



**ASSEMBLY AMENDMENT 7,
TO 2005 ASSEMBLY BILL 63**

February 22, 2005 – Offered by Representatives KRUSICK and STONE.

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

2 **1.** Page 1, line 10: after “electors,” insert “absentee voting procedure in certain
3 residential care apartment complexes and adult family homes,”.

4 **2.** Page 16, line 6: delete “4.” and substitute “5.”.

5 **3.** Page 17, line 13: delete “4.” and substitute “5.”.

6 **4.** Page 18, line 7: after that line insert:

7 “5. Unless subd. 3. or 4. applies, if the absentee elector resides in a residential
8 care apartment complex that is certified or registered under s. 50.034 (1) or an adult
9 family home that is certified under s. 50.032 and the municipal clerk or board of
10 election commissioners of the municipality where the complex or home is located
11 does not send special voting deputies to visit the complex or home at the election
12 under s. 6.875, the elector may, in lieu of providing a copy of a license or identification
13 card required under s. 6.86 (1) (ar), submit with his or her absentee ballot a

1 statement signed by the same individual who witnesses voting of the ballot that
2 contains the certification of the manager that the elector resides in the complex or
3 home and the complex or home is certified or registered as required by law, that
4 contains the name and address of the elector, and that verifies that the name and
5 address are correct.”.

6 **SECTION 29c.** 6.875 (title) of the statutes is amended to read:

7 **6.875 (title) ~~Absentee voting in nursing and retirement~~ certain homes**
8 **~~and certain community-based residential, facilities, and complexes.~~**

9 **SECTION 29m.** 6.875 (1) (ap) and (asm) of the statutes are created to read:

10 6.875 (1) (ap) “Qualified adult family home” means a facility that is certified
11 to operate as an adult family home under s. 50.032 that qualifies under sub. (2) (d)
12 to utilize the procedures under this section.

13 (asm) “Qualified residential care apartment complex” means a facility that is
14 certified or registered to operate as a residential care apartment complex under s.
15 50.034 (1) that qualifies under sub. (2) (d) to utilize the procedures under this section.

16 **SECTION 29p.** 6.875 (2) (a) of the statutes is amended to read:

17 6.875 (2) (a) The procedures prescribed in this section are the exclusive means
18 of absentee voting for electors who are occupants of nursing homes, qualified
19 community-based residential facilities ~~or~~, qualified retirement homes, qualified
20 residential care apartment complexes, and qualified adult family homes.

21 **SECTION 29r.** 6.875 (2) (d) of the statutes is created to read:

22 6.875 (2) (d) The municipal clerk or board of election commissioners of any
23 municipality where a residential care apartment complex certified or registered
24 under s. 50.034 (1) or an adult family home certified under s. 50.032 is located may
25 adopt the procedures under this section for absentee voting in any residential care

1 apartment complex or adult family home located in the municipality if the municipal
2 clerk or board of election commissioners finds that there are a significant number of
3 the occupants of the complex or home lack adequate transportation to the
4 appropriate polling place, a significant number of the occupants of the complex or
5 home may need assistance in voting, there are a significant number of the occupants
6 of the complex or home aged 60 or over, or there are a significant number of
7 indefinitely confined electors who are occupants of the complex or home.

8 **SECTION 29t.** 6.875 (3) and (4) of the statutes are amended to read:

9 6.875 (3) An occupant of a nursing home or a qualified retirement home ~~or,~~
10 qualified community-based residential facility, qualified residential care apartment
11 complex, or qualified adult family home who qualifies as an absent elector and
12 desires to receive an absentee ballot shall make application under s. 6.86 (1) or (2)
13 with the municipal clerk or board of election commissioners of the municipality in
14 which the elector is a resident. The clerk or board of election commissioners of a
15 municipality receiving an application from an elector who is an occupant of a nursing
16 home or qualified retirement home ~~or,~~ qualified community-based residential
17 facility, qualified residential care apartment complex, or qualified adult family home
18 located in a different municipality shall, as soon as possible, notify and transmit an
19 absentee ballot for the elector to the clerk or board of election commissioners of the
20 municipality in which the home ~~or qualified community-based residential,~~ facility,
21 or complex is located. The clerk or board of election commissioners of a municipality
22 receiving an application from an elector who is an occupant of a nursing home ~~or,~~
23 qualified retirement home or, qualified community-based residential facility,
24 qualified residential care apartment complex, or qualified adult family home located
25 in the municipality but who is a resident of a different municipality shall, as soon as

1 possible, notify and request transmission of an absentee ballot from the clerk or
2 board of election commissioners of the municipality in which the elector is a resident.
3 The clerk or board of election commissioners shall make a record of all absentee
4 ballots to be transmitted, delivered and voted under this section.

5 (4) For the purpose of absentee voting in nursing homes ~~and~~, qualified
6 retirement homes ~~and~~, qualified community-based residential facilities, qualified
7 residential care apartment complexes, and qualified adult family homes the
8 municipal clerk or board of election commissioners of each municipality in which one
9 or more nursing homes ~~or~~, qualified retirement homes ~~or~~, qualified
10 community-based residential facilities, qualified residential care apartment
11 complexes, and qualified adult family homes are located shall appoint at least 2
12 special voting deputies for the municipality. Upon application under s. 6.86 (1) or (2)
13 by one or more qualified electors who are occupants of such a ~~nursing home or~~
14 ~~qualified retirement home or qualified community-based residential~~, facility, or
15 complex the clerk or board of election commissioners shall dispatch 2 special voting
16 deputies to visit the home ~~or qualified community-based residential~~, facility or
17 complex for the purpose of supervising absentee voting procedure by occupants of the
18 home ~~or qualified community-based residential facility or complex~~. The 2 deputies
19 designated to visit each nursing home ~~or~~, qualified retirement home ~~and~~, qualified
20 community-based residential facility, qualified residential care apartment complex,
21 and qualified adult family home shall be affiliated with different political parties
22 whenever deputies representing different parties are available. Nominations for
23 deputy positions may be submitted by the 2 recognized political parties whose
24 candidates for governor or president received the greatest numbers of votes in the
25 municipality at the most recent general election. The deputies shall be specially

1 appointed to carry out duties under this section for the period specified in s. 7.30 (6)
2 (a). The clerk or board of election commissioners may revoke an appointment at any
3 time. No individual who is employed or retained, or within the 2 years preceding
4 appointment has been employed or retained at a nursing home ~~or~~, qualified
5 retirement home ~~or~~, qualified community-based residential facility, qualified
6 residential care apartment complexes, and qualified adult family homes in the
7 municipality, or any member of the immediate family of such an individual as defined
8 in s. 19.42 (7), may be appointed to serve as a deputy.”

9 **5.** Page 18, line 11: delete “and” and substitute “and”.

10 **6.** Page 18, line 12: after “facility” insert “, qualified residential care
11 apartment complex, and qualified adult family home”.

12 **7.** Page 18, line 16: delete “or qualified retirement home or” and substitute “~~or~~
13 qualified retirement home or, qualified retirement home,”.

14 **8.** Page 18, line 17: after “facility” insert “, qualified residential care complex,
15 or qualified adult family home”.

16 **9.** Page 18, line 19: delete “or facility” and substitute “~~or~~, facility or complex”.

17 **10.** Page 25, line 24: after that line insert:

18 “**SECTION 37g.** 12.13 (2) (b) 6m. of the statutes is amended to read:

19 12.13 (2) (b) 6m. Obtain an absentee ballot for voting in a nursing home or
20 qualified retirement home ~~or~~, qualified community-based residential facility,
21 qualified residential care apartment complex, or adult family home under s. 6.875
22 (6) and fail to return the ballot to the issuing officer.

23 **SECTION 37r.** 12.13 (4) of the statutes is amended to read:

1 12.13 (4) NURSING AND RETIREMENT HOME AND COMMUNITY-BASED RESIDENTIAL
2 FACILITY VOTING. No employee of a nursing home or qualified retirement home or
3 qualified community-based residential facility, qualified residential care apartment
4 complex, or adult family home as defined in s. 6.875 (1) (as), may disclose the
5 designated time arranged for absentee voting by occupants of the home ~~or~~
6 ~~community-based residential, facility, or complex~~ under s. 6.875 (6) to any person
7 other than an occupant of the home ~~or qualified community-based residential~~
8 ~~facility, or complex~~ or a relative of an occupant, as defined in s. 6.875 (1), who requests
9 to be so informed.”.

10 **11.** Page 27, line 23: delete “4.” and substitute “5.”

11 (END)