



State of Wisconsin
2001 - 2002 LEGISLATURE

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**SENATE AMENDMENT 2,
TO 2001 SENATE BILL 110**

May 8, 2001 – Offered by Senators FARROW, ROESSLER, DARLING, LAZICH, HARSDORF, ROSENZWEIG, HUELSMAN, PANZER and ZIEN.

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

2 **1.** Page 1, line 14: before “polling” insert “identification required in order to
3 vote at a polling place or obtain an absentee ballot, the fee for an identification card
4 issued by the department of transportation,”.

5 **2.** Page 7, line 19: after that line insert:

6 “**SECTION 8d.** 5.40 (6) of the statutes is amended to read:

7 5.40 (6) A municipality which utilizes voting machines or an electronic voting
8 system at a polling place may permit use of the machines or system by electors voting
9 under s. 6.15 only as authorized under s. 6.15 (3) ~~(b)~~.

10 **SECTION 8g.** 6.15 (2) (title) of the statutes is amended to read:

11 6.15 (2) (title) ~~APPLICATION FOR BALLOT~~ PROCEDURE AT CLERK'S OFFICE.

12 **SECTION 8i.** 6.15 (2) (a) (intro.) of the statutes is amended to read:

1 6.15 (2) (a) (intro.) The elector's request for the application form may be made
2 to the proper municipal clerk either in person or in writing ~~any time during the~~
3 ~~10-day period in which the elector's residence requirement is incomplete, but not~~
4 ~~later than the applicable deadline for making application for an absentee ballot.~~
5 Except as provided in par. (e), application may be made not sooner than 9 days nor
6 later than 5 p.m. on the day before the election, or may be made at the proper polling
7 place ~~in~~ for the ward or election district in which the elector resides. The application
8 form shall be returned to the municipal clerk after the affidavit has been signed in
9 the presence of the clerk or any officer authorized by law to administer oaths. The
10 affidavit shall be in substantially the following form:

11 **SECTION 8k.** 6.15 (2) (bm) of the statutes is created to read:

12 6.15 (2) (bm) When making application in person at the office of the municipal
13 clerk, each applicant shall present a valid operator's license issued to the person
14 under ch. 343 that contains a photograph of the license holder or present a valid
15 identification card issued to the person under s. 343.50.

16 **SECTION 8m.** 6.15 (2) (d) 1g. of the statutes is created to read:

17 6.15 (2) (d) 1g. If the elector makes application in person at the office of the
18 municipal clerk, the clerk shall verify that the name on the identification provided
19 by the elector under par. (bm) is the same as the name on the elector's application
20 and shall verify that the photograph contained in the identification reasonably
21 resembles the elector.

22 **SECTION 8n.** 6.15 (2) (e) of the statutes is created to read:

23 6.15 (2) (e) If the elector makes application in writing but does not appear in
24 person, and the clerk receives a properly completed application and cancellation card
25 from the elector, the clerk shall provide the elector with a ballot. If the ballot is to be

1 mailed, the application must be received no later than 5 p.m. on the Friday before
2 the election. In order to be counted, the ballot must be received by the municipal
3 clerk no later than 5 p.m. on the day before the election.

4 **SECTION 8p.** 6.15 (3) (a) (title) of the statutes is repealed.

5 **SECTION 8r.** 6.15 (3) (a) 1., 2. and 3. of the statutes are renumbered 6.15 (2) (d)
6 1r., 2. and 3., and 6.15 (2) (d) 1r., as renumbered, is amended to read:

7 6.15 (2) (d) 1r. Upon proper completion of the application and cancellation card,
8 and compliance with subd. 1g., the municipal clerk shall ~~inform the elector that he~~
9 ~~or she may vote for the presidential electors not sooner than 9 days nor later than~~
10 ~~5 p.m. on the day before the election at the office of the municipal clerk, or at a~~
11 ~~specified polling place on election day. When voting at the municipal clerk's office,~~
12 ~~the applicant shall provide identification and~~ permit the elector to cast his or her
13 ballot for president and vice president. The elector shall then mark or punch the
14 ballot in the clerk's presence in a manner that will not disclose his or her vote. Unless
15 the ballot is utilized with an electronic voting system, the applicant elector shall fold
16 the ballot so as to conceal his or her vote. ~~The applicant~~ elector shall then deposit
17 the ballot and seal it in an envelope furnished by the clerk.

18 **SECTION 8t.** 6.15 (3) (b) (title) of the statutes is repealed.

19 **SECTION 8v.** 6.15 (3) (b) of the statutes is renumbered 6.15 (3) and amended to
20 read:

21 6.15 (3) ~~VOTING PROCEDURE~~ PROCEDURE AT POLLING PLACE. An eligible elector
22 may appear at the polling place for the ward or election district where he or she
23 resides and make application for a ballot under sub. (2). ~~In such case, the inspector~~
24 ~~or special registration deputy~~ Except as otherwise provided in this subsection, an
25 elector who casts a ballot under this subsection shall follow the same procedure

1 required for casting a ballot at the municipal clerk's office under sub. (2). The
2 inspectors shall perform the duties of the municipal clerk. The elector shall provide
3 identification. If the elector is qualified, he or she shall be permitted to vote, except
4 that the inspectors shall return the cancellation card under sub. (2) (b) to the
5 municipal clerk and the clerk shall forward the card as provided under sub. (2) (c)
6 if required. Upon proper completion of the application and cancellation card and
7 compliance with sub. (2) (d) 1g., the inspectors shall permit the elector to cast his or
8 her ballot for president and vice president. The elector shall then mark or punch the
9 ballot and, unless the ballot is utilized with an electronic voting system, the elector
10 shall fold the ballot, and shall deposit the ballot into the ballot box or give it to the
11 inspector. The inspector shall deposit it directly into the ballot box. Voting machines
12 or ballots utilized with electronic voting systems may be used by electors voting
13 under this section if they permit voting for president and vice president only.”.

14 **3.** Page 10, line 4: after “vote,” insert “if he or she complies with all other
15 requirements for voting at the polling place,”.

16 **4.** Page 11, line 16: delete “section.” and substitute “section, if the person
17 complies with all other requirements for voting at the polling place.”.

18 **5.** Page 13, line 11: after that line insert:

19 “**SECTION 17m.** 6.55 (2) (b) of the statutes is amended to read:

20 6.55 (2) (b) Upon executing the registration form under par. (a), the person
21 shall be required by a special registration deputy or inspector to present a valid
22 operator's license issued to the person under ch. 343 that contains the photograph
23 of the license holder or a valid identification card issued to the person under s. 343.50.
24 If the identification presented is not acceptable proof of residence under sub. (7), the

1 ~~person shall also present acceptable proof of residence under sub. (7). If the person~~
2 ~~cannot supply such proof, the registration form shall be substantiated and signed by~~
3 ~~one other elector who resides in the same municipality as the registering elector,~~
4 ~~corroborating all the material statements therein. The corroborator shall then~~
5 ~~provide acceptable proof of residence. The signing by the elector executing the~~
6 ~~registration form and by any elector who corroborates the information in the form~~
7 ~~under par. (a) shall be in the presence of the special registration deputy or inspector.~~
8 Upon compliance with this procedure and all other requirements for voting at the
9 polling place, such person shall then be given the right to vote.

10 **SECTION 17p.** 6.55 (2) (c) 1. of the statutes is amended to read:

11 6.55 (2) (c) 1. As an alternative to registration at the polling place under pars.
12 (a) and (b), the board of election commissioners, or the governing body of any
13 municipality in which registration is required may by resolution require a person
14 who qualifies as an elector and who is not registered and desires to register on the
15 day of an election to do so at another readily accessible location in the same building
16 as the polling place serving the elector's residence or at an alternate polling place
17 assigned under s. 5.25 (5) (b), instead of at the polling place serving the elector's
18 residence. In such case, the municipal clerk shall prominently post a notice of the
19 registration location at the polling place. The municipal clerk, deputy clerk, or
20 special registration deputy at the registration location shall require such person to
21 execute a registration form as prescribed under par. (a) and to present a valid
22 operator's license issued to the person under ch. 343 that contains the photograph
23 of the license holder or a valid identification card issued to the person under s. 343.50.
24 If the identification presented is not acceptable proof of residence under sub. (7), the
25 person shall also provide acceptable proof of residence as ~~provided~~ under sub. (7).

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

9 **SECTION 17r.** 6.55 (2) (c) 2. of the statutes is amended to read:

10 6.55 (2) (c) 2. Upon compliance with the procedures under subd. 1., the
11 municipal clerk or deputy clerk shall issue a certificate addressed to the inspectors
12 of the proper polling place directing that the elector be permitted to cast his or her
13 vote. ~~If the elector's registration is corroborated, the clerk shall enter the name and~~
14 ~~address of the corroborator on the face of the certificate~~ if the elector complies with
15 all requirements for voting at the polling place. The certificate shall be numbered
16 serially and prepared in duplicate. The municipal clerk shall preserve one copy in his
17 or her office.”.

18 **6.** Page 13, line 19: after that line insert:

19 “**SECTION 18d.** 6.55 (3) of the statutes is amended to read:

20 6.55 (3) Any qualified elector in the ward or election district where the elector
21 desires to vote whose name does not appear on the registration list where
22 registration is required but who claims to be registered to vote in the election may
23 request permission to vote at the polling place for that ward or election district.
24 When the request is made, the inspector shall require the person to give his or her

1 name and address. If the elector is not at the polling place which serves the ward or
2 election district where the elector resides, the inspector shall provide the elector with
3 directions to the correct polling place. If the elector is at the correct polling place, the
4 elector shall then execute the following written statement: "I, ..., hereby certify that
5 to the best of my knowledge, I am a qualified elector, having resided at ... for at least
6 10 days immediately preceding this election, and that I am not disqualified on any
7 ground from voting, and I have not voted at this election and am properly registered
8 to vote in this election." The person shall be required to ~~provide~~ present a valid
9 operator's license issued to the person under ch. 343 that contains a photograph of
10 the license holder or present a valid identification card issued to the person under
11 s. 343.50. If any identification presented by the person is not acceptable proof of
12 residence as provided under sub. (7), the person shall also present acceptable proof
13 of residence as provided under sub. (7) and shall then be given the right to vote. If
14 acceptable proof is presented, the elector need not have the information corroborated
15 by any other elector. If acceptable proof is not presented, the statement shall be
16 certified by the elector and shall be corroborated by another elector who resides in
17 the municipality. The corroborator shall then provide acceptable proof of residence
18 as provided in sub. (7). Whenever the question of identity or residence cannot be
19 satisfactorily resolved and the elector cannot be permitted to vote, an inspector shall
20 telephone the office of the municipal clerk to reconcile the records at the polling place
21 with those at the office.

22 **SECTION 18f.** 6.55 (7) (c) 1. of the statutes is amended to read:

23 6.55 (7) (c) 1. ~~A Wisconsin motor vehicle~~ An operator's license issued under ch.
24 343.

25 **SECTION 18h.** 6.55 (7) (c) 2. of the statutes is amended to read:

1 6.55 (7) (c) 2. ~~A Wisconsin~~ An identification card issued under ~~s. 125.08, 1987~~
2 ~~stats. s. 343.50.~~”.

3 **7.** Page 13, line 24: after that line insert:

4 “**SECTION 19d.** 6.56 (5) of the statutes is repealed.”.

5 **8.** Page 14, line 13: after that line insert:

6 “**SECTION 24t.** 6.79 (1) of the statutes is amended to read:

7 **6.79 (1) MUNICIPALITIES WITHOUT REGISTRATION.** Except as provided in sub. (6)
8 (a), where there is no registration, before being permitted to vote, each person shall
9 state his or her full name and address and present to the officials a valid operator’s
10 license issued to the person under ch. 343 that contains a photograph of the license
11 holder or present a valid identification card issued to the person under s. 343.50. The
12 officials shall enter each name and address on a poll list in the same order as the votes
13 are cast. If the residence of the elector does not have a number, the election officials
14 shall, in the appropriate space, enter “none”. Alternatively, the municipal clerk may
15 maintain a poll list consisting of the full name and address of electors compiled from
16 previous elections. Whenever an elector appears to vote, the officials shall verify the
17 correctness of the elector’s name and address, and shall enter a serial number next
18 to the name of the elector in the order that the votes are cast, beginning with the
19 number one. If the name and address of an elector do not appear on the prepared poll
20 list, the officials shall enter the name, address and serial number of the elector at the
21 bottom of the list. Except as provided in sub. (6), before being permitted to vote, each
22 elector shall present to the officials a valid operator’s license issued to the elector
23 under ch. 343 that contains a photograph of the license holder or present a valid
24 identification card issued to the elector under s. 343.50. The officials may require any

1 elector to provide identification, including acceptable proof of residence, or to have
2 another elector corroborate his or her information in accordance with the procedure
3 specified in s. 6.55 (2) (b) under s. 6.55 (7) before permitting the elector to vote. An
4 elector who presents an identification card under sub. (6) (a) is not required to
5 provide separate identification. The officials shall maintain a separate list of those
6 persons voting under ss. 6.15 and 6.24.”.

7 **9.** Page 14, line 17: delete “address” and substitute “address and present to the
8 officials a valid operator’s license issued to the person under ch. 343 that contains
9 a photograph of the license holder or present a valid identification card issued to the
10 person under s. 343.50.”.

11 **10.** Page 14, line 25: after that line insert:

12 “**SECTION 25d.** 6.79 (3) of the statutes is amended to read:

13 6.79 (3) REFUSAL TO GIVE NAME AND ADDRESS AND FAILURE TO PRESENT
14 IDENTIFICATION. Except as provided in sub. (6), if any elector offering to vote at any
15 polling place refuses to give his or her name and address or is unable to present
16 identification authorized under sub. (1) or (2), the elector may not be permitted to
17 vote.

18 **SECTION 25f.** 6.79 (4) of the statutes is amended to read:

19 6.79 (4) SUPPLEMENTAL INFORMATION. ~~When any elector provides identification~~
20 ~~under sub. (1) or s. 6.15, 6.29 or 6.55 (2) or (3), the election officials shall enter the~~
21 ~~type of identification on the poll or registration list, or supplemental list maintained~~
22 ~~under sub. (2). If the form of identification includes a number which applies only to~~
23 ~~the individual holding that piece of identification, the election officials shall also~~
24 ~~enter that number on the list. When any elector corroborates the registration~~

1 ~~identity or residence of any person offering to vote under sub. (1) or s. 6.55 (2) (b) or~~
2 ~~(e) or (3) the name and address of the corroborator shall also be entered next to the~~
3 ~~name of the elector whose information is being corroborated on the registration or~~
4 ~~poll list, or the separate list maintained under sub. (2).~~ When any person offering
5 to vote has been challenged and taken the oath, following the person's name on the
6 registration or poll list, the officials shall enter the word "Sworn".

7 **SECTION 25h.** 6.79 (6) (title) of the statutes is repealed and recreated to read:

8 6.79 (6) (title) EXCEPTIONS REGARDING IDENTIFICATION.

9 **SECTION 25j.** 6.79 (6) (a) of the statutes is amended to read:

10 6.79 (6) (a) In municipalities where there is no registration, an elector who has
11 a confidential listing under s. 6.47 (2) may present an identification card issued
12 under s. 6.47 (3) in lieu of providing his or her name and address and presenting
13 identification under sub. (1). If the elector resides in the area served by the polling
14 place, the inspectors shall then enter the elector's name and identification serial
15 number on the poll list in a section following the other names, shall issue a voting
16 serial number to the elector and shall record that number on the poll list and permit
17 the elector to vote.

18 **SECTION 25L.** 6.79 (6) (am) of the statutes is created to read:

19 6.79 (6) (am) The requirement under sub. (1) or (2) that a person present
20 identification does not apply to a person who is voting under s. 6.15 or 6.55 (3).

21 **SECTION 25n.** 6.79 (6) (b) of the statutes is amended to read:

22 6.79 (6) (b) In municipalities where registration is required, an elector who has
23 a confidential listing under s. 6.47 (2) may present his or her identification card
24 issued under s. 6.47 (3) or may give his or her name and identification serial number
25 issued under s. 6.47 (3), in lieu of stating his or her name and address and presenting

1 identification under sub. (2). If the elector's name and identification serial number
2 appear on the confidential portion of the list, the inspectors shall issue a voting serial
3 number to the elector, record that number on the registration list and permit the
4 elector to vote.

5 **SECTION 25p.** 6.82 (1) (a) of the statutes is amended to read:

6 6.82 (1) (a) When any inspectors are informed that an elector is at the entrance
7 to the polling place who as a result of disability is unable to enter the polling place,
8 they shall permit the elector to be assisted in marking or punching a ballot by any
9 individual selected by the elector, except the elector's employer or an agent of that
10 employer or an officer or agent of a labor organization which represents the elector.
11 The individual selected by the elector shall provide all information necessary for the
12 elector to obtain a ballot under s. 6.79 (1) or (2). The inspectors shall then issue a
13 ballot to the individual selected by the elector and shall accompany the individual
14 to the polling place entrance where the assistance is to be given. If the ballot is a
15 paper ballot, the assisting individual shall fold the ballot after the ballot is marked
16 or punched by the assisting individual. The assisting individual shall then
17 immediately take the ballot into the polling place and give the ballot to an inspector.
18 The inspector shall distinctly announce that he or she has "a ballot offered by
19 (stating person's name), an elector who, as a result of disability, is unable to enter the
20 polling place without assistance". The inspector shall then ask, "Does anyone object
21 to the reception of this ballot?" If no objection is made, the inspectors shall record
22 the elector's name under s. 6.79 and deposit the ballot in the ballot box, and shall
23 make a notation on the registration or poll list: "Ballot received at poll entrance".

1 **11.** Page 15, line 9: after “(1).” insert “ If an elector applies for an absentee
2 ballot in person at the clerk’s office, the clerk may not issue the elector an absentee
3 ballot unless the elector presents a valid operator’s license issued to the elector under
4 ch. 343 that contains a photograph of the license holder or presents a valid
5 identification card issued to the elector under s. 343.50.”.

6 **12.** Page 18, line 17: after “ballot.” insert “The deputy shall require the elector
7 to present a valid operator’s license issued to the elector under ch. 343 that contains
8 the photograph of the license holder or a valid identification card issued to the elector
9 under s. 343.50, except that an elector who has a confidential listing under s. 6.47
10 (2) may present his or her identification card issued under s. 6.47 (3) or may give his
11 or her name and identification serial number issued under s. 6.47 (3).”.

12 **13.** Page 25, line 4: after that line insert:

13 “**SECTION 46m.** 10.02 (3) (a) of the statutes is amended to read:

14 10.02 (3) (a) Upon entering the polling place and before being permitted to vote,
15 an elector shall give state his or her name and address ~~before being permitted to vote~~
16 and shall present identification as required by law. Where ballots are distributed to
17 electors, the initials of 2 inspectors must appear on the ballot. Upon being permitted
18 to vote, the elector shall retire alone to a voting booth or machine and cast his or her
19 ballot, except that an elector who is a parent or guardian may be accompanied by the
20 elector’s minor child or minor ward. An election official may inform the elector of the
21 proper manner for casting a vote, but the official may not in any manner advise or
22 indicate a particular voting choice.”.

23 **14.** Page 29, line 18: after that line insert:

24 “**SECTION 61m.** 343.50 (5) of the statutes is amended to read:

