

Assembly Bill 591

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CHAPTER 140, LAWS OF 1967

AN ACT to amend 6.85, 6.86 and 6.87 (2) of the statutes, relating to absentee voting for jurors.

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

SECTION 1. 6.85 of the statutes is amended to read:

6.85 An absent elector is any otherwise qualified elector who is or expects to be absent from the municipality in which he is a qualified elector on election day whether by reason of active service in the U.S. armed forces or for any other reason, or who because of sickness, physical disability, *jury duty* or religious reasons cannot appear at the polling place in his precinct. Any otherwise qualified elector who changes his residence within this state after registration closes but who fails to change his registration may vote an absentee ballot in the precinct where qualified to vote before moving. Any elector qualifying under this section may vote by absentee ballot under ss. 6.86 to 6.89.

SECTION 2. 6.86 of the statutes is amended to read:

6.86 Any elector, qualifying under ss. 6.20 (1) and 6.85 as an absent elector may apply to the municipal clerk for his official ballot either in writing or in person. If application is made in writing, the application, signed by the elector, shall be received no sooner than the first of the month 3 months before the election nor after 5 p.m. on the Friday immediately preceding the election. If application is made in person the application shall not be made sooner than the first of the month 3 months before the month of the election nor later than 5 p.m. on the day preceding the election. *If the elector is making written application and the*

reason for requesting an absentee ballot is that the elector is a sequestered juror, the application shall be received no sooner than the first of the month 3 months before the election nor after 12 noon on election day. If the application is received after 5 p.m. on the Friday immediately preceding the election, the municipal clerk or his agent shall immediately take the ballot to the court in which the elector is serving as a juror and deposit it with the judge. The judge shall recess his court, as soon as convenient, and give the elector his ballot. The judge shall then notarize the affidavit as provided in s. 6.87 and shall turn the ballot over to the clerk or his agent who shall deliver it to the polling place as required in s. 6.88.

SECTION 3. 6.87 (2) of the statutes is amended to read:

6.87 (2) The municipal clerk shall place the ballot in an unsealed envelope furnished by him. The envelope shall have the name, official title and post-office address of the clerk upon its face. The other side of the envelope shall have a printed certificate-affidavit in substantially the following form:

STATE OF)
County of) ss.

I,, (certify) (do solemnly swear) subject to the penalties of ch. 12, Wis. Stats. for false statements that I am a residence of the precinct of the (town) (village) of, or of the ward in the city of, residing at in said city, the county of, state of Wisconsin, and am entitled to vote in the precinct at the election to be held on; that I cannot appear at the polling place in the precinct on election day because I expect to be absent from the municipality or because of sickness, physical disability, religious reasons, *jury duty*, or because I have changed my residence within the state within 20 days before the election but have not changed my registration. I (certify) (swear) that I exhibited the enclosed ballot unmarked to the (2 witnesses) (persons administering the oath), that I then in (their) (his) presence and in the presence of no other person marked the ballot and enclosed and sealed the same in this envelope in such a manner that no one but myself and assistance rendered under s. 6.87 (5), Wisconsin Statutes, if I requested assistance, could know how I voted.

Signed.....

The (2 witnesses) (person administering the oath) shall execute either of the following as appropriate:

We the undersigned witnesses, qualified electors of the state of Wisconsin, subject to the penalties of ch. 12, Wis. Stats. for false statements certify that the above statements are true and the voting procedure was executed as there stated. Neither of us is a candidate for any office on the enclosed ballot. The elector was not solicited or advised by us to vote for or against any candidate or measure.

.....
(name)

.....
(address)

.....
(name)

.....
(address)

Subscribed and sworn to before me this day of, A.D.,
.....; and I hereby certify that I am not a candidate on the ballot upon
which the affiant voted, that the voting procedure above was executed as
therein stated, and that the affiant was not solicited or advised by me to
vote for or against any candidate or measure.

.....
(name)

.....
(title)

SECTION 4. This act shall take effect on July 1, 1967, or on passage
and publication, whichever is later.

Approved November 1, 1967.