

CHAPTER 343

AN ACT to repeal and recreate 9.046 (1); and to amend 9.046 (2) (a) of the statutes, relating to the voting of nonresidents for presidential and vice presidential electors.

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

SECTION 1. 9.046 (1) of the statutes is repealed and recreated to read:

9.046 (1) APPLICATION FOR BALLOT. (a) Applications for ballot shall be made in person to the county clerk or municipal clerk of applicant's residence, during regular office hours, at any time within one year next preceding a presidential election. The application shall be in the form of an affidavit signed in the presence of the county, town, village or city clerk, or a duly authorized representative thereof, in substantially the following form:

State of Wisconsin }  
County of..... } ss.

I, ....., do solemnly swear that I am a citizen of the United States; that prior to establishing Wisconsin residence, my legal residence was in the ..... precinct of the ..... ward of the (town) (village) (city) of ....., county of ....., state of ....., and residing at ..... street; that on the day of the next presidential election, I shall be at least 21 years of age and that I have been a legal resident of the state of Wisconsin since ....., 19....., residing at ..... street, in the ..... precinct of the ..... ward of the (town) (village) (city) of ....., county of .....; that I have resided in said precinct less than one year, and pursuant to section 9.045 of the Wisconsin statutes, that I am qualified to vote for president and vice president at the election to be held November....., 19....; and that I hereby make application for an official presidential ballot, subject to complying with section 9.046 (1) (b) of the Wisconsin statutes.

Signed: .....

P. O. Address: .....

Subscribed and sworn to before me

this ..... day of ....., A.D. 19.....

.....  
County, town, village or city clerk

(b) Upon receipt of an application, the clerk of the county or municipality shall immediately forward to the applicant's election clerk, or equivalent official, of his former residence a request for proof that the said applicant was a qualified voter in the said state immediately prior to his removal to Wisconsin, or that he would have been qualified to vote for president and vice president or presidential electors, had he remained a legal resident of such state and complied with said state's legal requirements for voting. Said request shall include a form of certificate of proof. The forms of request for proof and certificate of proof, sent to the official of the applicant's former residence, shall be prepared by the secretary of state.

SECTION 2. 9.046 (2) (a) of the statutes is amended to read:

9.046 (2) (a) If satisfied that the certification required in sub. (1) (b) is in good order, the clerk shall \* \* \* *notify the applicant, in writing, that satisfactory proof of eligibility has been received and that he is entitled to vote in person for the offices of president and vice president not sooner than 15 days, nor later than one day prior to the subsequent presidential election. The applicant, upon receiving a ballot containing the names of candidates for the offices of president and vice president, shall mark the ballot in the presence of the clerk \* \* \*, but in such manner \* \* \* that such officer cannot know how such ballot is marked. He shall then fold the ballot in the clerk's presence so as to conceal the markings, deposit and seal it in an envelope furnished by the clerk and execute the affidavit prescribed in par. (b).*

Approved July 9, 1957.

---