WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO

2001 Senate Bill 110	**Assembly Amendments 3, 5, 6, 9, 10, 11 and 12**
Memo published: January 25, 2002	***Contact*: Robert J. Conlin, Senior Staff Attorney (266-2298)**

Assembly Amendment 3

Generally, under Senate Bill 110, a local unit of government may permit its employees to serve as election officials without loss of fringe benefits, seniority privileges, loss of pay or any other penalty. Under the bill, an employee of a local governmental unit who obtains a paid leave of absence for service as an election official must certify in writing to the head of the local governmental unit by which he or she is employed the amount of compensation that the employee receives for service as an election official. That amount must be deducted from the employee's pay earned for the scheduled working hours. However, under the bill, if the local governmental unit is also the employer for purposes of the employee's service as an election official, the local governmental unit may require the employee, before the service begins, to assign his or her interest in any compensation earned for the service as an election official to the local governmental unit. If the employee makes this certification, the employee would receive no paycheck for the service as an election official and would have no deduction made from his or her regular paycheck.

Assembly Amendment 3 also authorizes a local governmental unit to grant leave to its employees to serve as election officials without loss of benefits, as under the bill. However, Assembly Amendment 3 does not include the certification provision which would enable an employee to assign his or her pay for service as an election official to the local governmental unit for which he or she is otherwise employed.

The Assembly adopted Assembly Amendment 3 on January 23, 2002 by voice vote.

Assembly Amendment 5

Generally, Senate Bill 110 authorizes the municipal clerk or board of election commissioners of any municipality to designate any location as a temporary satellite station for absentee voting by electors of the municipality. The bill permits any qualified elector of a municipality to obtain and cast an

absentee ballot at a satellite station. The satellite station may be open for absentee voting at any time, but only after the official absentee ballots are prepared and before 5:00 p.m. on the day before the election.

Assembly Amendment 5 deletes the provisions of the bill relating to satellite voting stations.

The Assembly adopted Assembly Amendment 5 on January 23, 2002 by voice vote.

Assembly Amendment 6

Generally, under current law, the polls in a first, second or third class city must be open from 7:00 a.m. to 8:00 p.m. In a village, town, or fourth class city (cities with a population of less than 10,000), polls must be open from 9:00 a.m. to 8:00 p.m., unless the village, town, or city determines to extend the opening hour to not earlier than 7:00 a.m. Senate Bill 110 requires the polls to be open from 7:00 a.m. to 8:00 p.m. in all municipalities with a population of 8,000 or more. In other municipalities, the polls must be open from 9:00 a.m. until 8:00 p.m., but may be extended by the governing body to not earlier than 7:00 a.m.

Assembly Amendment 6 creates uniform polling hours throughout the state from 7:00 a.m. to 8:00 p.m., regardless of the size of the municipality conducting the election.

The Assembly adopted Assembly Amendment 6 on January 23, 2002 on a vote of Ayes, 86; Noes, 13.

Assembly Amendment 9

Generally, under current law, voter registration is required in municipalities with a population over 5,000 people. In smaller municipalities, voter registration is optional.

Senate Bill 110 directs the Elections Board to study the costs, benefits, and feasibility of and to prepare recommendations with regard to requiring voter registration in every municipality. The bill specifies a number of issues that must be addressed in the study. Generally, the results of the study and all of the Board's recommendations must be submitted to the appropriate standing committees of the Legislature no later than approximately nine months after the bill becomes law.

Assembly Amendment 9 deletes those provisions of the bill requiring the study and instead requires the Elections Board to submit, as part of its budget request for the 2003-05 fiscal biennium, a proposal to create a statewide, centralized voter registration and poll list system. The proposed system must be computerized, must require voter registration in every municipality in the state, must be maintained by the Elections Board, and must allow for the real time entering and checking of voter registration and polling information by election officials so as to facilitate the elimination of multiple voting by the same elector at the same election. The proposed system must be designed to be operational as of the 2004 Spring Election.

The Assembly adopted Assembly Amendment 9 on January 23, 2002 by voice vote.

Assembly Amendment 10

Under Senate Bill 110, a special legislative committee is created to study multilingual voting needs in the state and the needs of disabled voters. The bill specifies various issues that the special legislative committee is to study with regard to both the multilingual and disability issues.

Assembly Amendment 10 deletes the component of the study relating to multilingual voting needs.

The Assembly adopted Assembly Amendment 10 on January 23, 2002 on a vote of Ayes, 56; Noes, 43.

Assembly Amendment 11

Generally, under current law, after an election, a municipal clerk or board of election commissioners must verify the address of each elector who registered at the polling place on election day. The verification is conducted via first class postcard, which must be labeled either "ADDRESS CORRECTION REQUESTED" or "DO NOT FORWARD--RETURN POSTAGE GUARANTEED." If the post card is returned undelivered, or if the clerk or board of election commissioners is informed of a different address than the one specified by the elector which was apparently improper on the day of the election, the clerk or board must remove the elector's name from the registration list, mail the elector a notice of the removal and provide the name to the district attorney for the county where the polling place is located.

A similar process, including referral to the appropriate district attorney of the name of any voter or person who corroborates registration information on behalf of the voter, applies when the clerk believes a person has voted more than once or when a person is improperly registered on election day.

Assembly Amendment 11 requires that in addition to referring the relevant names to the district attorney in the situations identified above, the municipal clerk or board of election commissioners must notify the appropriate local law enforcement agency. The amendment requires that within two weeks after receiving the information, the local law enforcement agency must investigate the matter and report the results to the district attorney. No later than two weeks after receiving such a report, the district attorney must file a report with the clerk or board of election commissioners indicating the results of each investigation and any action the district attorney intends to prosecute as a result of each investigation.

The Assembly adopted Assembly Amendment 11 on January 23, 2002 by voice vote.

Assembly Amendment 12

As noted above, Senate Bill 110 creates a special legislative committee to study multilingual voting needs in the state and the needs of disabled voters. The bill specifies various issues that the special legislative committee is to study with regard to both the multilingual and disability issues.

Assembly Amendment 12 deletes the entire study.

The Assembly adopted Assembly Amendment 12 on January 23, 2002 by voice vote.

The Assembly concurred in Senate Bill 110, as amended, on January 23, 2002 on a vote of Ayes, 97; Noes, 2.

RJC:jal:rv:wu;rv;ksm