



2001 ASSEMBLY BILL 10

January 16, 2001 – Introduced by Representatives LADWIG, FREESE, KRAWCZYK, McCORMICK, STARZYK, ALBERS, DUFF, GROTHMAN, HAHN, HOVEN, HUEBSCH, JESKEWITZ, KEDZIE, KESTELL, F. LASEE, M. LEHMAN, MONTGOMERY, MUSSER, NASS, STONE, TOWNSEND, URBAN, VRAKAS, WADE and OTT, cosponsored by Senators FARROW, COWLES, ROESSLER and SCHULTZ. Referred to Committee on Campaigns and Elections.

1 **AN ACT to repeal** 6.30 (1) (title), 6.30 (4), 6.32, 6.54 and 6.56 (5); **to renumber**
2 **and amend** 6.24 (3) and 6.30 (1); **to amend** 6.275 (1) (b), 6.28 (1), 6.28 (3), 6.29
3 (title), 6.29 (2) (a), 6.29 (2) (b), 6.33 (title), 6.33 (1), 6.33 (2) (a), 6.33 (2) (b), 6.40
4 (2) (b), 6.50 (10), 6.55 (2) (b), 6.55 (2) (c) 1., 6.55 (2) (c) 2., 6.55 (2) (d), 6.55 (3),
5 6.55 (7) (c) 1., 6.55 (7) (c) 2., 6.56 (2), 6.79 (1), 6.79 (4) and 7.08 (1) (c); and **to**
6 **create** 6.24 (3) (b) of the statutes; **relating to:** the registration of electors and
7 the determination of eligible electors in certain municipalities on election day.

Analysis by the Legislative Reference Bureau

Under current law, voter registration is required in every municipality having a population of more than 5,000. If registration is required, any individual who qualifies as an elector in a ward or election district but who is not registered to vote may do so in person at various locations within the applicable municipality or, provided the envelope is postmarked by the close of registration (the second Wednesday preceding the election), may mail to the appropriate municipal clerk a completed registration form. In addition, current law permits late registration at the municipal clerk's office after the close of registration but before 5 p.m. on the day before the election and permits election day registration in the appropriate ward or election district. An individual who makes a late or election day registration must complete a registration form and a certification of eligibility and must present

ASSEMBLY BILL 10

acceptable proof of residence. Current law also permits any individual whose name does not appear on a registration list for a ward or election district on election day but who claims to be a registered voter in that ward or election district to vote after completing a certification of eligibility and presenting acceptable proof of residence.

If an individual attempting to vote under these late registration or election day procedures is not able to present acceptable proof of residence, as an alternative, current law permits another qualified elector who resides in the same municipality to corroborate the information contained in the individual's registration form or certification. In any municipality where registration is not required, a similar procedure may be followed on election day to determine whether an individual is an eligible elector.

This bill repeals the authority for an individual to utilize corroboration under these late registration or election day procedures. This bill also requires an individual who registers to vote, other than an individual who resides outside of the United States and who qualifies as an "overseas elector" under the law, to present a Wisconsin driver's license or a Wisconsin identification card that was issued to the individual and that contains a photograph of the individual, or a copy of the individual's birth certificate. Current law does not contain this requirement. In addition, this bill repeals the authority for any individual other than the overseas elector to register by mail. This bill has no effect upon military electors.

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

1 **SECTION 1.** 6.24 (3) of the statutes is renumbered 6.24 (3) (a) and amended to
2 read:

3 6.24 (3) (a) If registration is required in the municipality where the overseas
4 elector resided or where the elector's parent resided, the elector shall register on a
5 form prescribed by the board designed to ascertain the elector's qualifications under
6 this section. The form shall be substantially similar to the original form required
7 under s. 6.33 (1), insofar as applicable. ~~Registration shall be accomplished in~~
8 ~~accordance with s. 6.30 (4)~~ Notwithstanding s. 6.30, the elector is not required to
9 present identification as a prerequisite to registering.

10 **SECTION 2.** 6.24 (3) (b) of the statutes is created to read:

ASSEMBLY BILL 10

1 6.24 (3) (b) Notwithstanding s. 6.30, an overseas elector may register by
2 mailing a completed registration form to the office of the appropriate municipal
3 clerk. Upon receipt of a registration form that is submitted under this paragraph,
4 the municipal clerk shall examine the form for sufficiency. If the form is insufficient
5 to accomplish registration, or the clerk knows or has reliable information that the
6 proposed elector is not qualified, the clerk shall notify the proposed elector within 5
7 days, if possible. If the form is sufficient to accomplish registration, and the clerk has
8 no reliable information to indicate that the proposed elector is not qualified, the clerk
9 shall enter the elector's name on the registration list and transmit a 1st class letter
10 or postcard to the registrant, specifying the elector's ward or aldermanic district, and
11 polling place. If the letter or postcard is returned, or if the clerk is informed of a
12 different address than the one specified by the elector, the clerk shall strike the name
13 of the elector from the list. The letter or postcard shall specify "Address correction
14 requested" or "Do not forward--", and if a postcard, "Return postage guaranteed".

15 **SECTION 3.** 6.275 (1) (b) of the statutes is amended to read:

16 6.275 (1) (b) Where registration applies, the total number of electors of the
17 municipality residing in that county who were preregistered on the deadline
18 specified in s. 6.28 (1), including valid mail registrations under s. 6.24 (3) (b) which
19 are postmarked by that day.

20 **SECTION 4.** 6.28 (1) of the statutes is amended to read:

21 6.28 (1) REGISTRATION LOCATIONS; DEADLINE. Except as authorized in ss. 6.29 and
22 6.55 (2), registration ~~in person~~ for any election shall close at 5 p.m. on the 2nd
23 Wednesday preceding the election. ~~Registrations made by mail under s. 6.30 (4) must~~
24 ~~be delivered to the office of the municipal clerk or postmarked no later than the 2nd~~
25 ~~Wednesday preceding the election.~~ An application for registration ~~in person or by~~

ASSEMBLY BILL 10

1 mail may be accepted for placement on the registration list after the specified
2 deadline, if the municipal clerk determines that the registration list can be revised
3 to incorporate the registration in time for the election. All applications for
4 registration corrections and additions may be made throughout the year at the office
5 of the city board of election commissioners, at the office of the municipal clerk, at the
6 office of any register of deeds, or at other locations provided by the board of election
7 commissioners or the common council in cities over 500,000 population or by either
8 or both the municipal clerk, or the common council, village or town board in all other
9 municipalities and may also be made during the school year at any high school by
10 qualified persons under sub. (2) (a). Other registration locations may include but are
11 not limited to fire houses,; police stations,; public libraries,; institutions of higher
12 education,; supermarkets,; community centers,; plants and factories,; banks,
13 savings and loan associations, and savings banks; and qualified community-based
14 residential facilities, qualified retirement homes, and nursing homes as defined in
15 s. 6.875 (1). Special registration deputies shall be appointed for all locations. An
16 elector who wishes to obtain a confidential listing under s. 6.47 (2) shall register at
17 the office of the municipal clerk of the municipality where the elector resides.

18 **SECTION 5.** 6.28 (3) of the statutes is amended to read:

19 6.28 (3) AT OFFICE OF REGISTER OF DEEDS. Any person who resides in a
20 municipality requiring registration of electors shall be given an opportunity to
21 register to vote at the office of the register of deeds. ~~An applicant may fill out the~~
22 ~~required~~ The registration form shall be completed as required under s. 6.33. Upon
23 receipt of a completed form, the register of deeds shall forward the form within 5 days
24 to the appropriate municipal clerk, or to the board of election commissioners in cities

ASSEMBLY BILL 10

1 over 500,000 population. The register of deeds shall forward the form immediately
2 whenever registration closes within 5 days of receipt.

3 **SECTION 6.** 6.29 (title) of the statutes is amended to read:

4 **6.29 (title) Late registration in person.**

5 **SECTION 7.** 6.29 (2) (a) of the statutes is amended to read:

6 6.29 (2) (a) Any qualified elector of a municipality where registration is
7 required who has not previously filed a registration form or whose name does not
8 appear on the registration list of the municipality shall be entitled to vote at the
9 election if he or she ~~delivers to the municipal clerk a registration form executed by~~
10 ~~the elector~~ registers at the office of the municipal clerk not later than 5 p.m. of the
11 day before an election. ~~The form shall contain a certification by the elector that all~~
12 ~~statements are true and correct. Alternatively, if the elector cannot obtain a~~
13 ~~registration form, the elector may deliver a statement, signed by the elector,~~
14 ~~containing all of the information required on the registration form. The elector shall~~
15 ~~present acceptable proof of residence as provided in s. 6.55 (7). If no proof is~~
16 ~~presented, the registration form or the listing of required information shall be~~
17 ~~substantiated by one other elector of the municipality, corroborating all the material~~
18 ~~statements therein. The corroborating elector shall then provide acceptable proof of~~
19 ~~residence under s. 6.55 (7). The signing of the form by the registering elector and~~
20 ~~statement by the corroborating elector shall be done in the presence of the municipal~~
21 ~~clerk or deputy clerk not later than 5 p.m. of the day before an election.~~

22 **SECTION 8.** 6.29 (2) (b) of the statutes is amended to read:

23 6.29 (2) (b) Upon ~~the filing of the registration form required by~~ registering an
24 elector under this section, the municipal clerk shall issue a certificate addressed to
25 the inspectors of the proper ward directing that the elector be permitted to cast his

ASSEMBLY BILL 10

1 or her vote, unless the clerk determines that the registration list will be revised to
2 incorporate the registration in time for the election. The certificate shall be
3 numbered serially, prepared in duplicate and one copy preserved in the office of the
4 municipal clerk.

5 **SECTION 9.** 6.30 (1) (title) of the statutes is repealed.

6 **SECTION 10.** 6.30 (1) of the statutes is renumbered 6.30 and amended to read:

7 **6.30** Registration applications shall be made in person, ~~except under sub. (4).~~
8 Each person making a registration application shall present to the clerk, issuing
9 officer, or registration deputy a valid operator's license issued to the person under
10 ch. 343 that contains the photograph of the license holder, or a valid identification
11 card issued to the person under s. 343.50, or a copy of the person's birth certificate.
12 If the identification presented is not acceptable proof of residence under s. 6.55 (7),
13 the person shall also present acceptable proof of residence.

14 **SECTION 11.** 6.30 (4) of the statutes is repealed.

15 **SECTION 12.** 6.32 of the statutes is repealed.

16 **SECTION 13.** 6.33 (title) of the statutes is amended to read:

17 **6.33** (title) **Registration forms; manner of completing.**

18 **SECTION 14.** 6.33 (1) of the statutes is amended to read:

19 6.33 (1) The municipal clerk shall supply sufficient registration forms as
20 prescribed by the board printed on loose-leaf sheets or cards to obtain from each
21 applicant information as to name, date, residence location, citizenship, age, whether
22 the applicant has resided within the ward or election district for at least 10 days,
23 whether the applicant has lost his or her right to vote, and whether the applicant is
24 currently registered to vote at any other location, and shall provide a space for the
25 applicant's signature. The forms shall also include a space for where the clerk,

ASSEMBLY BILL 10

1 issuing officer, or registration deputy may record the type of identification serial
2 provided by the applicant and any unique identifying number of any elector who is
3 issued such a number under s. 6.47 (3) contained in that identification. The forms
4 shall also include a space where the clerk, issuing officer, or registration deputy, for
5 any applicant who possesses a valid voting identification card issued to the person
6 under s. 6.47 (3), may record the serial number contained in the voting identification
7 card. Each register of deeds shall obtain sufficient registration forms at the expense
8 of the unit of government by which he or she is employed for completion by any elector
9 who desires to register to vote.

10 **SECTION 15.** 6.33 (2) (a) of the statutes is amended to read:

11 6.33 (2) (a) The All information other than information relating to the
12 identification provided by an applicant or relating to an applicant's voting
13 identification card may be recorded by any person, but the . The clerk, issuing officer,
14 or registration deputy shall record all information relating to the identification
15 provided by an applicant or relating to an applicant's voting identification card. Each
16 applicant shall sign his or her own name unless the applicant is unable to sign his
17 or her name due to physical disability. In such case, the applicant may authorize
18 another elector to sign the form on his or her behalf. If the applicant so authorizes,
19 the elector signing the form shall attest to a statement that the application is made
20 upon request and by authorization of a named elector who is unable to sign the form
21 due to physical disability. Ward and aldermanic district information shall be filled
22 in by the clerk.

23 **SECTION 16.** 6.33 (2) (b) of the statutes is amended to read:

24 6.33 (2) (b) The registration form shall be signed by the registering elector and
25 ~~any corroborating elector under s. 6.29 (2) (a) or 6.55 (2)~~ before the clerk, issuing

ASSEMBLY BILL 10

1 officer, or registration deputy. The form shall contain a certification by the
2 registering elector that all statements are true and correct.

3 **SECTION 17.** 6.40 (2) (b) of the statutes is amended to read:

4 6.40 (2) (b) In addition to the revision which is required under s. 6.50,
5 municipal clerks may conduct door-to-door and mail registration canvasses at any
6 time. The door-to-door canvass shall consist of both the deletion from the
7 registration list of the names of electors who no longer reside at the address for which
8 they are registered and the addition to the registration list of the names of electors
9 who reside at that address. The mail canvass shall consist of the municipal clerk
10 examining the registration records and canceling the registration of electors after
11 the mailing of notices in accordance with s. 6.50 (1) and (2) or (2m). ~~The mail canvass~~
12 ~~may also consist of adding to the registration list the names of eligible electors.~~ Both
13 door-to-door and mail canvasses whenever made shall be made throughout the
14 municipality in a uniform manner. An elector who wishes to obtain a confidential
15 listing under s. 6.47 (2) shall register at the office of the municipal clerk of the
16 municipality where the elector resides.

17 **SECTION 18.** 6.50 (10) of the statutes is amended to read:

18 6.50 (10) Any elector whose registration is canceled under this section may
19 ~~have his or her registration reinstated by filing a new registration form~~ reregister
20 as provided under s. 6.30.

21 **SECTION 19.** 6.54 of the statutes is repealed.

22 **SECTION 20.** 6.55 (2) (b) of the statutes is amended to read:

23 6.55 (2) (b) Upon executing the registration form under par. (a), the person
24 shall be required by a special registration deputy or inspector to present a valid
25 operator's license issued to the person under ch. 343 that contains the photograph

ASSEMBLY BILL 10

1 of the license holder, a valid identification card issued to the person under s. 343.50,
2 or a copy of the person's birth certificate. If the identification presented is not
3 acceptable proof of residence under sub. (7), the person shall also present acceptable
4 proof of residence under sub. (7). If the person cannot supply such proof, the
5 registration form shall be substantiated and signed by one other elector who resides
6 in the same municipality as the registering elector, corroborating all the material
7 statements therein. The corroborator shall then provide acceptable proof of
8 residence. The signing by the elector executing the registration form and by any
9 elector who corroborates the information in the form under par. (a) shall be in the
10 presence of the special registration deputy or inspector. Upon compliance with this
11 procedure, such person shall then be given the right to vote.

12 **SECTION 21.** 6.55 (2) (c) 1. of the statutes is amended to read:

13 6.55 (2) (c) 1. As an alternative to registration at the polling place under pars.
14 (a) and (b), the board of election commissioners, or the governing body of any
15 municipality in which registration is required may by resolution require a person
16 who qualifies as an elector and who is not registered and desires to register on the
17 day of an election to do so at another readily accessible location in the same building
18 as the polling place serving the elector's residence or at an alternate polling place
19 assigned under s. 5.25 (5) (b), instead of at the polling place serving the elector's
20 residence. In such case, the municipal clerk shall prominently post a notice of the
21 registration location at the polling place. The municipal clerk, deputy clerk, or
22 special registration deputy at the registration location shall require such person to
23 execute a registration form as prescribed under par. (a) and to present a valid
24 operator's license issued to the person under ch. 343 that contains the photograph
25 of the license holder, a valid identification card issued to the person under s. 343.50,

ASSEMBLY BILL 10**SECTION 21**

1 or a copy of the person's birth certificate. If the identification presented is not
2 acceptable proof of residence under sub. (7), the person shall also provide acceptable
3 proof of residence as provided under sub. (7). If the person cannot supply such proof,
4 the registration form shall be corroborated in the manner provided in par. (b). The
5 signing by the elector executing the registration form and by any corroborating
6 elector as prescribed under par. (a) shall be in the presence of the municipal clerk,
7 deputy clerk, or special registration deputy. Upon proper completion of registration,
8 the municipal clerk, deputy clerk, or special registration deputy shall serially
9 number the registration and give one copy to the elector for presentation at the
10 polling place serving the elector's residence or an alternate polling place assigned
11 under s. 5.25 (5) (b).

12 **SECTION 22.** 6.55 (2) (c) 2. of the statutes is amended to read:

13 6.55 (2) (c) 2. Upon compliance with the procedures under subd. 1., the
14 municipal clerk or deputy clerk shall issue a certificate addressed to the inspectors
15 of the proper polling place directing that the elector be permitted to cast his or her
16 vote. ~~If the elector's registration is corroborated, the clerk shall enter the name and~~
17 ~~address of the corroborator on the face of the certificate.~~ The certificate shall be
18 numbered serially and prepared in duplicate. The municipal clerk shall preserve one
19 copy in his or her office.

20 **SECTION 23.** 6.55 (2) (d) of the statutes is amended to read:

21 6.55 (2) (d) A registered elector who has changed his or her name but resides
22 at the same address, and has not notified the municipal clerk under s. 6.40 (1) (c),
23 shall notify the inspector of the change before voting. The inspector shall then notify
24 the municipal clerk at the time which materials are returned under s. 6.56 (1). If an
25 elector ~~changes~~ has changed both a name and address, the elector shall complete a

ASSEMBLY BILL 10

1 ~~registration form~~ register at the polling place or other registration location under
2 pars. (a) and (b).

3 **SECTION 24.** 6.55 (3) of the statutes is amended to read:

4 6.55 (3) Any qualified elector in the ward or election district where the elector
5 desires to vote whose name does not appear on the registration list where
6 registration is required but who claims to be registered to vote in the election may
7 request permission to vote at the polling place for that ward or election district.
8 When the request is made, the inspector shall require the person to give his or her
9 name and address. If the elector is not at the polling place which serves the ward or
10 election district where the elector resides, the inspector shall provide the elector with
11 directions to the correct polling place. If the elector is at the correct polling place, the
12 elector shall then execute the following written statement: "I,, hereby certify that
13 to the best of my knowledge, I am a qualified elector, having resided at for at least
14 10 days immediately preceding this election, and that I am not disqualified on any
15 ground from voting, and I have not voted at this election and am properly registered
16 to vote in this election." The person shall be required to provide acceptable proof of
17 residence as provided under sub. (7) and shall then be given the right to vote. If
18 acceptable proof is presented, the elector need not have the information corroborated
19 by any other elector. ~~If acceptable proof is not presented, the statement shall be~~
20 ~~certified by the elector and shall be corroborated by another elector who resides in~~
21 ~~the municipality. The corroborator shall then provide acceptable proof of residence~~
22 ~~as provided in sub. (7).~~ Whenever the question of residence cannot be satisfactorily
23 resolved and the elector cannot be permitted to vote, an inspector shall telephone the
24 office of the municipal clerk to reconcile the records at the polling place with those
25 at the office.

ASSEMBLY BILL 10

1 **SECTION 25.** 6.55 (7) (c) 1. of the statutes is amended to read:

2 6.55 (7) (c) 1. ~~A Wisconsin motor vehicle~~ An operator's license issued under ch.
3 343.

4 **SECTION 26.** 6.55 (7) (c) 2. of the statutes is amended to read:

5 6.55 (7) (c) 2. ~~A Wisconsin~~ An identification card issued under ~~s. 125.08, 1987~~
6 ~~stats~~ s. 343.50.

7 **SECTION 27.** 6.56 (2) of the statutes is amended to read:

8 6.56 (2) Upon receipt of the list, the municipal clerk shall make a check to
9 determine whether each person who has been allowed to vote under s. 6.55 (3) is
10 properly registered. If so, the clerk shall correct the registration list. If the address
11 on the registration list is not correct, the clerk shall correct the address. The clerk
12 shall then notify the elector by postcard when he or she is properly registered. If such
13 ~~person~~ the person is found not to be properly registered, the clerk shall send the
14 person a 1st class letter with that information, ~~containing a mail registration form~~
15 ~~under s. 6.30 (4)~~ indicating that the person may contact the clerk for instruction on
16 how to continue the person's registration. The letter shall be marked "ADDRESS
17 CORRECTION REQUESTED". If such letter is returned undelivered, or if the U.S. postal
18 service notifies the clerk of an improper address which was apparently improper on
19 the day of the election, the clerk shall notify the district attorney.

20 **SECTION 28.** 6.56 (5) of the statutes is repealed.

21 **SECTION 29.** 6.79 (1) of the statutes is amended to read:

22 6.79 (1) MUNICIPALITIES WITHOUT REGISTRATION. Except as provided in sub. (6)
23 (a), where there is no registration, before being permitted to vote, each person shall
24 state his or her full name and address. The officials shall enter each name and
25 address on a poll list in the same order as the votes are cast. If the residence of the

ASSEMBLY BILL 10

1 elector does not have a number, the election officials shall, in the appropriate space,
2 enter “none”. Alternatively, the municipal clerk may maintain a poll list consisting
3 of the full name and address of electors compiled from previous elections. Whenever
4 an elector appears to vote, the officials shall verify the correctness of the elector’s
5 name and address, and shall enter a serial number next to the name of the elector
6 in the order that the votes are cast, beginning with the number one. If the name and
7 address of an elector do not appear on the prepared poll list, the officials shall enter
8 the name, address, and serial number of the elector at the bottom of the list. The
9 officials may require any elector to provide identification, including acceptable proof
10 of residence, ~~or to have another elector corroborate his or her information in~~
11 ~~accordance with the procedure specified in s. 6.55 (2) (b) before permitting the elector~~
12 ~~to vote. An elector who presents an identification card under sub. (6) (a) is not~~
13 ~~required to provide separate identification. The officials shall maintain a separate~~
14 ~~list of those persons voting under ss. 6.15 and 6.24.~~

15 **SECTION 30.** 6.79 (4) of the statutes is amended to read:

16 6.79 (4) SUPPLEMENTAL INFORMATION. When any elector provides identification
17 or proof of residence under sub. (1) or s. 6.15, 6.29, or 6.55 (2) or (3), the election
18 officials shall enter the type of identification or proof and any unique identifying
19 number contained in the identification or proof on the poll or registration list, or
20 supplemental list maintained under sub. (2). ~~If the form of identification includes~~
21 ~~a number which applies only to the individual holding that piece of identification, the~~
22 ~~election officials shall also enter that number on the list. When any elector~~
23 ~~corroborates the registration identity or residence of any person offering to vote~~
24 ~~under sub. (1) or s. 6.55 (2) (b) or (c) or (3) the name and address of the corroborator~~
25 ~~shall also be entered next to the name of the elector whose information is being~~

ASSEMBLY BILL 10**SECTION 30**

1 ~~corroborated on the registration or poll list, or the separate list maintained under~~
2 ~~sub. (2).~~ When any person offering to vote has been challenged and taken the oath,
3 following the person's name on the registration or poll list, the officials shall enter
4 the word "Sworn".

5 **SECTION 31.** 7.08 (1) (c) of the statutes is amended to read:

6 7.08 (1) (c) Prescribe forms required by ss. 6.24 (3) and (4), ~~6.30 (4)~~, 6.33 (1),
7 6.40 (1) (b), 6.47 (1) (a) 2. and (3), 6.55 (2) and (3), 6.79 (5), and 6.86 (2) and (3). All
8 such forms shall contain a statement of the penalty applicable to false or fraudulent
9 registration or voting through use of the form. Forms are not required to be furnished
10 by the board.

11 **SECTION 32. Initial applicability.**

12 (1) The treatment of sections 6.30 (4) and 6.32 of the statutes first applies to
13 completed mail registration forms that are delivered to a municipal clerk or
14 postmarked on the effective date of this subsection.

15 (END)