

2005 Assembly Bill 64

Date of enactment: **April 14, 2006**  
Date of publication\*: **April 28, 2006**

## 2005 WISCONSIN ACT 333

AN ACT *to repeal* 6.78 (1), 6.78 (2) and 6.78 (3); *to renumber and amend* 6.78 (intro.); *to amend* 5.68 (4), 67.05 (3) (f) and 120.06 (9) (a); and *to create* 5.68 (7) and 20.510 (1) (b) of the statutes; **relating to**: polling hours and making an appropriation.

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

**SECTION 1g.** 5.68 (4) of the statutes is amended to read:

5.68 (4) ~~The Except as provided under sub. (7), the cost of compensation of election officials and trainees shall be borne in the manner provided in s. 7.03.~~

**SECTION 1j.** 5.68 (7) of the statutes is created to read:

5.68 (7) Any municipality that maintained polling hours beginning later than 7 a.m. prior to the effective date of this subsection .... [revisor inserts date], and that incurs additional costs to adjust its polling hours to begin at 7 a.m. at any election held after the effective date of this subsection .... [revisor inserts date], may file a claim with the board for reimbursement of those costs. The claim shall be accompanied by appropriate substantiation of all costs incurred. The board shall audit the claim and, if the board finds that the costs have been incurred by the municipality, and the costs would not have been incurred but for the requirement to open polling places at 7 a.m., the board shall reimburse the municipality for those costs. No claim is payable under this subsection unless the claim is filed with the board, together with appropriate substantiation, within 60 days following the date on which the costs are incurred.

**SECTION 1r.** 6.78 (intro.) of the statutes is renumbered 6.78 (1m) and amended to read:

6.78 (1m) The polls at any every election shall be open: from 7 a.m. until 8 p.m.

**SECTION 2.** 6.78 (1) of the statutes is repealed.

**SECTION 3.** 6.78 (2) of the statutes is repealed.

**SECTION 4.** 6.78 (3) of the statutes is repealed.

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

20.510 (1) (b) *Election-related cost reimbursement.* A sum sufficient to reimburse municipalities for claims allowed under s. 5.68 (7).

**SECTION 5.** 67.05 (3) (f) of the statutes is amended to read:

67.05 (3) (f) If a special purpose district calls a referendum to be held in conjunction with a state, county, municipal or judicial election, the polling places for the state, county, municipal or judicial election shall be the polling places for the special purpose district referendum and the municipal election hours shall apply. If no state, county, municipal or judicial election is held on the day of the special purpose district referendum, the governing body of the special purpose district may ~~set the election hours and~~ select the polling places to be used, except as otherwise provided in s. 120.06 (9) (b) in the case of a school district. If a polling place located in the special

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\* Section 991.11, WISCONSIN STATUTES 2003-04 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

purpose district that was utilized at the most recent spring or general election is not utilized by the special purpose district, the governing body of the special purpose district shall post a notice on the door of the polling place indicating all polling places open for voting. ~~Election hours set by the governing body of the special purpose district for each polling place shall be the same as those provided by the governing body of the municipality in which the polling place is located, except that if the opening hour is later than 7 a.m., the governing body of the special purpose district may extend the opening hour to not earlier than 7 a.m.~~ The municipal clerk of each municipality in which a polling place is located shall provide the necessary equipment to operate the polling place.

**SECTION 6.** 120.06 (9) (a) of the statutes is amended to read:

120.06 (9) (a) The primary and spring elections for school board members shall be conducted by the election officials for state and municipal elections. In a school board election held in conjunction with a state, county, municipal or judicial election, the polling places for the state, county, municipal or judicial election shall be the polling places for the school board election and the municipal election hours shall apply. If no state, county, municipal or judicial election is held on the day of the school board election, the school board may ~~set the election hours and~~ select the polling places to be used. The election costs shall be charged as provided in ss. 5.68 and 7.03. ~~Election hours set by the school board shall be the same as those provided by the municipal governing body in which the polling place is located, except that if the opening hour is later than 7 a.m., the school board may extend the opening hour to not earlier than 7 a.m.~~

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