

1

2 **INSERT ANAL AG -1::**

~~X~~ (no P) and allows a driver's license or identification card applicant to "opt out" of DOT's transfer of this information to GAB

**INSERT ANAL AG -2:**

~~X~~ (no P), as well as nonpublic information in the records of GAB obtained from DOT,

**INSERT ANAL AG -3:**

~~X~~ (no P) However, information obtained from DOT can be shared with a nationally focused nonprofit organization if GAB enters into an agreement with such an organization as described above.

3 **INSERT to JTK INSERT AT P. 3:**

4 ~~X~~ (no P) Notwithstanding ss. 6.256 (12) and 6.36 (1) (b) 1. a., the agreement may also  
5 enable matching of information in the records of the board that the board obtained  
6 from the department of transportation.

7 **INSERT 80-8 AG:**

8 **SECTION 1.** 343.14 (2p) of the statutes is created to read:

9 343.14 (2p) (a) The forms for application for a license or identification card or  
10 for renewal thereof shall inform the applicant of the department's duty to make  
11 available to the government accountability board the information described in s.  
12 6.256 (2) for the purposes specified in s. 6.256 (1) and (3) and shall provide the  
13 applicant an opportunity to elect not to have this information made available for  
14 these purposes.

15 (b) If the applicant elects not to have the information described in s. 6.256 (2)  
16 made available for the purposes specified in s. 6.256 (1) and (3), the department shall

1 not make this information available for these purposes. This paragraph does not  
2 preclude the department from making available to the government accountability  
3 board information for the purposes specified in s. 6.34 (2m) or for any purpose other  
4 than those specified in s. 6.256 (1) and (3).  
5



SA ✓

## 2009 ASSEMBLY BILL 545

November 3, 2009 - Introduced by Representatives SMITH, HILGENBERG, POPE-ROBERTS, PARISI, BERCEAU, MASON, BIES and SINICKI, cosponsored by Senators LEHMAN, TAYLOR and SCHULTZ. Referred to Committee on Elections and Campaign Reform.

- 1 AN ACT *to amend* 6.875 (4) (b), 7.30 (2) (a), 7.30 (2) (am), 7.30 (2) (b) and 7.52 (1)
- 2 (b) of the statutes; **relating to:** residency of election officials.

~~Analysis by the Legislative Reference Bureau~~  
*Subsec. Residency of election officials*

Currently, with certain exceptions, an election official who serves at a polling place must be an elector of the ward or election district served by the polling place. A special registration deputy who serves at a polling place may be an elector another ward or election district within the municipality where the deputy serves. With certain limitations, a pupil who is 16 or 17 years of age may serve as an election official at the polling place serving his or her residence. A special voting deputy who supervises voting at a nursing home, retirement home, or community-based residential facility must be an elector of the municipality where the home or facility is located. An official who serves at a polling place may be replaced in case of a temporary vacancy by an individual who is an elector of a ward or election district other than a ward or election district that is served by the polling place where the individual serves. With certain limitations, a municipal clerk or deputy clerk who resides outside of a municipality may also serve as an election official in that municipality when required to fill a temporary vacancy.

This ~~bill~~ provides that an election official must be an elector of the county, or one of the counties, where the municipality where the official serves is located. Under the ~~bill~~, a municipal clerk or deputy clerk who is an elector of this state may continue to serve as an election official in case of a temporary vacancy without regard to county residence. The ~~bill~~ permits a special voting deputy to be an elector of the county, or one of the counties, where the municipality in which the deputy serves is

*Substitute amendment*

*FWW  
10/21/11*



ASSEMBLY BILL 545

-2-  
JWS 10A:2

Substitute amendment

located. The bill also permits a pupil who is 16 or 17 years of age to serve as an election official at a polling place serving any municipality located wholly or partly within the county within which the pupil resides.

STET:  
leave  
as typed

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

1 SECTION 1. 6.875 (4) (b) of the statutes is amended to read:

2 6.875 (4) (b) Nominations for the special voting deputy positions described in  
3 par. (a) may be submitted by the 2 recognized political parties whose candidates for  
4 governor or president received the greatest numbers of votes in the municipality at  
5 the most recent general election. ~~The deputies~~ An individual who serves as a special  
6 voting deputy shall be an elector of the county, or one of the counties, in which the  
7 municipality is located. Each special voting deputy shall be specially appointed to  
8 carry out the duties under par. (a) for the period specified in s. 7.30 (6) (a). The clerk  
9 or board of election commissioners may revoke an appointment at any time. No  
10 individual who is employed or retained, or within the 2 years preceding appointment  
11 has been employed or retained, at a nursing home or qualified retirement home or  
12 qualified community-based residential facility in the municipality, or any member  
13 of the individual's immediate family, as defined in s. 19.42 (7), may be appointed to  
14 serve as a deputy.

15 SECTION 2. 7.30 (2) (a) of the statutes is amended to read:

16 7.30 (2) (a) Only election officials appointed under this section or s. 6.875 may  
17 conduct an election. ~~Except as otherwise provided in this paragraph and in ss. 7.15~~  
18 ~~(1) (k) and 7.52 (1) (b), each~~ Each election official shall be a qualified elector of the  
19 ward or wards, or the election district, for which the polling place is established. A  
20 special registration deputy who is appointed under s. 6.55 (6) or an election official

**ASSEMBLY BILL 545**

located. The bill also permits a pupil who is 16 or 17 years of age to serve as an election official at a polling place serving any municipality located wholly or partly within the county within which the pupil resides.

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

1 SECTION 1. 6.875 (4) (b) of the statutes is amended to read:

2 6.875 (4) (b) Nominations for the special voting deputy positions described in  
3 par. (a) may be submitted by the 2 recognized political parties whose candidates for  
4 governor or president received the greatest numbers of votes in the municipality at  
5 the most recent general election. The deputies An individual who serves as a special  
6 voting deputy shall be an elector of the county, or one of the counties, in which the  
7 municipality is located. Each special voting deputy shall be specially appointed to  
8 carry out the duties under par. (a) for the period specified in s. 7.30 (6) (a). The clerk  
9 ~~or~~ board of election commissioners may revoke an appointment at any time. No  
10 ~~individual~~ who is employed or retained, or within the 2 years preceding appointment  
11 has been employed or retained, at a nursing home or qualified retirement home or  
12 qualified community-based residential facility in the municipality, or any member  
13 of the individual's immediate family, as defined in s. 19.42 (7), may be appointed to  
14 serve as a deputy.

15 SECTION 2. 7.30 (2) (a) of the statutes is amended to read:

16 ~~7.30 (2) (a) Only election officials appointed under this section or s. 6.875 may~~  
17 ~~conduct an election. Except as otherwise provided in this paragraph and in ss. 7.15~~  
18 ~~(1) (k) and 7.52 (1) (b), each~~ Each election official shall be a qualified elector of the  
19 ward or wards, or the election district, for which the polling place is established. A  
20 special registration deputy who is appointed under s. 6.55 (6) or an election official

64-95

707-11



**ASSEMBLY BILL 545**

1 ~~who is appointed under this section to fill a vacancy under par. (b) need not be a~~  
2 ~~resident of the ward or wards, or the election district, but shall be a resident of the~~  
3 ~~municipality county, or one of the counties, in which the municipality served by the~~  
4 ~~polling place is located, except as authorized in par. (am) and except that if a~~  
5 ~~municipal clerk or deputy clerk serves as a registration deputy or is appointed to fill~~  
6 ~~a vacancy under par. (b), the clerk or deputy clerk need not be ~~a resident of the~~~~  
7 ~~municipality an elector of any county, but shall be a resident of the an elector of this~~  
8 ~~state. No more than 2 individuals holding the office of clerk or deputy clerk may serve~~  
9 ~~without regard to municipal residency in any municipality at any election. Special~~  
10 ~~registration deputies who are appointed under s. 6.55 (6) may be appointed to serve~~  
11 ~~more than one polling place. All officials appointed under this section shall be able~~  
12 ~~to read and write the English language, be capable, and be of good understanding,~~  
13 ~~and may not be a candidate for any office to be voted for at an election at which they~~  
14 ~~serve. In 1st class cities, they may hold no public office other than notary public.~~  
15 ~~Except as authorized under subs. (1) (b) and (4) (c), all inspectors shall be affiliated~~  
16 ~~with one of the 2 recognized political parties which received the largest number of~~  
17 ~~votes for president, or governor in nonpresidential general election years, in the ward~~  
18 ~~or combination of wards served by the polling place at the last election. Excluding~~  
19 ~~the inspector who may be appointed under sub. (1) (b), the party which received the~~  
20 ~~largest number of votes is entitled to one more inspector than the party receiving the~~  
21 ~~next largest number of votes at each polling place. Election officials appointed under~~  
22 ~~this section may serve the electors of more than one ward where wards are combined~~  
23 ~~under s. 5.15 (6) (b). If a municipality is not divided into wards, the ward~~  
24 ~~requirements in this paragraph apply to the municipality at large.~~

**SECTION 3.** 7.30 (2) (am) of the statutes is amended to read:

70-112



**ASSEMBLY BILL 545**

1           7.30 (2) (am) Except as otherwise provided in this paragraph, a pupil who is  
2           16 or 17 years of age and who is enrolled in grades 9 to 12 in a public or private school  
3           may serve as an inspector at ~~the a~~ polling place serving ~~the pupil's residence~~ any  
4           municipality located wholly or partly within the county within which the pupil  
5           resides, with the approval of the pupil's parent or guardian. Any pupil who has at  
6           least a 3.0 grade point average or the equivalent may serve. In addition, a school  
7           board or governing body of a private school may establish criteria for service by a  
8           pupil who does not have at least a 3.0 grade point average or the equivalent. A pupil  
9           may serve as an inspector at a polling place under this paragraph only if at least one  
10          election official at the polling place other than the chief inspector is a qualified elector  
11          of this state. No pupil may serve as chief inspector at a polling place under this  
12          paragraph. Before appointment by any municipality of a pupil as an inspector under  
13          this paragraph, the municipal clerk shall obtain written authorization from the  
14          pupil's parent or guardian for the pupil to serve for the election for which he or she  
15          is appointed. In addition, if a pupil does not have at least a 3.0 grade point average  
16          or the equivalent, the municipal clerk shall obtain written certification from the  
17          principal of the school where the pupil is enrolled that the pupil meets any criteria  
18          established by the school board or governing body for service as an inspector. Upon  
19          appointment of a pupil to serve as an inspector, the municipal clerk shall notify the  
20          principal of the school where the pupil is enrolled of the name of the pupil and the  
21          date of the election at which the pupil has been appointed to serve.

**SECTION 4.** 7.30 (2) (b) of the statutes is amended to read:

22           7.30 (2) (b) When a vacancy occurs in an office under this section, the vacancy  
23           shall be filled by appointment of the municipal clerk. Unless the vacancy occurs in  
24           the position of an inspector appointed under sub. (1) (b), the vacancy shall be filled  
25

70-113



**ASSEMBLY BILL 545**

1 from the remaining names on the lists submitted under sub. (4) or from additional  
 2 names submitted by the chairperson of the county party committee of the  
 3 appropriate party under sub. (4) whenever names are submitted under sub. (4) (d).  
 4 If the vacancy is due to candidacy, sickness or any other temporary cause, the  
 5 appointment shall be a temporary appointment and effective only for the election at  
 6 which the temporary vacancy occurs. The same qualifications that applied to  
 7 original appointees shall be required of persons who fill vacancies except that a  
 8 vacancy may be filled in cases of emergency or because of time limitations by a person  
 9 ~~who resides in another aldermanic district or ward within the municipality, and if~~  
 10 ~~a municipal clerk or deputy clerk fills the vacancy, the clerk or deputy, but not more~~  
 11 ~~than a total of 2 individuals in any municipality, may serve~~ who resides in this state,  
 12 without regard to the clerk's or deputy's ~~municipality~~ county of residence, if the clerk  
 13 or deputy meets the other qualifications.

**SECTION 5.** 7.52 (1) (b) of the statutes is amended to read:

15 7.52 (1) (b) A municipality that adopts the canvassing procedure under this  
 16 section may appoint additional inspectors under s. 7.30 (2) (a) to assist the absentee  
 17 ballot board of canvassers in canvassing absentee ballots under this section. In such  
 18 case, an odd number of inspectors shall be appointed, and at no time may there be  
 19 less than 3 inspectors who serve. Except as authorized in s. 7.30 (4) (c), all inspectors  
 20 shall be affiliated with one of the 2 recognized political parties receiving the largest  
 21 numbers of votes for president, or for governor in nonpresidential general election  
 22 years, in the municipality. The party whose candidate received the largest number  
 23 of votes in the municipality is entitled to one more inspector than the party whose  
 24 candidate received the next largest number of votes in the municipality. Each  
 25 inspector so appointed shall be a qualified elector of the county, or one of the counties.

Handwritten annotations on the left margin:  
 - A large downward-pointing arrow on the left side of the page.  
 - A circle around line 5 containing the handwritten text "70-11:4".  
 - A circle around line 18 containing the handwritten text "INS 71-2".  
 - A checkmark on line 13.  
 - A downward-pointing arrow on the right side of the page.



ASSEMBLY BILL 545

ANS  
71+2

2 in which the municipality is located. The inspectors who are appointed under this  
3 paragraph shall serve under the direction and supervision of the board of absentee  
4 ballot canvassers.

~~SECTION 6: Initial applicability.~~

#  
(1) This act first applies with respect to appointments to election official  
positions made after the effective date of this subsection.

ANS  
84-6  
6  
7

~~END~~  
The treatment of sections 6.875(4)(b), 7.30(2)(a),  
(a), and (b), and 7.52(1)(b) of the statutes

X

create autoref X  
to use at 83-23  
in main document

2009-2010 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBs0392/Plins  
JTK.....

INS 3B:

~~NO P~~

~~Under the substitute amendment, if an elector does not confirm a registration that has been entered on his or her behalf by GAB, GAB may contact the elector in the manner determined by GAB to obtain confirmation or any necessary correction to the elector's registration. If the elector does not confirm a registration within 60 days of the date that it is entered on the registration list by GAB, GAB must contact the elector to obtain confirmation or any necessary correction.~~

INS 4B:

INSERT ANAL AG-2

~~NO P~~

~~In addition, the substitute amendment permits GAB to enter into an agreement with any nationally focused nonprofit organization to enable matching of information in the records of that organization with publicly available information in the records of GAB to facilitate administration of voter registration by GAB.~~

substitute amendment

INS 9B:

~~X~~

17. This ~~bill~~ directs GAB to report to the appropriate standing committees of the legislature no later than January 1, 2011, concerning methods by which this state may be able to meet requirements for mailing and return of absentee ballots in a manner that will most effectively take advantage of potential savings that may be available to this state under applicable postal regulations.

INS 9A:

~~X~~

15. Currently, the costs incurred by municipalities for mailing absentee ballots to electors and for return of the voted ballots to the municipalities is generally borne by the municipalities in which the electors reside. Postal regulations permit municipalities to use the postal system without charge for mailing and return of absentee ballots for armed forces members and certain other electors. This substitute amendment provides that if a municipality incurs costs for mailing and return of absentee ballots for electors, other than military or overseas electors, as defined by state law, who request that they be sent absentee ballots for multiple elections, the municipality may file a claim for reimbursement of those expenses with GAB and if GAB finds that the claim is substantiated, GAB must pay the claim from state general purpose revenue.

INS 12A:

This substitute amendment provides that if an elector registers to vote at the office of the municipal clerk or board of election commissioners or an alternate absentee voting site when voting an absentee ballot in person (beginning on the 21st day before an election), the elector must provide proof of residence even if registration for that election has not closed when the elector registers to vote.



INS 13A:

**Review of encumbrances and expenditures by Joint Committee on Finance**

Currently, the the legislature has made appropriations to the GAB for the operation of the board in the current fiscal biennium. This substitute amendment does not change these appropriations. However, the substitute amendment provides that before GAB may encumber or expend any amount of money to implement or administer any provision of the act resulting from enactment of this substitute amendment, GAB's legal counsel must first notify the cochairpersons of the Joint Committee on Finance of the proposed encumbrance or expenditure. The proposed encumbrance or expenditure is then subject to approval of or modification by the committee, but the committee may waive its right to review any proposed encumbrance or expenditure.



INS 2-13:

no 9 voter registration; transfer of voter registration information to certain state and private entities; absentee voting; residency of election officials; testing of automatic tabulating equipment; use of powers of attorney by electors; deceptive election practices; voter intimidation, suppression, and protection; election information provided to electors at polling places; prosecution of civil prohibited election practice offenses; challenging the ballots of electors at polling places; proof of residence for voting in an election;



delete xtra space

material moved from top of page 3

move  
up to bottom  
of page 2

proof of residence for registration and voting purposes; review of certain expenditures of the Government Accountability Board by the Joint Committee on Finance;

INS 15-12:

SECTION 1. 5.05 (17) of the statutes is created to read:

5.05 (17) AGREEMENTS WITH CERTAIN NONPROFIT ORGANIZATIONS. The board may enter into an agreement with any nationally focused nonprofit organization to enable matching of information in the records of that organization with with publicly available information in the records of the board to facilitate administration of elector registration by the board under s. 6.256 (1) to (3).

INSERT TO JTK INSERT AT P. 3

INS 19-17:

SECTION 2. 5.68 (8) of the statutes is created to read:

5.68 (8) Any municipality that incurs costs for mailing and return of absentee ballots for electors who request under s. 6.86 (2m) that they be sent absentee ballots for multiple elections 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 under s. 6.86 (2m) for municipalities to pay for the mailing and return of absentee ballots for electors who request that they be sent absentee ballots for multiple elections, 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 of the election at which the costs were incurred.

INS 26-21:

(8) If an elector does not confirm a registration that has been entered by the board on his or her behalf by the board under sub. (6), the board may contact the elector in the manner determined by the board to obtain confirmation of or any necessary correction to the elector's registration. If an elector does not confirm a registration that has been entered by the board on his or her behalf within 60 days after the board enters the elector's registration under sub. (6), the board shall promptly contact the elector to obtain confirmation of or any necessary correction to the elector's registration.

→  
X  
→

as affected by 2009 Wisconsin Act 28

INS 79-9:

SECTION 3. 20.511 (1) (b) of the statutes is amended to read:

20.511 (1) (b) *Election-related cost reimbursement.* Biennially, the amounts in the schedule to reimburse municipalities for claims allowed under s. 5.68 (7) and (8).

X

History: 2007 a. 1 ss. 141 to 145, 149 to 155, 159, 161; 2007 a. 20; 2009 a. 28, 89.

INS 81-2:

(#) REPORT ON METHODS FOR REALIZING SAVINGS IN POSTAL EXPENSES. No later than January 1, 2011, the Government Accountability Board shall report to the appropriate standing committees of the legislature, in the manner prescribed in

replace with a number  
This is a nonstat

section 13.172 (3) of the statutes, concerning methods whereby this state may be able to meet requirements for mailing and return of absentee ballots in a manner that will most effectively take advantage of potential savings that may be available to this state under applicable postal regulations.

91

create autoref Q to use at bottom of this page

(#) REVIEW OF EXPENDITURES MADE TO IMPLEMENT THIS ACT. (a) Notwithstanding

section 20.511 of the statutes and all provisions of this act, the ~~Government Accountability Board~~ shall not encumber or expend any amount of money to implement or administer this act unless the legal counsel to the board first notifies the cochairpersons of the ~~Joint Committee on Finance~~ in writing of the proposed encumbrance or expenditure. If the cochairpersons do not notify the legal counsel that the committee has scheduled a meeting for the purpose of reviewing the proposed expenditure within 14 working days after the date of the legal counsel's notification, the board may encumber or expend the money as proposed. If, within 14 working days after the date of the legal counsel's notification, the cochairpersons notify the legal counsel that the committee has scheduled a meeting for the purpose of reviewing the proposed encumbrance or expenditure, the board shall not make the proposed encumbrance or expenditure unless the committee approves the proposed encumbrance or expenditure or modifies and approves the proposed encumbrance or expenditure. If the committee modifies and approves the proposed encumbrance or expenditure, the board may make the proposed encumbrance or expenditure only as modified by the committee.

replace with autonumber

This is nonstat

replace hard letter with autoletter

(b) Paragraph (a) does not apply after June 30, 2011.

this is a NONSTAT

INS 84-5:

replace hard letter with autoletter

use autoref Q from top of this page

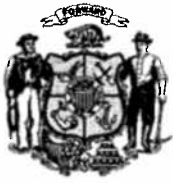
84-5

e # ← replace  
ward number  
with auto number

X

(3) The treatment of sections 5.056 (with respect to electronic voter registration), 6.275 (1) (b), 6.24 (3), 6.28 (1) (with respect to electronic voter registration), 6.30 (1) and (5), 6.32 (1), 6.33 (1) and (2) (a), 6.34 (2) (with respect to electronic voter registration), (2m), and (4) (with respect to electronic voter registration), 6.35 (1) (intro.) ~~and~~ 6.35 (2), 6.36 (2) (c) (with respect to electronic voter registration), 6.40 (1) (a) 1. and (c), 6.50 (10), 6.86 (3) (c), 6.87 (4) (with respect to electronic voter registration), 7.08 (1) (cm), and 85.61 (1) (with respect to electronic voter registration) of the statutes first applies with respect to registration for voting at the 2012 spring primary election.

(with respect to electronic voter registration)



ASSEMBLY AMENDMENT 1,  
TO 2009 ASSEMBLY BILL 892

SA ✓

March 26, 2010 - Offered by Representative BERCEAU.

LPS:  
Thaw  
bill section  
numbers  
↓  
i.e., Change  
these  
hard  
numbers  
to  
soft  
numbers

1 At the locations indicated, amend the bill as follows:

2 1. Page 2, line 7: after that line insert:

3 ~~SECTION 6.24 (3)~~ # SECTION ~~6.24~~ (3) of the statutes is amended to read:

4 6.24 (3) REGISTRATION. The overseas elector shall register in the municipality  
5 where he or she was last domiciled or where the overseas elector's parent was last  
6 domiciled on a form prescribed by the board designed to ascertain the elector's  
7 qualifications under this section. The form shall be substantially similar to the  
8 original form under s. 6.33 (1), insofar as applicable. Registration shall be  
9 accomplished in accordance with s. 6.30 (4) or (5). ✓

FWS  
22-12

10 2. Page 4, line 2: after that line insert:

11 ~~SECTION 6.30 (1)~~ # SECTION ~~6.30~~ (1) of the statutes is amended to read: ✓

FWS  
32-17

→



ANS  
1  
32-17  
2

6.30 (1) IN PERSON. An elector shall apply for registration in person, except as provided under ~~sub.~~ subs. (4) and (5) and s. 6.86 (3) (a) 2.

~~(END)~~

✓