



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 03-100

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

1. Statutory Authority

Although it is correctly noted that the U.S. District Court for the Western District of Wisconsin enjoined the Elections Board from enforcing the residency requirement for circulators of petitions and nomination papers, the statutes still contain references to a circulator being a “qualified elector” and to the circulator residing within the jurisdiction (see, e.g., ss. 8.15 (4) (a) and 8.40 (2)). Arguably, the rule would be at odds with those statutes. Accordingly, it is suggested that legislation be introduced, perhaps through the Law Revision Committee, to amend current law to conform with the proposed rule changes.

2. Form, Style and Placement in Administrative Code

The titles to ss. EIBd 2.05 and 2.07 should not be shown in the rule. [See s. 1.05 (3) (c), Manual.]