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1 SECTION 79. 6.50 (9) of the statutes is repealed.

2 SECTION 80. 6.50 (10) of the statutes is amended to read:

3 6.50 (10) Any qualified elector whose registration is ~~canceled~~ changed from  
4 eligible to ineligible status under this section may ~~have his or her registration~~  
5 ~~reinstated by filing a new registration form reregister as provided under s. 6.28 (1),~~  
6 6.29 (2), or 6.55 (2).

7 SECTION 81. 6.55 (2) (a) 1. (intro.) of the statutes is amended to read:

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

18 SECTION 82. 6.55 (2) (a) 2. of the statutes is amended to read:

19 6.55 (2) (a) 2. If a change of address is made from outside the municipality, the  
20 ~~elector municipal clerk shall file a cancellation the notice required under s. 6.40 (1)~~  
21 ~~(b) (a) 3.~~

22 SECTION 83. 6.55 (2) (b) of the statutes is amended to read:

23 6.55 (2) (b) Upon executing the registration form under par. (a), the ~~person~~  
24 ~~elector shall be required by a special registration deputy or inspector to present~~  
25 provide acceptable proof of residence under sub. (7). If the person elector cannot

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1 ~~supply such~~ provide acceptable proof of residence, the information contained in the  
2 ~~registration form shall be substantiated and signed~~ corroborated in a statement that  
3 is signed by one other any ~~elector~~ elector who resides in the same municipality as the  
4 registering elector, ~~corroborating all the material statements therein and that~~  
5 contains the current street address of the corroborating elector. The corroborator  
6 shall then provide acceptable proof of residence as provided in sub. (7). The signing  
7 by the elector executing the registration form and by any ~~elector who corroborates~~  
8 ~~the information in the form~~ corroborator shall be in the presence of the special  
9 registration deputy or inspector. Upon compliance with this procedure, ~~such person~~  
10 ~~shall then be given the right to vote~~ the elector shall be permitted to cast his or her  
11 vote, if the elector complies with all other requirements for voting at the polling  
12 place.

13 **SECTION 84.** 6.55 (2) (c) 1. of the statutes is amended to read:

14 6.55 (2) (c) 1. As an alternative to registration at the polling place under pars.  
15 (a) and (b), the board of election commissioners, or the governing body of any  
16 municipality ~~in which registration is required~~ may by resolution require a person  
17 who qualifies as an elector and who is not registered and desires to register on the  
18 day of an election to do so at another readily accessible location in the same building  
19 as the polling place serving the elector's residence or at an alternate polling place  
20 assigned under s. 5.25 (5) (b), instead of at the polling place serving the elector's  
21 residence. In such case, the municipal clerk shall prominently post a notice of the  
22 registration location at the polling place. The municipal clerk, deputy clerk or special  
23 registration deputy at the registration location shall require such person to execute  
24 a registration form as prescribed under par. (a) and to provide acceptable proof of  
25 residence as provided under sub. (7). ~~If the person~~ elector ~~cannot supply such~~ provide

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1 acceptable proof of residence, the information contained in the registration form  
2 shall be corroborated in the manner provided in par. (b). The signing by the elector  
3 executing the registration form and by any ~~corroborating elector~~ corroborator shall  
4 be in the presence of the municipal clerk, deputy clerk or special registration deputy.  
5 Upon proper completion of registration, the municipal clerk, deputy clerk or special  
6 registration deputy shall serially number the registration and give one copy to the  
7 elector for presentation at the polling place serving the elector's residence or an  
8 alternate polling place assigned under s. 5.25 (5) (b).

9 **SECTION 85.** 6.55 (2) (c) 2. of the statutes is amended to read:

10 6.55 (2) (c) 2. Upon compliance with the procedures under subd. 1., the  
11 municipal clerk or deputy clerk shall issue a certificate addressed to the inspectors  
12 of the proper polling place directing that the elector be permitted to cast his or her  
13 vote if the elector complies with all requirements for voting at the polling place. The  
14 clerk shall enter the name and address of the elector on the face of the certificate.  
15 If the elector's registration is corroborated, the clerk shall also enter the name and  
16 address of the corroborator on the face of the certificate. The certificate shall be  
17 numbered serially and prepared in duplicate. The municipal clerk shall preserve one  
18 copy in his or her office.

19 **SECTION 86.** 6.55 (2) (d) of the statutes is amended to read:

20 6.55 (2) (d) A registered elector who has changed his or her name but resides  
21 at the same address, and has not notified the municipal clerk under s. 6.40 (1) (c),  
22 shall notify the inspector of the change before voting. The inspector shall then notify  
23 the municipal clerk at the time ~~which~~ when materials are returned under s. 6.56 (1).  
24 If an elector ~~changes~~ has changed both a name and address, the elector shall

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

3 **SECTION 87. 6.55 (3) of the statutes is amended to read:**

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

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1 office of the municipal clerk to reconcile the records at the polling place with those  
2 at the office.

3 **SECTION 88.** 6.55 (7) (a) (intro.) of the statutes is amended to read:

4 6.55 (7) (a) (intro.) For purposes of this section, ~~a form of identification~~ an  
5 identifying document constitutes acceptable proof of residence if it includes:

6 **SECTION 89.** 6.55 (7) (b) of the statutes is amended to read:

7 6.55 (7) (b) If an elector's address has changed since ~~a piece of identification~~  
8 an identifying document was issued, the new information may be typed or printed  
9 on the identification document by hand, in ink.

10 **SECTION 90.** 6.55 (7) (c) (intro.) of the statutes is amended to read:

11 6.55 (7) (c) (intro.) ~~Forms of identification~~ Identifying documents which  
12 constitute acceptable proof of residence under this section, when they contain the  
13 information specified in par. (a), include the following:

14 **SECTION 91.** 6.55 (7) (c) 1. of the statutes is amended to read:

15 6.55 (7) (c) 1. ~~A Wisconsin motor vehicle~~ An operator's license issued under ch.  
16 343.

17 **SECTION 92.** 6.55 (7) (c) 2. of the statutes is amended to read:

18 6.55 (7) (c) 2. ~~A Wisconsin~~ An identification card issued under ~~s. 125.08, 1987~~  
19 stats s. 343.50.

20 **SECTION 93.** 6.55 (7) (d) of the statutes is amended to read:

21 6.55 (7) (d) ~~Forms of identification~~ Identifying documents specified in par. (c)  
22 which are valid for use during a specified period shall be valid on the day of an  
23 election in order to constitute acceptable proof of residence at that election.

24 **SECTION 94.** 6.56 (3) and (4) of the statutes are amended to read:

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1           6.56 (3) Upon receipt of the list under sub. (1), the municipal clerk or board of  
2 election commissioners shall make an audit of all electors registering to vote at the  
3 polling place or other registration location under s. 6.55 (2) and all electors  
4 registering by agent on election day under s. 6.86 (3) (a) 2. The audit shall be made  
5 by 1st class postcard. The postcard shall be labeled "ADDRESS CORRECTION REQUESTED"  
6 or "DO NOT FORWARD—RETURN POSTAGE GUARANTEED". If any postcard is returned  
7 undelivered, or if the clerk or board of election commissioners is informed of a  
8 different address than the one specified by the elector which was apparently  
9 improper on the day of the election, the clerk or board shall ~~remove the elector's name~~  
10 ~~from~~ change the status of the elector from eligible to ineligible on the registration list,  
11 and mail the elector a notice of the removal and provide the name to the district  
12 attorney for the county where the polling place is located change in status.

13           (4) After each election, the municipal clerk shall carefully check to assure that  
14 no person has been allowed to vote more than once. Whenever the municipal clerk  
15 has good reason to believe that a person has voted more than once in an election, the  
16 clerk shall send the person a 1st class letter with return receipt and address  
17 correction requested, informing him or her that all registrations relating to that  
18 person may be ~~anceled~~ changed from eligible to ineligible status within 7 days  
19 unless the person contacts the office of the clerk to clarify the matter. A copy of ~~such~~  
20 the letter and of any subsequent information received from or about the addressee  
21 shall be sent to the district attorney.

22           **SECTION 95.** 6.57 of the statutes is repealed and recreated to read:

23           **6.57 Registration list for special elections.** The municipal clerk of each  
24 municipality where a special election is held nonconcurrently with a regularly

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1 scheduled election shall obtain a copies of the current registration list from the board  
2 for use in the special election.

3 SECTION 96. 6.79 (intro.) (except 6.79 (title)) of the statutes is renumbered 6.79  
4 (1m) and amended to read:

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

12 SECTION 97. 6.79 (1) of the statutes is repealed.

13 SECTION 98. 6.79 (2) of the statutes is repealed and recreated to read:

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

21 (b) Upon the poll list, after the name of each elector, the officials shall enter a  
22 serial number for each elector in the order that votes are cast, beginning with  
23 number one.

24 (c) The officials shall maintain separate lists for electors who are voting under  
25 s. 6.15, 6.29, or 6.55 (2) or (3) and electors who are reassigned from another polling

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1 place under s. 5.25 (5) (b) and shall enter the full name, address, and serial number  
2 of each of these electors on the appropriate separate list. Alternatively, if the poll list  
3 is maintained electronically, the officials may enter on the poll list the information  
4 that would otherwise appear on a separate list if the information that would be  
5 obtainable from a separate list is entered on the poll list.

6 (d) If the poll list indicates that identification is required, the officials shall  
7 require the elector to provide identification. If identification is provided, the officials  
8 shall verify that any photograph reasonably resembles the elector or that the name  
9 and address on the identification provided is the same as the name and address  
10 shown on the registration list. If identification is required and not provided or if the  
11 document that is provided cannot be verified by the officials, the officials shall offer  
12 the opportunity for the elector to vote under s. 6.97.

13 (e) The officials shall then provide each elector with a slip bearing the same  
14 serial number as is recorded for the elector upon the poll list or separate list.

15 **SECTION 99.** 6.79 (4) of the statutes is amended to read:

16 6.79 (4) SUPPLEMENTAL INFORMATION. When any elector provides ~~identification~~  
17 acceptable proof of residence under ~~sub. (1) or~~ s. 6.15, 6.29 or 6.55 (2) or (3), the  
18 election officials shall enter the type of ~~identification~~ identifying document provided  
19 ~~on the poll or registration list, or supplemental separate list maintained under sub.~~  
20 (2) (c). If the ~~form of identification document submitted as proof of identity or~~  
21 residence includes a number which applies only to the individual holding that ~~piece~~  
22 of identification document, the election officials shall also enter that number on the  
23 list. When any elector corroborates the registration identity or residence of any  
24 person offering to vote under ~~sub. (1) or~~ s. 6.55 (2) (b) or (c) or (3), or the registration  
25 identity or residence of any person registering on election day under s. 6.86 (3) (a)



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1 2., the election officials shall also enter the name and address of the corroborator  
2 ~~shall also be entered~~ next to the name of the elector whose information is being  
3 corroborated on the ~~registration or~~ poll list, or the separate list maintained under  
4 sub. (2)(c). When any person offering to vote has been challenged and taken the oath,  
5 following the person's name on the ~~registration or~~ poll list, the officials shall enter  
6 the word "Sworn".

7 **SECTION 100.** 6.79 (5) of the statutes is repealed.

8 **SECTION 101.** 6.79 (6) (a) of the statutes is repealed.

9 **SECTION 102.** 6.79 (6) (b) of the statutes is renumbered 6.79 (6) and amended  
10 to read:

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

19 **SECTION 103.** 6.82 (1) (a) of the statutes is amended to read:

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

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

14 **SECTION 104.** 6.86 (3) (a) 1. of the statutes is amended to read:

15 6.86 (3) (a) 1. Any elector who is registered, ~~or otherwise qualified where~~  
16 ~~registration is not required,~~ and who is hospitalized, may apply for and obtain an  
17 official ballot by agent. The agent may apply for and obtain a ballot for the  
18 hospitalized absent elector by presenting a form prescribed by the board and  
19 containing the required information supplied by the hospitalized elector and signed  
20 by that elector and any other elector residing in the same municipality as the  
21 hospitalized elector, corroborating the information contained therein. The  
22 corroborating elector shall state on the form his or her full name and address.

23 **SECTION 105.** 6.86 (3) (a) 2. of the statutes is amended to read:

24 6.86 (3) (a) 2. If a hospitalized elector is not registered ~~where registration is~~  
25 ~~required,~~ the elector may register by agent under this subdivision at the same time

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1 that the elector applies for an official ballot by agent under subd. 1. To register the  
2 elector under this subdivision, the agent shall present a completed registration form  
3 that contains the required information supplied by the elector and the elector's  
4 signature, unless the elector is unable to sign due to physical disability. In this case,  
5 the elector may authorize another elector to sign on his or her behalf. Any elector  
6 signing a form on another elector's behalf shall attest to a statement that the  
7 application is made on request and by authorization of the named elector, who is  
8 unable to sign the form due to physical disability. The agent shall present this  
9 statement along with all other information required under this subdivision. Except  
10 as otherwise provided in this subdivision, the agent shall in every case ~~present~~  
11 provide acceptable proof of the elector's residence under s. 6.55 (7). If the agent  
12 cannot present this proof, the registration form shall be signed and substantiated by  
13 another elector residing in the elector's municipality of residence, corroborating the  
14 information in the form. The form shall contain the full name and address of the  
15 corroborating elector. The agent shall then present acceptable proof of the  
16 corroborating elector's residence under s. 6.55 (7).

17 **SECTION 106.** 6.86 (3) (b) of the statutes is amended to read:

18 6.86 (3) (b) When each properly executed form and statement required under  
19 par. (a) is presented to the municipal clerk, if the elector who proposes to vote is  
20 qualified, an absentee ballot shall be issued and the name of such hospitalized elector  
21 shall be recorded by the clerk or special registration deputy. An agent who is issued  
22 an absentee ballot under this section shall present ~~identification~~ documentation of  
23 his or her identity, provide his or her name and address, and attest to a statement  
24 that the ballot is received solely for the benefit of a named elector who is hospitalized,  
25 and the agent will promptly transmit the ballot to such person.

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1           **SECTION 107.** 6.86 (3) (c) of the statutes is amended to read:

2           6.86 (3) (c) An application under par. (a) 1. may be made and a registration form  
3 under par. (a) 2. may be filed in person at the office of the municipal clerk not earlier  
4 than 7 days before an election and not later than 5 p.m. on the day of the election.  
5 A list of hospitalized electors applying for ballots under par. (a) 1. shall be made by  
6 the municipal clerk and used to check that the electors vote only once, and by  
7 absentee ballot. If identification is required, the municipal clerk shall so inform the  
8 agent and the elector shall enclose identification in the envelope with the ballot. The  
9 ballot shall be sealed by the elector and returned to the municipal clerk either by mail  
10 or by personal delivery of the agent; but if the ballot is returned on the day of the  
11 election, the agent shall make personal delivery at the polling place serving the  
12 hospitalized elector's residence before the closing hour for the ballot to be counted.

13           **SECTION 108.** 6.865 (title) of the statutes is amended to read:

14           **6.865 (title) Federal postcard request form absentee ballot requests.**

15           **SECTION 109.** 6.865 of the statutes is renumbered 6.865 (2).

16           **SECTION 110.** 6.865 (1) of the statutes is created to read:

17           6.865 (1) In this section, "military elector" and "overseas elector" have the  
18 meanings given under s. 6.36 (2) (c).

19           **SECTION 111.** 6.865 (3) and (4) of the statutes are created to read:

20           6.865 (3) If the elector making a timely request for an absentee ballot is a  
21 military elector or an overseas elector and the elector requests that he or she be sent  
22 an absentee ballot for the next 2 general elections, the municipal clerk or board of  
23 election commissioners shall comply with the request except that no ballot shall be  
24 sent for a succeeding general election if the elector's name appeared on the  
25 registration list for a previous general election and no longer appears on the

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1 registration list for the succeeding general election. If the elector's address for the  
2 succeeding general election is in a municipality that is different from the  
3 municipality in which the elector resided for the first general election, the clerk or  
4 board of election commissioners shall forward the request to the clerk or board of  
5 election commissioners of the municipality where the elector resides.

6 (4) If the municipal clerk or board of election commissioners rejects a request  
7 for an absentee ballot from a military elector or an overseas elector, the clerk or board  
8 of election commissioners shall promptly inform the elector of the reason for the  
9 rejection.

10 **SECTION 112.** 6.869 of the statutes is created to read:

11 **6.869 Uniform instructions.** The board shall prescribe uniform instructions  
12 for absentee voters. The instructions shall include information concerning the  
13 procedure for correcting errors in marking a ballot and obtaining a replacement for  
14 a spoiled ballot. The procedure shall, to the extent possible, respect the privacy of  
15 each elector and preserve the confidentiality of each elector's vote.

16 **SECTION 113.** 6.87 (3) (d) of the statutes is amended to read:

17 **6.87 (3) (d)** A municipal clerk of a municipality may, if the clerk is reliably  
18 informed by an absent elector of a facsimile transmission number or electronic mail  
19 address where the elector can receive an absentee ballot, transmit a facsimile or  
20 electronic copy of the absent elector's ballot to that elector in lieu of mailing under  
21 this subsection if, in the judgment of the clerk, the time required to send the ballot  
22 through the mail may not be sufficient to enable return of the ballot by the time  
23 provided under sub. (6). An elector may receive an absentee ballot under this  
24 subsection only if the elector has filed a valid application for the ballot under sub. (1).  
25 If the clerk transmits an absentee ballot under this paragraph, the clerk shall also

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1 transmit a facsimile or electronic copy of the text of the material that appears on the  
2 certificate envelope prescribed in sub. (2), together with instructions prescribed by  
3 the board. The instructions shall require the absent elector to make and subscribe  
4 to the certification as required under sub. (4) and to enclose the absentee ballot in  
5 a separate envelope contained within a larger envelope, that shall include the  
6 completed certificate. The elector shall then mail the absentee ballot with postage  
7 prepaid to the municipal clerk. An Except as authorized in s. 6.97 (2), an absentee  
8 ballot received under this paragraph shall not be counted unless it is cast in the  
9 manner prescribed in this paragraph and in accordance with the instructions  
10 provided by the board.

11 SECTION 114. 6.87 (4) of the statutes is amended to read:

12 6.87 (4) Except as otherwise provided in s. 6.875, the elector voting absentee  
13 shall make and subscribe to the certification before one witness. The absent elector,  
14 in the presence of the witness, shall mark the ballot in a manner that will not disclose  
15 how the elector's vote is cast. The elector shall then, still in the presence of the  
16 witness, fold the ballots ~~if they are paper ballots~~ so each is separate and so that the  
17 elector conceals the markings thereon and deposit them in the proper envelope. If  
18 a consolidated ballot under s. 5.655 is used, the elector shall fold the ballot ~~if it is a~~  
19 ~~paper ballot~~ so that the elector conceals the markings thereon and deposit the ballot  
20 in the proper envelope. If the elector has registered by mail and has not, or is not  
21 certain whether the elector has, previously voted in an election for national office in  
22 this state, the elector shall enclose identification in the envelope. Identification is  
23 required if the elector is not a military elector or an overseas elector, as defined in  
24 s. 6.36 (2) (c), and the elector registered by mail and has not voted in an election for  
25 national office in this state. The elector may receive assistance under sub. (5). The

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1 return envelope shall then be sealed. The witness may not be a candidate. The  
2 envelope shall be mailed by the elector, postage prepaid, or delivered in person, to the  
3 municipal clerk issuing the ballot or ballots. Failure to return an unused ballot in  
4 a primary does not invalidate the ballot on which the elector's votes are cast. Return  
5 of more than one marked ballot in a primary or return of a ballot prepared under s.  
6 5.655 or a ballot used with an electronic voting system in a primary which is marked  
7 for candidates of more than one party invalidates all votes cast by the elector for  
8 candidates in the primary.

9 SECTION 115. 6.88 (3) (a) of the statutes is amended to read:

10 6.88 (3) (a) Any time between the opening and closing of the polls on election  
11 day, the inspectors shall open the carrier envelope only, and announce the name of  
12 the absent elector or the identification serial number of the absent elector if the  
13 elector has a confidential listing under s. 6.47 (2). When the inspectors find that the  
14 certification has been properly executed, the applicant is a qualified elector of the  
15 ward or election district, and the applicant has not voted in the election, they shall  
16 enter an indication on the poll ~~or registration~~ list next to the applicant's name  
17 indicating an absentee ballot is cast by the elector. They shall then open the envelope  
18 containing the ballot in a manner so as not to deface or destroy the certification  
19 thereon. The inspectors shall take out the ballot without unfolding it or permitting  
20 it to be unfolded or examined. Unless the ballot is cast under s. 6.95, the inspectors  
21 shall verify that the ballot has been endorsed by the issuing clerk. If the poll list  
22 indicates that identification is required and no identification is enclosed or the name  
23 or address on the document that is provided cannot be verified by the inspectors, the  
24 inspectors shall proceed as provided under s. 6.97 (2). The inspectors shall then  
25 deposit the ballot into the proper ballot box and enter the absent elector's name or

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1 voting number after his or her name on the poll ~~or registration~~ list in the same  
2 manner as if the elector had been present and voted in person.

3 **SECTION 116.** 6.94 of the statutes is amended to read:

4 **6.94 Challenged elector oath.** If the person challenged refuses to answer  
5 fully any relevant questions put to him or her by the inspector under s. 6.92, the  
6 inspectors shall reject the elector's vote. If the challenge is not withdrawn after the  
7 person offering to vote has answered the questions, one of the inspectors shall  
8 administer to the person the following oath or affirmation: "You do solemnly swear  
9 (or affirm) that: you are 18 years of age; you are a citizen of the United States; you  
10 are now and for 10 days have been a resident of this ward except under s. 6.02 (2);  
11 you have not voted at this election; you have not made any bet or wager or become  
12 directly or indirectly interested in any bet or wager depending upon the result of this  
13 election; you are not on any other ground disqualified to vote at this election". If the  
14 person challenged refuses to take the oath or affirmation, the person's vote shall be  
15 rejected. If the person challenged answers fully all relevant questions put to the  
16 elector by the inspector under s. 6.92, takes the oath or affirmation, and fulfills the  
17 applicable registration requirements, where applicable, and if the answers to the  
18 questions given by the person indicate that the person meets the voting qualification  
19 requirements, the person's vote shall be received.

20 **SECTION 117.** 6.95 of the statutes is amended to read:

21 **6.95 Voting procedure for challenged electors.** Whenever the inspectors  
22 under ss. 6.92 to 6.94 receive the vote of a person offering to vote who has been  
23 challenged, they shall give the elector a ballot. ~~Before depositing~~ After voting, the  
24 person shall return the ballot to the inspectors. Upon receiving the ballot, the  
25 inspectors shall write on the back of the ballot the serial number of the challenged



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1 person corresponding to the number kept at the election on the ~~registration or poll~~  
2 list, or other list maintained under s. 6.79, and the notation "s. 6.95". If voting  
3 machines are used in the municipality where the person is voting, the person's vote  
4 may be received only upon an absentee ballot furnished by the municipal clerk which  
5 shall have the corresponding serial number from the ~~registration or poll list or other~~  
6 list maintained under s. 6.79 and the notation "s. 6.95" written on the back of the  
7 ballot ~~before the ballot is deposited by the inspectors~~. The inspectors shall indicate  
8 on the list the reason for the challenge. The inspectors shall then deposit the ballot.  
9 The challenged ballots shall be counted under s. 5.85 or 7.51. The municipal board  
10 of canvassers may decide any challenge when making its canvass under s. 7.53. If  
11 the returns are reported under s. 7.60, a challenge may be reviewed by the county  
12 board of canvassers. If the returns are reported under s. 7.70, a challenge may be  
13 reviewed by the chairperson of the board or the chairperson's designee. The decision  
14 of any board of canvassers or of the chairperson or chairperson's designee may be  
15 appealed under s. 9.01. The standard for disqualification specified in s. 6.325 shall  
16 be used to determine the validity of challenged ballots.

17 **SECTION 118.** 6.96 of the statutes is created to read:

18 **6.96 Voting procedure for electors voting pursuant to federal court**  
19 **order.** Whenever any elector is allowed to vote at a polling place pursuant to a  
20 federal court order after the closing time provided under s. 6.78, the inspectors shall  
21 give the elector a ballot. After voting, the elector shall return the ballot to the  
22 inspectors. Upon receiving the ballot, the inspectors shall write on the back of the  
23 ballot the notation "s. 6.96". If voting machines are used in the municipality where  
24 the elector is voting, the elector's vote may be received only upon an absentee ballot  
25 furnished by the municipal clerk which shall have the notation "s. 6.96" written on

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1 the back of the ballot by the inspectors. When receiving the elector's ballot, the  
2 inspectors shall provide the elector with the written voting information prescribed  
3 by the board under s. 7.08 (8). The inspectors shall indicate on the list the fact that  
4 the elector is voting pursuant to a federal court order. The inspectors shall then  
5 deposit the ballot. The ballot shall be counted under s. 5.85 or 7.51 unless the order  
6 is vacated. If the order is vacated after the ballot is counted, the appropriate board  
7 or boards of canvassers or the chairperson of the board or his or her designee shall  
8 reopen the canvass to discount any ballots that were counted pursuant to the vacated  
9 order and adjust the statements, certifications, and determinations accordingly.

10 **SECTION 119.** 6.97 of the statutes is created to read:

11 **6.97 Voting procedure for individuals not providing required**  
12 **identification.** (1) Whenever any individual who is required to provide  
13 identification in order to be permitted to vote appears to vote at a polling place and  
14 cannot provide the required identification or inspectors cannot verify the document  
15 submitted by the individual, the inspectors shall offer the opportunity for the  
16 individual to vote under this section. If the individual wishes to vote, the inspectors  
17 shall provide the elector with an envelope marked "Ballot under s. 6.97, stats." on  
18 which the serial number of the elector is entered and shall require the individual to  
19 execute on the envelope a written affirmation stating that the individual is a  
20 qualified elector of the ward or election district where he or she offers to vote and is  
21 eligible to vote in the election. The inspectors shall then give the individual a ballot.  
22 After voting, the elector shall return the ballot to the inspectors. Upon receiving the  
23 ballot, the inspectors shall write on the back of the ballot the serial number of the  
24 individual corresponding to the number kept at the election on the poll list or other  
25 list maintained under s. 6.79 and the notation "s. 6.97". If voting machines are used

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1 in the municipality where the individual is voting, the individual's vote may be  
2 received only upon an absentee ballot furnished by the municipal clerk which shall  
3 have the corresponding number from the poll list or other list maintained under s.  
4 6.79 and the notation "s. 6.97" written on the back of the ballot by the inspectors.  
5 When receiving the individual's ballot, the inspectors shall provide the individual  
6 with written voting information prescribed by the board under s. 7.08 (8). The  
7 inspectors shall indicate on the list the fact that the individual is required to provide  
8 identification but did not do so or the document submitted by the individual could  
9 not be verified by the inspectors. The inspectors shall notify the individual that he  
10 or she may provide identification to the municipal clerk. The inspectors shall also  
11 promptly notify the municipal clerk of the name, address, and serial number of the  
12 individual. The inspectors shall then place the ballot inside the envelope and place  
13 the envelope in the ballot container. No later than 4 p.m. on the day after the election,  
14 the municipal clerk shall provide written notice to the board of canvassers of each  
15 municipality, special purpose district, and county that is responsible for canvassing  
16 the election of the number of ballots cast under this section in each ward or election  
17 district. The municipal clerk then shall determine whether each individual casting  
18 a ballot under this section is qualified to vote in the ward or election district where  
19 the individual's ballot is cast. The municipal clerk shall record the procedure used  
20 to determine the validity of each ballot. If, prior to 4 p.m. on the day after the election,  
21 the municipal clerk notifies the board of canvassers for each municipality, special  
22 purpose district, and county that is responsible for canvassing the election that the  
23 individual is qualified to vote in the ward or election district where the individual's  
24 ballot was cast, the vote of the individual shall be counted. Otherwise, the vote of  
25 the individual may not be counted.

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1           (2) Whenever any individual who votes by absentee ballot is required to  
2 provide identification in order to be permitted to vote and does not provide the  
3 required identification or the inspectors cannot verify the document submitted by  
4 the individual, the inspectors shall write on the back of the absentee ballot the serial  
5 number of the individual corresponding to the number kept at the election on the poll  
6 list or other list maintained under s. 6.79 and the notation "s. 6.97". The inspectors  
7 shall indicate on the list the fact that the individual is required to provided  
8 identification but did not do so or the document submitted by the individual could  
9 not be verified by the inspectors. The inspectors shall promptly notify the municipal  
10 clerk of the name, address, and serial number of the individual. The inspectors shall  
11 then place the ballot inside an envelope on which the name and serial number of the  
12 elector is entered and shall place the envelope in the ballot container. If, prior to 4  
13 p.m. on the day after the election, the municipal clerk notifies the board of canvassers  
14 for each municipality, school district, and county that is responsible for canvassing  
15 the election that the individual is qualified to vote in the ward or election district  
16 where the individual's ballot was cast, the vote of the individual shall be counted.  
17 Otherwise, the vote of the individual may not be counted.

18           **SECTION 120.** 7.08 (1) (c) of the statutes is amended to read:

19           7.08 (1) (c) Prescribe forms required by ss. 6.24 (3) and (4), 6.30 (4), 6.33 (1),  
20 6.40 (1) ~~(b)~~ (a), 6.47 (1) (a) 2. and (3), 6.55 (2) and (3), ~~6.79 (5)~~ and 6.86 (2) and (3).  
21 All such forms shall contain a statement of the penalty applicable to false or  
22 fraudulent registration or voting through use of the form. Forms are not required  
23 to be furnished by the board.

24           **SECTION 121.** 7.08 (6) and (8) of the statutes are created to read:

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1           7.08 (6) ENFORCEMENT OF FEDERAL VOTING SYSTEM STANDARDS. Following each  
2 general election, audit the performance of each voting system used in this state to  
3 determine the error rate of the system in counting ballots that are validly cast by  
4 electors. If the error rate exceeds the rate permitted under standards of the federal  
5 election commission in effect on October 29, 2002, the board shall take remedial  
6 action and order remedial action to be taken by affected counties and municipalities  
7 to ensure compliance with the standards. Each county and municipality shall  
8 comply with any order received under this subsection.

9           (8) ELECTORS VOTING WITHOUT IDENTIFICATION OR PURSUANT TO COURT ORDER.  
10 Prescribe a written notice to be distributed to electors who vote under s. 6.96 or 6.97  
11 that informs an elector how to obtain information regarding whether his or her vote  
12 has been counted, and if the vote will not be counted, the reason that the vote will  
13 not be counted.

14           SECTION 122. 7.10 (1) (b) of the statutes is amended to read:

15           7.10 (1) (b) The county clerk shall supply sufficient ~~poll list forms for~~  
16 ~~municipalities that do not have elector registration and other~~ election supplies for  
17 national, state and county elections to municipalities within the county. The ~~poll list~~  
18 ~~forms and other~~ election supplies shall be enclosed in the sealed package containing  
19 the official ballots and delivered to the municipal clerk.

20           SECTION 123. 7.10 (7) to (9) of the statutes are created to read:

21           7.10 (7) VOTER EDUCATION. Each county clerk shall assist the board in  
22 conducting educational programs under s. 5.05 (12) to inform electors about the  
23 voting process.

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1           (8) **FREE ELECTION INFORMATION EXCHANGE.** Each county clerk shall assist the  
2 board and municipal clerks in maintaining toll-free telephone lines and other free  
3 access systems under s. 5.05 (13) for exchange of voting information.

4           (9) **TRAINING OF ELECTION OFFICIALS.** Each county clerk shall assist the board  
5 in the training of election officials under ss. 5.05 (7) and 7.31.

6           **SECTION 124.** 7.10 (10) of the statutes is created to read:

7           **7.10 (10) INFORMATION TO BOARD.** Each county clerk shall provide to the board  
8 any information requested under s. 5.05 (14).

9           **SECTION 125.** 7.15 (1) (c) of the statutes is amended to read:

10          **7.15 (1) (c)** Prepare ballots for municipal elections, and distribute ballots and  
11 provide other supplies for conducting all elections. The municipal clerk shall deliver  
12 ~~poll list forms received from the county clerk to the polling places with the ballots to~~  
13 the polling places before the polls open.

14          **SECTION 126.** 7.15 (4) of the statutes is amended to read:

15          **7.15 (4) RECORDING ELECTORS.** After each election ~~where registration is used,~~  
16 the municipal clerk shall ~~make a record of~~ enter on the registration list under the  
17 name of each elector of the municipality who has voted at the election by ~~stamping~~  
18 ~~or writing the date of the election in the appropriate space on the original registration~~  
19 ~~form of the elector. Municipalities employing data processing may, in lieu of this~~  
20 ~~requirement, record voting information in such a manner that it is readily available~~  
21 ~~for retrieval by computer~~ an indication of the date of the election in which the elector  
22 voted.

23          **SECTION 127.** 7.15 (9) to (14) of the statutes are created to read:

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1           7.15 (9) VOTER EDUCATION. Each municipal clerk shall assist the board in  
2 conducting educational programs under s. 5.05 (12) to inform electors about the  
3 voting process.

4           (10) FREE ELECTION INFORMATION EXCHANGE. Each municipal clerk shall assist  
5 the board in maintaining toll-free telephone lines and any other free access systems  
6 under s. 5.05 (13) for exchange of voting information.

7           (11) TRAINING OF ELECTION OFFICIALS. Each municipal clerk shall assist the  
8 board in the training of election officials under ss. 5.05 (7) and 7.31.

9           (12) FREE VOTE COUNTING INFORMATION. Each municipal clerk shall maintain a  
10 free access information system under which an elector who votes under s. 6.96 or 6.97  
11 may ascertain current information concerning whether the elector's vote has been  
12 counted, and if the vote will not be counted, the reason that it will not be counted.

13           (13) INFORMATION TO BOARD. Each municipal clerk shall provide to the board any  
14 information requested under s. 5.05 (14).

15           (14) VOTING ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES. Each  
16 municipal clerk shall make reasonable efforts to comply with requests for voting  
17 accommodations made by individuals with disabilities whenever feasible.

18           **SECTION 128.** 7.23 (1) (c) of the statutes is amended to read:

19           7.23 (1) (c) ~~Registration cards which are canceled~~ forms of electors whose  
20 registrations are changed to ineligible status under s. 6.50 (7) may be destroyed 4  
21 years after ~~cancellation the change, unless an elector becomes eligible again during~~  
22 that period.

23           **SECTION 129.** 7.23 (1) (e) of the statutes is amended to read:

24           7.23 (1) (e) ~~Registration and poll~~ Poll lists created at a nonpartisan primary or  
25 election may be destroyed 2 years after the primary or election at which they were

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1 created and ~~registration and~~ poll lists created at a partisan primary or election may  
2 be destroyed 4 years after the primary or election at which they were created.

3 **SECTION 130.** 7.37 (7) of the statutes is amended to read:

4 7.37 (7) ~~REGISTRATION AND POLL~~ POLL LISTS. Two inspectors shall be assigned  
5 to have charge of the ~~registration or~~ poll lists at each election.

6 **SECTION 131.** 7.51 (2) (a) of the statutes is amended to read:

7 7.51 (2) (a) The inspectors shall first compare the poll ~~or registration~~ lists,  
8 correcting any mistakes until the poll ~~or registration~~ lists agree. The chief inspector  
9 and the inspectors who are responsible for recording electors under s. 6.79 shall  
10 verify the correctness of the poll ~~or registration~~ lists after the polls close by each  
11 signing their name thereto. Where ballots are distributed to electors, the inspectors  
12 shall then open the ballot box and remove and count the number of ballots therein  
13 without examination except as is necessary to ascertain that each is a single ballot.  
14 If 2 or more ballots are folded together so as to appear as a single ballot, the inspectors  
15 shall lay them aside until the count is completed; and if, after a comparison of the  
16 count and the appearance of the ballots it appears to a majority of the inspectors that  
17 the ballots folded together were voted by the same person they may not be counted  
18 but the inspectors shall mark them as to the reason for removal, set them aside and  
19 carefully preserve them. The inspectors shall then proceed under par. (b).

20 **SECTION 132.** 7.51 (2) (c) of the statutes is amended to read:

21 7.51 (2) (c) Whenever the number of ballots exceeds the number of voting  
22 electors as indicated on the poll ~~or registration~~ list, the inspectors shall place all  
23 ballots face up to check for blank ballots. In this paragraph, "blank ballot" means  
24 a ballot on which no votes are cast for any office or question. The inspectors shall  
25 mark, lay aside and preserve any blank ballots. If the number of ballots still exceeds



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1 the number of voting electors, the inspectors shall place all ballots face down and  
2 proceed to check for the initials. The inspectors shall mark, lay aside and preserve  
3 any ballot not bearing the initials of 2 inspectors or any absentee ballot not bearing  
4 the initials of the municipal clerk. During the count the inspectors shall count those  
5 ballots cast by challenged electors the same as the other ballots.

6 **SECTION 133.** 7.51 (2) (e) of the statutes is amended to read:

7 7.51 (2) (e) If, after any ballots have been laid aside, the number of ballots still  
8 exceeds the total number of electors recorded on the ~~registration or~~ poll list, the  
9 inspectors shall separate the absentee ballots from the other ballots. If there is an  
10 excess number of absentee ballots, the inspectors shall place the absentee ballots in  
11 the ballot box and one of the inspectors shall publicly and without examination draw  
12 therefrom by chance the number of ballots equal to the excess number of absentee  
13 ballots. If there is an excess number of other ballots, the inspectors shall place those  
14 ballots in the ballot box and one of the inspectors shall publicly and without  
15 ~~examination draw therefrom by chance the number of ballots equal to the excess~~  
16 number of those ballots. All ballots so removed may not be counted but shall be  
17 specially marked as having been removed by the inspectors on original canvass due  
18 to an excess number of ballots, set aside and preserved. When the number of ballots  
19 and total shown on the poll ~~or registration~~ list agree, the inspectors shall return all  
20 ballots to be counted to the ballot box and shall turn the ballot box in such manner  
21 as to thoroughly mix the ballots. The inspectors shall then open, count and record  
22 the number of votes. When the ballots are counted, the inspectors shall separate  
23 them into piles for ballots similarly voted. Objections may be made to placement of  
24 ballots in the piles at the time the separation is made.

25 **SECTION 134.** 7.51 (3) (a) of the statutes is amended to read:

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1           7.51 (3) (a) The inspectors shall place together all ballots counted by them  
2 which relate to any national, state or county office or any state, county or technical  
3 college district referendum and secure them together so that they cannot be untied  
4 or tampered with without breaking the seal. The secured ballots together with any  
5 ballots marked "Defective" shall then be secured by the inspectors in the ballot  
6 container in such a manner that the container cannot be opened without breaking  
7 the seals or locks, or destroying the container. The inspectors shall place the ballots  
8 cast under s. 6.97 in a separate, securely sealed carrier envelope which is clearly  
9 marked "Section 6.97 ballots". The chief inspector and 2 other inspectors shall sign  
10 the carrier envelope. The carrier envelope shall not be placed in the ballot container.  
11 The inspectors shall then deliver the ballots to the municipal clerk in the ballot  
12 container and carrier envelope.

13           SECTION 135. 7.51 (4) (a) of the statutes is amended to read:

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

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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 136.** 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 137.** 8.17 (1) (a) of the statutes is amended to read:

20 8.17 (1) (a) Political parties qualifying for a separate ballot under s. 5.62 (1) (b)  
21 or (2) shall elect their party committeemen and committeewomen as provided under  
22 sub. (5) (b). The function of committeemen and committeewomen is to represent  
23 their neighborhoods in the structure of a political party. Committeemen and  
24 committeewomen shall act as liaison representatives between their parties and the  
25 residents of the election districts in which they serve. Activities of committeemen

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1 and committeewomen shall include, but not be limited to, ~~voter identification~~  
2 identifying voters; assistance in voter registration drives; increasing voter  
3 participation in political parties; polling and other methods of passing information  
4 from residents to political parties and elected public officials; and dissemination of  
5 information from public officials to residents. For assistance in those and other  
6 activities of interest to a political party, each committeeman and committeewoman  
7 may appoint a captain to engage in these activities in each ward, if the election  
8 district served by the committeeman or committeewoman includes more than one  
9 ward. In an election district which includes more than one ward, the committeeman  
10 or committeewoman shall coordinate the activities of the ward captains in promoting  
11 the interests of his or her party.

12 **SECTION 138.** 9.01 (1) (b) 1. of the statutes is amended to read:

13 9.01 (1) (b) 1. The board of canvassers shall first compare the ~~registration or~~  
14 poll lists and determine the number of voting electors.

15 **SECTION 139.** 10.02 (3) (a) of the statutes is amended to read:

16 10.02 (3) (a) Upon entering the polling place and before being permitted to vote,  
17 an elector shall ~~give state~~ his or her name and address ~~before being permitted to vote~~  
18 and provide identification if required by federal law. Where ballots are distributed  
19 to electors, the initials of 2 inspectors must appear on the ballot. Upon being  
20 permitted to vote, the elector shall retire alone to a voting booth or machine and cast  
21 his or her ballot, except that an elector who is a parent or guardian may be  
22 accompanied by the elector's minor child or minor ward. An election official may  
23 inform the elector of the proper manner for casting a vote, but the official may not  
24 in any manner advise or indicate a particular voting choice.

25 **SECTION 140.** 11.30 (title) of the statutes is amended to read:

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1           **11.30 (title) ~~Identification~~ Attribution of political contributions,**  
2 **disbursements and communications.**

3           **SECTION 141.** 12.13 (3) (u) of the statutes is amended to read:

4           12.13 (3) (u) ~~Present~~ Provide false identification documentation of identity for  
5 the purpose of inducing an election official to permit the person or another person to  
6 vote.

7           **SECTION 142.** 15.617 of the statutes is created to read:

8           **15.617 Same; council. (1) ELECTION ADMINISTRATION COUNCIL.** There is  
9 created in the elections board an election administration council consisting of  
10 members appointed by the executive director of the elections board, including the  
11 clerk or executive director of the board of election commissioners of the 2 counties or  
12 municipalities in this state having the largest population, one or more election  
13 officials of other counties or municipalities, representatives of organizations that  
14 advocate for the interests of individuals with disabilities and organizations that  
15 advocate for the interests of the voting public, and other electors of this state.

16           **SECTION 143.** 19.69 (4) of the statutes is created to read:

17           19.69 (4) **NONAPPLICABILITY.** This section does not apply to any matching  
18 program established between the secretary of transportation and the commissioner  
19 of the federal social security administration pursuant to an agreement specified  
20 under s. 85.61 (2).

21           **SECTION 144.** 20.002 (11) (d) 2m. of the statutes is created to read:

22           20.002 (11) (d) 2m. The election administration fund.

23           **SECTION 145.** 20.005 (3) (schedule) of the statutes: at the appropriate place,  
24 insert the following amounts for the purposes indicated:

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**20.510 Elections board****(1) ADMINISTRATION OF ELECTION AND CAMPAIGN LAWS****(v) Election administration                      SEG      A                      -0-                      -0-****SECTION 146.** 20.510 (1) (h) of the statutes is amended to read:

20.510 (1) (h) *Materials and services.* The amounts in the schedule for the cost of publishing documents, locating and copying records, providing contractual services under s. 6.33 (5) (b), and conducting administrative meetings and conferences and for supplies, postage and shipping. All moneys received by the board from collections for sales of publications, copies of records and supplies, for postage, for shipping and records location fees, for providing contractual services under s. 6.33 (5) (b), and for charges assessed to participants in administrative meetings and conferences shall be credited to this appropriation account.

**SECTION 147.** 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.

**SECTION 148.** 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 the federal government requires to be refunded or that is used for purposes for which federal financial participation is denied.

**SECTION 149.** 20.510 (1) (v) of the statutes is created to read:

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

4           **SECTION 150.** 20.510 (1) (x) of the statutes is created to read:

5           20.510 (1) (x) *Federal aid.* From the election administration fund, all moneys  
6 received from the federal government, as authorized by the governor under s. 16.54,  
7 to be used for election administration costs under P.L. 107–252.

8           **SECTION 151.** 20.855 (4) (bp) of the statutes is created to read:

9           20.855 (4) (bp) *Election administration fund transfer.* A sum sufficient to make  
10 the payments required under s. 20.510 (1) (t) to (v), to be transferred to the election  
11 administration fund.

12           **SECTION 152.** 25.17 (1) (e) of the statutes is created to read:

13           25.17 (1) (e) Election administration fund (s. 25.425);

14           **SECTION 153.** 25.425 of the statutes is created to read:

15           **25.425 Election administration fund.** There is established a separate  
16 nonlapsible trust fund designated the election administration fund consisting of all  
17 moneys received from the federal government under P.L. 107–252 and all moneys  
18 transferred to the fund from other funds.

19           **SECTION 154.** 51.62 (3) (a) 4. of the statutes is created to read:

20           51.62 (3) (a) 4. Engage in activities to ensure full participation in the electoral  
21 process for eligible electors with mental illness or developmental disabilities;  
22 including registering to vote, voting, and obtaining access to polling places.

23           **SECTION 155.** 51.62 (3m) of the statutes is amended to read:

24           51.62 (3m) **FUNDING.** From the appropriation under s. 20.435 (7) (md), the  
25 department may not distribute more than \$75,000 in each fiscal year and, from the

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1 appropriation under s. 20.435 (7) (na), the department shall distribute funds made  
2 available under P.L. 107-252 to the protection and advocacy agency for performance  
3 of community mental health protection and advocacy services.

4 **SECTION 156.** 59.05 (2) of the statutes is amended to read:

5 **59.05 (2)** If a petition conforming to the requirements of s. 8.40 is filed with the  
6 board by at least two-fifths of the legal voters of any county, to be determined by the  
7 registration or poll lists of list for the last previous general election held in the county  
8 at the time of filing, the names of which voters shall appear on some one of the  
9 registration or poll lists of list for such election, present to the board a petition  
10 conforming to the requirements of s. 8.40 asking for a change of the county seat to  
11 some other place designated in the petition, the board shall submit the question of  
12 removal of the county seat to a vote of the qualified voters of the county. The board  
13 shall file the question as provided in s. 8.37. The election shall be held only on the  
14 day of the general election, notice of the election shall be given and the election shall  
15 be conducted as in the case of the election of officers on that day, and the votes shall  
16 be canvassed, certified and returned in the same manner as other votes at that  
17 election. The question to be submitted shall be "Shall the county seat of .... county  
18 be removed to ....?".

19 **SECTION 157.** 85.61 of the statutes is created to read:

20 **85.61 Compliance with federal Help America Vote Act.** (1) The secretary  
21 of transportation and the executive director of the elections board shall enter into an  
22 agreement to match personally identifiable information on the official registration  
23 list maintained by the elections board under s. 6.36 (1) with personally identifiable  
24 information in the operating record file database under ch. 343 and vehicle  
25 registration records under ch. 341 to the extent required to enable the secretary of



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1 transportation and the executive director of the elections board to verify the accuracy  
2 of the information provided for the purpose of voter registration.

3 (2) The secretary of transportation shall enter into an agreement with the  
4 commissioner of the federal social security administration for the purpose of  
5 verifying whether the name, date of birth, and social security number of an  
6 individual in the operating record file database under ch. 343 or vehicle registration  
7 records under ch. 341 match the information contained in the records of the social  
8 security administration. The agreement shall include safeguards to ensure the  
9 maintenance of the confidentiality of any personally identifiable information  
10 disclosed and procedures to permit the secretary of transportation to use any  
11 applicable personally identifiable information disclosed for purposes related to  
12 maintenance of departmental records.

13 **SECTION 158.** 117.20 (2) of the statutes is amended to read:

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

25 **SECTION 159.** 120.06 (5) of the statutes is repealed.

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1           **SECTION 160.** 125.05 (2) (h) of the statutes is amended to read:

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

11           **SECTION 161. Nonstatutory provisions.**

12           (1) The legislative audit bureau is directed to perform a program evaluation  
13 audit relating to compliance by the state and local governments with election laws  
14 and the appropriateness of procedures used to implement those laws. In its audit,  
15 the bureau shall address compliance by the state and local governments with the  
16 requirements of this act, specifically including the polling place accessibility  
17 requirements under section 5.25 (4) (a) of the statutes, as affected by this act. The  
18 bureau shall also address the treatment of any complaints of electors concerning  
19 alleged violations of the law, specifically including complaints relating to denial of  
20 the right to vote and denial of the right to corroborate registration information on  
21 behalf of electors; any attempts to require electors to provide identification that is  
22 not authorized by law; any incidence of an inadequate availability of ballots for all  
23 electors who wish to vote; any allegations of elector fraud and the treatment of those  
24 allegations; and the appropriateness and legality of procedures used to identify  
25 ineligible electors whose names may appear on the registration list. The bureau

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1 shall file a report of its findings as described under section 13.94 (1) (b) of the statutes  
2 within an appropriate time period following the effective date of this subsection that  
3 is determined by the bureau upon consultation with the elections board.

**SECTION 162. Initial applicability.**

4  
5 (1) The treatment of sections 5.02 (17), 5.05 (15), 6.20, 6.24 (3), (4) (a) and (c),  
6 6.26 (1) and (2) (am), (b), and (c), and (8), 6.27, 6.275 (1) (b) to (d), 6.28 (2) (b) and (3),  
7 6.29 (2) (a) and (b), 6.32 (4), 6.33 (3), (4), and (5), 6.36 (1), (2) (a) and (c), and (3), 6.40  
8 (1) (b) and (2) (b), 6.47 (6), 6.48 (1) (d) and (2) (b), 6.50 (1), (2), (2m), (3) to (6), (7), (9),  
9 and (10), 6.55 (2) (a) 1. (intro.) and 2., (b), and (c) 1. and 2., (3), and (7) (c) 2., 6.56 (3)  
10 and (4), 6.57, 6.79 (intro.), (1), (2), (4), (5), and (6) (a) and (b), 6.82 (1) (a), 6.86 (3) (a)  
11 1. and 2., 6.88 (3) (a), 6.94, 6.95, 7.08 (1) (c), 7.10 (1) (b), 7.15 (1) (c) and (4), 7.23 (1)  
12 (c), 7.37 (7), 7.51 (2) (a), (c), and (e), (4) (a), and (5) (a), 9.01 (1) (b) 1., 20.510 (1) (h),  
13 59.05 (2), 117.20 (2), 120.06 (5), and 125.05 (2) (h) of the statutes, the renumbering  
14 and amendment of section 6.40 (1) (a) of the statutes, and the creation of section 6.40  
15 (1) (a) 2. and 3. of the statutes first apply with respect to the 2006 spring primary  
16 election.

17 **SECTION 163. Effective dates.** This act takes effect on the day after  
18 publication, except as follows:

19 (1) The treatment of sections 5.02 (24w), 5.05 (12), 5.25 (4) (a) and (c), 5.91 (15)  
20 to (18), 6.869, 7.08 (6), 7.10 (7) and 7.15 (9) of the statutes, the renumbering of section  
21 5.87 of the statutes, and the creation of section 5.87 (2) of the statutes take effect on  
22 January 1, 2006.



# State of Wisconsin \ Elections Board

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STEVEN V. PONTO  
Chairperson

KEVIN J. KENNEDY  
Executive Director

August 20, 2003

Sent by e-mail

Jeffery Kuesel  
Legislative Reference Bureau  
100 N. Hamilton Street  
Madison, WI 53702

Dear Jeff,

Thank you for your continued work on the draft (LRB 0610/4) of legislation to implement the Help America Vote Act of 2002, P.L. 107-252. These should be the final changes to be included in the draft before introduction.

- ✓ 1. **LRB Analysis.** The explanation on page 6 about the procedure for a new elector having to apply for a presidential only ballot should contain a statement that the legislation eliminates the current option to vote absentee by mail.
- ✓ 2. **Section 4.** Section 5.05 (11) was created in Act 35, so the language on page 12, lines 8 through 17 should be modified to reflect the enactment of Act 35.
- ✓ 3. **Section 4.** Please change the language on page 12, line 24 to require the Elections Board to maintain a toll-free telephone line. This requirement is important to our clientele. This also requires a change in the LRB Analysis on page 7 of the draft.
- ✓ 4. **Section 44.** Please change the language on page 26 at lines 17 and 18 from "ADDRESS CORRECTION REQUESTED" or "DO NOT FORWARD", and if a post card, "RETURN POSTAGE GUARANTEED", to utilize directions from the postal service to ensure that the letter or post card will be returned to the clerk if the elector does not reside at the address. The current language does not conform to postal practices. I think it is better if the Board specifies the format after consultation with the postal service rather than engraving language in the statutes that will change with little notice from USPS.
- ✓ 5. **Section 51.** Please change the requirement on page 29 at line 8, for the municipal clerk to update the registration list for changes made on election day from 10 to 30 days. After discussing this with municipal clerks, it appears that 10 days is not realistic following a large election.
- ✓ 6. **Section 55.** The list of required fields on page 30, beginning at line 7, that the Elections Board must maintain should include "date of birth."
- ✓ 7. **Section 90.** The specific language in Section 6.56 (2), and (3) relating to the postal instructions on the mailing should be changed to utilize directions from the postal service to ensure that the letter or post card will be returned to the clerk if the elector does not reside at the address. See my comments for Section 44.
- ✓ 8. **Sections 113, 114, 115.** The description of the procedure for marking the ballot by the inspectors needs to be changed. The inspectors should make the notation on the ballot before it is given to the voter. If the notation is made after the ballot has been voted, it creates the

perception and the opportunity for the inspector to review how the ballot was marked. Our administrative rule on challenges directs the inspectors to mark the ballot before giving it to the voter. EIBd 9.03 Wis. Adm. Code.

- ✓ 9. **Section 122.** Please add language on page 62 at line 7, requiring the municipal clerk to enter the date of the election at which the elector voted within 30 days of the election.
- ✓ 10. **Sections 140 – 149.** The language about the election administration fund should reflect the enactment of 2003 Wisconsin Act 35. Section 140 was created in Act 35. The initial appropriation of state matching funds for fiscal year 4 in Section 141 should be \$477,000 for FY 4. The legislature already set aside \$333,000 (\$200,000 appropriated in December, 2002 and \$133,000 as part of the budget, Act 33) for the anticipated \$810,000 match requirement. The state funding should be continuing (C) rather than annual (A).
- ✓ I have been advised that the legislature will not support a sum sufficient appropriation for the state matching funds or the audit exceptions. The LFB staff indicated that creation of the audit exception language in Section 144 was not necessary.

I appreciate your attention to these changes. I also appreciate the amount of work that has gone into developing the draft legislation.

Thank you. If you have any questions please contact me at 608-266-8087.

**State Elections Board**

Kevin J. Kennedy  
Executive Director