

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0964/2ins2
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INS 3A:

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If a person receives a citation from a law enforcement officer that is dated within 60 days of the date of an election and is required to surrender his or her Wisconsin operator's license as security for settlement of the offense for which the citation was issued, the elector may present an original copy of the citation in lieu of his or her operator's license or, if the elector is voting an absentee ballot by mail, may enclose a copy of the citation in lieu of a copy of his or her operator's license. In this case, the bill provides that the elector's ballot is received and counted if otherwise valid, but the ballot is marked so it can be identified during the canvassing and recount process if the validity of the ballot is questioned.

CA created
outdated

WS 6-29:1

Section #. 6.55 (2) (b) of the statutes is amended to read:

repealed by 2003 S.A. 300
except as authorized under 3.6.79(7)

6.55 (2) (b) Upon executing the registration form under par. (a), the elector shall provide acceptable proof of residence under sub. (7). If the elector cannot provide acceptable proof of residence, the information contained in the registration form shall be corroborated in a statement that is signed by any elector who resides in the same municipality as the registering elector and that contains the current street address of the corroborating elector. The corroborator shall then provide acceptable proof of residence as provided in sub. (7). The signing by the elector executing the registration form and by any corroborator shall be in the presence of the special registration deputy or inspector. Upon compliance with this procedure, the elector shall be permitted to cast his or her vote, if the elector complies with all other requirements for voting at the polling place.

History: 1971 c. 304 s. 29 (2); 1973 c. 222; 1975 c. 85, 93, 199, 200; 1977 c. 394, 427; 1979 c. 311; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 186; 2003 a. 265.

WS A

ENGROSSED ASSEMBLY BILL 111

SECTION 14

1 6.55 (2) (b) Upon executing the registration form under par. (a), the person
 2 shall be required by a special registration deputy or inspector to present a valid
 3 operator's license issued to the ^{elector} person under ch. 343 that contains the photograph
 4 of the license holder, a valid, current identification card issued to the ^{elector} person by a U.S.
 5 uniformed service, or a valid identification card issued to the ^{elector} person under s. 343.50.
 6 If ^{any document} the identification presented is not acceptable proof of residence under sub. (7), the
 7 person shall also present acceptable proof of residence under sub. (7). If the person
 8 cannot supply such proof, the registration form shall be substantiated and signed by
 9 one other elector who resides in the same municipality as the registering elector,
 10 corroborating all the material statements therein. The corroborator shall then
 11 provide acceptable proof of residence. The signing by the elector executing the
 12 registration form and by any elector who corroborates the information in the form
 13 under par. (a) shall be in the presence of the special registration deputy or inspector.
 14 Upon compliance with this procedure and all other requirements for voting at the
 15 polling place, such person shall then be given the right to vote.

SECTION 15. 6.55 (2) (c) 1. of the statutes is amended to read:

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

*create
abstract*

FWS 6-9:2

Section #. 6.55 (2) (c) 1. of the statutes is amended to read:

as collected by 2003 Wisconsin Act 265

6.55 (2) (c) 1. As an alternative to registration at the polling place under pars. (a) and (b), the board of election commissioners, or the governing body of any municipality may by resolution require a person who qualifies as an elector and who is not registered and desires to register on the day of an election to do so at another readily accessible location in the same building as the polling place serving the elector's residence or at an alternate polling place assigned under s. 5.25 (5) (b), instead of at the polling place serving the elector's residence. In such case, the municipal clerk shall prominently post a notice of the registration location at the polling place. The municipal clerk, deputy clerk or special registration deputy at the registration location shall require such person to execute a registration form as prescribed under par. (a) and to provide acceptable proof of residence as provided under sub. (7). ~~If the elector cannot provide acceptable proof of residence, the information contained in the registration form shall be corroborated in the manner provided in par. (b).~~ The signing by the elector executing the registration form ~~and by any corroborator~~ *as prescribed under par. (a)* shall be in the presence of the municipal clerk, deputy clerk, or special registration deputy. Upon proper completion of registration, the municipal clerk, deputy clerk, or special registration deputy shall serially number the registration and give one copy to the elector for presentation at the polling place serving the elector's residence or an alternate polling place assigned under s. 5.25 (5) (b).

FWS B

X
X

History: 1971 c. 304 s. 29 (2); 1973 c. 222; 1975 c. 85, 93, 199, 200; 1977 c. 394, 427; 1979 c. 311; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 186; 2003 a. 265.

except as authorized in s. 6.79(7),

ENGROSSED ASSEMBLY BILL 111

1 special registration deputy at the registration location shall require such person to
 2 execute a registration form as prescribed under par. (a) and to present a valid
 3 operator's license issued to the ^{elector} person under ch. 343 that contains the photograph
 4 of the license holder, a valid, current identification card issued to the ^{elector} person by a U.S.
 5 uniformed service, or a valid identification card issued to the ^{elector} person under s. 343.50.
 6 If ^{any document} the identification presented ^{by the elector} is not acceptable proof of residence under sub. (7), the
 7 person shall also provide acceptable proof of residence as provided under sub. (7).

8 If the person cannot supply such proof, the registration form shall be corroborated
 9 in the manner provided in par. (b). The signing by the elector executing the
 10 registration form and by any corroborating elector as prescribed under par. (a) shall
 11 be in the presence of the municipal clerk, deputy clerk, or special registration deputy.
 12 Upon proper completion of registration, the municipal clerk, deputy clerk, or special
 13 registration deputy shall serially number the registration and give one copy to the
 14 elector for presentation at the polling place serving the elector's residence or an
 15 alternate polling place assigned under s. 5.25 (5) (b).

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

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

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

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JWS 6-9:3

Section #. 6.55 (2) (c) 2. of the statutes is amended to read:

was affected by 2003 Wisconsin Act 265,

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

History: 1971 c. 304 s. 29 (2); 1973 c. 222; 1975 c. 85, 93, 199, 200; 1977 c. 394, 427; 1979 c. 311; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 186; 2003 a. 265.

*D. A. Great
Antelope*

Ind 6-7.4

Section #. 6.55 (3) of the statutes is amended to read:

as affected by 2003 Wisconsin Act 265,

6.55 (3) Any qualified elector in the ward or election district where the elector desires to vote whose name does not appear on the registration list but who claims to be registered to vote in the election may request permission to vote at the polling place for that ward or election district. When the request is made, the inspector shall require the ~~person~~^{elector} to give his or her name and address. If the elector is not at the polling place which serves the ward or election district where the elector resides, the inspector shall provide the elector with directions to the correct polling place. If the elector is at the correct polling place, the elector shall then execute the following written statement: "I, ..., hereby certify that to the best of my knowledge, I am a qualified elector, having resided at ... for at least 10 days immediately preceding this election, and that I am not disqualified on any ground from voting, and I have not voted at this election and am properly registered to vote in this election."

Except as authorized in s. 6.79(7), the elector

~~The person shall be required to provide acceptable proof of residence as provided under sub. (7) and shall then be given the right to vote. If the elector cannot provide acceptable proof of residence, the statement shall be certified by the elector and shall be corroborated in a statement that is signed by any other elector who resides in the municipality and that contains the current street address of the corroborating elector. The corroborator shall then provide acceptable proof of residence as provided in sub. (7). Whenever the question of identity or residence cannot be satisfactorily resolved and the elector cannot be permitted to vote, an inspector shall telephone the office of the municipal clerk to reconcile the records at the polling place with those at the office.~~

~~History: 1971 c. 304 s. 29 (2); 1973 c. 222; 1975 c. 85, 93, 199, 200; 1977 c. 394, 427; 1979 c. 311; 1981 c. 44 s. 3; 1981 c. 202 s. 23; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1999 a. 49, 186; 2003 a. 265.~~

INSC

the elector shall also present acceptable proof of residence

ENGROSSED ASSEMBLY BILL 111

JNS C in SNSG-904

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

8 **SECTION 18.** 6.55 (3) of the statutes is amended to read:

9 6.55 (3) Any qualified elector in the ward or election district where the elector
 10 desires to vote whose name does not appear on the registration list where
 11 registration is required but who claims to be registered to vote in the election may
 12 request permission to vote at the polling place for that ward or election district.
 13 When the request is made, the inspector shall require the person to give his or her
 14 name and address. If the elector is not at the polling place which serves the ward or
 15 election district where the elector resides, the inspector shall provide the elector with
 16 directions to the correct polling place. If the elector is at the correct polling place, the
 17 elector shall then execute the following written statement: "I, ..., hereby certify that
 18 to the best of my knowledge, I am a qualified elector, having resided at ... for at least
 19 10 days immediately preceding this election, and that I am not disqualified on any
 20 ground from voting, and I have not voted at this election and am properly registered
 21 to vote in this election." The person shall be required to ~~provide~~ present a valid

22 operator's license issued to the ^{elector} person under ch. 343 that contains a photograph of
 23 the license holder, a valid, current identification card issued to the ^{elector} person by a U.S.
 24 uniformed service, or a valid identification card issued to the ^{elector} person under s. 343.50.
 25 If any ^{document} identification presented by the ^{elector} person is not acceptable proof of residence as

JNS C

CPS: This will move ahead of 11-8-50 text

State not (a) and (d)

FWS 12-17

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Section #. 6.79 (2) of the statutes is amended to read:

as affected by 2003 Wisconsin Act 265, section 96,

6.79 (2) MUNICIPALITIES WITH REGISTRATION. (a) Except as provided in sub. (6), where there is registration, each person, before receiving a voting number, shall state his or her full name and address. Upon the prepared registration list, after the name of each elector, the officials shall enter the serial number of the vote as it is polled, beginning with number one. Each elector shall receive a slip bearing the same serial number. A separate list shall be maintained for electors who are voting under s. 6.15, 6.29 or 6.55 (2) or (3) and electors who are reassigned from another polling place under s. 5.25 (5) (b). Each such elector shall have his or her full name, address and serial number likewise entered and shall be given a slip bearing such number.

(b) If the poll list is to be used at an election for national office, the municipal clerk shall enter on the poll list an indication next to the name of each elector for whom identification is required. If the poll list indicates that identification is required, the officials shall require the elector to provide identification. If identification is provided, the officials shall verify that the name and address on the identification provided is the same as the name and address shown on the registration list. If identification is required and not provided, the officials shall offer the opportunity for the elector to vote under s. 6.97.

NOTE: Sub. (2) is repealed and recreated eff. 1-1-06 by 2003 Wis. Act 265 to read:

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

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

(c) The officials shall maintain separate lists for electors who are voting under s. 6.15, 6.29, or 6.55 (2) or (3) and electors who are reassigned from another polling place under s. 5.25 (5) (b) and shall enter the full name,

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FWS D

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ENGROSSED ASSEMBLY BILL 111

SECTION 22

1 votes are cast. If the residence of the elector does not have a number, the election
 2 officials shall, in the appropriate space, enter "none". Alternatively, the municipal
 3 clerk may maintain a poll list consisting of the full name and address of electors
 4 compiled from previous elections. Whenever an elector appears to vote, the officials
 5 shall verify the correctness of the elector's name and address, and shall enter a serial
 6 number next to the name of the elector in the order that the votes are cast, beginning
 7 with the number one. If the name and address of an elector do not appear on the
 8 prepared poll list, the officials shall enter the name, address and serial number of the
 9 elector at the bottom of the list. Except as provided in sub. (6), before being permitted
 10 to vote, each elector shall present to the officials a valid operator's license issued to
 11 the elector under ch. 343 that contains a photograph of the license holder, a valid,
 12 current identification card issued to the person by a U.S. uniformed service, or a valid
 13 identification card issued to the elector under s. 343.50. The officials may require any
 14 elector to provide identification, including acceptable proof of residence, or to have
 15 another elector corroborate his or her information in accordance with the procedure
 16 specified in s. 6.55 (2) (b) under s. 6.55 (7) before permitting the elector to vote. An
 17 elector who presents an identification card under sub. (6) (a) is not required to
 18 provide separate identification. The officials shall maintain a separate list of those
 19 persons voting under ss. 6.15 and 6.24.

SECTION 23. 6.79 (2) of the statutes is amended to read:

21 6.79 (2) MUNICIPALITIES WITH REGISTRATION. Except as provided in sub. (6) (b),
 22 where there is registration, each ~~person~~ elector, before receiving a voting number,
 23 shall state his or her full name and address and present to the officials a valid
 24 operator's license issued to the elector under ch. 343 that contains a photograph of
 25 the license holder, a valid, current identification card issued to the ~~person~~ ^{elector} by a U.S.

ENGROSSED ASSEMBLY BILL 111

1 uniformed service, or a valid identification card issued to the elector under s. 343.50.

2 ~~Upon the prepared registration list, after the name of each elector, the officials shall~~
3 ~~enter the serial number of the vote as it is polled, beginning with number one. Each~~
4 ~~elector shall receive a slip bearing the same serial number. A separate list shall be~~
5 ~~maintained for electors who are voting under s. 6.15, 6.29 or 6.55 (2) or (3) and~~
6 ~~electors who are reassigned from another polling place under s. 5.25 (5) (b). Each~~
7 ~~such elector shall have his or her full name, address and serial number likewise~~
8 ~~entered and shall be given a slip bearing such number.~~

9 **SECTION 24.** 6.79 (3) (title) of the statutes is amended to read:

10 6.79 (3) (title) REFUSAL TO GIVE NAME AND ADDRESS AND FAILURE TO PRESENT
11 IDENTIFICATION.

12 **SECTION 25.** 6.79 (3) of the statutes is renumbered 6.79 (3) (a).

13 **SECTION 26.** 6.79 (3) (b) of the statutes is created to read:

14 6.79 (3) (b) If identification is not provided or if the document that is provided
15 cannot be verified by the officials, the officials shall offer the opportunity for the
16 elector to vote under s. 6.97.

17 **SECTION 27.** 6.79 (4) of the statutes is amended to read:

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

Handwritten: ~~Section 6.79~~

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Section #. 6.79 (4) of the statutes is amended to read:

6.79 (4) SUPPLEMENTAL INFORMATION. When any elector provides acceptable proof of residence under s. 6.15, 6.29 or 6.55 (2) or (3), the election officials shall enter the type of identifying document provided on the poll list, or separate list maintained under sub. (2) (c). If the document submitted as proof of identity or residence includes a number which applies only to the individual holding that document, the election officials shall also enter that number on the list. When any elector corroborates the registration identity or residence of any person offering to vote under s. 6.55 (2) (b) or (c) or (3), or the registration identity or residence of any person registering on election day under s. 6.86 (3) (a) 2., the election officials shall also enter the name and address of the corroborator next to the name of the elector whose information is being corroborated on the poll list, or the separate list maintained under sub. (2) (c). When any person offering to vote has been challenged and taken the oath, following the person's name on the poll list, the officials shall enter the word "Sworn".

NOTE: Sub. (2) (c) becomes effective 1-1-06.

History: 1971 c. 304 s. 29 (2); 1975 c. 85, 199, 200; 1977 c. 394, 447; 1979 c. 260, 311, 355; 1985 a. 304; 1989 a. 192; 1999 a. 49, 182; 2001 a. 38, 51; 2003 a. 265, 327.

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FWS 15-312

was affected by 2003 Wisconsin Act 265

Section #. 6.79 (6) of the statutes is amended to read:

6.79 (6) CONFIDENTIAL NAMES AND ADDRESSES. An elector who has a confidential listing under s. 6.47 (2) may present his or her identification card issued under s. 6.47 (3), or give his or her name and identification serial number issued under s. 6.47 (3), in lieu of stating his or her name and address and presenting a license or identification card under sub. (2). If the elector's name and identification serial number appear on the confidential portion of the list, the inspectors shall issue a voting serial number to the elector, record that number on the poll list and permit the elector to vote.

History: 1971 c. 304 s. 29 (2); 1975 c. 85, 199, 200; 1977 c. 394, 447; 1979 c. 260, 311, 355; 1985 a. 304; 1989 a. 192; 1999 a. 49, 182; 2001 a. 38, 51; 2003 a. 265, 327.



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Section #. 6.86 (3) (a) 1. of the statutes is amended to read:

6.86 (3) (a) 1. Any elector who is registered and who is hospitalized, may apply for and obtain an official ballot by agent. The agent may apply for and obtain a ballot for the hospitalized absent elector by presenting a form prescribed by the board and containing the required information supplied by the hospitalized elector and signed by that elector ~~and any other elector residing in the same municipality as the hospitalized elector, corroborating the information contained therein.~~ The corroborating elector shall state on the form his or her full name and address.

History: 1975 c. 85 ss. 37, 38, 65; 1975 c. 90, 199, 200, 275, 422; 1977 c. 394 ss. 14, 40, 41; 1979 c. 232, 311; 1981 c. 391; 1983 a. 183, 484; 1985 a. 304 ss. 69, 156; 1987 a. 391; 1995 a. 313; 1999 a. 182; 2001 a. 51; 2003 a. 265.

Handwritten: for an elector who has a confidential listing under s. 6.47(2) or as authorized

Handwritten: Except as authorized in s. 6.87(4)(b)4., the agent shall present the license or identification card required under sub. (1)(a) (or)

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In 5/17-2002

was affected by 2003 Wisconsin Act 265

Section #. 6.86 (3) (a) 2. of the statutes is amended to read:

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

History: 1975 c. 85 ss. 37, 38, 65; 1975 c. 90, 199, 200, 275, 422; 1977 c. 394 ss. 14, 40, 41; 1979 c. 232, 311; 1981 c. 391; 1983 a. 183, 484; 1985 a. 304 ss. 69, 156; 1987 a. 391; 1995 a. 313; 1999 a. 182; 2001 a. 51; 2003 a. 265.

JWS 20-17:1

and not withstanding s. 343.43(1)(4)

Section #. 6.87 (4) of the statutes is amended to read:

renumbered 6.87(4) (b)1 and

Except as authorized in subds. 2 and 3, the elector shall enclose a copy of the license or identification card required under s. 6.86(1)(a) in the envelope, unless the elector is a military elector or an overseas elector, as defined in sub. (4)(a).

6.87 (4) Except as otherwise provided in s. 6.875, the elector voting absentee shall make and subscribe to the certification before one witness. The absent elector, in the presence of the witness, shall mark the ballot in a manner that will not disclose how the elector's vote is cast. The elector shall then, still in the presence of the witness, fold the ballots so each is separate and so that the elector conceals the markings thereon and deposit them in the proper envelope. If a consolidated ballot under s. 5.655 is used, the elector shall fold the ballot so that the elector conceals the markings thereon and deposit the ballot in the proper envelope. If the elector has registered by mail and has not, or is not certain whether the elector has, previously voted in an election for national office in this state, the elector shall enclose identification in the envelope. Identification is required if the elector is not a military elector or an overseas elector, as defined in s. 6.36 (2) (c), and the elector registered by mail and has not voted in an election for national office in the municipality where the elector is voting. The elector may receive assistance under sub. (5). The return envelope shall then be sealed. The witness may not be a candidate. The envelope shall be mailed by the elector, postage prepaid, or delivered in person, to the municipal clerk issuing the ballot or ballots. Failure to return an unused ballot in a primary does not invalidate the ballot on which the elector's votes are cast. Return of more than one marked ballot in a primary or return of a ballot prepared under s. 5.655 or a ballot used with an electronic voting system in a primary which is marked for candidates of more than one party invalidates all votes cast by the elector for candidates in the primary.

NOTE: Sub. (4) is amended eff. 1-1-06 by 2003 Wis. Act 265 to read:

SECTION # 6.87(4) of the statutes, as amended by 2003 Wisconsin Act 265,

(4) Except as otherwise provided in s. 6.875, the elector voting absentee shall make and subscribe to the certification before one witness. The absent elector, in the presence of the witness, shall mark the ballot in a manner that will not disclose how the elector's vote is cast. The elector shall then, still in the presence of the witness, fold the ballots so each is separate and so that the elector conceals the markings thereon and deposit them in the proper envelope. If a consolidated ballot under s. 5.655 is used, the elector shall fold the ballot so that the elector conceals the markings thereon and deposit the ballot in the proper envelope. If the elector has registered

6.87 A

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Except as authorized in subds. 2, 3, and 4, the elector shall enclose a copy of the license or identification card required under s. 6.86(1)(a) in the envelope, unless the elector is a military elector or an overseas elector, as defined in sub. (4)(a), or the elector has a confidential listing under s. 6.47(a).

is renumbered 6.87(4) (b)1. and amended to read.

section 112a, and 2003 and not withstanding s. 343.43(1)(4)

ANS 20-17: 2

~~by mail and has not, or is not certain whether the elector has, previously voted in an election for national office~~
identification is required ~~in this state, the elector shall enclose identification in the envelope. Identification is required if the elector is not~~
~~a military elector or an overseas elector, as defined in s. 6.36 (2) (c), and the elector registered by mail and has~~
~~not voted in an election for national office in this state. The elector may receive assistance under sub. (5). The~~
~~return envelope shall then be sealed. The witness may not be a candidate. The envelope shall be mailed by the~~
~~elector, postage prepaid, or delivered in person, to the municipal clerk issuing the ballot or ballots. Failure to~~
~~return an unused ballot in a primary does not invalidate the ballot on which the elector's votes are cast. Return~~
~~of more than one marked ballot in a primary or return of a ballot prepared under s. 5.655 or a ballot used with~~
~~an electronic voting system in a primary which is marked for candidates of more than one party invalidates all~~
~~votes cast by the elector for candidates in the primary.~~

History: 1971 c. 242; 1971 c. 304 s. 29 (1), (2); 1975 c. 85; 1975 c. 93 s. 119 (2); 1975 c. 199; 1977 c. 394; 1979 c. 232, 260, 311, 355; 1983 a. 36, 484, 538; 1985 a. 304; 1991 a. 316; 1999 a. 49, 182; 2001 a. 16, 38, 109; 2003 a. 265.

IWS 2138-2211

Section #. 6.88 (3) (a) of the statutes is amended to read:

6.88 (3) (a) Any time between the opening and closing of the polls on election day, the inspectors shall open the carrier envelope only, and announce the name of the absent elector or the identification serial number of the absent elector if the elector has a confidential listing under s. 6.47 (2). When the inspectors find that the certification has been properly executed, the applicant is a qualified elector of the ward or election district, and the applicant has not voted in the election, they shall enter an indication on the poll list next to the applicant's name indicating an absentee ballot is cast by the elector. They shall then open the envelope containing the ballot in a manner so as not to deface or destroy the certification thereon. The inspectors shall take out the ballot without unfolding it or permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95, the inspectors shall verify that the ballot has been endorsed by the issuing clerk. If the poll list indicates that identification is required and no identification is enclosed or the name or address on the document that is provided is not the same as the name and address shown on the poll list, the inspectors shall proceed as provided under s. 6.97 (2). The inspectors shall then deposit the ballot into the proper ballot box and enter the absent elector's name or voting number after his or her name on the poll list in the same manner as if the elector had been present and voted in person.

History: 1971 c. 304 s. 29 (2); 1975 c. 85, 199; 1977 c. 394 ss. 43, 53; 1979 c. 232, 260; 1983 a. 183, 484; 1987 a. 391; 1999 a. 49, 182; 2001 a. 38, 109; 2003 a. 265.

FWS E

~~residential~~ as defined in s. 6.36(2)(c), ~~and~~ if the elector is a military elector or an overseas elector, the elector is required to provide a copy of a license or identification card under s. 6.86(1)(a) and no copy of the license or identification card is enclosed on the document cannot be verified by the inspectors.

score all



HOUSE IN SN 523-2211

ENGROSSED ASSEMBLY BILL 111

SECTION 37m

1 s. 6.86 (1) (ar) with that ballot, and has not changed his or her name or address since
2 providing that identification, the elector is not required to provide a copy of the
3 identification required under s. 6.86 (1) (ar).

4 SECTION 38. 6.88 (3) (a) of the statutes is amended to read:

5 6.88 (3) (a) Any time between the opening and closing of the polls on election
6 day, the inspectors shall open the carrier envelope only, and announce the name of
7 the absent elector or the identification serial number of the absent elector if the
8 elector has a confidential listing under s. 6.47 (2). When the inspectors find that the
9 certification has been properly executed, the applicant is a qualified elector of the
10 ward or election district, and the applicant has not voted in the election, they shall
11 enter an indication on the poll ~~or registration~~ list next to the applicant's name
12 indicating an absentee ballot is cast by the elector. They shall then open the envelope
13 containing the ballot in a manner so as not to deface or destroy the certification
14 thereon. The inspectors shall take out the ballot without unfolding it or permitting
15 it to be unfolded or examined. Unless the ballot is cast under s. 6.95, the inspectors
16 shall verify that the ballot has been endorsed by the issuing clerk. ^{in any other case} ~~If the elector is~~

17 required to provide a copy of the identification required under s. 6.86 (1) (ar) and no
18 copy of the elector's identification is enclosed or the name or address on the document
19 that is provided cannot be verified by the inspectors, the elector's ballot ^{shall} may not be
20 counted. The inspectors shall then deposit the ballot into the proper ballot box and
21 enter the absent elector's name or voting number after his or her name on the poll
22 ~~or registration~~ list in the same manner as if the elector had been present and voted
23 in person.

24 SECTION 39. 6.97 of the statutes is created to read:

JWS 23-22:2

Section #. 6.96 of the statutes is amended to read:

6.96 Voting procedure for electors voting pursuant to federal court order. Whenever any elector is allowed to vote at a polling place pursuant to a federal court order after the closing time provided under s. 6.78, the inspectors shall, before giving the elector a ballot, write on the back of the ballot the notation "s. 6.96". If voting machines are used in the municipality where the elector is voting, the elector's vote may be received only upon an absentee ballot furnished by the municipal clerk which shall have the notation "s. 6.96" written on the back of the ballot by the inspectors before the ballot is given to the elector. When receiving the elector's ballot, the inspectors shall provide the elector with the written voting information prescribed by the board under s. 7.08 (8). The inspectors shall indicate on the list the fact that the elector is voting pursuant to a federal court order. The inspectors shall then deposit the ballot. The ballot shall be counted under s. 5.85 or 7.51 unless the order is vacated. If the order is vacated after the ballot is counted, the appropriate board or boards of canvassers or the chairperson of the board or his or her designee shall reopen the canvass to discount any ballots that were counted pursuant to the vacated order and adjust the statements, certifications, and determinations accordingly.

History: 2003 a. 265.

or other list maintained under s. 6.79

the serial number of the elector corresponding to the number kept at the election on the poll list or other list maintained under s. 6.79 and the

If the municipal clerk receives an absentee ballot from an elector who presents a citation or copy thereof under s. 6.87(4)(b) 4, the clerk shall enter a notation on the certificate envelope "Ballot under s. 6.96, Stats." Upon receiving the envelope, the inspectors shall open and write on the back of the ballot the serial number of the elector corresponding to the number kept at the election on the poll list or other list maintained under s. 6.79 and the notation

Inv 52322:31

Section #. 6.97 (1) to (3) of the statutes are amended to read:

card (2)
is
other than a military elector or an overseas elector, as defined in s. 6.36 (2)(c), or an elector who has a confidential listing under s. 6.47(2),

6.97 (1) Whenever any individual who is required to provide identification in order to be permitted to vote appears to vote at a polling place and cannot provide the required identification, the inspectors shall offer the opportunity for the individual to vote under this section. If the individual wishes to vote, the inspectors shall provide the elector with an envelope marked "Ballot under s. 6.97, stats." on which the serial number of the elector is entered and shall require the individual to execute on the envelope a written affirmation stating that the individual is a qualified elector of the ward or election district where he or she offers to vote and is eligible to vote in the election. The inspectors shall, before giving the elector a ballot, write on the back of the ballot the serial number of the individual corresponding to the number kept at the election on the poll list or other list maintained under s. 6.79 and the notation "s. 6.97". If voting machines are used in the municipality where the individual is voting, the individual's vote may be received only upon an absentee ballot furnished by the municipal clerk which shall have the corresponding number from the poll list or other list maintained under s. 6.79 and the notation "s. 6.97" written on the back of the ballot by the inspectors before the ballot is given to the elector. When receiving the individual's ballot, the inspectors shall provide the individual with written voting information prescribed by the board under s. 7.08 (8). The inspectors shall indicate on the list the fact that the individual is required to provide identification but did not do so. The inspectors shall notify the individual that he or she may provide identification to the municipal clerk or executive director of the municipal board of election commissioners. The inspectors shall also promptly notify the municipal clerk or executive director of the name, address, and serial number of the individual. The inspectors shall then place the ballot inside the envelope and place the envelope in a separate carrier envelope.

Whenever any individual appears to vote at a polling place and does not provide the required identification,

For
present
a
license
or
identification
card
copy
under
s. 6.79
(2),
whenever
required,

an individual who has a confidential listing under s. 6.47(2),

all scored
Lps: more after whenever

6.97 (2) Whenever any individual who votes by absentee ballot is required to provide identification in order to be permitted to vote and does not provide the required identification, the inspectors shall

write on the back of the absentee ballot the serial number of the individual corresponding to the number of any individual, other than a military elector or an overseas elector, as defined in s. 6.36(2)(c), or an individual who is exempted under s. 6.87(4), who votes by absentee ballot and does not enclose a copy of the license or identification card

the inspectors or the municipal clerk shall similarly offer the opportunity for the individual to vote under this section

Thu-Nov-18-2004 10:13 am

Upon removing the ballot from the envelope, the inspectors shall similarly treat the ballot as a provisional ballot under this section.

INS 23-214

ber kept at the election on the poll list or other list maintained under s. 6.79 and the notation "s. 6.97".

The inspectors shall indicate on the list the fact that the individual is required to provide identification or a license or identification card under s. 6.86(1)(a) but did not do so. The inspectors shall promptly notify the municipal clerk or executive director of the municipal board of election commissioners of the name, address, and serial number of the individual. The inspectors shall then place the ballot inside an envelope on which the name and serial number of the elector is entered and shall place the envelope in a separate carrier envelope.

Handwritten initials and a circled number '697'.

(3) Whenever the municipal clerk or executive director of the municipal board of election commissioners is informed by the inspectors that a ballot has been cast under this section, the clerk or executive director shall promptly provide written notice to the board of canvassers of each municipality, special purpose district, and county that is responsible for canvassing the election of the number of ballots cast under this section in each ward or election district. The municipal clerk or executive director then shall determine whether each individual voting under this section is qualified to vote in the ward or election district where the individual's ballot is cast. If the elector is required to provide a license or identification card or copy thereof The municipal clerk or executive director shall make a record of the procedure used to determine the validity of each ballot. If, prior to 4 p.m. on the day after the election, the municipal clerk or executive director determines that the individual is qualified to vote in the ward or election district where the individual's ballot is cast, the municipal clerk or executive director shall notify the board of canvassers for each municipality, special purpose district and county that is responsible for canvassing the election of that fact.

Handwritten notes on the right side of the page: "If the elector is required to provide a license or identification card or copy thereof under s. 6.79(2) or 6.86(1)(a) and fails to do so, the elector bears the burden of correcting the omission."

History: 2003 a. 265.



2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0964/lins
JTK.....

1 INS 15-31 → 3:

2 SECTION 1. 6.79 (7) of the statutes is created to read:

3 6.97 (7) LICENSE SURRENDER. If an elector receives a citation from a law
4 enforcement officer that is dated within 60 days of the date of an election and is
5 required to surrender his or her operator's license issued to the elector under ch. 343
6 as security for settlement of the offense for which the citation is issued, the elector
7 may present an original copy of the citation in lieu of an operator's license under ch.
8 343. In such case, the elector shall cast his or her ballot under s. 6.965.

9 INS 23-22:

10 4. If the absentee elector has received a citation from a law enforcement officer
11 that is dated within 60 days of the date of the election and is required to surrender
12 his or her operator's license issued to the elector under ch. 343 as security for
13 settlement of the offense for which the citation is issued, the elector may enclose a
14 copy of the citation in lieu of an operator's license under ch. 343 if the elector is voting
15 by mail, or may present an original copy of the citation in lieu of an operator's license
16 under ch. 343 if the elector is voting at the office of the municipal clerk.

17 INS 30-10:

18 Whenever an elector who votes by provisional ballot under sub. (2) because the
19 elector does not provide a license or identification card or copy thereof under s. 6.79
(2) or 6.86 (1) (ar) later appears at the polling place where the ballot is cast before

Play 20
text

2/2:
SECTION 1A CR; 6.97 (3)(a) and (c)

6.97 (3)(a)

1 the closing hour and provides the license or identification card or copy thereof, the
2 inspectors shall remove the elector's ballot from the separate carrier envelope, shall
3 note on the poll list that the elector's provisional ballot is withdrawn, and shall
4 deposit the elector's ballot in the ballot box. If the inspectors have notified the
5 municipal clerk or executive director of the board of election commissioners that the
6 elector's ballot was cast under this section, the inspectors shall notify the clerk or
7 executive director that the elector's provisional ballot is withdrawn.

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