

State of Wisconsin



2007 Senate Bill 302

Date of enactment: **March 13, 2008**

Date of publication*: **March 27, 2008**

2007 WISCONSIN ACT 98

AN ACT relating to: amending and revising under section 10.53 of the statutes various provisions of sections 10.62 to 10.82 of the statutes for the purpose of correcting conflicts between the listings in sections 10.62 to 10.82 of the statutes and the substantive statutes to which those sections refer (Revisor's Correction Bill).

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

SECTION 1. 10.66 (4) (b) of the statutes is repealed.

NOTE: 2003 Wis. Act 265 repealed and recreated s. 6.27, eliminating the provision allowing submission of a question to require or abolish registration in municipalities of less than 5,000 population.

SECTION 2. 10.66 (4) (h) 1. of the statutes is renumbered 10.66 (4) (h).

NOTE: Section 10.66 (4) (h) 2. is repealed by the next section of this bill, resulting in s. 10.66 (4) (h) having only one subdivision.

SECTION 3. 10.66 (4) (h) 2. of the statutes is repealed.

NOTE: 2003 Wis. Act 265 repealed s. 6.40 (1) (b), eliminating the provision requiring a municipal clerk who registers electors to mail voting privilege cancellation cards to election officials in electors' former voting residences by the 3rd day after registration closes.

SECTION 4. 10.66 (4) (i) 1. and (n) 2. and (5) (k) 2. and (p) 4. and 10.76 (4) (b) 1. and (f) 2., (5) (h) 1. and (6) (a) 2. of the statutes are repealed.

NOTE: The repealed provisions related to notice of polling hours under s. 6.78 (2), which was repealed by 2005 Wis. Act 333.

SECTION 5. 10.66 (5) (g) 3. of the statutes is created to read:

10.66 (5) (g) 3. No later than 30 days after the spring primary, the municipal clerk enters on the registration list

under the name of each elector of the municipality who has voted at the election the date of the election in which the elector voted. See s. 7.15 (4).

NOTE: 2003 Wis. Act 265 establishes a specific time limit for completing the requirements of s. 7.15 (4).

SECTION 6. 10.66 (5) (j) 1. of the statutes is renumbered 10.66 (5) (j).

NOTE: Section 10.66 (5) (j) 2. is repealed by the next section of this bill, resulting in s. 10.66 (5) (j) having only one subdivision.

SECTION 7. 10.66 (5) (j) 2. of the statutes is repealed.

NOTE: 2003 Wis. Act 265 repealed s. 6.40 (1) (b), eliminating the provision requiring a municipal clerk who registers electors to mail voting privilege cancellation cards to election officials in electors' former voting residences by the 3rd day after registration closes.

SECTION 8. 10.66 (7) (a) 3. of the statutes is created to read:

10.66 (7) (a) 3. No later than 30 days after the spring election, the municipal clerk enters on the registration list under the name of each elector of the municipality who has voted at the election the date of the election in which the elector voted. See s. 7.15 (4).

NOTE: 2003 Wis. Act 265 establishes a specific time limit for completing the requirements of s. 7.15 (4).

SECTION 9. 10.66 (7) (b) 1. of the statutes is renumbered 10.66 (4) (o) 4. and amended to read:

* Section 991.11, WISCONSIN STATUTES 2005-06 : 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].

10.66 (4) (o) 4. No earlier than 90 days after the day of the spring primary, registration and poll lists created for the spring primary of the previous year that was held 2 years earlier may be destroyed. See s. 7.23 (1) (e).

NOTE: Conforms provision to s. 7.23 (1) (e) as amended by 2003 Wis. Act 265.

SECTION 10. 10.66 (9) (a) 2. of the statutes is renumbered 10.66 (6) (a) 5. and amended to read:

10.66 (6) (a) 5. No earlier than 90 days after the day of the spring election, registration and poll lists created for the spring election of the previous year that was held 2 years earlier may be destroyed. See s. 7.23 (1) (e).

NOTE: Conforms provision to s. 7.23 (1) (e) as amended by 2003 Wis. Act 265.

SECTION 11. 10.70 (1s) (title) of the statutes is created to read:

10.70 (1s) (title) NOVEMBER.

NOTE: Creates title for s. 10.77 (1s), into which s. 10.70 (2) (a) is renumbered.

SECTION 12. 10.70 (2) (a) of the statutes is renumbered 10.70 (1s) (a) and amended to read:

10.70 (1s) (a) 1st 3rd Tuesday in January November, 5 p.m., on the 1st 3rd Tuesday in January in November of the year before a presidential election years year, or the next day if Tuesday is a holiday, is the deadline for the state chairperson of each recognized political party whose candidate for governor received at least 10% of the vote cast at the last election to certify to the board that the party will participate in the presidential preference primary. See s. 8.12 (1) (a).

NOTE: Conforms provision to s. 8.12 (1) (a) as amended by 2003 Wis. Act 24.

SECTION 13. 10.70 (3) (a) of the statutes is repealed.

NOTE: 2003 Wis. Act 265 repealed and recreated s. 6.27, eliminating the provision allowing submission of a question to require or abolish registration in municipalities of less than 5,000 population.

SECTION 14. 10.72 (8) (g) of the statutes is renumbered 10.72 (8) (g) 1.

NOTE: Accommodates the creation of s. 10.72 (8) (g) 2. by the next section of this bill.

SECTION 15. 10.72 (8) (g) 2. of the statutes is created to read:

10.72 (8) (g) 2. No later than 90 days after the general election, the board compiles the information contained in the reports received from municipal clerks under s. 6.276 (2) and transmits the information to the federal Election Assistance Commission. See s. 6.276 (3).

NOTE: 2003 Wis. Act 265 created s. 6.276, which requires the reporting of federal absentee voting statistics.

SECTION 16. 10.76 (3) (f) 1. of the statutes is renumbered 10.76 (3) (f).

NOTE: Section 10.76 (3) (f) 2. is repealed by the next section of this bill, resulting in s. 10.76 (3) (f) having only one subdivision.

SECTION 17. 10.76 (3) (f) 2. of the statutes is repealed.

NOTE: 2003 Wis. Act 265 repealed s. 6.40 (1) (b), eliminating the provision requiring a registering municipal clerk to mail voting privilege cancellation cards to election officials in

electors' former voting residences by the 3rd day after registration closes.

SECTION 18. 10.76 (4) (am) 1. of the statutes is repealed.

NOTE: 2003 Wis. Act 265 repealed and recreated s. 6.27, eliminating the provision allowing submission of a question to require or abolish registration in municipalities of less than 5,000 population.

SECTION 19. 10.76 (5) (b) 3. of the statutes is created to read:

10.76 (5) (b) 3. No later than 30 days after the September primary, the municipal clerk enters on the registration list under the name of each elector of the municipality who has voted at the election the date of the election in which the elector voted. See s. 7.15 (4).

NOTE: 2003 Wis. Act 265 establishes a specific time limit for completing the requirements of s. 7.15 (4).

SECTION 20. 10.76 (5) (f) 1. of the statutes is renumbered 10.76 (5) (f).

NOTE: Section 10.76 (5) (f) 2. is repealed by the next section of this bill, resulting in s. 10.76 (5) (f) having only one subdivision.

SECTION 21. 10.76 (5) (f) 2. of the statutes is repealed.

NOTE: 2003 Wis. Act 265 repealed s. 6.40 (1) (b), eliminating the provision requiring a municipal clerk who registers electors to mail voting privilege cancellation cards to election officials in electors' former voting residences by the 3rd day after registration closes.

SECTION 22. 10.76 (6) (c) 2. of the statutes is amended to read:

10.76 (6) (c) 2. 4 years after an elector's registration cancellation is changed to ineligible status, the cards registration form of the elector whose registrations is changed may be destroyed. See s. 7.23 (1) (c).

NOTE: Conforms provision to s. 7.23 (1) (c) as amended by 2003 Wis. Act 265.

SECTION 23. 10.76 (7) (a) 3. of the statutes is created to read:

10.76 (7) (a) 3. No later than 30 days after the general election, the municipal clerk enters on the registration list under the name of each elector of the municipality who has voted at the election the date of the election in which the elector voted. See s. 7.15 (4).

NOTE: 2003 Wis. Act 265 establishes a specific time limit for completing the requirements of s. 7.15 (4).

SECTION 24. 10.76 (7) (a) 4. of the statutes is created to read:

10.76 (7) (a) 4. No later than 30 days after the general election, the municipal clerk transmits to the board a report of the number of absentee ballots transmitted by the clerk to absent military electors and overseas electors for that election and the combined number of those ballots that were cast by those electors in that election. See s. 6.276 (2).

NOTE: 2003 Wis. Act 265 created s. 6.276, which requires the reporting of federal absentee voting statistics.

SECTION 25. 10.76 (7) (am) 2. of the statutes is renumbered 10.76 (4) (g) 5. and amended to read:

10.76 (4) (g) 5. No earlier than 90 days after the day of the September primary, registration and poll lists created for the 2nd preceding September primary that was held 4 years earlier may be destroyed. See s. 7.23 (1) (e).

NOTE: Conforms provision to s. 7.23 (1) (e) as amended by 2003 Wis. Act 265.

SECTION 26. 10.76 (8) (a) (title) of the statutes is repealed.

NOTE: Repeals title to s. 10.76 (8) (a), which is no longer needed because the provision is renumbered to s. 10.76 (6) (b) 5.

SECTION 27. 10.76 (8) (a) of the statutes is renumbered 10.76 (6) (b) 5. and amended to read:

10.76 (6) (b) 5. No earlier than 90 days after the day of the general election, registration and poll lists created for the 2nd preceding general election that was held 4 years earlier may be destroyed. See s. 7.23 (1) (e).

NOTE: Conforms provision to s. 7.23 (1) (e) as amended by 2003 Wis. Act 265.

SECTION 28. 10.80 (4) (a) of the statutes is repealed.

NOTE: 2003 Wis. Act 265 repealed and recreated s. 6.27, eliminating the provision allowing submission of a question to require or abolish registration in municipalities of less than 5,000 population.

SECTION 29. 10.82 (1) (d) of the statutes is amended to read:

10.82 (1) (d) *Date for special primary.* The date for the special primary is 4 weeks before the day of the special election except when the special election is held on the day of the general election the special primary shall be held on the day of the general September primary or if the special election is held concurrently with the spring election, the primary shall be held concurrently with the spring primary, and except when the special election is held on the Tuesday after the first Monday in November of an odd-numbered year, the primary shall be held on the 2nd Tuesday of September in that year. See ss. 5.02 (20) and 8.50 (2) (b).

NOTE: Conforms provision to s. 8.50 (2) (b), as affected by 2005 Wis. Act 248.

SECTION 30. 10.82 (2) (c) of the statutes is amended to read:

10.82 (2) (c) *Date for special primary.* The special primary shall be 4 weeks before the day of the special

election except when the special election is held on the day of the general election the special primary shall be held on the day of the general September primary or if the special election is held concurrently with the spring election, the primary shall be held concurrently with the spring primary, and except when the special election is held on the Tuesday after the first Monday in November of an odd-numbered year, the primary shall be held on the 2nd Tuesday of September in that year. See ss. 5.02 (20) and 8.50 (2) (b).

NOTE: Conforms provision to s. 8.50 (2) (b), as affected by 2005 Wis. Act 248.

SECTION 31. 10.82 (3) (c) of the statutes is amended to read:

10.82 (3) (c) *Date for special primary.* The special primary shall be 4 weeks before the day of the special election except when the special election is held on the day of the general election the special primary shall be held on the day of the general September primary or if the special election is held concurrently with the spring election, the primary shall be held concurrently with the spring primary, and except when the special election is held on the Tuesday after the first Monday in November of an odd-numbered year, the primary shall be held on the 2nd Tuesday of September in that year. See ss. 5.02 (20) and 8.50 (2) (b).

NOTE: Conforms provision to s. 8.50 (2) (b), as affected by 2005 Wis. Act 248.

SECTION 32. 10.82 (5) (b) of the statutes is amended to read:

10.82 (5) (b) *Date for special primary.* The special primary shall be 4 weeks before the day of the special election except when the special election is held on the day of the general election the special primary shall be held on the day of the general September primary or if the special election is held concurrently with the spring election, the primary shall be held concurrently with the spring primary, and except when the special election is held on the Tuesday after the first Monday in November of an odd-numbered year, the primary shall be held on the 2nd Tuesday of September in that year. See ss. 5.02 (20) and 8.50 (2) (b).

NOTE: Conforms provision to s. 8.50 (2) (b), as affected by 2005 Wis. Act 248.