list, the number of electors shall equal the number of names with residences in the~~
3 ~~district which appear on a poll list as defined in s. 5.02 (14) compiled at the last~~
4 ~~gubernatorial or presidential election, whichever is most recent, for the residence~~
5 district on the date that the remonstrance, consent, or counter petition is filed. A
6 person whose name does not appear on a registration list ~~or poll list~~ may not sign a
7 protest petition, consent or counter petition.

8 **SECTION 67. Initial applicability.**

9 (1) STATEWIDE VOTER REGISTRATION. The treatment of sections 5.02 (17), 6.20,
10 6.24 (3), (4) (a) and (c), and (8), 6.27 (1) and (2) to (5), 6.28 (2) (b) and (3), 6.29 (2) (a)
11 and (b), 6.36 (2) (a), 6.50 (1) (intro.) and (2m) (a), 6.54, 6.55 (2) (a) 1. (intro.), (b), and
12 (c) 1. and 2., (3), and (7) (c) 2., 6.79 (intro.), (1), (2), (4), (5), and (6) (a) and (b), 6.82
13 (1) (a), 6.86 (3) (a) 1. and 2., 6.88 (3) (a), 6.94, 6.95, 7.08 (1) (c), 7.10 (1) (b), 7.15 (1)
14 (c) and (4), 7.37 (7), 7.51 (2) (a), (c), and (e), (4) (a), and (5) (a), 9.01 (1) (b) 1., 59.05
15 (2), 117.20 (2), 120.06 (5), and 125.05 (2) (h) of the statutes first applies with respect
16 to the 2004 spring primary election.

17 (END)

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0610/P2ins
JTK.....

INS 3A

ELECTION ADMINISTRATION ENHANCEMENT

Under the federal Help America Vote Act of 2002, this state is eligible to receive federal financial assistance for the purchase of voting equipment, compliance with federal requirements for the conduct of federal elections and other election administration costs, construction of barrier-free polling places, and outreach and training of election officials to enable greater participation of individuals with disabilities in federal elections. To be eligible for federal assistance, this state must make a matching contribution equal to at least 5% of the amount of assistance received.

This bill appropriates to the elections board all amounts received by this state from the federal government under this act, together with a sum sufficient amount from general purpose revenue to enable this state to meet minimum federal requirements for continued eligibility for federal assistance. The bill directs the board to use a portion of the federal aid to provide financial assistance to eligible counties and municipalities for election administration purposes authorized by federal law. The bill also establishes a segregated fund, as required by federal law, for disbursement of all federal and state moneys to be expended for election administration purposes under the Help America Vote Act.

In accordance with the Help America Vote Act, the bill creates an election administration council whose members are appointed by the executive director of the board to develop and revise as necessary a proposed state plan for the expenditure of federal moneys under the Help America Vote Act. The bill also directs the board to adopt this plan and revise the plan as necessary. In addition, the bill directs the executive director, in consultation with the elections board, to appoint a representative of this state as a member of the federal election assistance commission standards board, and to conduct and supervise the election of a representative of county and municipal clerks and boards of election commissioners in this state to serve as a member of the standards board.

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0610/P2ins
JTK.....

JWS 3-3

SECTION 1. 5.05 (10) and (11) of the statutes ^{are} created to read:

5.05 (10) STATE ELECTION ADMINISTRATION PLAN. With the assistance of the election administration council, ^{the board shall} adopt and modify as necessary a state plan that meets the requirements of P.L. 107-252 to enable participation by this state in federal financial assistance programs authorized under that law. The board shall adopt the plan and any modifications only after publishing a class I notice under ch. 985 or posting on the Internet a statement ^{of} describing the proposed plan or modification and receiving public comment thereon.

(11) AIDS TO COUNTIES AND MUNICIPALITIES. From the appropriations under s. 20.510 (1) (t), (v), and (w), ^{the board shall} provide financial assistance to eligible counties and municipalities for election administration costs in accordance with the plan adopted under sub. (10). As a condition precedent to receipt of assistance under this subsection, the board shall enter into an agreement with the county or municipality receiving the assistance specifying the intended use of the assistance and shall ensure compliance with the terms of the agreement.

SECTION 2. 5.055 of the statutes is created to read:

5.055 Election administration commission standards board. The executive director of the board shall, in consultation with the board, appoint an individual to represent this state as a member of the federal election administration standards board. The executive director shall also conduct and supervise a process for the election of an election official by county and municipal clerks and boards of election commissioners to represent local election officials of this state as a member of the federal election administration standards board.

INS 27-21 A

X

SECTION 3. 15.617 of the statutes is created to read:

15.617 Same; council. →

noff

15.617 (1) ELECTION ADMINISTRATION COUNCIL. There is created in the elections board an election administration council consisting of members appointed by the executive director of the elections board, including the clerk or executive director of the board of election commissioners of the 2 counties or municipalities in this state having the largest population, one or more election officials of other counties or municipalities, ~~representatives~~ representatives of organizations that advocate for the interests of individuals with disabilities and organizations that advocate for the interests of the voting public or other electors of this state.

STET
STET: leave as typed X

INS 27-21 B

SECTION 4. 20.002 (11) (d) 2m. of the statutes is created to read:

20.002 (11) (d) 2m. The election administration fund. under s. 5.055

SECTION 5. 20.510 (1) (t) of the statutes is created to read:

20.510 (1) (t) *Election administration; state contribution.* From the election administration fund, a sum sufficient to meet federal requirements for state contribution towards elections administration costs financed with federal aid under P.L. 107-252.

INS 27-22

SECTION 6. 20.510 (1) (u) of the statutes is created to read:

20.510 (1) (u) *Federal audit exceptions.* From the election administration fund, a sum sufficient to repay the federal government for federal aid received by this state under P.L. 107-252 that is used for purposes for which federal financial participation is denied.

SECTION 7. 20.510 (1) (v) of the statutes is created to read:



7WS
27-22
↓

20.510 (1) (v) *Election administration*. From the election administration fund, the amounts in the schedule to meet federal requirements for the conduct of federal elections under P.L. 107-252.

SECTION 8. 20.510 (1) (v) of the statutes is created to read:

20.510 (1) (v) *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.

SECTION 9. 20.855 (4) (bp) of the statutes is created to read:

20.855 (4) (bp) *Election administration fund transfer*. A sum sufficient to make the payments required under s. ~~20.855 (4)~~ (t) ^{to} and (v), to be transferred the election administration fund.

20.510 (1)

SECTION 10. 25.17 (1) (e) of the statutes is created to read:

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

SECTION 11. 25.425 of the statutes is created to read:

25.425 Elections administration fund. There is established a separate nonlapsible trust fund designated the elections administration fund consisting of all moneys received from the federal government under P.L. 107-252 and all moneys transferred to the fund from other funds.

↓

2001

File With Statute **20.005 (3)** Schedule

LRB -0610, 1

JTK: gjs:

\$\$\$ SCHEDULE

Ins 27-21 B

In the component bar:

For the action phrase, execute: create → action: → ch20

For the table layout, execute: create → <Table> → \$sched

SECTION #. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

2003-04 2004-05
~~2001-02~~ ~~2002-03~~

20. 510 ... Elections Board

(1) ADMINISTRATION OF ELECTION AND ✓
CAMPAIGN LAWS

(V) Election administration ✓

~~State~~

.....
..... SEG A ✓ -0- -0-
.....

20. _____

()

()

.....
.....

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0610/P2dn

JTK:.....

9
4 5

Kevin Kennedy:

This draft appropriates from general purpose revenue the minimum amount required to enable this state to receive federal financial assistance under P.L. 107-252. The draft also creates a sum certain ~~and~~ appropriation for the same purpose that can be used to meet federal mandates under P.L. 107-252 if federal assistance is insufficient or is not provided soon enough to meet these mandates by the deadline for compliance (2004). However, the draft does not appropriate any money for this purpose. When it is known whether this money will be needed and, if so, how much will be needed, the appropriate amounts can be inserted by redraft or amendment. In addition, if it becomes necessary to provide more state money to comply with these mandates after enactment of this bill, this appropriation can be used for that purpose.

account derived from general purpose revenue to be used

[proposed s. 20.510 (1) (v)] This appropriation ✓

also

under this appropriation ✓

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