



2005 ASSEMBLY BILL 542

July 7, 2005 – Introduced by Representatives CULLEN, SEIDEL, SHILLING, GRIGSBY, KREUSER, RICHARDS, POCAN, TRAVIS, KESSLER, BENEDICT, TURNER, A. WILLIAMS, ZEPNICK, FIELDS, LEHMAN, SHERIDAN, VRUWINK, VAN AKKEREN, NELSON, MOLEPSKE, SHERMAN, TOLES, POPE-ROBERTS, HEBL, STASKUNAS, STEINBRINK, GRONEMUS, BERCEAU, YOUNG, SINICKI, WASSERMAN and COLON, cosponsored by Senators COGGS, TAYLOR, ROBSON, DECKER, HANSEN, WIRCH, RISSER, ERPENBACH, MILLER, BRESKE, JAUCH, LASSA, CARPENTER and PLALE. Referred to Committee on Campaigns and Elections.

1 **AN ACT** *to repeal* 6.93 (title); *to renumber* 6.88 (3) (b); *to renumber and*
2 *amend* 6.21, 6.55 (3), 6.88 (3) (a), 6.93, 7.30 (1), 7.31 (1) and 7.51 (3) (d); *to*
3 *amend* 5.02 (15), 5.05 (1) (e), 5.25 (4) (a), 5.25 (4) (b), 5.35 (title), 5.35 (5), 5.35
4 (6) (a) (intro.), 5.35 (6) (a) 3., 5.35 (6) (a) 4., 6.10 (3), 6.15 (4) (a) to (e), 6.15 (6),
5 6.26 (2) (c), 6.26 (2) (d), 6.26 (3), 6.275 (title), 6.275 (2), 6.28 (1), 6.28 (3), 6.29
6 (1), 6.29 (2) (a), 6.32 (3), 6.33 (1), 6.33 (2) (a), 6.33 (5) (a), 6.36 (1) (a), 6.36 (1) (b)
7 1. a., 6.36 (2) (a), 6.40 (1) (a) 1., 6.40 (1) (c), 6.50 (3), 6.55 (2) (a) 1., 6.55 (2) (d),
8 6.56 (1), 6.56 (3), 6.77 (1), 6.79 (2) (c), 6.86 (1) (a) 5., 6.86 (1) (ar), 6.86 (1) (b), 6.86
9 (3) (c), 6.87 (3) (a), 6.87 (4), 6.87 (6), 6.88 (1), 6.88 (2), 6.935, 6.97 (1), 6.97 (2),
10 7.03 (1) (a), 7.03 (1) (d), 7.08 (1) (c), 7.30 (2) (a), 7.30 (2) (b), 7.30 (2) (b), 7.30 (2)
11 (c), 7.30 (4) (b) (intro.), 7.30 (4) (c), 7.30 (6) (b), 7.30 (6) (c), 7.31 (title), 7.31 (2)
12 to (5), 7.32, 7.33 (3), 7.37 (2), 7.41 (1), 7.41 (2), 7.41 (3) (intro.), 7.41 (3) (a), 7.41
13 (3) (b), 7.51 (1), 7.51 (2) (c), 7.51 (2) (e), 7.51 (4) (a), 7.51 (5) (b), 7.53 (1), 7.53 (2)
14 (d), 7.60 (3), 12.03 (title), 12.03 (1), 12.07 (2), 12.13 (3) (x), 12.60 (1) (a), 12.60

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1 (1) (b), 17.29, 20.510 (1) (bm), 343.22 (4) and 880.33 (9); **to repeal and recreate**
2 6.28 (title); and **to create** 5.35 (6) (c), 5.51 (9), 6.275 (3), 6.28 (4), 6.285, 6.29 (2)
3 (am), 6.33 (1m), 6.36 (1) (b) 1. am., 6.55 (2) (cs), 6.55 (3) (b), 6.56 (3m), 6.79 (2)
4 (dm), 6.86 (6), 6.873, 7.08 (9), 7.16, 7.17, 7.18, 7.30 (1) (b), 7.31 (1g), 7.52, 12.03
5 (1m), 12.03 (2m), 12.13 (3) (gm), 12.13 (3) (ze), 20.510 (1) (e), 110.08 (1r), 301.03
6 (20), 343.14 (2r), 343.178 and 343.22 (3m) of the statutes; **relating to:**
7 administration of elections and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill makes various changes in the laws concerning the administration of elections. The changes include:

Absentee voting and voter registration at satellite locations

Currently, unless an elector votes by absentee ballot, the elector must appear at the polling place serving his or her residence to vote. Polling places are staffed by inspectors who, with limited exceptions, are appointed from nominations submitted by the party committeemen or committeewomen of the two major political parties. If nominations are not submitted, inspectors may be appointed without regard to party affiliation. Municipalities may also appoint special registration deputies on a nonpartisan basis to register voters at polling places on election day. With limited exceptions, each inspector must be a resident of the area served by the polling place where the inspector is employed. Inspectors are public officers who serve for two-year terms and must file an oath of office. Inspectors must be compensated by the municipality where they serve.

Current law permits any qualified elector who for any reason is unable or unwilling to appear at his or her polling place to vote by absentee ballot. With certain limited exceptions, the elector must apply for and obtain an absentee ballot from the appropriate municipal clerk or board of election commissioners by 5 p.m. on the day before the election. The elector may cast the absentee ballot either by mail or in person at the office of the municipal clerk or board of election commissioners of the municipality where the elector resides. Current law also contains a special procedure that permits certain residents of nursing or retirement homes or community-based residential facilities to apply for and obtain an absentee ballot from special voting deputies who are appointed by the municipal clerk or board of election commissioners and who personally visit the home or facility. These electors give their absentee ballots directly to the special voting deputies, who then deliver the ballots to the municipal clerk or board of election commissioners.

With certain limited exceptions, this bill authorizes the municipal governing body of any municipality to designate any location as a temporary, satellite station for absentee voting by electors of the municipality. The location may be inside a

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building or outdoors and need not be contained in a room separated from other activities. The bill permits any qualified elector of a municipality to obtain and cast an absentee ballot at a satellite station regardless of where the elector resides within the municipality. A satellite station may be open for absentee voting at any time, but not earlier than the date on which official absentee ballots become available and not later than 5 p.m. on the day before the election. The bill also permits any elector to challenge for cause any absentee ballot that is cast at a satellite absentee voting station.

Under the bill, a satellite absentee voting station must be staffed by at least one special voting deputy who is appointed on a nonpartisan basis by the municipal clerk or board of election commissioners. The bill permits any qualified elector of the state to be appointed as a special voting deputy. The bill specifies certain minimum qualifications for the special voting deputy, such as knowledge of the English language. The municipal clerk or board of election commissioners must instruct the special voting deputy in his or her duties. The special voting deputy may be compensated at the option of the applicable municipality. The special voting deputy is required to supervise the proceedings at the satellite station to which he or she is assigned and to enforce certain election laws that apply to the satellite station. The special voting deputy is under the supervision of the municipal clerk or board of election commissioners. Under the bill, a special voting deputy is a public officer and must file an oath of office.

The bill also requires the municipal clerk or board of election commissioners to appoint at least one special registration deputy on a nonpartisan basis to staff each satellite station. The bill permits any qualified elector of the state to be appointed as a special registration deputy. The bill specifies certain minimum qualifications for the special registration deputy. The special voting deputy may be compensated at the option of the municipality. The bill permits an elector to register to vote at any satellite station at any time during which the station is open for absentee voting. With certain limited exceptions, the elector must follow the registration procedure that would otherwise apply to the elector under current law.

The bill requires each satellite station to meet current standards with regard to the accessibility of polling places and requires the posting of information at a satellite station that is generally the same as the information required to be posted at a polling place. However, whereas current law prohibits electioneering on public property within 100 feet of the entrance to a polling place, the bill generally prohibits electioneering in any building in which a satellite station is located at any time during which the satellite station is open; and if a satellite station is located outside of a building, the bill generally prohibits electioneering within 100 feet of the satellite station at any time during which the satellite station is open. The restrictions on electioneering do not apply on private property that is not owned or controlled by the same person as the property where the satellite station is located and do not apply to bumper stickers.

Absentee ballot canvassing procedure

Currently, each absentee ballot must be received at the polling place serving an elector's residence no later than 8 p.m. on election night for the ballot to be counted.

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The municipal clerk or board of election commissioners delivers all absentee ballots received by the clerk or board to the appropriate polling places. The inspectors (poll workers) canvass the absentee ballots, together with the other ballots, publicly on election day by marking the names of the absentee electors on the same poll list that is used to mark the names of the electors who vote in person. Any member of the public may observe the proceedings. Any elector may challenge for cause any absentee ballot that the elector knows or suspects is not cast by a qualified elector, whether the absentee ballot is cast in person at the office of a municipal clerk or board of election commissioners or the ballot is received in some other manner. Unless an absentee ballot is challenged or voted provisionally, it is not identifiable once it is counted except that an absentee ballot may be distinguished from another ballot because it carries the initials of the municipal clerk or executive director of the board of election commissioners or a designated deputy. The inspectors at each polling place announce the results of each election when the canvass is completed on election night. Each municipal canvass must be completed by 2 p.m. on the day after each election, and each county canvass must begin no later than 9 a.m. on the Thursday following an election.

This bill discontinues the canvassing of absentee ballots at polling places. Under the bill, each municipal board of canvassers must convene at one or more public meetings held no earlier than the seventh day after absentee ballots for an election are distributed and no later than 10 a.m. on the day after the election for the purpose of counting absentee ballots. Under the bill, the board of canvassers does not announce the results of its count until the canvass of all absentee ballots is completed on the day after an election. The bill provides for each municipal board of canvassers to conduct a cross-check of absentee ballots for any potential duplication by electors who also cast ballots in person. To accomplish the cross-check, each municipal board of canvassers numbers each absentee ballot as it is counted, and if the elector who casts the ballot also casts a ballot in person, the absentee ballot is not counted. To allow time for the separate canvass of the absentee ballots to be completed and to reconcile and merge the results with the canvasses conducted at polling places, the bill allows an additional 24 hours for municipal canvasses to be completed and for county canvasses to begin. The bill permits any elector to challenge for cause any absentee ballot, other than a ballot that is cast in person at the office of a municipal clerk or board of election commissioners or at a satellite absentee voting station.

Challenges of absentee ballots

Currently, an elector may challenge for cause the absentee ballot of any person whom the elector knows or suspects is not a qualified elector at the polling place where the absentee ballot is received. This bill permits any elector to challenge for cause the absentee ballot of any person whom the elector knows or suspects is not a qualified elector when the person casts an absentee ballot in person at the office of a municipal clerk or board of election commissioners. Under the bill, if a person casts an absentee ballot in person at the office of the municipal clerk or board of election commissioners or at a satellite absentee voting station, an elector who wishes to challenge the absentee ballot may do so only at the office of the municipal clerk or

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board of election commissioners or at the voting station where the absentee ballot is cast.

Voter registration with operator's license and identification card renewals

Under current law, every municipality with a population of more than 5,000 is required to maintain a voter registration list. Beginning with the 2006 spring primary election, every municipality will be required to maintain a voter registration list. With certain exceptions, the deadline for voter registration for an election is 5 p.m. on the second Wednesday preceding the election. Registrations before this deadline may be received at the office of the municipal clerk or board of election commissioners (by mail or in person), at the office of the register of deeds, and at other designated locations such as public high schools. Voters may also register in person at the office of the municipal clerk or board of election commissioners until 5 p.m. on the day before an election or, in most cases, may register at the proper polling place or other designated location on election day. In addition, voters may register for an election after the deadline if the municipal clerk or board of election commissioners determines that the registration list can be revised to incorporate the registrations in time for the election.

This bill directs the Department of Transportation (DOT) to include a voter registration application as part of each operator's license and identification card application and renewal application and to accept voter registration applications from any elector who applies for an operator's license or identification card or renewal of a license or card at any DOT office where applications for licenses or cards or renewals of licenses or cards are accepted. The bill also directs DOT to accept an application to update the registration information of any elector who has applied for or obtained an operator's license or identification card if the elector changes his or her name or residence within the state. The form of the registration application and update application is prescribed by the Elections Board, subject to certain requirements specified in the bill. Under the bill, DOT must provide the registration and update forms to applicants at state expense.

The bill directs each municipal clerk and board of election commissioners to appoint each employee of DOT who accepts applications for operators' licenses or identification cards or renewals of licenses or cards as a special registration deputy. The bill directs DOT employees who serve as deputies to forward completed voter registration applications and update forms to the Elections Board. The board then adds the names of qualified electors who submit properly completed forms to the registration list or updates registration information on the list, as appropriate. Under the bill, if a registration or update is filed at an office of DOT, the form or update must be filed no later than the second Wednesday before an election to become effective for that election.

Prevention of voting by ineligible felons

Currently, any person who is convicted of a felony is not eligible to vote. However, if the person is pardoned or the person completes his or her sentence, the person's voting rights are restored. A person who is on probation, parole, or extended supervision has not completed his or her sentence. Under current law, there is no

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procedure that election officials must use to identify felons who are ineligible to vote and to prevent them from voting.

This bill directs the Department of Corrections (DOC) to transmit electronically to the Elections Board, on a continuous basis, a list containing the names of each person who has been convicted of a felony under the laws of this state and whose voting rights have not been restored, together with the date on which DOC expects his or her voting rights to be restored. (The voting rights of a convicted felon are restored if the felon is pardoned or if the felon is released from incarceration and is not on parole, probation or extended supervision.) The bill directs the board to enter the information received from DOC on the statewide voter registration list and to maintain the information on that list so that the information is kept current. Under the bill, the information is open to public inspection. The bill also directs the board to enter on the poll list prepared for each election a notation after the name of any elector who is ineligible to vote on that date because the person's name appears on the current list that DOC provides. In addition, the bill directs the board to provide for each polling place at each election a list of persons whose names do not appear on the registration list but whose names appear on the current list that DOC provides and whose addresses are located within the area served by the polling place. These lists are open to public inspection. The bill requires poll workers to check the lists and to inform any person whose names appear on the lists that they are ineligible to register to vote or to vote. A person whose name appears on a list and who claims to be eligible to vote may still be allowed to vote, but the person must vote by ballot. The ballot is marked for later examination and it may be reviewed and discounted during a canvass or recount if the appropriate board of canvassers determines that the person who cast the ballot is ineligible to vote.

The bill also requires every person who registers to vote, to affirm specifically that he or she has not been convicted of a felony for which he or she has not been pardoned and, if so, whether the person is incarcerated or on probation, parole, or extended supervision resulting from that conviction. Currently, the law requires a person who registers at a polling place only to affirm that he or she is not disqualified on any ground from voting, and does not require any similar affirmation from other late registrants.

In addition, the bill directs the Elections Board to conduct a postelection audit after each election to determine whether any ineligible felons have been allowed to register and vote after the close of registration. If so, the board is directed to enter a notation reflecting this ineligibility on the registration list and to provide the names of these felons to the district attorney.

Thirty-minute maximum waiting time

This bill directs municipalities to implement procedures to attempt to ensure that no elector who appears to vote at a polling place for any election is required to wait more than 30 minutes before being permitted to vote. Currently, there is no similar requirement.

Postelection performance reviews

This bill directs each municipal clerk and board of election commissioners of each municipality to conduct a postelection performance review following each

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election that is held in the municipality. The review must include an analysis of whether all relevant laws were complied with, an assessment of whether the municipality achieved its goal to ensure a maximum waiting time of 30 minutes at polling places and if not, how the goal can be achieved at the next comparable election, and any steps that the municipality must take to improve the administration of the next election in the municipality. Currently, there is no such requirement.

Election day plans

This bill directs each municipal governing body to adopt a plan for the administration of each election in the municipality. The plan must be adopted at least 42 days before each regularly scheduled election, including each primary, and at least 21 days before each special election. The plan must be prepared with the advice of the Elections Board and must be submitted to the governing body in proposed form by the municipal clerk or board of election commissioners. The plan must include six elements: 1) procedures for preelection education of voters concerning voting eligibility and voting procedures; 2) methods to be used to ensure adequate staffing for preelection and election day activities; 3) measures that the municipality will use to ensure the orderly and efficient flow of voters at each polling place; 4) contingency plans to manage any voter turnout that is significantly higher than anticipated; 5) management controls that the municipality will use to ensure accountable and orderly processes at the election; and 6) specific procedures that the municipality will use to conduct the postelection reviews required by the bill.

Election officials

Currently, there must be at least three inspectors (poll workers) at each polling place. Municipalities may increase that number and may appoint special registration deputies on a nonpartisan basis to register voters at polling places on election day. Inspectors must be appointed from lists containing the names of eligible electors submitted by party committeemen and committeewomen. If no names or insufficient names are submitted, inspectors are appointed on a nonpartisan basis. Certain high school pupils may also be appointed to serve as inspectors. The party whose candidate for president or governor received the most votes in the area served by the polling place at the most recent general election is entitled to one more appointment than the other party. Alternate officials must also be appointed in a sufficient number to maintain adequate staffing.

This bill provides that each municipality shall at the general election and may at other elections appoint an additional inspector on a nonpartisan basis who serves as a greeter and substitutes for other inspectors who must leave the voting room temporarily. Under the bill, the additional inspector is not entitled to participate in the canvassing process. In addition, the bill requires each municipality to appoint at least one alternate inspector to serve at each election at each polling place in the municipality.

Compensation for obtaining voter registrations

Under current law, a municipal clerk or board of election commissioners or the Elections Board may appoint special registration deputies who may register electors prior to the close of registration for any election. Any other person may also obtain

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voter registration forms and may solicit registrations and return completed forms to a municipal clerk, board of election commissioners, or the Elections Board.

This bill prohibits any person from compensating any other person, for obtaining voter registrations, at a rate that varies in relation to the number of voter registrations obtained by the person. Violators are guilty of a misdemeanor and are subject to a fine of not more than \$1,000 or imprisonment for not more than six months, or both, for each offense.

Training of poll workers and special registration deputies

Currently, the Elections Board conducts training programs for chief inspectors (chief officials at polling places). No person may serve as a chief inspector who has not been certified by the Elections Board as having met the requirements prescribed by the board for certification. The Elections Board must also prescribe requirements for maintaining certification. The Elections Board may also conduct training programs for other election officials. Municipal clerks and boards of election commissioners are required to train all election officials, and municipalities may require applicants for election official positions to take examinations. Currently, the Elections Board and municipal clerks and boards of election commissioners may appoint special registration deputies who obtain voter registrations from electors prior to the close of registration (the second Wednesday before an election). Currently, municipal clerks and boards of election commissioners may appoint special voting deputies to conduct voting at nursing homes and certain retirement homes and community-based residential facilities. This bill also provides for the appointment of special registration deputies and special voting deputies to serve at satellite absentee voting stations (see above). Currently, the clerks and boards of election commissioners must train the deputies in accordance with rules prescribed by the Elections Board.

This bill requires the Elections Board to train all poll workers as well as special registration deputies and special voting deputies. As a part of the training, the bill requires the board to produce and conduct regular training programs and, specifically, to produce and periodically update a video program and make the program available electronically through an Internet-based system. The bill provides that no person may serve as a poll worker, special registration deputy, or special voting deputy unless that person is certified by the board as having met the training requirements prescribed by the board for certification. The bill also directs the board to prescribe requirements for maintaining certification. All requirements must be structured to enable a qualified individual to obtain or maintain certification solely by viewing the current applicable video training program produced by the board. The cost of training provided by the state is paid by the state (with the use of federal funds if available). Municipalities are required to compensate election officials other than special registration deputies and special voting deputies for attendance at training sessions.

Registration form format

Currently, the Elections Board prescribes the content of voter registration forms in accordance with statutory requirements. The forms must be printed on loose-leaf sheets or cards. This bill provides that the forms must be printed on cards

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and directs the board to prescribe the format, size, and shape of the forms. The bill also requires each item of information on the forms to be displayed in uniform font size, as prescribed by the board.

Public access to birth date information

Currently, beginning with registration for voting at the 2006 spring primary election, registration is required in all municipalities for all electors except military electors, as defined by law. The registration list consists of certain information relating to registered or formerly registered electors specified by law. Certain items of information on the list may be publicly inspected or accessed electronically. Other items of information, including an elector's date of birth, may only be viewed or accessed by employees of the Elections Board and county and municipal clerks and boards of election commissioners or their employees.

This bill provides that an individual who appears in person at the office of the municipal clerk or board of election commissioners of a municipality may examine information relating to the date of birth of any registered or formerly registered elector of the state, as shown on the registration list, upon presentation of a current, valid identification card issued by a governmental unit or other proof of residence that is acceptable for voter registration purposes. Under the bill, an individual who examines this information may receive a copy of the information or any other information on the registration list to which access is permitted under current law. The bill directs the clerk or board of election commissioners to record the name of any individual who requests to examine information under the bill, together with the type of identification presented by the individual and any unique number shown on the face of the identification. Under the bill, no person who obtains birth date information from a registration list may use the information for commercial purposes or post the information on the Internet. Violators are guilty of a felony and may be fined not more than \$10,000 or imprisoned for not more than three years and six months or both.

Posting of polling place information

This bill provides that in each municipality that is served by more than one polling place at any election, the municipal clerk or board of election commissioners must prominently post a map of the municipality, in the format prescribed by the Elections Board, at each polling place for that election. The posting is required to display the boundaries of the ward or wards served by each polling place for that election, to show the location of each polling place on the map, and to provide the building name and address for each polling place. The bill directs the Elections Board to pay for the cost of the posting. Currently, polling place information must be published or posted prior to an election, but there is no requirement for posting at polling places.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 5.02 (15) of the statutes is amended to read:

2 5.02 (15) “Polling place” means the actual location wherein the elector’s vote
3 is cast. “Polling place” does not include a satellite absentee voting station designated
4 under s. 6.873 (1) or a nursing home, qualified retirement home, or qualified
5 community-based residential facility where absentee voting is conducted under s.
6 6.875 (6).

7 **SECTION 2.** 5.05 (1) (e) of the statutes is amended to read:

8 5.05 (1) (e) Delegate to its executive director the authority to issue a subpoena
9 under par. (b), apply for a search warrant under par. (b), commence an action under
10 par. (d), intervene in an action or proceeding under sub. (9), issue an order under s.
11 5.06, exempt a polling place or exempt a satellite absentee voting station designated
12 under s. 6.873 (1) from accessibility requirements under s. 5.25 (4) (a), exempt a
13 municipality from the requirement to use voting machines or an electronic voting
14 system under s. 5.40 (5m), approve an electronic data recording system for
15 maintaining poll lists under s. 6.79, or authorize nonappointment of an individual
16 who is nominated to serve as an election official under s. 7.30 (4) (e), subject to such
17 limitations as the board deems appropriate.

18 **SECTION 3.** 5.25 (4) (a) of the statutes, as affected by 2003 Wisconsin Act 265,
19 is amended to read:

20 5.25 (4) (a) ~~Each~~ Except as otherwise specifically authorized by the board, each
21 polling place and satellite absentee voting station under s. 6.873 (1) shall be

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1 accessible to all individuals with disabilities. The board shall ensure that the voting
2 system used at each polling place and satellite absentee voting station under s. 6.873
3 (1) will permit all individuals with disabilities to vote without the need for assistance
4 and with the same degree of privacy that is accorded to nondisabled electors voting
5 at the same polling place or voting station. This paragraph does not apply to any
6 individual who is disqualified from voting under s. 6.03 (1) (a).

7 **SECTION 4.** 5.25 (4) (b) of the statutes is amended to read:

8 5.25 (4) (b) In any jurisdiction that is subject to the requirement under 42 USC
9 1973aa-1a to provide voting materials in any language other than English, the board
10 shall ensure that the voting system used at each polling place and at each satellite
11 absentee voting station under s. 6.873 (1) located in that jurisdiction is in compliance
12 with 42 USC 1973aa-1a.

13 **SECTION 5.** 5.35 (title) of the statutes is amended to read:

14 **5.35 (title) Polling place and voting station requirements.**

15 **SECTION 6.** 5.35 (5) of the statutes is amended to read:

16 5.35 (5) ACTIVITIES RESTRICTED. No polling place or satellite absentee voting
17 station designated under s. 6.873 (1) may be situated so as to interfere with or
18 distract election officials from carrying out their duties. The municipal clerk and
19 election inspectors shall prevent interference with and distraction of electors at
20 polling places, and the special voting deputies shall prevent interference with and
21 distraction of electors at satellite absentee voting stations designated under s. 6.873
22 (1).

23 **SECTION 7.** 5.35 (6) (a) (intro.) of the statutes is amended to read:

24 5.35 (6) (a) (intro.) At each polling place and at each satellite absentee voting
25 station designated under s. 6.873 (1) in the state, the municipal clerk or board of

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1 election commissioners shall ~~post~~ ensure that all of the following materials, are
2 posted and positioned so that they may be readily observed by electors entering the
3 polling place, approaching the voting station, or waiting in line to vote:

4 **SECTION 8.** 5.35 (6) (a) 3. of the statutes is amended to read:

5 5.35 (6) (a) 3. Two sample ballots prepared under s. 5.66 (2), in the case of a
6 polling place, and one sample ballot prepared under s. 5.66 (2), in the case of a
7 satellite absentee voting station designated under s. 6.873 (1).

8 **SECTION 9.** 5.35 (6) (a) 4. of the statutes is amended to read:

9 5.35 (6) (a) 4. The date of the election and the hours during which the polling
10 place or satellite absentee voting station is open.

11 **SECTION 10.** 5.35 (6) (c) of the statutes is created to read:

12 5.35 (6) (c) At each polling place located in a municipality that is served by more
13 than one polling place for an election, the municipal clerk or board of election
14 commissioners shall prominently post a map of the municipality, in the format
15 prescribed by the board, at each polling place for that election. The posting shall
16 clearly show the boundaries of the ward or wards served by each polling place for that
17 election, show the location of each polling place on the map, and shall provide the
18 building name and address for each polling place.

19 **SECTION 11.** 5.51 (9) of the statutes is created to read:

20 5.51 (9) On the back of each ballot, above the space for the initials, the ballot
21 shall contain a space for the municipal clerk, deputy clerk, or special voting deputy
22 to indicate whether the ballot is cast in person under s. 6.86 (1) (a) 2. or under s. 6.873.

23 **SECTION 12.** 6.10 (3) of the statutes is amended to read:

24 6.10 (3) ~~When~~ If an elector moves from one ward to another or from one
25 municipality to another within the state before the close of registration under s. 6.28

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1 (1), the elector may vote in and be considered a resident of the new ward or
2 municipality where residing upon updating his or her registration under s. 6.28 (4)
3 (b), transferring his or her registration under s. 6.40 (1), or registering at the proper
4 polling place or other registration location in the new ward or municipality under s.
5 6.285 (2) or 6.55 (2). If an elector moves from one ward to another or from one
6 municipality to another within the state after the last registration day but at least
7 10 days before the election, the elector may vote in and be considered a resident of
8 the new ward or municipality where residing upon transferring registration under
9 s. 6.40 (1) or upon registering at the proper polling place or other registration location
10 in the new ward or municipality under s. 6.285 (2) or 6.55 (2) or 6.86 (3) (a) 2. If the
11 elector moves within 10 days of an election, the elector shall vote in the elector's old
12 ward or municipality if otherwise qualified to vote there.

13 **SECTION 13.** 6.15 (4) (a) to (e) of the statutes are amended to read:

14 6.15 (4) (a) Clerks holding new resident ballots shall deliver them to the
15 election inspectors in the proper ward or election district where the new residents
16 reside municipal board of canvassers when it convenes under s. 7.52 (1), as provided
17 by s. 6.88 for absentee ballots.

18 (b) ~~During polling hours, the inspectors~~ The board of canvassers shall open
19 each carrier envelope, announce the elector's name, check the affidavit for proper
20 execution, and check the voting qualifications for the ward, if any.

21 (c) The ~~inspectors~~ board of canvassers shall open the inner envelope without
22 examination of the ballot other than is necessary to see that the issuing clerk has
23 endorsed it.

24 (d) Upon satisfactory completion of the procedure under pars. (b) and (c) the
25 ~~inspectors~~ board of canvassers shall deposit the ballot in the ballot box. The

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1 ~~inspectors~~ board of canvassers shall enter the name of each elector voting under this
2 section on the poll list with an indication that the elector is voting under this section
3 or on a separate list maintained for the purpose under s. 6.79 (2) (c).

4 (e) If the person is not a qualified elector in the ward or municipality, or if the
5 envelope is open or has been opened and resealed, the inspectors shall reject the vote.
6 Rejected ballots shall be processed the same as rejected absentee ballots, under s.
7 6.88 (3) ~~(b)~~.

8 **SECTION 14.** 6.15 (6) of the statutes is amended to read:

9 6.15 **(6)** DEATH OF ELECTOR. When it appears by due proof to the ~~inspectors~~ board
10 of canvassers that a person voting ~~under this section~~ at an election has died before
11 the date of the election, the ~~inspectors~~ board of canvassers shall return the ballot
12 with defective ballots to the issuing official.

13 **SECTION 15.** 6.21 of the statutes is renumbered 7.52 (9) and amended to read:

14 7.52 **(9)** When by due proof it appears to the ~~inspectors~~ board of canvassers that
15 a person voting ~~under this section~~ casting an absentee ballot at an election has died
16 before the date of the election, ~~they~~ the board of canvassers shall return the ballot
17 with defective ballots to the issuing official. The casting of the ballot of a deceased
18 elector does not invalidate the election.

19 **SECTION 16.** 6.26 (2) (c) of the statutes is amended to read:

20 6.26 **(2)** (c) No individual may serve as a special registration deputy in a
21 municipality unless the individual is certified by the board under s. 7.31 to serve in
22 that position and is either appointed by the municipal clerk or board of election
23 commissioners of the municipality or ~~the individual~~ is appointed by the elections
24 board to serve all municipalities.

25 **SECTION 17.** 6.26 (2) (d) of the statutes is amended to read:

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1 6.26 (2) (d) This subsection does not apply to deputies serving under s. 6.28 (4)
2 or to deputies appointed under s. ss. 6.285 (1) and 6.55 (6).

3 **SECTION 18.** 6.26 (3) of the statutes is amended to read:

4 6.26 (3) The board shall, by rule, prescribe procedures for appointment of
5 special registration deputies, for revocation of appointments of special registration
6 deputies, and for training of special registration deputies by municipal clerks and
7 boards of election commissioners. The procedures shall be coordinated with training
8 programs for special registration deputies produced and conducted by the board
9 under s. 7.31 and shall be formulated to promote increased registration of electors
10 consistent with the needs of municipal clerks and boards of election commissioners
11 to efficiently administer the registration process.

12 **SECTION 19.** 6.275 (title) of the statutes is amended to read:

13 **6.275 (title) Registration and voting statistics information.**

14 **SECTION 20.** 6.275 (2) of the statutes is amended to read:

15 6.275 (2) Upon receipt of each report filed under ~~this section~~ sub. (1), the county
16 clerk or board of election commissioners shall forward one copy to the board within
17 7 days.

18 **SECTION 21.** 6.275 (3) of the statutes is created to read:

19 6.275 (3) The board shall withhold from access under s. 19.35 (1) any
20 registration information received from the department of transportation with
21 respect to which confidentiality is guaranteed under s. 6.33 (1m) (a) 3. and 4.

22 **SECTION 22.** 6.28 (title) of the statutes is repealed and recreated to read:

23 **6.28 (title) Open registration.**

24 **SECTION 23.** 6.28 (1) of the statutes is amended to read:

ASSEMBLY BILL 542**SECTION 23**

1 6.28 (1) REGISTRATION LOCATIONS; DEADLINE. Except as authorized in ss. 6.29,
2 6.55 (2), and 6.86 (3) (a) 2., registration in person for any election shall close at 5 p.m.
3 on the 2nd Wednesday preceding the election. Registrations made by mail under s.
4 6.30 (4) must be delivered to the office of the municipal clerk or postmarked no later
5 than the 2nd Wednesday preceding the election. An application for registration in
6 person or by mail may be accepted for placement on the registration list after the
7 specified deadline, if the municipal clerk determines that the registration list can be
8 revised to incorporate the registration in time for the election. All applications for
9 registration corrections and additions may be made throughout the year at the office
10 of the city board of election commissioners, at the office of the municipal clerk, at the
11 office of any register of deeds, at any office of the department of transportation where
12 the department receives applications for operators' licenses or identification cards,
13 or for renewals of operators' licenses or identification cards, under ch. 343, or at other
14 locations permitted under s. 6.285 or provided by the board of election commissioners
15 or the common council in cities over 500,000 population or by either or both the
16 municipal clerk, or the common council, village or town board in all other
17 municipalities and may also be made during the school year at any high school by
18 qualified persons under sub. (2) (a). Other registration locations may include but are
19 not limited to fire houses, police stations, public libraries, institutions of higher
20 education, supermarkets, community centers, plants and factories, banks, savings
21 and loan associations and savings banks. Special registration deputies shall be
22 appointed for all locations. An elector who wishes to obtain a confidential listing
23 under s. 6.47 (2) shall register at the office of the municipal clerk of the municipality
24 where the elector resides.

25 **SECTION 24.** 6.28 (3) of the statutes is amended to read:

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1 6.28 (3) AT OFFICE OF REGISTER OF DEEDS. Any person shall be given an
2 opportunity to register to vote at the office of the register of deeds for the county in
3 which the person's residence is located. An applicant may fill out the required
4 registration form under s. 6.33 (1). Upon receipt of a completed form, the register of
5 deeds shall forward the form within 5 days to the appropriate municipal clerk, or to
6 the board of election commissioners in cities over 500,000 population. The register
7 of deeds shall forward the form immediately whenever registration closes within 5
8 days of receipt.

9 **SECTION 25.** 6.28 (4) of the statutes is created to read:

10 6.28 (4) AT DEPARTMENT OF TRANSPORTATION OFFICES. (a) Each person who is
11 employed as a license examiner by the department of transportation is a special
12 registration deputy for the municipality in which the person's place of employment
13 is located. The department shall notify the municipal clerk of the municipality of the
14 name and address of each such employee and of the beginning and ending date of his
15 or her service at that place of employment. The municipal clerk of the municipality
16 shall designate one employee at each office of the department of transportation
17 where more than one license examiner is employed as the primary special
18 registration deputy for that office. This employee shall coordinate and supervise
19 registration activities at that office. The municipal clerk shall explain to each special
20 registration deputy, or if there is more than one deputy at the office, to the primary
21 special registration deputy the responsibilities of the special registration deputies
22 at the office. The primary special registration deputy shall explain those
23 responsibilities to each other special registration deputy at the office where the
24 deputy serves.

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1 (b) Any individual who applies for an operator's license or identification card,
2 or for renewal of an operator's license or identification card, under ch. 343, may
3 register for any election before the close of registration in person at the time of
4 making an application under ch. 343 by completing a registration form. Any
5 registered elector whose residence has changed within this state or whose name has
6 changed may update his or her registration information in person by completing an
7 updated form before the close of registration at any office of the department of
8 transportation where applications for operators' licenses or identification cards, or
9 for renewals of operators' licenses or identification cards, are accepted. The special
10 registration deputy under par. (a) who receives the individual's properly completed
11 registration form or updated form shall promptly enter on the form any information
12 required by the board under s. 6.33 (1m) (b) and, if the deputy is not the primary
13 registration deputy at an office where a primary special registration deputy is
14 designated, give the form to the primary registration deputy. No later than 10 days
15 after the applicant completes the form, each special registration deputy or, if there
16 is more than one special registration deputy at an office, the primary registration
17 deputy shall forward the form to the board except that, if the applicant submits the
18 form within 5 days of the close of registration, the deputy shall forward the form no
19 later than the close of registration.

20 (c) The board, upon receiving a properly completed registration form or
21 updated form from a qualified elector under par. (b), shall add the name of the
22 registering elector to the registration list or update the elector's registration
23 information, as appropriate. If the board rejects any registration form or updated
24 form under this paragraph, the board shall promptly notify the individual whose
25 registration form or updated form is rejected of the reasons for the rejection. An

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1 individual whose registration is rejected may reapply for registration if he or she is
2 qualified.

3 **SECTION 26.** 6.285 of the statutes is created to read:

4 **6.285 Registration at satellite absentee voting stations. (1) SPECIAL**
5 **REGISTRATION DEPUTY.** In every municipality that designates a satellite absentee
6 voting station under s. 6.873 (1), the municipal clerk or board of election
7 commissioners shall appoint at least one qualified elector of this state as a special
8 registration deputy for the voting station if registration is required in the
9 municipality. The appointment shall be made without regard to party affiliation.
10 The special registration deputy shall be able to read and write the English language,
11 be capable, and be of good understanding, and may not be a candidate for any office
12 to be voted for at an election at which he or she serves. In coordination with the board,
13 the municipal clerk or board of election commissioners shall instruct the special
14 registration deputy in the deputy's duties and responsibilities. No individual may
15 serve as a special registration deputy unless that individual is certified by the board
16 under s. 7.31 to serve in that position. The municipal clerk or board of election
17 commissioners may revoke the deputy's appointment at any time.

18 **(2) REGISTRATION PROCEDURE.** (a) *Generally.* Except as provided under par. (c),
19 any qualified elector of a municipality who is not registered may register in person
20 at any satellite absentee voting station designated by the municipal governing body
21 under s. 6.873 (1) at any time during which absentee ballots may be cast at the voting
22 station. The elector shall complete, in the manner provided under s. 6.33 (2), a
23 registration form containing all information required under s. 6.33 (1).

24 (b) *During late registration.* 1. 'Proof of residence.' Any elector who registers
25 under par. (a) after the close of registration under s. 6.28 (1) shall provide acceptable

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1 proof of residence as provided in s. 6.55 (7). Alternatively, if the elector is unable to
2 provide acceptable proof of residence under s. 6.55 (7), the information contained in
3 the elector's registration information shall be corroborated in a statement signed by
4 another elector of the municipality that contains the current street address of the
5 corroborating elector. The corroborating elector shall then provide acceptable proof
6 of residence under s. 6.55 (7). The statement shall be signed by the corroborating
7 elector in the presence of the special registration deputy.

8 2. 'Registration by ineligible felons.' The board shall provide to each municipal
9 clerk a list prepared for use at each satellite absentee voting station showing the
10 name and address of each person whose name appears on the list provided by the
11 department of corrections under s. 301.03 (20) as ineligible to vote on the date of the
12 election, whose address is located in the municipality, and whose name does not
13 appear on the registration list for that municipality. Prior to permitting an elector
14 to register to vote under this subsection, the special registration deputy shall review
15 the list. If the name of an elector who wishes to register to vote appears on the list,
16 the special registration deputy shall inform the elector that the elector is ineligible
17 to register to vote. If the elector maintains that he or she is eligible to vote in the
18 election, the special registration deputy shall permit the elector to register to vote
19 but shall mark the elector's registration form as "ineligible to vote due to per
20 Department of Corrections."

21 3. 'Voting procedure.' A qualified elector who completes a registration form
22 under par. (a) and complies with subd. 1. after the close of registration under s. 6.28
23 (1) may vote by absentee ballot at the satellite absentee voting station under s. 6.873.
24 If the registering elector does not wish to vote by absentee ballot at the voting station,
25 and the municipal clerk or board of election commissioners determines that the

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1 registration list will not be revised to incorporate the registration in time for the
2 election, the special registration deputy shall issue a certificate containing the name
3 and address of the elector addressed to the inspectors of the proper ward or election
4 district directing that the elector be permitted to cast his or her vote if the elector
5 complies with all requirements for voting at the polling place. The certificate shall
6 be numbered serially and prepared in duplicate. The municipal clerk or board of
7 election commissioners shall file one copy in the clerk's or board's office. At the time
8 that he or she appears at the correct polling place, the elector shall deliver any
9 certificate issued under this subdivision to the inspectors. Any certificate shall be
10 annexed to any absentee ballot voted by the elector, other than an absentee ballot
11 voted at the satellite absentee voting station immediately after completing the
12 registration, and shall be delivered to the office of the municipal clerk together with
13 the absentee ballot. The inspectors shall record the names of electors who present
14 certificates in person or for whom certificates are presented with absentee ballots on
15 the list maintained under s. 6.56 (1). The municipal clerk or board of election
16 commissioners shall then add the names of these electors to the registration list if
17 the electors are qualified.

18 (c) *Confidential registration.* Any elector who wishes to obtain a confidential
19 listing under s. 6.47 (2) shall register at the office of the municipal clerk of the
20 municipality where the elector resides.

21 **(3) COMPLETED REGISTRATION FORMS AND CERTIFICATES.** The special registration
22 deputy shall promptly arrange the completed registration forms and certificates
23 issued under sub. (2) (b) 3. in the manner specified by the municipal clerk or board
24 of election commissioners. The special voting deputy that has supervision under s.
25 6.873 (2) (d) over the satellite absentee voting station shall ensure that the

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1 registration forms and certificates are properly kept and shall promptly forward the
2 forms and certificates to the municipal clerk or board of election commissioners in
3 the manner specified by the municipal clerk or board of election commissioners. The
4 municipal clerk or board of election commissioners shall file the registration forms
5 as provided under s. 6.35 and shall preserve the certificates in the same manner as
6 certificates issued under s. 6.29 (2) (b). The municipal clerk or board of election
7 commissioners may reject any incomplete or defective registration form received
8 under this subsection and shall promptly notify each individual whose registration
9 is rejected of the rejection and the reason for the rejection. A person whose
10 registration is rejected under this subsection may reapply for registration if he or she
11 is qualified.

12 **SECTION 27.** 6.29 (1) of the statutes is amended to read:

13 6.29 (1) No names may be added to a registration list for any election after the
14 close of registration, except as authorized under this section or s. 6.28 (1), 6.285, 6.55
15 (2), or 6.86 (3) (a) 2. Any person whose name is not on the registration list but who
16 is otherwise a qualified elector is entitled to vote at the election upon compliance with
17 this section.

18 **SECTION 28.** 6.29 (2) (a) of the statutes is amended to read:

19 6.29 (2) (a) Any qualified elector of a municipality who has not previously filed
20 a registration form or whose name does not appear on the registration list of the
21 municipality may register after the close of registration but not later than 5 p.m. or
22 the close of business, whichever is later, on the day before an election at the office of
23 the municipal clerk and at the office of the clerk's agent if the clerk delegates
24 responsibility for electronic maintenance of the registration list to an agent under
25 s. 6.33 (5) (b). The elector shall complete, in the manner provided under s. 6.33 (2),

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1 a registration form containing all information required under s. 6.33 (1). The
2 registration form shall also contain the following certification: "I, ..., hereby certify
3 that to the best of my knowledge, I am a qualified elector, having resided at for
4 at least 10 days immediately preceding this election, and I have not voted at this
5 election." The elector shall also provide acceptable proof of residence under s. 6.55
6 (7). Alternatively, if the elector is unable to provide acceptable proof of residence
7 under s. 6.55 (7), the information contained in the registration form shall be
8 corroborated in a statement that is signed by any other elector of the municipality
9 and that contains the current street address of the corroborating elector. The
10 corroborating elector shall then provide acceptable proof of residence under s. 6.55
11 (7).

12 **SECTION 29.** 6.29 (2) (am) of the statutes is created to read:

13 6.29 (2) (am) The board shall provide to each municipal clerk a list prepared
14 for use at each municipal clerk's office showing the name and address of each person
15 whose name appears on the list provided by the department of corrections under s.
16 301.03 (20) as ineligible to vote on the date of the election, whose address is located
17 in the municipality, and whose name does not appear on the registration list for that
18 municipality. Prior to permitting an elector to register to vote under this subsection,
19 the municipal clerk shall review the list. If the name of an elector who wishes to
20 register to vote appears on the list, the municipal clerk shall inform the elector that
21 the elector is ineligible to register to vote. If the elector maintains that he or she is
22 eligible to vote in the election, the municipal clerk shall permit the elector to register
23 to vote but shall mark the elector's registration form as "ineligible to vote per
24 Department of Corrections." If the elector wishes to vote, the municipal clerk shall

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1 challenge the elector's ballot in the same manner as provided for inspectors who
2 challenge ballots under s. 6.79 (2) (dm).

3 **SECTION 30.** 6.32 (3) of the statutes is amended to read:

4 6.32 (3) If the form is submitted later than the close of registration, the clerk
5 shall make a good faith effort to notify the elector that he or she may register at the
6 clerk's office under s. 6.29 ~~or~~, at the proper polling place or other location designated
7 under s. 6.55 (2), or, if applicable, at a satellite absentee voting station designated
8 under s. 6.873 (1).

9 **SECTION 31.** 6.33 (1) of the statutes, as affected by 2003 Wisconsin Act 265,
10 section 49b, is amended to read:

11 6.33 (1) ~~The municipal clerk shall supply sufficient registration forms as~~
12 ~~prescribed by~~ Except as provided in sub. (1m), the board shall prescribe the format,
13 size, and shape of registration forms. All forms shall be printed on loose-leaf sheets
14 ~~or cards~~ and each item of information shall be of uniform font size, as prescribed by
15 the board. The municipal clerk shall supply sufficient forms to meet voter
16 registration needs. The forms shall be designed to obtain from each applicant
17 information as to name; date; residence location; citizenship; date of birth; age; the
18 number of a valid operator's license issued to the elector under ch. 343 or the last 4
19 digits of the elector's social security account number; whether the applicant has
20 resided within the ward or election district for at least 10 days; whether the applicant
21 ~~has lost his or her right to vote~~ been convicted of a felony for which he or she has not
22 been pardoned, and if so, whether the applicant is incarcerated, or on parole,
23 probation, or extended supervision; whether the application is disqualified on any
24 other ground from voting; and whether the applicant is currently registered to vote
25 at any other location. The forms shall also provide a space for the applicant's

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1 signature and the ward and aldermanic district, if any, where the elector resides and
2 any other information required to determine the offices and referenda for which the
3 elector is certified to vote. The forms shall also include a space where the clerk may
4 record an indication of whether the form is received by mail and a space where the
5 clerk, for any applicant who possesses a valid voting identification card issued to the
6 person under s. 6.47 (3), may record the identification serial number appearing on
7 the voting identification card. Each register of deeds shall obtain sufficient
8 registration forms at the expense of the unit of government by which he or she is
9 employed for completion by any elector who desires to register to vote at the office
10 of the register of deeds under s. 6.28 (3).

11 **SECTION 32.** 6.33 (1m) of the statutes is created to read:

12 6.33 (1m) (a) The board, in consultation with the department of transportation,
13 shall prescribe the registration form and update form for use at the offices of the
14 department of transportation under s. 6.28 (4). The registration form shall include:

15 1. A list of the qualifications for voting under s. 6.02 and the grounds for
16 disqualification under s. 6.03.

17 2. A statement to be signed by the applicant affirming that the applicant meets
18 the qualifications for voting under s. 6.02 and is not disqualified from voting under
19 s. 6.03.

20 3. A notice indicating that the applicant may decide whether or not to register
21 to vote at the time of filing the application and that the applicant's decision not to
22 register will remain confidential.

23 4. A notice indicating that, if the applicant registers to vote at the time of filing
24 the application, the location of the office at which the applicant files the application
25 will remain confidential.

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1 5. A notice indicating that, if the applicant wishes to obtain a confidential
2 listing under s. 6.47 (2), the applicant must register at the office of the municipal
3 clerk of the municipality where the elector resides.

4 (b) Except as provided in par. (a) and this paragraph, the forms prescribed
5 under this subsection may require the applicant or the special registration deputy
6 who receives the completed form to provide any information that the board
7 determines to be necessary to administer voter registration and the election process,
8 to prevent duplicate voter registrations, and to enable the election officials of the
9 applicant's municipality of residence to assess the applicant's eligibility to vote. The
10 registration form may not require the applicant to provide any information that
11 duplicates information required in the operator's license, identification card, or
12 renewal portion of the application, other than the applicant's signature.

13 **SECTION 33.** 6.33 (2) (a) of the statutes, as affected by 2003 Wisconsin Act 265,
14 section 49b, is amended to read:

15 6.33 (2) (a) All information on any form prescribed under sub. (1) or (1m) may
16 be recorded by any person, except as provided in sub. (1m) (b) and except that the
17 ward and aldermanic district, if any, other geographic information under sub. (1), the
18 indication of whether the registration is received by mail, and any information
19 relating to an applicant's voting identification card shall be recorded by the clerk.
20 Each applicant shall sign his or her own name unless the applicant is unable to sign
21 his or her name due to physical disability. In such case, the applicant may authorize
22 another elector to sign the form on his or her behalf. If the applicant so authorizes,
23 the elector signing the form shall attest to a statement that the application is made
24 upon request and by authorization of a named elector who is unable to sign the form
25 due to physical disability.

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1 **SECTION 34.** 6.33 (5) (a) of the statutes is amended to read:

2 6.33 (5) (a) Except as provided in par. (b), whenever a municipal clerk receives
3 a valid registration or valid change of a name or address under an existing
4 registration and whenever a municipal clerk changes a registration from eligible to
5 ineligible status, the municipal clerk shall promptly enter electronically on the list
6 maintained by the board under s. 6.36 (1) the information required under that
7 subsection, except that the municipal clerk may update any entries that change on
8 the date of an election in the municipality within 30 days after that date, and the
9 municipal clerk shall provide to the board information that is confidential under s.
10 6.47 (2) in such manner as the board prescribes. If an elector registers after the close
11 of registration for an election, the municipal clerk shall enter a notation to that effect
12 indicating the date of registration.

13 **SECTION 35.** 6.36 (1) (a) of the statutes is amended to read:

14 6.36 (1) (a) The board shall compile and maintain electronically an official
15 registration list. The list shall contain the name and address of each registered
16 elector in the state, the date of birth of the elector, the ward and aldermanic district
17 of the elector, if any, and, for each elector, a unique registration identification number
18 assigned by the board, the number of a valid operator's license issued to the elector
19 under ch. 343, if any, or the last 4 digits of the elector's social security account
20 number, if any, any identification serial number issued to the elector under s. 6.47
21 (3), the date of any election in which the elector votes, an indication of whether the
22 elector is an overseas elector, as defined in s. 6.24 (1), any information relating to the
23 elector that appears on the current list transmitted to the board by the department
24 of corrections under s. 301.03 (20), an indication of any accommodation required
25 under s. 5.25 (4) (a) to permit voting by the elector, an indication of the method by

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1 which the elector's registration form was received, and such other information as
2 may be determined by the board to facilitate administration of elector registration
3 requirements.

4 **SECTION 36.** 6.36 (1) (b) 1. a. of the statutes is amended to read:

5 6.36 (1) (b) 1. a. No person other than an employee of the board, a municipal
6 clerk, a deputy clerk, an executive director of a city board of election commissioners,
7 or a deputy designated by the executive director may view the ~~date of birth,~~
8 registration identification number, operator's license number, or social security
9 account number of an elector, the date of birth of an elector except as provided in this
10 subdivision, the address of an elector to whom an identification serial number is
11 issued under s. 6.47 (3), or any indication of an accommodation required under s. 5.25
12 (4) (a) to permit voting by an elector.

13 **SECTION 37.** 6.36 (1) (b) 1. am. of the statutes is created to read:

14 6.36 (1) (b) 1. am. Any individual who appears in person at the office of the
15 municipal clerk or board of election commissioners of a municipality may examine
16 information relating to the date of birth of any elector or former elector of the state
17 as shown on the registration list, upon presentation of a current, valid identification
18 card issued by a governmental unit or other acceptable proof of residence as provided
19 in s. 6.55 (7). An individual making an examination under this subdivision may
20 receive a copy of any information on the registration list to which access is permitted
21 under this paragraph. Prior to permitting an individual to make an examination
22 under this subdivision, the clerk or board of election commissioners shall record the
23 name of the individual who requests to make the examination, as shown on the
24 identifying document presented by the individual, the type of identifying document
25 presented by the individual, and any unique number shown on the face of that

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1 document. No individual who obtains information under this subdivision may use
2 the information for any commercial purpose or post the information on the Internet.
3 Prior to permitting an individual to inspect or obtain a copy of any information under
4 this subdivision, the municipal clerk or board of election commissioners shall require
5 the individual to sign an affidavit, on a form prescribed by the board, agreeing that
6 he or she will ensure that the information will not be used for any commercial
7 purpose and will not be posted on the Internet.

8 **SECTION 38.** 6.36 (2) (a) of the statutes, as affected by 2003 Wisconsin Act 265,
9 section 58b, is amended to read:

10 6.36 (2) (a) Except as provided in pars. (b) and (c), each registration list
11 prepared for use as a poll list at a polling place or for purposes of canvassing absentee
12 ballots shall contain the full name and address of each registered elector; a blank
13 column for the entry of the serial number of the electors when they vote; or the poll
14 list number used by the municipal board of canvassers in canvassing absentee
15 ballots; if the list is prepared for use at an election for national office, an indication
16 next to the name of each elector for whom identification is required under par. (c) 2.;
17 if the elector's name appears on the current list transmitted to the board by the
18 department of corrections under s. 301.03 (20), a notation to that effect; and a form
19 of certificate bearing the certification of the executive director of the board stating
20 that the list is a true and complete registration list of the municipality or the ward
21 or wards for which the list is prepared.

22 **SECTION 39.** 6.40 (1) (a) 1. of the statutes is amended to read:

23 6.40 (1) (a) 1. Any Except as provided in s. 6.28 (4) (b) and except as otherwise
24 provided in this paragraph, a registered elector shall transfer registration after a
25 change of residence within the state by filing in person with at the office of the

ASSEMBLY BILL 542**SECTION 39**

1 municipal clerk or by mailing to the municipal clerk a signed request stating his or
2 her present address, affirming that this will be his or her residence for 10 days prior
3 to the election and providing the address where he or she was last registered.
4 Alternatively, the elector may transfer his or her registration at a satellite absentee
5 voting station designated under s. 6.873 (1) or the proper polling place or other
6 registration location under s. 6.02 (2) in accordance with s. 6.55 (2) (a). If an elector
7 is voting in the ward or election district where the elector formerly resided, the
8 change shall be effective for the next election.

9 **SECTION 40.** 6.40 (1) (c) of the statutes is amended to read:

10 6.40 (1) (c) *Name change.* ~~Whenever~~ Except as provided in s. 6.28 (4) (b) and
11 except as otherwise provided in this paragraph, whenever an elector's name is
12 legally changed, including a change by marriage or divorce, the elector shall transfer
13 his or her registration to his or her legal name by appearing in person at the office
14 of the municipal clerk or mailing to the municipal clerk a signed request for a transfer
15 of registration to such name. Alternatively, a registered elector may make
16 notification of a name change at a satellite absentee voting station designated under
17 s. 6.873 (1) or at his or her polling place under s. 6.55 (2) (d).

18 **SECTION 41.** 6.50 (3) of the statutes is amended to read:

19 6.50 (3) Upon receipt of reliable information that a registered elector has
20 changed his or her residence to a location outside of the municipality, the municipal
21 clerk or board of election commissioners shall notify the elector by mailing a notice
22 by 1st class mail to the elector's registration address stating the source of the
23 information. All municipal departments and agencies receiving information that a
24 registered elector has changed his or her residence shall notify the clerk or board of
25 election commissioners. If the elector no longer resides in the municipality or fails

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1 to apply for continuation of registration within 30 days of the date the notice is
2 mailed, the clerk or board of election commissioners shall change the elector's
3 registration from eligible to ineligible status. Upon receipt of reliable information
4 that a registered elector has changed his or her residence within the municipality,
5 the municipal clerk or board of election commissioners shall transfer the elector's
6 registration and mail the elector a notice of the transfer under s. 6.40 (2). This
7 subsection does not restrict the right of an elector to challenge any registration under
8 s. 6.325, 6.48, 6.925 or ~~6.93~~ 7.52 (5).

9 **SECTION 42.** 6.55 (2) (a) 1. of the statutes is amended to read:

10 6.55 (2) (a) 1. Except where the procedure under par. (c) or (cm) is employed,
11 any person who qualifies as an elector in the ward or election district where he or she
12 desires to vote, but has not previously filed a registration form, or was registered at
13 another location, may request permission to vote at the polling place for that ward
14 or election district, or at an alternate polling place assigned under s. 5.25 (5) (b).
15 When a proper request is made, the inspector shall require the person to execute a
16 registration form prescribed by the board. The registration form shall be completed
17 in the manner provided under s. 6.33 (2) and shall contain all information required
18 under s. 6.33 (1), together with the following certification:

19 "I,, hereby certify that to the best of my knowledge, I am a qualified elector,
20 having resided at for at least 10 days immediately preceding this election, and
21 that I am not disqualified on any ground from voting, and I have not voted, at this
22 election."

23 **SECTION 43.** 6.55 (2) (cs) of the statutes is created to read:

24 6.55 (2) (cs) The board shall provide to each municipal clerk a list prepared for
25 use at each polling place showing the name and address of each person whose name

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1 appears on the list provided by the department of corrections under s. 301.03 (20) as
2 ineligible to vote on the date of the election, whose address is located in the area
3 served by that polling place, and whose name does not appear on the poll list for that
4 polling place. Prior to permitting an elector to register to vote under this subsection
5 or s. 6.86 (3) (a) 2., the special registration deputies shall review the list. If the name
6 of an elector who wishes to register to vote appears on the list, the special registration
7 deputies shall inform the elector or the elector's agent that the elector is ineligible
8 to register to vote. If the elector or the elector's agent maintains that the elector is
9 eligible to vote in the election, the special registration deputies shall permit the
10 elector to register but shall mark the elector's registration form as "ineligible to vote
11 per Department of Corrections." If the elector wishes to vote, the inspectors shall
12 require the elector to vote by ballot and shall challenge the ballot as provided in s.
13 6.79 (2) (dm).

14 **SECTION 44.** 6.55 (2) (d) of the statutes is amended to read:

15 6.55 (2) (d) A registered elector who has changed his or her name but resides
16 at the same address, and has ~~not notified the municipal clerk~~ transferred his or her
17 registration to his or her legal name under s. 6.40 (1) (c) or filed a timely update of
18 his or her registration under s. 6.28 (4) (b), shall notify the inspector of the change
19 before voting. The inspector shall then notify the municipal clerk at the time when
20 materials are returned under s. 6.56 (1). If an elector has changed both a name and
21 address, the elector shall register at the polling place or other registration location
22 under pars. (a) and (b).

23 **SECTION 45.** 6.55 (3) of the statutes is renumbered 6.55 (3) (a) and amended to
24 read:

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1 6.55 (3) (a) Any qualified elector in the ward or election district where the
2 elector desires to vote whose name does not appear on the registration list but who
3 claims to be registered to vote in the election may request permission to vote at the
4 polling place for that ward or election district. When the request is made, the
5 inspector shall require the person to give his or her name and address. If the elector
6 is not at the polling place which serves the ward or election district where the elector
7 resides, the inspector shall provide the elector with directions to the correct polling
8 place. If the elector is at the correct polling place, the elector shall then execute the
9 following written statement: "I, ..., hereby certify that to the best of my knowledge,
10 I am a qualified elector, having resided at ... for at least 10 days immediately
11 preceding this election, and ~~that I am not disqualified on any ground from voting, and~~
12 I have not voted at this election and am properly registered to vote in this election."
13 The person shall be required to provide acceptable proof of residence as provided
14 under sub. (7) and shall then be given the right to vote. If the elector cannot provide
15 acceptable proof of residence, the statement shall be certified by the elector and shall
16 be corroborated in a statement that is signed by any other elector who resides in the
17 municipality and that contains the current street address of the corroborating
18 elector. The corroborator shall then provide acceptable proof of residence as provided
19 in sub. (7). Whenever the question of identity or residence cannot be satisfactorily
20 resolved and the elector cannot be permitted to vote, an inspector shall telephone the
21 office of the municipal clerk to reconcile the records at the polling place with those
22 at the office.

23 **SECTION 46.** 6.55 (3) (b) of the statutes is created to read:

24 6.55 (3) (b) Prior to permitting an elector to vote under this subsection, the
25 inspectors shall review the list provided by the board under sub. (2) (cs). If the name

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1 of the elector appears on the list, the inspectors shall inform the elector that he or
2 she is ineligible to vote at the election. If the elector maintains that he or she is
3 eligible to vote in the election, the inspectors shall permit the elector to vote, but shall
4 require the elector to vote by ballot, and shall challenge the ballot as provided in s.
5 6.79 (2) (dm).

6 **SECTION 47.** 6.56 (1) of the statutes is amended to read:

7 6.56 (1) The list containing the names of persons voting under ss. ~~6.29~~ and s.
8 6.55 (2) and or (3) or persons voting after presenting a certificate issued under s.
9 6.285 (2) (b) 3. or 6.29 (2) (b) shall be returned together with all forms and certificates
10 to the municipal clerk.

11 **SECTION 48.** 6.56 (3) of the statutes is amended to read:

12 6.56 (3) Upon receipt of the list under sub. (1), the municipal clerk or board of
13 election commissioners shall make an audit of all electors registering to vote at the
14 polling place or other registration location under s. 6.55 (2) ~~and~~, all electors
15 registering by agent on election day under s. 6.86 (3) (a) 2. and all electors registering
16 to vote after the close of registration under s. 6.285 (2) or 6.29 (2) (a). The audit shall
17 be made by 1st class postcard. The postcard shall be marked in accordance with
18 postal regulations to ensure that it will be returned to the clerk or board of election
19 commissioners if the elector does not reside at the address given on the postcard. If
20 any postcard is returned undelivered, or if the clerk or board of election
21 commissioners is informed of a different address than the one specified by the elector
22 which was apparently improper on the day of the election, the clerk or board shall
23 change the status of the elector from eligible to ineligible on the registration list and
24 mail the elector a notice of the change in status and provide the name to the district

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1 attorney for the county where the polling place or satellite absentee voting station
2 is located.

3 **SECTION 49.** 6.56 (3m) of the statutes is created to read:

4 6.56 (3m) As soon as possible after all information relating to registrations
5 after the close of registration for an election is entered on the registration list
6 following the election under s. 6.33 (5) (a), the board shall compare the list of new
7 registrants with the list containing the names transmitted to the board by the
8 department of corrections under s. 301.03 (20) as of election day but whose names
9 do not appear on the poll lists for the election because the names were added after
10 the board certified the poll lists for use at the election. If the board finds that the
11 name of any person whose name appears on the list transmitted under s. 301.03 (20)
12 has been added to the registration list, the board shall enter on the list the
13 information transmitted to the board under s. 301.03 (20) and shall notify the district
14 attorney that the person appears to have voted illegally at the election.

15 **SECTION 50.** 6.77 (1) of the statutes is amended to read:

16 6.77 (1) An elector may vote only at the polling place for his or her residence
17 designated by the governing body or board of election commissioners of the
18 municipality where the elector resides, at a satellite absentee voting station
19 designated under s. 6.873 (1) by the municipality where the elector resides, or at a
20 nursing home, qualified retirement home, or qualified community-based residential
21 facility where absentee voting is conducted under s. 6.875 (6) in the municipality
22 where the elector resides.

23 **SECTION 51.** 6.79 (2) (c) of the statutes, as affected by 2003 Wisconsin Act 265,
24 section 96, is amended to read:

ASSEMBLY BILL 542**SECTION 51**

1 6.79 (2) (c) The officials shall maintain separate lists for electors who are voting
2 under s. 6.15, 6.29, ~~or 6.55 (2) or (3)~~, or 6.873 (4) and electors who are reassigned from
3 another polling place under s. 5.25 (5) (b) and shall enter the full name, address, and
4 serial number of each of these electors on the appropriate separate list.
5 Alternatively, if the poll list at a polling place is maintained electronically, the
6 officials may enter on the poll list the information that would otherwise appear on
7 a separate list if the information that would be obtainable from a separate list is
8 entered on the poll list.

9 **SECTION 52.** 6.79 (2) (dm) of the statutes is created to read:

10 6.79 (2) (dm) If the poll list indicates that the elector is ineligible to vote because
11 the elector's name appears on the current list provided by the department of
12 corrections under s. 301.03 (20), the inspectors shall inform the elector of this fact.
13 If the elector maintains that he or she is eligible to vote in the election, the inspectors
14 shall provide the elector with a ballot and, after the elector casts his or her vote, shall
15 challenge the ballot as provided in s. 6.92 and treat the ballot in the manner provided
16 in s. 6.95.

17 **SECTION 53.** 6.86 (1) (a) 5. of the statutes is amended to read:

18 6.86 (1) (a) 5. By delivering an application to a special voting deputy under s.
19 6.873 (4) or 6.875 (6).

20 **SECTION 54.** 6.86 (1) (ar) of the statutes is amended to read:

21 6.86 (1) (ar) Except as authorized in ~~s.~~ ss. 6.873 (3) (b) and 6.875 (6), the
22 municipal clerk shall not issue an absentee ballot unless the clerk receives a written
23 application therefor from a qualified elector of the municipality. The clerk shall
24 retain each absentee ballot application until destruction is authorized under s. 7.23
25 (1).

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1 **SECTION 55.** 6.86 (1) (b) of the statutes is amended to read:

2 6.86 (1) (b) Except as provided in this section, if application is made in writing,
3 the application, signed by the elector, shall be received no later than 5 p.m. on the
4 Friday immediately preceding the election. If application is made in person, the
5 application shall be made no later than 5 p.m. on the day preceding the election. If
6 the elector is making written application and the application indicates that the
7 reason for requesting an absentee ballot is that the elector is a sequestered juror, the
8 application shall be received no later than 5 p.m. on election day. If the application
9 is received after 5 p.m. on the Friday immediately preceding the election, the
10 municipal clerk or the clerk's agent shall immediately take the ballot to the court in
11 which the elector is serving as a juror and deposit it with the judge. The judge shall
12 recess court, as soon as convenient, and give the elector the ballot. The judge shall
13 then witness the voting procedure as provided in s. 6.87 and shall deliver the ballot
14 to the clerk or agent of the clerk who shall deliver it to the ~~polling place~~ municipal
15 clerk as required in s. 6.88. If application is made under sub. (2), the application may
16 be received no later than 5 p.m. on the Friday immediately preceding the election.

17 **SECTION 56.** 6.86 (3) (c) of the statutes is amended to read:

18 6.86 (3) (c) An application under par. (a) 1. may be made and a registration form
19 under par. (a) 2. may be filed in person at the office of the municipal clerk not earlier
20 than 7 days before an election and not later than 5 p.m. on the day of the election.
21 A list of hospitalized electors applying for ballots under par. (a) 1. shall be made by
22 the municipal clerk and used to check that the electors vote only once, and by
23 absentee ballot. If identification is required, the municipal clerk shall so inform the
24 agent and the elector shall enclose identification in the envelope with the ballot. The
25 ballot shall be sealed by the elector and returned to the municipal clerk either by mail

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1 or by personal delivery of the agent; ~~but if the ballot is returned on the day of the~~
2 ~~election, the agent shall make personal delivery at the polling place serving the~~
3 ~~hospitalized elector's residence before the closing hour for the ballot to be counted to~~
4 the municipal clerk no later than 8 p.m. on election day.

5 **SECTION 57.** 6.86 (6) of the statutes is created to read:

6 6.86 (6) Any elector may challenge for cause any person offering to cast an
7 absentee ballot in person at the office of the municipal clerk whom the elector knows
8 or suspects is not a qualified elector. The municipal clerk or deputy clerk shall treat
9 the challenge in the same manner as provided for inspectors making challenges
10 under ss. 6.925, 6.94, and 6.95.

11 **SECTION 58.** 6.87 (3) (a) of the statutes is amended to read:

12 6.87 (3) (a) Except as authorized under par. (d) and as otherwise provided in
13 ~~s. ss. 6.873 and~~ 6.875, the municipal clerk shall mail the absentee ballot postage
14 prepaid for return to the elector's residence unless otherwise directed, or shall
15 deliver it to the elector personally at the clerk's office.

16 **SECTION 59.** 6.87 (4) of the statutes, as affected by 2003 Wisconsin Act 265,
17 section 112a, is amended to read:

18 6.87 (4) Except as otherwise provided in s. 6.875, the elector voting absentee
19 shall make and subscribe to the certification before one witness. The absent elector,
20 in the presence of the witness, shall mark the ballot in a manner that will not disclose
21 how the elector's vote is cast. The elector shall then, still in the presence of the
22 witness, fold the ballots so each is separate and so that the elector conceals the
23 markings thereon and deposit them in the proper envelope. If a consolidated ballot
24 under s. 5.655 is used, the elector shall fold the ballot so that the elector conceals the
25 markings thereon and deposit the ballot in the proper envelope. If the elector has

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1 registered by mail and has not, or is not certain whether the elector has, previously
2 voted in an election for national office in this state, the elector shall enclose
3 identification in the envelope or if the elector is voting at a satellite absentee voting
4 station, shall provide identification to the special voting deputy. Identification is
5 required if the elector is not a military elector or an overseas elector, as defined in
6 s. 6.36 (2) (c), and the elector registered by mail and has not voted in an election for
7 national office in this state. The elector may receive assistance under sub. (5). The
8 return envelope shall then be sealed. The witness may not be a candidate. The
9 envelope shall be mailed by the elector, postage prepaid, or delivered in person, to the
10 municipal clerk issuing the ballot or ballots. Failure to return an unused ballot in
11 a primary does not invalidate the ballot on which the elector's votes are cast. Return
12 of more than one marked ballot in a primary or return of a ballot prepared under s.
13 5.655 or a ballot used with an electronic voting system in a primary which is marked
14 for candidates of more than one party invalidates all votes cast by the elector for
15 candidates in the primary.

16 **SECTION 60.** 6.87 (6) of the statutes is amended to read:

17 6.87 (6) The ballot shall be returned so it is received by the municipal clerk in
18 ~~time for delivery to the polls before the closing hour~~ by 8 p.m. on election day. Any
19 ballot not mailed or delivered as provided in this subsection may not be counted.

20 **SECTION 61.** 6.873 of the statutes is created to read:

21 **6.873 Absentee voting at satellite absentee voting stations. (1)**
22 DESIGNATION OF SATELLITE ABSENTEE VOTING STATIONS. The governing body of any
23 municipality may designate any location, other than the office of the municipal clerk
24 or board of election commissioners and other than a nursing or retirement home or
25 community-based residential facility under s. 6.875, as a satellite absentee voting

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1 station where electors of the municipality may vote by absentee ballot. The
2 municipal clerk or board of election commissioners may designate a satellite
3 absentee voting station on private property only if the person who owns the property
4 or otherwise has authority to consent to its use by the municipality consents to the
5 designation and consents to the enforcement of s. 12.03 (2m) on property owned or
6 controlled by the person. The municipal clerk or board of election commissioners
7 shall not designate a location as a satellite absentee voting station if there is a charge
8 for the municipality to use the location.

9 (2) SPECIAL VOTING DEPUTIES. (a) *Appointment.* The municipal clerk or board
10 of election commissioners shall appoint at least one qualified elector as a special
11 voting deputy to receive absentee ballots at each satellite absentee voting station
12 designated under sub. (1). The appointment shall be made without regard to party
13 affiliation. The special voting deputy shall be able to read and write the English
14 language, be capable, and be of good understanding, and may not be a candidate for
15 any office to be voted for at an election for which he or she serves. The governing body
16 of the municipality may require a special voting deputy to have a general knowledge
17 of the election laws. The municipal clerk or board of election commissioners may
18 administer examinations to determine whether an individual qualifies for
19 appointment under this paragraph. In coordination with the board, the municipal
20 clerk or board of election commissioners shall instruct the special voting deputy in
21 the deputy's duties and responsibilities.

22 (b) *Oath.* Before performing his or her duties, each special voting deputy
23 appointed under par. (a) shall file the oath required by s. 7.30 (5). In the oath, the
24 individual shall swear that he or she is qualified to act as a deputy under this section,
25 that he or she has read the statutes governing absentee voting, that he or she

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1 understands the proper absentee voting procedure, that he or she understands the
2 penalties for noncompliance with the procedure under s. 12.13, that his or her sacred
3 obligation will be to fully and fairly implement the absentee voting law and seek to
4 have the intent of the electors ascertained. In addition, the oath shall state that the
5 individual realizes that any error in conducting the voting procedure may result in
6 invalidation of an elector's vote under s. 7.51 (2) (e) and that the individual realizes
7 that absentee voting is a privilege and not a constitutional right.

8 (c) *Term of office.* Except as otherwise provided in this paragraph, each special
9 voting deputy appointed under par. (a) shall hold office for 2 years and until his or
10 her successor is appointed and qualified. The municipal clerk or board of election
11 commissioners may revoke a special voting deputy's appointment at any time.

12 (d) *Authority and duties.* For the purpose of ensuring compliance with this
13 section and s. 6.285, each special voting deputy appointed under par. (a) has
14 supervision over the satellite absentee voting station to which he or she is dispatched
15 under sub. (3) (a). The special voting deputy is subject to the supervision of the
16 municipal clerk or board of election commissioners. The special voting deputy has
17 full authority to maintain order and to enforce obedience to his or her lawful
18 commands at any time during which absentee ballots may be cast at the voting
19 station. The special voting deputy shall prevent any person from taking notice of how
20 another person has voted, except when assistance is given under s. 6.87 (5). The
21 special voting deputy shall enforce s. 5.35 (5) and shall prevent electioneering from
22 taking place in violation of s. 12.03 (1m) or (2m). If any person refuses to obey the
23 lawful commands of a special voting deputy, is disorderly in the presence or hearing
24 of the special voting deputy, or interrupts or disturbs the proceedings, the special

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1 voting deputy may order any law enforcement officer to remove the person from the
2 voting area or to take the person into custody.

3 **(3) OPERATION OF SATELLITE ABSENTEE VOTING STATIONS.** (a) *Operation.* The
4 municipal clerk or board of election commissioners may dispatch a special voting
5 deputy appointed under sub. (2) to a satellite absentee voting station designated
6 under sub. (1) for the purpose of permitting qualified electors of the municipality to
7 vote by absentee ballot at that voting station. No satellite absentee voting station
8 may be open for purposes of this subsection or s. 6.285 at any time before the official
9 absentee ballots for the applicable election are prepared under s. 7.15 (1) (cm) or at
10 any time after 5 p.m. on the day before the election.

11 (b) *Supplies for satellite absentee voting stations.* The board shall prescribe a
12 special certificate envelope for use only at satellite absentee voting stations which
13 shall include the notation “Identification submitted,” followed by a space for the
14 signature of the special voting deputy to whom the identification was submitted. The
15 municipal clerk or board of election commissioners shall issue a supply of absentee
16 ballots and special certificate envelopes to the special voting deputy that is sufficient
17 to provide for the number of valid applications that the clerk or board of election
18 commissioners reasonably expects will be made at the satellite absentee voting
19 station. The municipal clerk or board of election commissioners shall keep a careful
20 record of all ballots issued to the deputy and shall require the deputy to return every
21 ballot that he or she is issued.

22 (c) *Registration list.* Except as provided in pars. (b) and (c), each registration
23 list prepared for use at a satellite absentee voting station shall contain the full name
24 and address of each registered elector; if the list is prepared for use at an election for
25 national office, an indication next to the name of each elector for whom identification

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1 is required under s. 6.36 (2); and a form of certificate bearing the certification of the
2 executive director of the board stating that the list is a true and complete registration
3 list of the municipality for which the list is prepared. Identification is required if the
4 elector is not a military elector or an overseas elector and the elector registers by mail
5 and has not previously voted in an election for national office in this state. The names
6 and identification serial numbers of electors who have obtained a confidential listing
7 under s. 6.47 (2) shall appear separately after the remainder of the list. These names
8 and serial numbers shall be arranged alphabetically by last name.

9 (4) ABSENTEE VOTING PROCEDURE. (a) *Registration.* A qualified elector may
10 register under s. 6.285 (2) at the satellite absentee voting station.

11 (b) *Eligibility.* Any qualified elector of the municipality that designates a
12 satellite absentee voting station under sub. (1) may vote by absentee ballot at the
13 voting station.

14 (c) *Identification.* If identification is required under sub. (3) (c), the special
15 voting deputy shall require the elector to provide identification. If identification is
16 provided, the deputy shall verify that the name and address on the identification
17 provided is the same as the name and address shown on the registration list or
18 registration form submitted by the elector and shall sign the certificate envelope
19 indicating that identification was submitted and verified. If identification is
20 required and not provided, the deputy shall offer the opportunity for the elector to
21 vote under s. 6.97.

22 (d) *Voting procedure.* 1. The special voting deputy shall enter a unique voting
23 number after the name of each elector who votes under this section on the
24 registration list or, if the elector's name does not appear on the list, on a separate list
25 maintained under this subsection beginning with the number one.

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1 2. If the registration list indicates that the elector is ineligible to vote because
2 the elector's name appears on the current list provided by the department of
3 corrections under s. 301.03 (20), the deputy shall inform the elector of this fact. If
4 the elector maintains that he or she is eligible to vote in the election, the deputy shall
5 provide the elector with a ballot and, after the elector casts his or her vote, shall
6 challenge the ballot in the same manner as provided for inspectors making
7 challenges under s. 6.92 and shall treat the ballot in the same manner as provided
8 for treatment of challenged ballots by inspectors under s. 6.95.

9 3. The deputy shall than personally offer a qualified elector of the municipality,
10 served by the deputy, who makes a proper application with the deputy the
11 opportunity to cast his or her absentee ballot. The deputy shall write on the official
12 ballot, in the space for the official endorsement, his or her initials and official title.
13 The elector and a witness shall then make and subscribe to the certification on the
14 certificate envelope and the elector shall vote the ballot in the manner prescribed in
15 s. 6.87 (4).

16 4. The elector may receive assistance in marking the ballot as provided in s.
17 6.87 (5).

18 5. Notwithstanding s. 6.87 (4), the elector shall then seal the ballot inside the
19 certificate envelope and give the sealed certificate envelope containing the ballot in
20 an absentee ballot carrier envelope and shall promptly deliver the envelope to the
21 deputy. The deputy shall place the sealed certificate envelope containing each ballot
22 in an absentee ballot carrier envelope and shall promptly deliver the envelope to the
23 municipal clerk or board of election commissioners in the manner specified by the
24 municipal clerk or board of election commissioners.

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1 (e) *Challenge.* Any elector may challenge for cause any person offering to cast
2 an absentee ballot at a satellite absentee voting station whom the elector knows or
3 suspects is not a qualified elector. The special voting deputy shall treat the challenge
4 in the same manner as provided for inspectors making challenges under ss. 6.925,
5 6.94, and 6.95.

6 **SECTION 62.** 6.88 (1) of the statutes is amended to read:

7 6.88 (1) When an absentee ballot arrives at the office of the municipal clerk,
8 the clerk shall enclose it, unopened, in a carrier envelope which shall be securely
9 sealed and endorsed with the name and official title of the clerk, and the words "This
10 envelope contains the ballot of an absent elector and must be opened at the polls
11 ~~during polling hours on election day~~ a meeting of the municipal board of canvassers
12 under s. 7.52". If the ballot was received by the elector by facsimile transmission or
13 electronic mail and is accompanied by a separate certificate, the clerk shall enclose
14 the ballot in a certificate envelope and securely append the completed certificate to
15 the outside of the envelope before enclosing the ballot in the carrier envelope. The
16 clerk shall keep the ballot in the clerk's office until delivered, as required in sub. (2).

17 **SECTION 63.** 6.88 (2) of the statutes is amended to read:

18 6.88 (2) When an absentee ballot is received by the municipal clerk prior to the
19 delivery of the official ballots to the ~~election officials of the ward in which the elector~~
20 ~~resides~~ municipal board of canvassers, the municipal clerk shall seal the ballot
21 envelope in the carrier envelope as provided under sub. (1), and shall enclose the
22 envelope in a package and deliver the package to the ~~election inspectors of the proper~~
23 ~~ward or election district.~~ ~~When the official ballots for the ward or election district~~
24 ~~have been delivered to the election officials before the receipt of an absentee ballot,~~
25 ~~the clerk shall immediately enclose the envelope containing the absentee ballot in~~

ASSEMBLY BILL 542**SECTION 63**

1 a carrier envelope as provided under sub. (1) and deliver it in person to the proper
2 election officials municipal board of canvassers when it convenes under s. 7.52.

3 **SECTION 64.** 6.88 (3) (a) of the statutes is renumbered 7.52 (3) and amended to
4 read:

5 **7.52 (3)** ~~Any time between the opening and closing of the polls on election day,~~
6 ~~the inspectors~~ The board of canvassers shall first open the carrier envelope only, and
7 announce the name of the absent elector or the identification serial number of the
8 absent elector if the elector has a confidential listing under s. 6.47 (2). When the
9 ~~inspectors find~~ board of canvassers finds that the certification has been properly
10 executed, the applicant is a qualified elector of the ward or election district, and the
11 applicant has not voted in the election, ~~they~~ the board of canvassers shall enter an
12 indication on the poll list next to the applicant's name indicating an absentee ballot
13 is cast by the elector. ~~They~~ The board of canvassers shall then open the envelope
14 containing the ballot in a manner so as not to deface or destroy the certification
15 thereon. ~~The inspectors~~ board of canvassers shall take out the ballot without
16 unfolding it or permitting it to be unfolded or examined. Unless the ballot is cast
17 under s. 6.95, ~~the inspectors~~ board of canvassers shall verify that the ballot has been
18 endorsed by the issuing clerk or special voting deputy. If the poll list indicates that
19 identification is required and no identification is enclosed or the name or address on
20 the document that is provided is not the same as the name and address shown on the
21 poll list, ~~the inspectors~~ or if the ballot was cast under s. 6.873 and the envelope does
22 not contain the signature of the special voting deputy to whom identification was
23 provided, the board of canvassers shall proceed as provided under s. 6.97 (2). The
24 ~~inspectors~~ board of canvassers shall then deposit the ballot into the proper ballot box
25 and enter the absent elector's name or ~~voting~~ poll list number after his or her name

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1 on the poll list ~~in the same manner as if the elector had been present and voted in~~
2 ~~person.~~

3 **SECTION 65.** 6.88 (3) (b) of the statutes is renumbered 6.88 (3).

4 **SECTION 66.** 6.93 (title) of the statutes is repealed.

5 **SECTION 67.** 6.93 of the statutes is renumbered 7.52 (5) and amended to read:

6 7.52 (5) The vote of any absent elector may be challenged for cause and the
7 ~~inspectors of election~~ municipal board of canvassers shall have all the power and
8 authority given ~~them~~ the inspectors to hear and determine the legality of the ballot
9 the same as if the ballot had been voted in person.

10 **SECTION 68.** 6.935 of the statutes is amended to read:

11 **6.935 Challenge based on incompetency.** Section 6.03 (3) applies to any
12 challenge of a person's right to vote under s. 6.92, 6.925 or ~~6.93~~ 7.52 (5) based on an
13 allegation that an elector is incapable of understanding the objective of the elective
14 process and thereby ineligible to vote.

15 **SECTION 69.** 6.97 (1) of the statutes is amended to read:

16 6.97 (1) Whenever any individual who is required to provide identification in
17 order to be permitted to vote appears to vote at a polling place or satellite absentee
18 voting station and cannot provide the required identification, or the individual has
19 not provided identification as provided in s. 7.52 (3), the inspectors shall offer the
20 opportunity for the individual to vote under this section. If the individual wishes to
21 vote, the inspectors shall provide the elector with an envelope marked "Ballot under
22 s. 6.97, stats.," on which the serial number of the elector is entered and shall require
23 the individual to execute on the envelope a written affirmation stating that the
24 individual is a qualified elector of the ward or election district where he or she offers
25 to vote and is eligible to vote in the election. The inspectors shall, before giving the

ASSEMBLY BILL 542**SECTION 69**

1 elector a ballot, write on the back of the ballot the serial number or registration list
2 number under s. 6.873 (4) (d) 1. of the individual corresponding to the number kept
3 at the election on the poll list or registration list or other list maintained under s. 6.79
4 or s. 6.873 (4) (d) 1. and the notation "s. 6.97". If voting machines are used in the
5 municipality where the individual is voting, the individual's vote may be received
6 only upon an absentee ballot furnished by the municipal clerk which shall have the
7 corresponding number from the poll list or other list maintained under s. 6.79 (2) (c),
8 or the registration list if the elector is voting under s. 6.873 (4), and the notation "s.
9 6.97" written on the back of the ballot by the inspectors or special voting deputy
10 before the ballot is given to the elector. When receiving the individual's ballot, the
11 inspectors or special voting deputy shall provide the individual with written voting
12 information prescribed by the board under s. 7.08 (8). The inspectors or special
13 voting deputy shall indicate on the list the fact that the individual is required to
14 provide identification but did not do so. The inspectors or special voting deputy shall
15 notify the individual that he or she may provide identification to the municipal clerk
16 or executive director of the municipal board of election commissioners. The
17 inspectors or special voting deputy shall also promptly notify the municipal clerk or
18 executive director of the name, address, and either the serial number or, if voting
19 under s. 6.873 (4), the registration list number of the individual. The inspectors or
20 special voting deputy shall then place the ballot inside the certificate envelope on
21 which the elector's serial number or registration list number has been entered and
22 place the that envelope in a separate carrier envelope.

23 **SECTION 70.** 6.97 (2) of the statutes is amended to read:

24 6.97 (2) Whenever any individual who votes by absentee ballot is required to
25 provide identification in order to be permitted to vote and does not provide the

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1 required identification, the ~~inspectors~~ municipal board of canvassers shall write on
2 the back of the absentee ballot the serial number of the individual corresponding to
3 the number kept at the election on the poll list or other list maintained under s. 6.79
4 and the notation "s. 6.97". The ~~inspectors~~ board of canvassers shall indicate on the
5 poll list the fact that the individual is required to provide identification but did not
6 do so. The ~~inspectors~~ board of canvassers shall promptly notify the municipal clerk
7 or executive director of the municipal board of election commissioners of the name,
8 address, and serial poll list number of the individual. The ~~inspectors~~ board of
9 canvassers shall then place the ballot inside an envelope on which the name and
10 serial number of the elector is entered and shall place the envelope in a separate
11 carrier envelope.

12 **SECTION 71.** 7.03 (1) (a) of the statutes is amended to read:

13 7.03 (1) (a) Except as authorized under this paragraph, a reasonable daily
14 compensation shall be paid to each inspector, voting machine custodian, automatic
15 tabulating equipment technician, member of a board of canvassers, messenger, and
16 tabulator who is employed and performing duties under chs. 5 to 12. Daily
17 compensation shall also be provided to ~~officials~~ inspectors and inspector trainees for
18 attendance at training programs conducted by the board under s. 7.31. Alternatively,
19 such election officials and trainees may be paid by the hour at a proportionate rate
20 for each hour actually worked. Any election official or trainee may choose to
21 volunteer his or her services by filing with the municipal clerk of the municipality
22 in which he or she serves a written declination to accept compensation. The
23 volunteer status of the election official or trainee remains effective until the official
24 or trainee files a written revocation with the municipal clerk.

25 **SECTION 72.** 7.03 (1) (d) of the statutes is amended to read:

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1 7.03 (1) (d) Except as otherwise provided in par. (a), special registration
2 deputies appointed under s. 6.285 (1) or 6.55 (6), special voting deputies appointed
3 under s. 6.873 (2) or 6.875 (4), and officials and trainees who attend training sessions
4 under s. 7.15 (1) (e) ~~or~~, 7.25 (5), and 7.31 may also be compensated by the municipality
5 where they serve at the option of the municipality. Employees of the department of
6 transportation who are designated as special registration deputies under s. 6.28 (4)
7 shall serve without additional compensation.

8 **SECTION 73.** 7.08 (1) (c) of the statutes is amended to read:

9 7.08 (1) (c) Prescribe forms required by ss. 5.35 (6) (b) and (c), 6.24 (3) and (4),
10 6.30 (4), 6.33 (1) and (1m) (a), 6.36 (1) (b) 1. am., 6.40 (1) (a), 6.47 (1) (a) 2. and (3),
11 6.55 (2) and (3), and 6.86 (2) and (3), and 6.873 (3) (b). All such forms shall contain
12 a statement of the penalty applicable to false or fraudulent registration or voting
13 through use of the form. Forms are not required to be furnished by the board.

14 **SECTION 74.** 7.08 (9) of the statutes is created to read:

15 7.08 (9) MUNICIPAL MAPS. From the appropriation under s. 20.510 (1) (e) or (x),
16 pay for the cost of municipal maps that are required to be posted under s. 5.35 (6) (c).

17 **SECTION 75.** 7.16 of the statutes is created to read:

18 **7.16 Election day plans. (1)** With the advice of the board, each municipal
19 clerk and board of election commissioners shall transmit for the approval of each
20 municipal governing body, a proposed plan for the administration of the election in
21 the municipality. The plan shall be transmitted at least 60 days before each regularly
22 scheduled election and at least 35 days before each special election that is not held
23 concurrently with a regularly scheduled election, regardless of whether the election
24 has been scheduled by the municipality. The governing body shall review and
25 approve a plan for this purpose no later than 42 days before each regularly scheduled

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1 election and no later than 21 days before each special election that is not held
2 concurrently with a regularly scheduled election.

3 **(2)** Each plan under sub. (1) shall include the following elements:

4 (a) The methods to be used by the municipality for preelection education of
5 electors concerning voting eligibility and procedures.

6 (b) The methods that the municipality intends to use to ensure adequate
7 staffing for preelection activities and activities on election day.

8 (c) The measures that the municipality will use to ensure the orderly and
9 efficient flow of electors at each polling place in the municipality.

10 (d) A reasonable projection of voter turnout at the election in the municipality
11 and contingency plans that the municipality will use to address any turnout that
12 significantly exceeds the projection.

13 (e) The management controls that the municipality will use to ensure
14 accountable and orderly processes at the election.

15 (f) The specific procedure that the municipality will use to conduct the
16 postelection review required under s. 7.18.

17 **SECTION 76.** 7.17 of the statutes is created to read:

18 **7.17 Waiting time for voting.** Each municipality shall implement
19 procedures to attempt to ensure that no elector who appears to vote at a polling place
20 for any election to be held in the municipality is required to wait more than 30
21 minutes before being permitted to vote.

22 **SECTION 77.** 7.18 of the statutes is created to read:

23 **7.18 Postelection performance reviews.** After each election, including
24 each primary and special election, that is held in a municipality, each municipal clerk
25 and board of election commissioners shall conduct a postelection performance review

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1 of the processes that the municipality used to conduct the election. The review shall
2 include an analysis of whether all relevant laws were complied with, an assessment
3 of whether the municipality achieved the goal under s. 7.17 to ensure a maximum
4 waiting time of 30 minutes at polling places and if not, how the goal can be achieved
5 at the next comparable election, and any steps that the municipality must take to
6 improve the administration of the next election to be held in the municipality.

7 **SECTION 78.** 7.30 (1) of the statutes is renumbered 7.30 (1) (a) and amended to
8 read:

9 7.30 (1) (a) ~~There~~ Except as required under par. (b) at the general election,
10 there shall be 7 inspectors for each polling place at each election. In Except as
11 required under par. (b), in municipalities where voting machines are used, the
12 municipal governing body may reduce the number of inspectors to 5. A municipal
13 governing body may provide for the appointment of additional inspectors whenever
14 more than one voting machine is used or wards are combined under s. 5.15 (6) (b).
15 A municipal governing body may provide by ordinance for the selection of alternate
16 ~~officials or the selection of 2 or more sets of officials to work at different times on~~
17 election day, and may permit the municipal clerk or board of election commissioners
18 to establish different working hours for different officials assigned to the same
19 polling place. ~~Alternate~~ Each municipality shall also provide by ordinance for the
20 selection of alternate officials shall also be appointed in a number sufficient to
21 provide at least one alternate at each polling place and as otherwise needed to
22 maintain adequate staffing of polling places. ~~Unless at each election. Except for~~
23 inspectors who are appointed under par. (b) and officials who are appointed
24 without regard to party affiliation under sub. (4) (c), additional officials shall be
25 appointed in such a manner that the total number of officials is an odd number and

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1 the predominant party under sub. (2) is represented by one more official than the
2 other party.

3 **SECTION 79.** 7.30 (1) (b) of the statutes is created to read:

4 7.30 (1) (b) Each municipality shall at every general election and may at any
5 other election appoint one additional inspector to serve at each polling place without
6 regard to party affiliation who shall serve as a greeter to answer questions and to
7 direct electors to the proper locations for registration and voting and who shall be
8 available to substitute for other election officials who must leave the room during the
9 voting process.

10 **SECTION 80.** 7.30 (2) (a) of the statutes, as affected by 2005 Wisconsin Act ...
11 (Assembly Bill 61), is amended to read:

12 7.30 (2) (a) Only election officials appointed under this section or s. 6.873 or
13 6.875 may conduct an election. Except as otherwise provided in this paragraph and
14 in s. 7.15 (1) (k), each election official shall be a qualified elector of the ward or wards,
15 or the election district, for which the polling place is established. A special
16 registration deputy who is appointed under s. 6.55 (6) or an election official who is
17 appointed under this section to fill a vacancy under par. (b) need not be a resident
18 of the ward or wards, or the election district, but shall be a resident of the
19 municipality, except that if a municipal clerk or deputy clerk serves as a registration
20 deputy or is appointed to fill a vacancy under par. (b), the clerk or deputy clerk need
21 not be a resident of the municipality, but shall be a resident of the state. No more
22 than 2 individuals holding the office of clerk or deputy clerk may serve without
23 regard to municipal residency in any municipality at any election. Special
24 registration deputies who are appointed under s. 6.55 (6) may be appointed to serve
25 more than one polling place. All officials appointed under this section shall be able

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1 to read and write the English language, be capable, and be of good understanding,
2 and may not be a candidate for any office to be voted for at an election at which they
3 serve. In 1st class cities, they may hold no public office other than notary public.
4 Except as required under sub. (1) (b) and as authorized under sub. (4) (c), all
5 inspectors shall be affiliated with one of the 2 recognized political parties which
6 received the largest number of votes for president, or governor in nonpresidential
7 general election years, in the ward or combination of wards served by the polling
8 place at the last election. The Excluding the inspector who is appointed under sub.
9 (1) (b), the party which received the largest number of votes is entitled to one more
10 inspector than the party receiving the next largest number of votes at each polling
11 place. ~~The same election~~ Election officials appointed under this section may serve
12 the electors of more than one ward where wards are combined under s. 5.15 (6) (b).
13 If a municipality is not divided into wards, the ward requirements in this paragraph
14 apply to the municipality at large.

15 **SECTION 81.** 7.30 (2) (b) of the statutes is amended to read:

16 7.30 (2) (b) When a vacancy occurs in an office under this section, the vacancy
17 shall be filled by appointment of the municipal clerk. The vacancy shall be filled from
18 the remaining names on the lists submitted under sub. (4) or from additional names
19 submitted by the chairperson of the county party committee of the appropriate party
20 under sub. (4) whenever names are submitted under sub. (4) (d). If the vacancy is
21 due to candidacy, sickness or any other temporary cause, the appointment shall be
22 a temporary appointment and effective only for the election at which the temporary
23 vacancy occurs. The same qualifications shall be required of persons who fill
24 vacancies. Vacancies may be filled in cases of emergency or because of time

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1 limitations by a person from another aldermanic district or ward within the
2 municipality.

3 **SECTION 82.** 7.30 (2) (b) of the statutes, as affected by 2005 Wisconsin Act ...
4 (Assembly Bill 61), is amended to read:

5 7.30 (2) (b) When a vacancy occurs, the vacancy shall be filled by appointment
6 of the municipal clerk. The Unless the vacancy occurs in the position of an inspector
7 appointed under sub. (1) (b), the vacancy shall be filled from the remaining names
8 on the lists submitted under sub. (4) or from additional names submitted by the
9 chairperson of the county party committee of the appropriate party under sub. (4)
10 whenever names are submitted under sub. (4) (d). If the vacancy is due to candidacy,
11 sickness or any other temporary cause, the appointment shall be a temporary
12 appointment and effective only for the election at which the temporary vacancy
13 occurs. The same qualifications that applied to original appointees shall be required
14 of persons who fill vacancies, except that a vacancy may be filled in cases of
15 emergency or because of time limitations by a person who resides in another
16 aldermanic district or ward within the municipality, and if a municipal clerk or
17 deputy clerk fills the vacancy, the clerk or deputy, but not more than a total of 2
18 individuals in any municipality, may serve without regard to the clerk's or deputy's
19 municipality of residence, if the clerk or deputy meets the other qualifications.

20 **SECTION 83.** 7.30 (2) (c) of the statutes is amended to read:

21 7.30 (2) (c) The governing body of any municipality may require all persons
22 serving as election officials to prove their ability to read and write English and to
23 have a general knowledge of the election laws. Examinations may be given to prove
24 the qualifications can be met. The municipal clerk shall coordinate all training
25 procedures and requirements with the board.

ASSEMBLY BILL 542**SECTION 84**

1 **SECTION 84.** 7.30 (4) (b) (intro.) of the statutes is amended to read:

2 7.30 (4) (b) (intro.) The 2 dominant parties, under sub. (2), are each responsible
3 for submitting a list of names from which ~~the~~ all appointees to inspector positions,
4 other than appointees to inspector positions required under sub. (1) (b), shall be
5 chosen.

6 **SECTION 85.** 7.30 (4) (c) of the statutes is amended to read:

7 7.30 (4) (c) ~~For~~ Except with respect to inspectors who are appointed under sub.
8 (1) (b), for so long as nominees are made available by the political parties under this
9 section, appointments may be made only from the lists of submitted nominees. If the
10 lists are not submitted by November 30 of the year in which appointments are to be
11 made, the board of election commissioners shall appoint, or the mayor, president or
12 chairperson of a municipality shall nominate qualified persons whose names have
13 not been submitted. If an insufficient number of nominees appears on the lists as
14 of November 30, the board of election commissioners shall similarly appoint, or the
15 mayor, president or chairperson shall similarly nominate sufficient individuals to fill
16 the remaining vacancies. In addition, the mayor, president, or board chairperson of
17 the municipality shall similarly nominate qualified persons to serve in the inspector
18 positions required under sub. (1) (b). Any appointment which is made due to the lack
19 of availability of names submitted under par. (b) may be made without regard to
20 party affiliation.

21 **SECTION 86.** 7.30 (6) (b) of the statutes is amended to read:

22 7.30 (6) (b) Prior to the first election following the appointment of the
23 inspectors, the municipal clerk shall appoint one of the inspectors at each polling
24 place, other than the inspector who is appointed under sub. (1) (b), to serve as chief
25 inspector. ~~No person may serve as chief inspector at any election who is not certified~~

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1 by the board under s. 7.31 at the time of the election. The chief inspector shall hold
2 the position for the remainder of the term unless the inspector is removed by the clerk
3 or the inspector ceases to be certified under s. 7.31, ~~except that whenever.~~ Whenever
4 wards are combined or separated under s. 5.15 (6) (b), the municipal clerk shall
5 appoint another inspector ~~who is certified under s. 7.31~~ to serve as chief inspector at
6 each polling place designated under s. 5.15 (6) (b). If a vacancy occurs in the position
7 of chief inspector at any polling place, the municipal clerk shall appoint one of the
8 other inspectors ~~who is certified under s. 7.31~~ to fill the vacancy.

9 **SECTION 87.** 7.30 (6) (c) of the statutes is amended to read:

10 7.30 (6) (c) If any election official appointed under this section lacks the
11 qualifications set forth in this section, fails to attend training sessions required
12 under s. 7.15 (1) (e) unless excused therefrom, is guilty of neglecting his or her official
13 duties or commits official misconduct, the municipal clerk or board of election
14 commissioners shall summarily remove the official from office and the vacancy shall
15 be filled under sub. (2) (b).

16 **SECTION 88.** 7.31 (title) of the statutes is amended to read:

17 **7.31 (title) Training and certification of chief inspectors election**
18 **officials, special voting deputies, and special registration deputies.**

19 **SECTION 89.** 7.31 (1) of the statutes is renumbered 7.31 (1r) and amended to
20 read:

21 7.31 (1r) The board shall, by rule, prescribe requirements for certification of
22 individuals to serve as ~~chief inspectors~~ election officials at polling places in an
23 election, to serve as special voting deputies under ss. 6.873 and 6.875 and to serve
24 as special registration deputies under s. 6.26. The requirements shall include

ASSEMBLY BILL 542**SECTION 89**

1 attendance at one or more training sessions produced and conducted by the board
2 under this section. The requirements shall not include taking an examination.

3 **SECTION 90.** 7.31 (1g) of the statutes is created to read:

4 7.31 (1g) The board shall produce and periodically reissue as necessary a video
5 program for the purpose of training election officials, special voting deputies, and
6 special registration deputies under s. 6.26. The board shall make the program
7 available for viewing electronically through an Internet-based system.

8 **SECTION 91.** 7.31 (2) to (5) of the statutes are amended to read:

9 7.31 (2) No individual may serve as a ~~chief inspector~~ an election official at a
10 polling place in an election, no person may serve as a special voting deputy under s.
11 6.873 or 6.875, and no individual may serve as a special registration deputy under
12 s. 6.26 unless the individual is certified by the board to hold that office ~~on~~ at the date
13 ~~of the election~~ time at which the individual serves.

14 (3) The board shall, upon application, issue certificates to qualified individuals
15 who meet the requirements prescribed by the board to be certified as ~~chief inspectors~~
16 election officials at polling places in an election, to serve as special voting deputies
17 under s. 6.873 or 6.875, or to serve as special registration deputies under s. 6.26. The
18 requirements shall be structured to enable a qualified individual to be certified solely
19 by viewing the current, applicable video program produced by the board under sub.
20 (1g). Each certificate shall carry an expiration date.

21 (4) The board shall require each individual to whom a certificate is issued
22 under this section to meet requirements to maintain that certification. The
23 requirements shall be structured to enable an individual to maintain his or her
24 certificate solely by viewing the current, applicable video program produced by the

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1 board under sub. (1g). The board shall renew the certificate of any individual who
2 requests renewal and who meets the requirements prescribed under this subsection.

3 (5) The board shall produce and conduct regular training programs to ensure
4 that individuals who are certified by the board under this section are knowledgeable
5 concerning their authority and responsibilities. The board shall pay all costs
6 required to produce and conduct the training programs from the appropriation under
7 s. 20.510 (1) (bm) or (x).

8 **SECTION 92.** 7.32 of the statutes is amended to read:

9 **7.32 Change of election official numbers.** Notwithstanding s. 7.30 (1), the
10 governing body or board of election commissioners of any municipality may by
11 resolution reduce the number of election officials and modify or rescind any similar
12 previous action. No such action may reduce the number of officials at a polling place
13 to less than 4 at the general election or at any other election to less than 3.

14 **SECTION 93.** 7.33 (3) of the statutes is amended to read:

15 7.33 (3) Every employer shall grant to each employee who is appointed to serve
16 as an election official under s. 7.30 a leave of absence for the entire 24-hour period
17 of each election day in which the official serves in his or her official capacity. An
18 employee who serves as an election official shall provide his or her employer with at
19 least 7 days' notice of application for a leave. The municipal clerk shall verify
20 appointments upon request of any employer.

21 **SECTION 94.** 7.37 (2) of the statutes is amended to read:

22 7.37 (2) PRESERVE ORDER. The inspectors shall possess full authority to
23 maintain order and to enforce obedience to their lawful commands during the
24 election and the canvass of the votes. They shall permit only one person in a voting
25 booth at a time and shall prevent any person from taking notice of how another

ASSEMBLY BILL 542**SECTION 94**

1 person has voted, except when assistance is given under s. 6.82. They shall enforce
2 s. 5.35 (5) and prevent electioneering from taking place in violation of s. 12.03 (1) or
3 (2). If any person refuses to obey the lawful commands of an inspector, or is disorderly
4 in the presence or hearing of the inspectors, interrupts or disturbs the proceedings,
5 they may order any law enforcement officer to remove the person from the voting
6 area or to take the person into custody.

7 **SECTION 95.** 7.41 (1) of the statutes is amended to read:

8 7.41 (1) Any member of the public may be present at any polling place or at any
9 satellite absentee voting station designated under s. 6.873 (1) for the purpose of
10 observation of an election, except a candidate at that election. The chief inspector
11 at the polling place or a special voting deputy at the voting station may reasonably
12 limit the number of persons representing the same organization who are permitted
13 to observe an election at the same time.

14 **SECTION 96.** 7.41 (2) of the statutes is amended to read:

15 7.41 (2) The chief inspector at a polling place or a special voting deputy at a
16 satellite absentee voting station may restrict the location of any individual
17 exercising the right under sub. (1) to certain areas within ~~a~~ the polling place or
18 voting station. The chief inspector or special voting deputy shall clearly designate
19 such an area as an observation area. Designated observation areas shall be so
20 positioned to permit any authorized individual to readily observe all public aspects
21 of the voting process.

22 **SECTION 97.** 7.41 (3) (intro.) of the statutes is amended to read:

23 7.41 (3) (intro.) The chief inspector or special voting deputy may order the
24 removal of any individual exercising the right under sub. (1) if that individual
25 commits an overt act which:

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1 **SECTION 98.** 7.41 (3) (a) of the statutes is amended to read:

2 7.41 (3) (a) Disrupts the operation of the polling place or satellite absentee
3 voting station; or

4 **SECTION 99.** 7.41 (3) (b) of the statutes is amended to read:

5 7.41 (3) (b) Violates s. 12.03 (2) or (2m).

6 **SECTION 100.** 7.51 (1) of the statutes is amended to read:

7 7.51 (1) CANVASS PROCEDURE. Immediately after the polls close all of the
8 inspectors except any inspector appointed under s. 7.30 (1) (b) shall proceed to
9 canvass publicly all votes received at the polling place. In any municipality where
10 an electronic voting system is used, the municipal governing body or board of election
11 commissioners may provide or authorize the municipal clerk or executive director of
12 the board of election commissioners to provide for the adjournment of the canvass to
13 one or more central counting locations for specified polling places in the manner
14 prescribed in subch. III of ch. 5. No central counting location may be used to count
15 votes at a polling place where an electronic voting system is not employed. The
16 canvass, whether conducted at the polling place or at a central counting location,
17 shall continue without adjournment until the canvass of all ballots cast at the polling
18 place is completed and the return statements for those ballots are made. The
19 inspectors shall not permit access to the name of any elector who has obtained a
20 confidential listing under s. 6.47 (2) during the canvass, except as authorized in s.
21 6.47 (8).

22 **SECTION 101.** 7.51 (2) (c) of the statutes is amended to read:

23 7.51 (2) (c) Whenever the number of ballots exceeds the number of voting
24 electors as indicated on the poll list, the inspectors shall place all ballots face up to
25 check for blank ballots. In this paragraph, "blank ballot" means a ballot on which

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1 no votes are cast for any office or question. The inspectors shall mark, lay aside and
2 preserve any blank ballots. ~~If the number of ballots still exceeds the number of voting~~
3 ~~electors, the inspectors shall place all ballots face down and proceed to check for the~~
4 ~~initials. The inspectors shall mark, lay aside and preserve any ballot not bearing the~~
5 ~~initials of 2 inspectors or any absentee ballot not bearing the initials of the municipal~~
6 ~~clerk. During the count the inspectors shall count those ballots cast by challenged~~
7 ~~electors the same as the other ballots.~~

8 **SECTION 102.** 7.51 (2) (e) of the statutes is amended to read:

9 7.51 (2) (e) ~~If, after any ballots have been laid aside, the number of ballots still~~
10 ~~exceeds the total number of electors recorded on the poll list, the inspectors shall~~
11 ~~separate the absentee ballots from the other ballots. If there is an excess number of~~
12 ~~absentee ballots, the inspectors shall place the absentee ballots in the ballot box and~~
13 ~~one of the inspectors shall publicly and without examination draw therefrom by~~
14 ~~chance the number of ballots equal to the excess number of absentee ballots. If there~~
15 ~~is an excess number of other ballots, the inspectors shall place those ballots in the~~
16 ~~ballot box and one of the inspectors shall publicly and without examination draw~~
17 ~~therefrom by chance the number of ballots equal to the excess number of those~~
18 ~~ballots. All ballots so removed may not be counted but shall be specially marked as~~
19 ~~having been removed by the inspectors on original canvass due to an excess number~~
20 ~~of ballots, set aside and preserved. When the number of ballots and total shown on~~
21 ~~the poll list agree, the inspectors shall return all ballots to be counted to the ballot~~
22 ~~box and shall turn the ballot box in such manner as to thoroughly mix the ballots.~~
23 ~~The inspectors shall then open, count and record the number of votes. When the~~
24 ~~ballots are counted, the inspectors shall separate them into piles for ballots similarly~~

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1 voted. Objections may be made to placement of ballots in the piles at the time the
2 separation is made.

3 **SECTION 103.** 7.51 (3) (d) of the statutes is renumbered 7.52 (4) (i) and amended
4 to read:

5 7.52 (4) (i) All absentee certificate envelopes which have been opened shall be
6 returned by the ~~inspectors~~ board of canvassers to the municipal clerk in a securely
7 sealed carrier envelope which is clearly marked "used absentee certificate
8 envelopes". The envelopes shall be signed by ~~the chief inspector and 2 other~~
9 ~~inspectors~~ each member of the board of canvassers. Except when the ballots are used
10 in a municipal or school district election only, the municipal clerk shall transmit the
11 used envelopes to the county clerk.

12 **SECTION 104.** 7.51 (4) (a) of the statutes is amended to read:

13 7.51 (4) (a) The tally sheets shall state the total number of votes cast for each
14 office and for each individual receiving votes for that office, whether or not the
15 individual's name appears on the ballot, and shall state the vote for and against each
16 proposition voted on. Upon completion of the tally sheets, the inspectors shall
17 immediately complete inspectors' statements in duplicate. The inspectors shall state
18 the excess, if any, by which the number of ballots exceeds the number of electors
19 voting as shown by the poll list and shall state the number of the last elector as shown
20 by the poll lists. At least 3 inspectors, including the chief inspector and, unless
21 election officials are appointed under s. 7.30 (4) (c) without regard to party affiliation,
22 at least one inspector representing each political party, but not including any
23 inspector appointed under s. 7.30 (1) (b), shall then certify to the correctness of the
24 statements and tally sheets and sign their names. All other election officials
25 assisting with the tally shall also certify to the correctness of the tally sheets. When

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1 the tally is complete, the inspectors shall publicly announce the results from the
2 statements.

3 **SECTION 105.** 7.51 (5) (b) of the statutes is amended to read:

4 7.51 (5) (b) The municipal clerk shall arrange for delivery of all ballots,
5 statements, tally sheets, lists, and envelopes relating to a school district election to
6 the school district clerk. The municipal clerk shall deliver the ballots, statements,
7 tally sheets, lists, and envelopes for his or her municipality relating to any county,
8 technical college district, state, or national election to the county clerk by 2 p.m. on
9 the 2nd day following each such election. The person delivering the returns shall be
10 paid out of the municipal treasury. Each clerk shall retain ballots, statements, tally
11 sheets, or envelopes received by the clerk until destruction is authorized under s.
12 7.23 (1).

13 **SECTION 106.** 7.52 of the statutes is created to read:

14 **7.52 Canvassing of absentee ballots. (1)** At one or more times no earlier
15 than the 7th day after absentee ballots are distributed for each election under s. 7.15
16 (1) (cm) and no later than 10 a.m. on the day after an election, the municipal board
17 of canvassers designated under s. 7.53 (1) or (2) shall publicly convene to count the
18 absentee ballots for the municipality. The municipal clerk shall give at least 48
19 hours' notice of any meeting under this subsection. Any member of the public has
20 the same right of access to a meeting of the municipal board of canvassers under this
21 subsection that the individual would have under s. 7.41 to observe the proceedings
22 at a polling place. The board of canvassers may order the removal of any individual
23 exercising the right to observe the proceedings if the individual disrupts the meeting.

24 **(2)** In counting the absentee ballots, the board of canvassers shall use 2
25 duplicate copies of a single poll list for the entire municipality prepared in accordance

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1 with s. 6.36 (2). Upon accepting each absentee ballot, the board of canvassers shall
2 enter a poll list number on the poll list next to the name of the elector who voted the
3 ballot, beginning with the number one. If the elector's name does not appear on the
4 poll list, the board of canvassers shall enter the number on a separate list maintained
5 under this subsection.

6 (4) (a) The board of canvassers shall then open the ballot box and remove and
7 count the number of ballots therein without examination except as is necessary to
8 ascertain that each is a single ballot. The board of canvassers shall mark the poll list
9 number of each elector who casts an absentee ballot on the back of the elector's ballot.
10 If 2 or more ballots are folded together so as to appear as a single ballot, the board
11 of canvassers shall lay them aside until the count is completed; and if, after a
12 comparison of the count and the appearance of the ballots it appears to the board of
13 canvassers that the ballots folded together were voted by the same person they shall
14 not be counted but the board of canvassers shall mark them as to the reason for
15 removal, set them aside, and carefully preserve them. The board of canvassers shall
16 then proceed under par. (b).

17 (b) When during the counting of the ballots cast at an election the board of
18 canvassers finds that a ballot is so defective that it cannot determine with reasonable
19 certainty for whom it was cast, the board of canvassers shall so mark the ballot and
20 preserve it. The board of canvassers shall not count the vote cast on the ballot for
21 any office for which it determines the ballot to be defective.

22 (c) Whenever the number of ballots exceeds the number of voting electors as
23 indicated on the poll list, the board of canvassers shall place all ballots face up to
24 check for blank ballots. In this paragraph, "blank ballot" means a ballot on which
25 no votes are cast for any office or question. The board of canvassers shall mark, lay

ASSEMBLY BILL 542

1 aside, and preserve any blank ballots. If the number of ballots still exceeds the
2 number of voting electors, the board of canvassers shall place all ballots face down
3 and proceed to check for the initials. The inspectors shall mark, lay aside, and
4 preserve any ballot not bearing the initials of the municipal clerk. During the count
5 the board of canvassers shall count those ballots cast by challenged electors the same
6 as the other ballots.

7 (d) The board of canvassers shall keep a written statement, in duplicate, of the
8 number of ballots set aside and the number of defective ballots and challenged
9 ballots. The statement shall contain a record of the reasons for setting aside each
10 ballot and the reasons why each defective or challenged ballot is defective or
11 challenged. The board of canvassers shall certify that the statement is correct, sign
12 it, and attach it to the tally sheets.

13 (e) If, after any ballots have been laid aside, the number of ballots still exceeds
14 the total number of electors recorded on the poll list, the board of canvassers shall
15 place the absentee ballots in the ballot box and one of the members shall publicly and
16 without examination draw therefrom by chance the number of ballots equal to the
17 excess number of ballots. All ballots so removed shall not be counted but shall be
18 specially marked as having been removed by the board of canvassers on original
19 canvass due to an excess number of ballots, set aside, and preserved. When the
20 number of ballots and total shown on the poll list agree, the board of canvassers shall
21 return all ballots to be counted to the ballot box and shall turn the ballot box in such
22 manner as to thoroughly mix the ballots. The board of canvassers shall then open,
23 count, and record the number of votes. When the ballots are counted, the board of
24 canvassers shall separate them into piles for ballots similarly voted. Objections may
25 be made to placement of ballots in the piles at the time the separation is made.

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1 (f) If corrected ballots under s. 5.72 (3) are distributed under s. 5.72 (3) or 7.10
2 (3), only the votes cast on the corrected ballots may be counted for any office or
3 referendum in which the original ballots differ from the corrected ballots.

4 (g) The board of canvassers shall place together all ballots counted by it which
5 relate to any national, state, or county office or any state, county, or technical college
6 district referendum and secure them together so that they cannot be untied or
7 tampered with without breaking the seal. The secured ballots, together with any
8 ballots marked "Defective," shall then be secured by the board of canvassers in the
9 ballot container in such a manner that the container cannot be opened without
10 breaking the seals or locks, or destroying the container. The board of canvassers
11 shall place the ballots cast under s. 6.97 in a separate, securely sealed carrier
12 envelope which is clearly marked "Section 6.97 ballots." Each member of the board
13 of canvassers shall sign the carrier envelope. The carrier envelope shall not be placed
14 in the ballot container. The board of canvassers shall then deliver the ballots to the
15 municipal clerk in the ballot container and carrier envelope.

16 (h) For ballots that relate only to municipal or school district offices or
17 referenda, the board of canvassers, in lieu of par. (a), after counting the ballots shall
18 return them to the proper ballot boxes, lock the boxes, paste paper over the slots, sign
19 their names to the paper, and deliver them and the keys therefor to the municipal
20 or school district clerk. The clerk shall retain the ballots until destruction is
21 authorized under s. 7.23.

22 **(6)** (a) The board of canvassers shall review each certificate envelope to
23 determine whether any absentee ballot is cast by an elector whose name appears on
24 the poll list as ineligible to vote at the election. If the board of canvassers receives
25 an absentee ballot that has been cast by an elector whose name appears on the poll

ASSEMBLY BILL 542

1 list as ineligible to vote, the inspectors shall challenge the ballot in the same manner
2 as provided for inspectors making challenges under s. 6.92 and shall treat the ballot
3 in the manner as provided for treatment of challenged ballots by inspectors under
4 s. 6.95.

5 (b) Any elector may challenge for cause any absentee ballot other than a ballot
6 that was cast in person under s. 6.86 (1) (a) 2. or under s. 6.873. For the purpose of
7 deciding upon ballots that are challenged for any reason, the board of canvassers
8 may call before it any person whose absentee ballot is challenged if the person is
9 available to be called. If the person challenged refuses to answer fully any relevant
10 questions put to him or her by the board of canvassers under s. 6.92, the board of
11 canvassers shall reject the elector's vote. If the challenge is not withdrawn after the
12 person offering to vote has answered the questions, one of the members of the board
13 of canvassers shall administer to the person the following oath or affirmation: "You
14 do solemnly swear (or affirm) that: you are 18 years of age; you are a citizen of the
15 United States; you are now and for 10 days have been a resident of this ward except
16 under s. 6.02 (2); you have not voted at this election; you have not made any bet or
17 wager or become directly or indirectly interested in any bet or wager depending upon
18 the result of this election; you are not on any other ground disqualified to vote at this
19 election." If the person challenged refuses to take the oath or affirmation, the
20 person's vote shall be rejected. If the person challenged answers fully all relevant
21 questions put to the elector by the board of canvassers under s. 6.92, takes the oath
22 or affirmation, and fulfills the applicable registration requirements, and if the
23 answers to the questions given by the person indicate that the person meets the
24 voting qualification requirements, the person's vote shall be received.

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1 **(7)** The board of canvassers shall maintain tally sheets on forms provided by
2 the municipal clerk, which shall state the total number of votes cast for each office
3 and for each individual receiving votes for that office, whether or not the individual's
4 name appears on the ballot, and shall state the vote for and against each proposition
5 voted on. If the board of canvassers recesses without completing the canvass of the
6 absentee ballots, the municipal clerk shall secure the tally sheets, together with all
7 ballots, envelopes, and other materials, and shall deliver them to the board of
8 canvassers at its next meeting under sub. (1). Upon completion of the canvass of the
9 absentee ballots, the board of canvassers shall immediately complete statements in
10 duplicate. The statements shall state the excess, if any, by which the number of
11 ballots exceeds the number of electors voting as shown by the poll list used by the
12 board of canvassers under this section and shall state the poll list number of the last
13 elector as shown by the poll list. Each member of the board of canvassers shall then
14 certify to the correctness of the statements and tally sheets and sign their names.
15 All other election officials assisting with the tally shall also certify to the correctness
16 of the tally sheets. If the board of canvassers meets under sub. (1) before the day after
17 election day, the canvassers shall not announce the results and the records of the
18 count are not open to public inspection and copying under s. 19.35 (1). When the tally
19 is complete, the board of canvassers shall publicly announce the results from the
20 statements and the records of the count are open to public inspection and copying
21 under s. 19.35 (1).

22 **(8)** The board of canvassers shall make full and accurate return of the votes cast
23 for each candidate and proposition on the tally sheet forms. Each tally sheet shall
24 record the returns for each office or referendum by ward, unless combined returns
25 are authorized in accordance with s. 5.15 (6) (b) in which case the tally sheet shall

ASSEMBLY BILL 542**SECTION 106**

1 record the returns for each group of combined wards. After recording the votes, the
2 board of canvassers shall seal in a carrier envelope outside the ballot bag or container
3 one inspector's statement under sub. (4) (d), one tally sheet, and one poll list for
4 delivery to the county clerk, unless the election relates only to municipal or school
5 district offices or referenda. The board of canvassers shall also similarly seal one
6 statement, one tally sheet, and one poll list for delivery to the municipal clerk.

7 **SECTION 107.** 7.53 (1) of the statutes is amended to read:

8 7.53 (1) MUNICIPALITIES WITH ONE POLLING PLACE. Where the municipality
9 constitutes one ward or combines all wards to utilize a single polling place under s.
10 5.15 (6) (b), the canvass of the votes cast at the polling place shall be conducted
11 publicly under s. 7.51 and the inspectors, other than any inspector appointed under
12 s. 7.30 (1) (b), shall act as the municipal board of canvassers. After the canvass of
13 the absentee ballots is completed under s. 7.52, the board of canvassers shall
14 reconcile the poll list of the electors who vote by absentee ballot with the
15 corresponding poll list of the electors who vote in person to ensure that no elector is
16 allowed to cast more than one ballot. If an elector who votes in person has submitted
17 an absentee ballot, the absentee ballot is void. Upon completion of the canvass under
18 this section and s. 7.52 and ascertainment of the results by the inspectors board of
19 canvassers, the municipal clerk shall publicly read to the board of canvassers the
20 names of the persons voted for and the number of votes for each person for each
21 municipal office, the names of the persons declared by the inspectors board of
22 canvassers to have won nomination or election to each municipal office and the
23 number of votes cast for and against each municipal referendum question.

24 **SECTION 108.** 7.53 (2) (d) of the statutes is amended to read:

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1 7.53 (2) (d) The municipal board of canvassers shall publicly canvass the
2 returns of every municipal election. The canvass shall begin ~~within 24 hours after~~
3 ~~the polls close~~ as soon as possible after the canvass of absentee ballots is completed
4 under s. 7.52 but no later than 9 a.m. on the 2nd day after election day. After the
5 canvass of the absentee ballots is completed under s. 7.52, the board of canvassers
6 shall reconcile the poll list of the electors who vote by absentee ballot with the
7 corresponding poll list of the electors who vote in person to ensure that no elector is
8 allowed to cast more than one ballot. If an elector who votes in person has submitted
9 an absentee ballot, the absentee ballot is void. At the spring election, the board of
10 canvassers shall publicly declare the results on or before the 2nd Tuesday in April.
11 The board of canvassers shall prepare a statement showing the results of each
12 election for any municipal office and each municipal referendum. After each primary
13 for municipal offices, the board of canvassers shall prepare a statement certifying the
14 names of those persons who have won nomination to office. After each other election
15 for a municipal office and each municipal referendum, the board of canvassers shall
16 prepare a determination showing the names of the persons who are elected to each
17 municipal office and the results of each municipal referendum. The board of
18 canvassers shall file each statement and determination in the office of the municipal
19 clerk or board of election commissioners.

20 **SECTION 109.** 7.60 (3) of the statutes is amended to read:

21 7.60 (3) CANVASSING. Not later than 9 a.m. on the ~~Thursday~~ Friday after each
22 election the county board of canvassers shall open and publicly examine the returns.
23 If returns have not been received from any election district or ward in the county,
24 they shall dispatch a messenger and the person having them shall deliver the
25 returns to the messenger. If, on examination, any of the returns received are so

ASSEMBLY BILL 542**SECTION 109**

1 informal or defective that the board cannot intelligently canvass them, they shall
2 dispatch a messenger to deliver the returns back to the municipal board of
3 canvassers with written specifications of the informalities or defects and command
4 them to immediately complete the returns or remedy the defects in the manner
5 required and deliver them to the messenger. Every messenger shall safely keep all
6 returns, show them to no one but the municipal clerk and board of canvassers and
7 deliver them to the county clerk with all possible dispatch. To acquire the necessary
8 full returns and remedy any informalities or defects the county board of canvassers
9 may adjourn not longer than one day at a time nor more than 2 days in all.

10 **SECTION 110.** 12.03 (title) of the statutes is amended to read:

11 **12.03** (title) **Election-day Restricted campaigning restricted.**

12 **SECTION 111.** 12.03 (1) of the statutes is amended to read:

13 12.03 (1) No election official may engage in electioneering on election day. This
14 subsection does not apply to an election official who is appointed under s. 6.285 or
15 6.873 and is not serving as an election official on election day.

16 **SECTION 112.** 12.03 (1m) of the statutes is created to read:

17 12.03 (1m) No election official appointed under s. 6.285 or 6.873 may engage
18 in electioneering at a satellite absentee voting station designated under s. 6.873 (1)
19 on any day during which absentee ballots may be cast at the voting station.

20 **SECTION 113.** 12.03 (2m) of the statutes is created to read:

21 12.03 (2m) (a) No person may engage in electioneering within any building, or
22 at the doors to any building, in which a satellite absentee voting station is designated
23 under s. 6.873 (1) on any day during which absentee ballots may be cast at the voting
24 station. This paragraph applies to electioneering on private property only if the

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1 property is owned or controlled by the person who consented under s. 6.873 (1) to the
2 designation of the voting station.

3 (b) Except as otherwise provided in this subsection, no person may engage in
4 electioneering within 100 feet of a satellite absentee voting station that is designated
5 under s. 6.873 (1) and that is not located within a building on any day during which
6 absentee ballots may be cast at the voting station. This paragraph applies to
7 electioneering on private property only if the property is owned or controlled by the
8 person who consented under s. 6.873 (1) to the designation of the voting station. This
9 paragraph does not apply to the placement of any material on the bumper of a motor
10 vehicle.

11 **SECTION 114.** 12.07 (2) of the statutes is amended to read:

12 12.07 (2) No employer may refuse to allow an employee to serve as an election
13 official under s. 7.30 or make any threats or offer any inducements of any kind to the
14 employee for the purpose of preventing the employee from so serving.

15 **SECTION 115.** 12.13 (3) (gm) of the statutes is created to read:

16 12.13 (3) (gm) Use or allow the use of any birth date information obtained
17 under s. 6.36 (1) (b) 1. am. for a commercial purpose, or post or allow the posting of
18 any such information on the Internet.

19 **SECTION 116.** 12.13 (3) (x) of the statutes is amended to read:

20 12.13 (3) (x) Refuse to obey a lawful order of an inspector or special voting
21 deputy made for the purpose of enforcing the election laws; engage in disorderly
22 behavior at or near a polling place or at or near a satellite absentee voting station
23 designated under s. 6.873 (1); or interrupt or disturb the voting or canvassing
24 proceedings.

25 **SECTION 117.** 12.13 (3) (ze) of the statutes is created to read:

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1 12.13 (3) (ze) Compensate a person for obtaining voter registrations from other
2 persons at a rate that varies in relation to the number of voter registrations obtained
3 by the person.

4 **SECTION 118.** 12.60 (1) (a) of the statutes is amended to read:

5 12.60 (1) (a) Whoever violates s. 12.09, 12.11, or 12.13 (1), (2) (b) 1. to 7., or (3)
6 (a), (e), (f), (gm), (j), (k), (L), (m), (y), or (z) is guilty of a Class I felony.

7 **SECTION 119.** 12.60 (1) (b) of the statutes is amended to read:

8 12.60 (1) (b) Whoever violates s. 12.03, 12.05, 12.07, 12.08, or 12.13 (2) (b) 8.,
9 or (3) (b), (c), (d), (g), (i), (n) to (x), (ze), (zm), or (zn) may be fined not more than \$1,000,
10 or imprisoned not more than 6 months, or both.

11 **SECTION 120.** 17.29 of the statutes is amended to read:

12 **17.29 Effect of chapter.** The provisions of this chapter supersede all contrary
13 provisions in either the general law or in special acts, except ~~ch. 7 ss. 6.26 (2) (b), 6.28~~
14 ~~(2) (b), 6.285, 6.55 (6), 6.873, 6.875, and 7.30~~ relating to appointed election officers
15 ~~appointed for the election wards or polling places in the state~~ officials and ch. 21
16 relating to the military staff of the governor and to officers of the Wisconsin national
17 guard; and shall govern all offices whether created by general law or special act,
18 unless otherwise specially provided.

19 **SECTION 121.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
20 insert the following amounts for the purposes indicated:

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2005-06 2006-07

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20.510 Elections Board

(1) ADMINISTRATION OF ELECTION AND CAMPAIGN LAWS

(e) Election administration costs —

state funds	GPR	A	-0-	-0-
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SECTION 122. 20.510 (1) (bm) of the statutes is amended to read:

20.510 (1) (bm) *Training of chief inspectors election officials.* Biennially, the amounts in the schedule for training of ~~chief inspectors~~ election officials under s. 7.31.

SECTION 123. 20.510 (1) (e) of the statutes is created to read:

20.510 (1) (e) *Election administration costs — state funds.* The amounts in the schedule to pay for election administration costs not financed under par. (t) or (x).

SECTION 124. 110.08 (1r) of the statutes is created to read:

110.08 (1r) Operator’s license examiners shall perform those duties required under s. 6.28 (4).

SECTION 125. 301.03 (20) of the statutes is created to read:

301.03 (20) Transmit to the elections board, on a continuous basis, a list containing the name of each living person who has been convicted of a felony under the laws of this state and whose civil rights have not been restored, together with his or her residential address and the date on which the department expects his or her civil rights to be restored.

SECTION 126. 343.14 (2r) of the statutes is created to read:

343.14 (2r) The forms for application for a license or identification card or for renewal thereof shall include the information required under s. 6.33 (1m).

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1 **SECTION 127.** 343.178 of the statutes is created to read:

2 **343.178 Voter registration.** (1) Based upon application information
3 specified under s. 343.14 (2r), the department shall accept and process applications
4 for voter registration under s. 6.28 (4).

5 (2) The department shall withhold access to information in the records of the
6 department identifying at which office of the department an applicant for an
7 operator's license or identification card, or for renewal of an operator's license or
8 identification card, has registered to vote or revealing an applicant's decision not to
9 register to vote, except that the department shall provide this information to the
10 elections board upon request of the board.

11 **SECTION 128.** 343.22 (3m) of the statutes is created to read:

12 343.22 (3m) Whenever any registered elector of this state, after applying for
13 or receiving an operator's license or an identification card, changes his or her name
14 or changes his or her address from the address specified in the application, license,
15 or identification card to a different address within this state, the elector may update
16 his or her voter registration information on a form provided by the department at an
17 office of the department under s. 6.28 (4) (b).

18 **SECTION 129.** 343.22 (4) of the statutes is amended to read:

19 343.22 (4) Any person who fails to comply with any of the requirements of ~~this~~
20 ~~section~~ subs. (1) to (3) may be required to forfeit not more than \$50.

21 **SECTION 130.** 880.33 (9) of the statutes is amended to read:

22 880.33 (9) All the rights and privileges afforded a proposed incompetent under
23 this section shall be given to any person who is alleged to be ineligible to register to
24 vote or to vote in an election by reason that such person is incapable of understanding
25 the objective of the elective process. The determination of the court shall be limited

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1 to a finding that the elector is either eligible or ineligible to register to vote or to vote
2 in an election by reason that the person is or is not capable of understanding the
3 objective of the elective process. The determination of the court shall be
4 communicated in writing by the clerk of court to the election official or agency
5 charged under s. 6.48, 6.92, 6.925 or ~~6.93~~ 7.52 (5) with the responsibility for
6 determining challenges to registration and voting which may be directed against
7 that elector. The determination may be reviewed as provided in s. 880.34 (4) and (5)
8 and any subsequent determination of the court shall be likewise communicated by
9 the clerk of court.

10 **SECTION 131. Effective dates.** This act takes effect on January 1, 2006, or the
11 day after publication, whichever is later, except as follows:

12 (1) The treatment of sections 6.10 (3), 6.26 (2) (d), 6.275 (title), (2), and (3), 6.28
13 (title), (1), (3), and (4), 6.33 (1), (1m), (2) (a), 6.40 (1) (a) 1. and (c), 6.55 (2) (d), 7.03
14 (1) (d), 7.08 (1) (c), 110.08 (1r), 343.14 (2r), 343.178, and 343.22 (3m) and (4) of the
15 statutes takes effect on the first day of the 7th month beginning after publication.

16 (END)