



**SENATE AMENDMENT 5,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2005 SENATE BILL 42**

April 13, 2005 – Offered by Senator CARPENTER.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 4, line 4: after that line insert:

3 “**SECTION 1h.** 5.35 (6) (a) 2. of the statutes, as affected by 2005 Wisconsin Act
4 (this act), is repealed and recreated to read:

5 5.35 **(6)** (a) 2. A copy of the election fraud laws provided in s. 12.13 (1) and (3)
6 (intro), (d), (f), (g), (k), (L), (o), (q), (r), (u), (v) and (x), together with the applicable
7 penalties provided in s. 12.60 (1).”.

8 **2.** Page 4, line 8: after that line insert:

9 “**SECTION 1s.** 5.35 (6) (a) 4a. of the statutes, as affected by 2005 Wisconsin Act
10 (this act), is repealed and recreated to read:

11 5.35 **(6)** (a) 4a. Instructions prescribed by the board for electors for whom
12 identification is required under s. 6.36 (2) (c) 2.”.

1 **3.** Page 4, line 16: after that line insert:

2 “**SECTION 2a.** 6.15 (2) (bm) of the statutes, as created by 2005 Wisconsin Act
3 (this act), is repealed.”.

4 **4.** Page 5, line 2: after that line insert:

5 “**SECTION 3a.** 6.15 (2) (d) 1g. of the statutes, as created by 2005 Wisconsin Act
6 (this act), is repealed.”.

7 **5.** Page 5, line 14: after that line insert:

8 “**SECTION 4a.** 6.15 (2) (d) 1r. of the statutes, as affected by 2005 Wisconsin Act
9 (this act), is repealed and recreated to read:

10 6.15 (2) (d) 1r. Upon proper completion of the application and cancellation card,
11 the municipal clerk shall require the elector to provide acceptable proof of residence
12 under s. 6.55 (7). If the elector cannot provide acceptable proof of residence, the
13 elector may have his or her residence corroborated in a statement that is signed by
14 another elector of the municipality and that contains the current street address of
15 the corroborating elector. If the residence is corroborated by another elector, that
16 elector shall then provide proof of residence under s. 6.55 (7). The elector shall then
17 mark the ballot in the clerk’s presence in a manner that will not disclose his or her
18 vote. The elector shall then fold the ballot so as to conceal his or her vote. The clerk
19 or elector shall then place the ballot in an envelope furnished by the clerk.”.

20 **6.** Page 6, line 7: after that line insert:

21 “**SECTION 5a.** 6.15 (3) of the statutes, as affected by 2005 Wisconsin Act (this
22 act), is repealed and recreated to read:

23 6.15 (3) PROCEDURE AT POLLING PLACE. An eligible elector may appear at the
24 polling place for the ward or election district where he or she resides and make

1 application for a ballot under sub. (2). Except as otherwise provided in this
2 subsection, an elector who casts a ballot under this subsection shall follow the same
3 procedure required for casting a ballot at the municipal clerk's office under sub. (2).
4 The inspectors shall perform the duties of the municipal clerk, except that the
5 inspectors shall return the cancellation card under sub. (2) (b) to the municipal clerk
6 and the clerk shall forward the card as provided in sub. (2) (c) if required. Upon
7 proper completion of the application and cancellation card and submittal of
8 acceptable proof of residence under s. 6.55 (7) or providing corroboration of residence,
9 the inspectors shall permit the elector to cast his or her ballot for president and vice
10 president. The elector shall mark the ballot and, unless the ballot is utilized with
11 an electronic voting system, the elector shall fold the ballot, and deposit the ballot
12 into the ballot box or give it to the inspector. The inspector shall deposit it directly
13 into the ballot box. Voting machines or ballots utilized with electronic voting systems
14 may only be used by electors voting under this section if they permit voting for
15 president and vice president only.”

16 **7.** Page 6, line 11: after that line insert:

17 “**SECTION 6a.** 6.22 (2) (b) of the statutes, as affected by 2005 Wisconsin Act ...
18 (this act), is repealed and recreated to read:

19 6.22 (2) (b) Notwithstanding s. 6.87 (4), a military elector shall make and
20 subscribe to the certification under s. 6.87 (2) before a witness who is an adult U.S.
21 citizen.”

22 **8.** Page 6, line 20: after that line insert:

23 “**SECTION 7a.** 6.24 (4) (d) of the statutes, as affected by 2005 Wisconsin Act ...
24 (this act), is repealed and recreated to read:

1 6.24 (4) (d) An overseas elector who is not registered may request both a
2 registration form and an absentee ballot at the same time, and the municipal clerk
3 shall send the ballot automatically if the registration form is received within the time
4 prescribed in s. 6.28 (1). The board shall prescribe a special certificate form for the
5 envelope in which the absentee ballot for overseas electors is contained, which shall
6 be substantially similar to that provided under s. 6.87 (2). Notwithstanding s. 6.87
7 (4), an overseas elector shall make and subscribe to the special certificate form before
8 a witness who is an adult U.S. citizen.”.

9 **9.** Page 7, line 2: after that line insert:

10 “**SECTION 8a.** 6.29 (1) of the statutes, as affected by 2005 Wisconsin Act (this
11 act), is repealed and recreated to read:

12 6.29 (1) No names may be added to a registration list for any election after the
13 close of registration, except as authorized under this section or s. 6.28 (1), 6.55 (2),
14 or 6.86 (3) (a) 2. Any person whose name is not on the registration list but who is
15 otherwise a qualified elector is entitled to vote at the election upon compliance with
16 this section.”.

17 **10.** Page 7, line 17: after that line insert:

18 “**SECTION 8h.** 6.29 (2) (a) of the statutes, as affected by 2005 Wisconsin Act
19 (this act), is repealed and recreated to read:

20 6.29 (2) (a) Any qualified elector of a municipality who has not previously filed
21 a registration form or whose name does not appear on the registration list of the
22 municipality may register after the close of registration but not later than 5 p.m. or
23 the close of business, whichever is later, on the day before an election at the office of
24 the municipal clerk and at the office of the clerk’s agent if the clerk delegates

1 responsibility for electronic maintenance of the registration list to an agent under
2 s. 6.33 (5) (b). The elector shall complete, in the manner provided under s. 6.33 (2),
3 a registration form containing all information required under s. 6.33 (1). The elector
4 shall also provide acceptable proof of residence under s. 6.55 (7). Alternatively, if the
5 elector is unable to provide acceptable proof of residence under s. 6.55 (7), the
6 information contained in the registration form shall be corroborated in a statement
7 that is signed by any other elector of the municipality and that contains the current
8 street address of the corroborating elector. The corroborating elector shall then
9 provide acceptable proof of residence under s. 6.55 (7).”.

10 **11.** Page 7, line 23: after that line insert:

11 “**SECTION 8s.** 6.33 (2) (b) of the statutes, as affected by 2005 Wisconsin Act
12 (this act), is repealed and recreated to read:

13 6.33 (2) (b) Except as provided in s. 6.86 (3) (a) 2., the registration form shall
14 be signed by the registering elector and any corroborating elector under s. 6.29 (2)
15 (a) or 6.55 (2) before the clerk, issuing officer or registration deputy. The form shall
16 contain a certification by the registering elector that all statements are true and
17 correct.”.

18 **12.** Page 8, line 16: after that line insert:

19 “**SECTION 9a.** 6.55 (2) (b) of the statutes, as affected by 2005 Wisconsin Act
20 (this act), is repealed and recreated to read:

21 6.55 (2) (b) Upon executing the registration form under par. (a), the elector
22 shall provide acceptable proof of residence under sub. (7). If the elector cannot
23 provide acceptable proof of residence, the information contained in the registration
24 form shall be corroborated in a statement that is signed by any elector who resides

1 in the same municipality as the registering elector and that contains the current
2 street address of the corroborating elector. The corroborator shall then provide
3 acceptable proof of residence as provided in sub. (7). The signing by the elector
4 executing the registration form and by any corroborator shall be in the presence of
5 the special registration deputy or inspector. Upon compliance with this procedure,
6 the elector shall be permitted to cast his or her vote, if the elector complies with all
7 other requirements for voting at the polling place.”.

8 **13.** Page 9, line 17: after that line insert:

9 “**SECTION 10a.** 6.55 (2) (c) 1. of the statutes, as affected by 2005 Wisconsin Act
10 (this act), is repealed and recreated 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 may by resolution require a person who qualifies as an elector and who
14 is not registered and desires to register on the day of an election to do so at another
15 readily accessible location in the same building as the polling place serving the
16 elector’s residence or at an alternate polling place assigned under s. 5.25 (5) (b),
17 instead of at the polling place serving the elector’s residence. In such case, the
18 municipal clerk shall prominently post a notice of the registration location at the
19 polling place. The municipal clerk, deputy clerk or special registration deputy at the
20 registration location shall require such person to execute a registration form as
21 prescribed under par. (a) and to provide acceptable proof of residence as provided
22 under sub. (7). If the elector cannot provide acceptable proof of residence, the
23 information contained in the registration form shall be corroborated in the manner
24 provided in par. (b). The signing by the elector executing the registration form and

1 by any corroborator shall be in the presence of the municipal clerk, deputy clerk, or
2 special registration deputy. Upon proper completion of registration, the municipal
3 clerk, deputy clerk or special registration deputy shall serially number the
4 registration and give one copy to the elector for presentation at the polling place
5 serving the elector's residence or an alternate polling place assigned under s. 5.25
6 (5) (b).”.

7 **14.** Page 10, line 2: after that line insert:

8 “**SECTION 11a.** 6.55 (2) (c) 2. of the statutes, as affected by 2005 Wisconsin Act
9 (this act), is repealed and recreated 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 complies with all requirements for voting at the polling place. The
14 clerk shall enter the name and address of the elector on the face of the certificate.
15 If the elector's registration is corroborated, the clerk shall also enter the name and
16 address of the corroborator on the face of the certificate. The certificate shall be
17 numbered serially and prepared in duplicate. The municipal clerk shall preserve one
18 copy in his or her office.”.

19 **15.** Page 11, line 4: after that line insert:

20 “**SECTION 12a.** 6.55 (3) of the statutes, as affected by 2005 Wisconsin Act ...
21 (this act), is repealed and recreated to read:

22 6.55 (3) Any qualified elector in the ward or election district where the elector
23 desires to vote whose name does not appear on the registration list but who claims
24 to be registered to vote in the election may request permission to vote at the polling

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

20 **16.** Page 11, line 5: after that line insert:

21 “**SECTION 13a.** 6.56 (5) of the statutes is created to read:

22 6.56 (5) Whenever any letter or postcard mailed under this section is returned
23 undelivered, or whenever the U.S. postal service notifies the clerk of an improper
24 address which was apparently improper on the day of the election or whenever it

1 otherwise appears that a person has voted who is not qualified or has voted more
2 than once in an election, and the person has been permitted to vote after
3 corroboration was made under s. 6.55 (2) or (3) or 6.86 (3) (a) 2., the name of the
4 corroborator shall also be provided to the district attorney.”

5 **17.** Page 11, line 25: after that line insert:

6 “**SECTION 14a.** 6.79 (2) (a) and (d) of the statutes, as affected by 2005 Wisconsin
7 Act (this act), are repealed and recreated to read:

8 **6.79 (2) VOTING PROCEDURE.** (a) Unless information on the poll list is entered
9 electronically, the municipal clerk shall supply the inspectors with 2 copies of the
10 most current official registration list or lists prepared under s. 6.36 (2) (a) for use as
11 poll lists at the polling place. Except as provided in sub. (6), each person, before
12 receiving a serial number, shall state his or her full name and address. The officials
13 shall verify that the name and address provided by the person are the same as the
14 person’s name and address on the poll list.

15 (d) If the poll list indicates that identification is required, the officials shall
16 require the elector to provide identification. If identification is provided, the officials
17 shall verify that the name and address on the identification provided is the same as
18 the name and address shown on the registration list. If identification is required and
19 not provided, the officials shall offer the opportunity for the elector to vote under s.
20 6.97.”.

21 **18.** Page 12, line 3: after that line insert:

22 “**SECTION 15a.** 6.79 (3) (title) of the statutes, as affected by 2005 Wisconsin Act
23 (this act), is repealed and recreated to read:

24 **6.79 (3) (title) REFUSAL TO GIVE NAME AND ADDRESS.”.**

1 **19.** Page 12, line 4: after that line insert:

2 “**SECTION 16a.** 6.79 (3) (a) of the statutes, as affected by 2005 Wisconsin Act ...
3 (this act), is renumbered 6.79 (3).”.

4 **20.** Page 12, line 11: after that line insert:

5 “**SECTION 17a.** 6.79 (3) (b) of the statutes, as created by 2005 Wisconsin Act ...
6 (this act), is repealed.”.

7 **21.** Page 13, line 2: after that line insert:

8 “**SECTION 18a.** 6.79 (4) of the statutes, as affected by 2005 Wisconsin Act ...
9 (this act), is repealed and recreated to read:

10 **6.79 (4) SUPPLEMENTAL INFORMATION.** When any elector provides acceptable
11 proof of residence under s. 6.15, 6.29 or 6.55 (2) or (3), the election officials shall enter
12 the type of identifying document provided on the poll list, or separate list maintained
13 under sub. (2) (c). If the document submitted as proof of identity or residence
14 includes a number which applies only to the individual holding that document, the
15 election officials shall also enter that number on the list. When any elector
16 corroborates the registration identity or residence of any person offering to vote
17 under s. 6.55 (2) (b) or (c) or (3), or the registration identity or residence of any person
18 registering on election day under s. 6.86 (3) (a) 2., the election officials shall also enter
19 the name and address of the corroborator next to the name of the elector whose
20 information is being corroborated on the poll list, or the separate list maintained
21 under sub. (2) (c). When any person offering to vote has been challenged and taken
22 the oath, following the person’s name on the poll list, the officials shall enter the word
23 “Sworn”.”.

24 **22.** Page 13, line 11: after that line insert:

1 “**SECTION 19a.** 6.79 (6) of the statutes, as affected by 2005 Wisconsin Act ...
2 (this act), is repealed and recreated to read:

3 **6.79 (6) CONFIDENTIAL NAMES AND ADDRESSES.** An elector who has a confidential
4 listing under s. 6.47 (2) may present his or her identification card issued under s. 6.47
5 (3), or give his or her name and identification serial number issued under s. 6.47 (3),
6 in lieu of stating his or her name and address under sub. (2). If the elector’s name
7 and identification serial number appear on the confidential portion of the list, the
8 inspectors shall issue a voting serial number to the elector, record that number on
9 the poll list and permit the elector to vote.”.

10 **23.** Page 13, line 19: after that line insert:

11 “**SECTION 20a.** 6.79 (7) of the statutes, as created by 2005 Wisconsin Act (this
12 act), is repealed.”.

13 **24.** Page 14, line 18: after that line insert:

14 “**SECTION 21a.** 6.82 (1) (a) of the statutes, as affected by 2005 Wisconsin Act
15 (this act), is repealed and recreated to read:

16 **6.82 (1) (a)** When any inspectors are informed that an elector is at the entrance
17 to the polling place who as a result of disability is unable to enter the polling place,
18 they shall permit the elector to be assisted in marking a ballot by any individual
19 selected by the elector, except the elector’s employer or an agent of that employer or
20 an officer or agent of a labor organization which represents the elector. The
21 individual selected by the elector shall provide identification for the assisted elector,
22 whenever required, and all other information necessary for the elector to obtain a
23 ballot under s. 6.79 (2). The inspectors shall issue a ballot to the individual selected
24 by the elector and shall accompany the individual to the polling place entrance where

1 the assistance is to be given. If the ballot is a paper ballot, the assisting individual
2 shall fold the ballot after the ballot is marked by the assisting individual. The
3 assisting individual shall then immediately take the ballot into the polling place and
4 give the ballot to an inspector. The inspector shall distinctly announce that he or she
5 has “a ballot offered by (stating person’s name), an elector who, as a result of
6 disability, is unable to enter the polling place without assistance”. The inspector
7 shall then ask, “Does anyone object to the reception of this ballot?” If no objection
8 is made, the inspectors shall record the elector’s name under s. 6.79 and deposit the
9 ballot in the ballot box, and shall make a notation on the poll list: “Ballot received
10 at poll entrance”.”.

11 **25.** Page 15, line 5: after that line insert:

12 “**SECTION 22a.** 6.86 (1) (ar) of the statutes, as affected by 2005 Wisconsin Act
13 (this act), is repealed and recreated to read:

14 6.86 (1) (ar) Except as authorized in s. 6.875 (6), the municipal clerk shall not
15 issue an absentee ballot unless the clerk receives a written application therefor from
16 a qualified elector of the municipality. The clerk shall retain each absentee ballot
17 application until destruction is authorized under s. 7.23 (1).”.

18 **26.** Page 15, line 17: after that line insert:

19 “**SECTION 23a.** 6.86 (3) (a) 1. of the statutes, as affected by 2005 Wisconsin Act
20 (this act), is repealed and recreated to read:

21 6.86 (3) (a) 1. Any elector who is registered and who is hospitalized, may apply
22 for and obtain an official ballot by agent. The agent may apply for and obtain a ballot
23 for the hospitalized absent elector by presenting a form prescribed by the board and
24 containing the required information supplied by the hospitalized elector and signed

1 by that elector and any other elector residing in the same municipality as the
2 hospitalized elector, corroborating the information contained therein. The
3 corroborating elector shall state on the form his or her full name and address.”.

4 **27.** Page 16, line 10: after that line insert:

5 “**SECTION 24a.** 6.86 (3) (a) 2. of the statutes, as affected by 2005 Wisconsin Act
6 (this act), is repealed and recreated to read:

7 6.86 (3) (a) 2. If a hospitalized elector is not registered, the elector may register
8 by agent under this subdivision at the same time that the elector applies for an
9 official ballot by agent under subd. 1. To register the elector under this subdivision,
10 the agent shall present a completed registration form that contains the required
11 information supplied by the elector and the elector’s signature, unless the elector is
12 unable to sign due to physical disability. In this case, the elector may authorize
13 another elector to sign on his or her behalf. Any elector signing a form on another
14 elector’s behalf shall attest to a statement that the application is made on request
15 and by authorization of the named elector, who is unable to sign the form due to
16 physical disability. The agent shall present this statement along with all other
17 information required under this subdivision. Except as otherwise provided in this
18 subdivision, the agent shall in every case provide acceptable proof of the elector’s
19 residence under s. 6.55 (7). If the agent cannot present this proof, the registration
20 form shall be signed and substantiated by another elector residing in the elector’s
21 municipality of residence, corroborating the information in the form. The form shall
22 contain the full name and address of the corroborating elector. The agent shall then
23 present acceptable proof of the corroborating elector’s residence under s. 6.55 (7).”.

24 **28.** Page 16, line 18: after that line insert:

1 “**SECTION 25a.** 6.869 of the statutes, as affected by 2005 Wisconsin Act (this
2 act), is repealed and recreated to read:

3 **6.869 Uniform instructions.** The board shall prescribe uniform instructions
4 for absentee voters. The instructions shall include information concerning whether
5 a copy of identification is required to be submitted and, if so, the form of identification
6 that is required.”.

7 **29.** Page 17, line 13: after that line insert:

8 “**SECTION 26a.** 6.87 (3) (d) of the statutes, as affected by 2005 Wisconsin Act
9 (this act), is repealed and recreated to read:

10 **6.87 (3) (d)** A municipal clerk of a municipality may, if the clerk is reliably
11 informed by an absent elector of a facsimile transmission number or electronic mail
12 address where the elector can receive an absentee ballot, transmit a facsimile or
13 electronic copy of the absent elector’s ballot to that elector in lieu of mailing under
14 this subsection if, in the judgment of the clerk, the time required to send the ballot
15 through the mail may not be sufficient to enable return of the ballot by the time
16 provided under sub. (6). An elector may receive an absentee ballot under this
17 subsection only if the elector has filed a valid application for the ballot under sub. (1).
18 If the clerk transmits an absentee ballot under this paragraph, the clerk shall also
19 transmit a facsimile or electronic copy of the text of the material that appears on the
20 certificate envelope prescribed in sub. (2), together with instructions prescribed by
21 the board. The instructions shall require the absent elector to make and subscribe
22 to the certification as required under sub. (4) and to enclose the absentee ballot in
23 a separate envelope contained within a larger envelope, that shall include the
24 completed certificate. The elector shall then mail the absentee ballot with postage

1 prepaid to the municipal clerk. Except as authorized in s. 6.97 (2), an absentee ballot
2 received under this paragraph shall not be counted unless it is cast in the manner
3 prescribed in this paragraph and in accordance with the instructions provided by the
4 board.”.

5 **30.** Page 19, line 6: after that line insert:

6 “**SECTION 28a.** 6.87 (4) (a) of the statutes, as created by 2005 Wisconsin Act
7 (this act), is repealed.

8 **SECTION 28b.** 6.87 (4) (b) 1. of the statutes, as affected by 2005 Wisconsin Act
9 (this act), is renumbered 6.87 (4) and amended to read:

10 6.87 (4) Except as otherwise provided in s. 6.875, the elector voting absentee
11 shall make and subscribe to the certification before one witness. The absent elector,
12 in the presence of the witness, shall mark the ballot in a manner that will not disclose
13 how the elector’s vote is cast. The elector shall then, still in the presence of the
14 witness, fold the ballots so each is separate and so that the elector conceals the
15 markings thereon and deposit them in the proper envelope. If a consolidated ballot
16 under s. 5.655 is used, the elector shall fold the ballot so that the elector conceals the
17 markings thereon and deposit the ballot in the proper envelope. ~~Except as~~
18 ~~authorized in subds. 2. to 5. and s. 6.875 (6) notwithstanding s. 343.43 (1) (f), the~~
19 ~~elector shall enclose a copy of the license or identification card required under s. 6.86~~
20 ~~(1) (ar) in the envelope, unless the elector is a military elector or an overseas elector~~
21 ~~or the elector has a confidential listing under s. 6.47 (2). If the elector has registered~~
22 by mail and has not, or is not certain whether the elector has, previously voted in an
23 election for national office in this state identification is required and the document
24 enclosed by the elector under this subdivision does not constitute identification, the

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

13 **31.** Page 20, line 14: after that line insert:

14 “**SECTION 29a.** 6.87 (4) (b) 2. to 5. of the statutes, as created by 2005 Wisconsin
15 Act (this act), are repealed.”.

16 **32.** Page 20, line 17: after that line insert:

17 “**SECTION 29d.** 6.875 (title) of the statutes, as affected by 2005 Wisconsin Act
18 (this act), is repealed and recreated to read:

19 **6.875 (title) Absentee voting in nursing and retirement homes and**
20 **certain community-based residential facilities.”.**

21 **33.** Page 20, line 24: after that line insert:

22 “**SECTION 29n.** 6.875 (1) (ap) and (asm) of the statutes, as created by 2005
23 Wisconsin Act (this act), are repealed.”.

24 **34.** Page 21, line 4: after that line insert:

1 “**SECTION 29q.** 6.875 (2) (a) of the statutes, as affected by 2005 Wisconsin Act
2 ... (this act), is repealed and recreated to read:

3 6.875 (2) (a) The procedures prescribed in this section are the exclusive means
4 of absentee voting for electors who are occupants of nursing homes, qualified
5 community-based residential facilities or qualified retirement homes.”.

6 **35.** Page 21, line 16: after that line insert:

7 “**SECTION 29s.** 6.875 (2) (d) of the statutes, as created by 2005 Wisconsin Act
8 ... (this act), is repealed.”.

9 **36.** Page 23, line 17: after that line insert:

10 “**SECTION 29v.** 6.875 (3) and (4) of the statutes, as affected by 2005 Wisconsin
11 Act ... (this act), are repealed and recreated to read:

12 6.875 (3) An occupant of a nursing home or qualified retirement home or
13 qualified community-based residential facility who qualifies as an absent elector
14 and desires to receive an absentee ballot shall make application under s. 6.86 (1) or
15 (2) with the municipal clerk or board of election commissioners of the municipality
16 in which the elector is a resident. The clerk or board of election commissioners of a
17 municipality receiving an application from an elector who is an occupant of a nursing
18 home or qualified retirement home or qualified community-based residential facility
19 located in a different municipality shall, as soon as possible, notify and transmit an
20 absentee ballot for the elector to the clerk or board of election commissioners of the
21 municipality in which the home or qualified community-based residential facility is
22 located. The clerk or board of election commissioners of a municipality receiving an
23 application from an elector who is an occupant of a nursing home or qualified
24 retirement home or qualified community-based residential facility located in the

1 municipality but who is a resident of a different municipality shall, as soon as
2 possible, notify and request transmission of an absentee ballot from the clerk or
3 board of election commissioners of the municipality in which the elector is a resident.
4 The clerk or board of election commissioners shall make a record of all absentee
5 ballots to be transmitted, delivered and voted under this section.

6 (4) For the purpose of absentee voting in nursing homes and qualified
7 retirement homes and qualified community-based residential facilities, the
8 municipal clerk or board of election commissioners of each municipality in which one
9 or more nursing homes or qualified retirement homes or qualified community-based
10 residential facilities are located shall appoint at least 2 special voting deputies for
11 the municipality. Upon application under s. 6.86 (1) or (2) by one or more qualified
12 electors who are occupants of such a nursing home or qualified retirement home or
13 qualified community-based residential facility, the clerk or board of election
14 commissioners shall dispatch 2 special voting deputies to visit the home or qualified
15 community-based residential facility for the purpose of supervising absentee voting
16 procedure by occupants of the home or qualified community-based residential
17 facility. The 2 deputies designated to visit each nursing home or qualified retirement
18 home and qualified community-based residential facility shall be affiliated with
19 different political parties whenever deputies representing different parties are
20 available. Nominations for deputy positions may be submitted by the 2 recognized
21 political parties whose candidates for governor or president received the greatest
22 numbers of votes in the municipality at the most recent general election. The
23 deputies shall be specially appointed to carry out duties under this section for the
24 period specified in s. 7.30 (6) (a). The clerk or board of election commissioners may
25 revoke an appointment at any time. No individual who is employed or retained, or

1 within the 2 years preceding appointment has been employed or retained at a
2 nursing home or qualified retirement home or qualified community-based
3 residential facility in the municipality, or any member of the immediate family of
4 such an individual as defined in s. 19.42 (7), may be appointed to serve as a deputy.”.

5 **37.** Page 25, line 18: after that line insert:

6 “**SECTION 30a.** 6.875 (6) of the statutes, as affected by 2005 Wisconsin Act ...
7 (this act), is repealed and recreated to read:

8 6.875 (6) Special voting deputies in each municipality shall, not later than 5
9 p.m. on the Friday preceding an election, arrange one or more convenient times with
10 the administrator of each nursing home, qualified retirement home, and qualified
11 community-based residential facility, in the municipality from which one or more
12 occupants have filed an application under s. 6.86 to conduct absentee voting for the
13 election. The time may be no earlier than the 4th Monday preceding the election and
14 no later than 5 p.m. on the Monday preceding the election. Upon request of a relative
15 of an occupant of a nursing home or qualified retirement home or qualified
16 community-based residential facility, the administrator may notify the relative of
17 the time or times at which special voting deputies will conduct absentee voting at the
18 home or facility, and permit the relative to be present in the room where the voting
19 is conducted. At the designated time, 2 deputies appointed under sub. (4) shall visit
20 the home or facility. The municipal clerk or executive director of the board of election
21 commissioners shall issue a supply of absentee ballots to the deputies sufficient to
22 provide for the number of valid applications received by the clerk, and a reasonable
23 additional number of ballots. The municipal clerk or executive director shall keep
24 a careful record of all ballots issued to the deputies and shall require the deputies to

1 return every ballot issued to them. The deputies shall personally offer each elector
2 who has filed a proper application the opportunity to cast his or her absentee ballot.
3 If an elector is present who has not filed a proper application, the 2 deputies may
4 accept an application from the elector and shall issue a ballot to the elector if the
5 elector is qualified and the application is proper. The deputies shall each witness the
6 certification and may, upon request of the elector, assist the elector in marking the
7 elector’s ballot. Upon request of the elector, a relative of the elector who is present
8 in the room may assist the elector in marking the elector’s ballot. All voting shall be
9 conducted in the presence of the deputies. No individual other than a deputy may
10 witness the certification and no individual other than a deputy or relative of an
11 elector may render voting assistance to the elector. Upon completion of the voting,
12 the deputies shall promptly deliver, either personally or by 1st class mail, any
13 absentee ballot applications and the sealed certificate envelope containing each
14 ballot to the clerk or board of election commissioners of the municipality in which the
15 elector casting the ballot resides, within such time as will permit delivery to the
16 polling place serving the elector’s residence on election day. Personal delivery may
17 be made by the deputies no later than noon on election day. If a qualified elector is
18 not able to cast his or her ballot on 2 separate visits by the deputies to the home or
19 facility, they shall so inform the municipal clerk or executive director of the board of
20 election commissioners, who may then send the ballot to the elector no later than 5
21 p.m. on the Friday preceding the election.”.

22 **38.** Page 26, line 16: after that line insert:

23 “**SECTION 31a.** 6.88 (3) (a) of the statutes, as affected by 2005 Wisconsin Act
24 (this act), is repealed and recreated to read:

1 6.88 (3) (a) Any time between the opening and closing of the polls on election
2 day, the inspectors shall open the carrier envelope only, and announce the name of
3 the absent elector or the identification serial number of the absent elector if the
4 elector has a confidential listing under s. 6.47 (2). When the inspectors find that the
5 certification has been properly executed, the applicant is a qualified elector of the
6 ward or election district, and the applicant has not voted in the election, they shall
7 enter an indication on the poll list next to the applicant’s name indicating an
8 absentee ballot is cast by the elector. They shall then open the envelope containing
9 the ballot in a manner so as not to deface or destroy the certification thereon. The
10 inspectors shall take out the ballot without unfolding it or permitting it to be
11 unfolded or examined. Unless the ballot is cast under s. 6.95, the inspectors shall
12 verify that the ballot has been endorsed by the issuing clerk. If the poll list indicates
13 that identification is required and no identification is enclosed or the name or
14 address on the document that is provided is not the same as the name and address
15 shown on the poll list, the inspectors shall proceed as provided under s. 6.97 (2). The
16 inspectors shall then deposit the ballot into the proper ballot box and enter the
17 absent elector’s name or voting number after his or her name on the poll list in the
18 same manner as if the elector had been present and voted in person.”.

19 **39.** Page 27, line 12: after that line insert:

20 “**SECTION 32a.** 6.965 of the statutes, as created by 2005 Wisconsin Act (this
21 act), is repealed.”.

22 **40.** Page 29, line 13: after that line insert:

23 “**SECTION 33a.** 6.97 (1) and (2) of the statutes, as affected by 2005 Wisconsin
24 Act (this act), are repealed and recreated to read:

1 6.97 (1) Whenever any individual who is required to provide identification in
2 order to be permitted to vote appears to vote at a polling place and cannot provide
3 the required identification, the inspectors shall offer the opportunity for the
4 individual to vote under this section. If the individual wishes to vote, the inspectors
5 shall provide the elector with an envelope marked “Ballot under s. 6.97, stats.” on
6 which the serial number of the elector is entered and shall require the individual to
7 execute on the envelope a written affirmation stating that the individual is a
8 qualified elector of the ward or election district where he or she offers to vote and is
9 eligible to vote in the election. The inspectors shall, before giving the elector a ballot,
10 write on the back of the ballot the serial number of the individual corresponding to
11 the number kept at the election on the poll list or other list maintained under s. 6.79
12 and the notation “s. 6.97”. If voting machines are used in the municipality where the
13 individual is voting, the individual’s vote may be received only upon an absentee
14 ballot furnished by the municipal clerk which shall have the corresponding number
15 from the poll list or other list maintained under s. 6.79 and the notation “s. 6.97”
16 written on the back of the ballot by the inspectors before the ballot is given to the
17 elector. When receiving the individual’s ballot, the inspectors shall provide the
18 individual with written voting information prescribed by the board under s. 7.08 (8).
19 The inspectors shall indicate on the list the fact that the individual is required to
20 provide identification but did not do so. The inspectors shall notify the individual
21 that he or she may provide identification to the municipal clerk or executive director
22 of the municipal board of election commissioners. The inspectors shall also promptly
23 notify the municipal clerk or executive director of the name, address, and serial
24 number of the individual. The inspectors shall then place the ballot inside the
25 envelope and place the envelope in a separate carrier envelope.

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

12 **41.** Page 31, line 2: after that line insert:

13 **“SECTION 35a.** 6.97 (3) (a) and (c) of the statutes, as created by 2005 Wisconsin
14 Act (this act), are repealed.

15 **SECTION 35b.** 6.97 (3) (b) of the statutes, as affected by 2005 Wisconsin Act
16 (this act), is renumbered 6.97 (3) and amended to read:

17 **6.97 (3)** Whenever the municipal clerk or executive director of the municipal
18 board of election commissioners is informed by the inspectors that a ballot has been
19 cast under this section, the clerk or executive director shall promptly provide written
20 notice to the board of canvassers of each municipality, special purpose district, and
21 county that is responsible for canvassing the election of the number of ballots cast
22 under this section in each ward or election district. The municipal clerk or executive
23 director then shall determine whether each individual voting under this section is
24 qualified to vote in the ward or election district where the individual’s ballot is cast.

1 ~~If the elector is required to provide a license or identification card or copy thereof~~
2 ~~under s. 6.79 (2) or 6.86 (1) (ar) and fails to do so, the elector bears the burden of~~
3 ~~correcting the omission by providing the license or identification card or copy thereof~~
4 ~~at the polling place before the closing hour or at the office of the municipal clerk or~~
5 ~~board of election commissioners no later than 4 p.m. on the day after the election.~~
6 The municipal clerk or executive director shall make a record of the procedure used
7 to determine the validity of each ballot cast under this section. If, prior to 4 p.m. on
8 the day after the election, the municipal clerk or executive director determines that
9 the individual is qualified to vote in the ward or election district where the
10 individual’s ballot is cast, the municipal clerk or executive director shall notify the
11 board of canvassers for each municipality, special purpose district and county that
12 is responsible for canvassing the election of that fact.”.

13 **42.** Page 31, line 5: after that line insert:

14 “**SECTION 36a.** 7.08 (8) (title) of the statutes, as affected by 2005 Wisconsin Act
15 (this act), is repealed and recreated to read:

16 7.08 (8) (title) ELECTORS VOTING WITHOUT IDENTIFICATION OR PURSUANT TO COURT
17 ORDER.”.

18 **43.** Page 31, line 18: after that line insert:

19 “**SECTION 37a.** 10.02 (3) (a) of the statutes, as affected by 2005 Wisconsin Act
20 (this act), is repealed and recreated to read:

21 10.02 (3) (a) Upon entering the polling place and before being permitted to vote,
22 an elector shall state his or her name and address and provide identification if
23 required by federal law. Where ballots are distributed to electors, the initials of 2
24 inspectors must appear on the ballot. Upon being permitted to vote, the elector shall

1 retire alone to a voting booth or machine and cast his or her ballot, except that an
2 elector who is a parent or guardian may be accompanied by the elector's minor child
3 or minor ward. An election official may inform the elector of the proper manner for
4 casting a vote, but the official may not in any manner advise or indicate a particular
5 voting choice.”.

6 **44.** Page 31, line 23: after that line insert:

7 “**SECTION 37h.** 12.13 (2) (b) 6m. of the statutes, as affected by 2005 Wisconsin
8 Act (this act), is repealed and recreated to read:

9 12.13 (2) (b) 6m. Obtain an absentee ballot for voting in a nursing home or
10 qualified retirement home or qualified community-based residential facility under
11 s. 6.875 (6) and fail to return the ballot to the issuing officer.”.

12 **45.** Page 31, line 24: after that line insert:

13 “**SECTION 37n.** 12.13 (3) (v) of the statutes is created to read:

14 12.13 (3) (v) Corroborate any information offered by a proposed elector for the
15 purpose of permitting the person to register to vote or to vote, knowing such
16 information to be false.”.

17 **46.** Page 32, line 9: after that line insert:

18 “**SECTION 37s.** 12.13 (4) of the statutes, as affected by 2005 Wisconsin Act
19 (this act), is repealed and recreated to read:

20 12.13 (4) NURSING AND RETIREMENT HOME AND COMMUNITY-BASED RESIDENTIAL
21 FACILITY VOTING. No employee of a nursing home or qualified retirement home or
22 qualified community-based residential facility, as defined in s. 6.875 (1) (as), may
23 disclose the designated time arranged for absentee voting by occupants of the home
24 or community-based residential facility under s. 6.875 (6) to any person other than

1 an occupant of the home or qualified community-based residential facility or a
2 relative of an occupant, as defined in s. 6.875 (1), who requests to be so informed.”.

3 **47.** Page 32, line 19: after that line insert:

4 “**SECTION 38a.** 343.50 (3) of the statutes, as affected by 2005 Wisconsin Act
5 (this act), is repealed and recreated to read:

6 343.50 (3) DESIGN AND CONTENTS OF CARD. The card shall be the same size as
7 an operator’s license but shall be of a design which is readily distinguishable from
8 the design of an operator’s license and bear upon it the words “IDENTIFICATION
9 CARD ONLY”. The information on the card shall be the same as specified under s.
10 343.17 (3). The card may serve as a document of gift under s. 157.06 (2) (b) and (c)
11 and the holder may affix a sticker thereto as provided in s. 343.175 (3). The card may
12 also serve as a document of refusal to make an anatomical gift under s. 157.06 (2) (i).
13 The card shall contain the holder’s photograph and, if applicable, shall be of the
14 design specified under s. 343.17 (3) (a) 12.”.

15 **48.** Page 33, line 4: after that line insert:

16 “**SECTION 39a.** 343.50 (4) of the statutes, as affected by 2005 Wisconsin Act
17 (this act), is repealed and recreated to read:

18 343.50 (4) APPLICATION. The application for an identification card shall include
19 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), and
20 (em), and such further information as the department may reasonably require to
21 enable it to determine whether the applicant is entitled by law to an identification
22 card. The department shall, as part of the application process, take a photograph of
23 the applicant to comply with sub. (3). No application may be processed without the

1 photograph being taken. Misrepresentations in violation of s. 343.14 (5) are
2 punishable as provided in s. 343.14 (9).”.

3 **49.** Page 33, line 13: after that line insert:

4 “**SECTION 40a.** 343.50 (4g) of the statutes, as created by 2005 Wisconsin Act ...
5 (this act), is repealed.”.

6 **50.** Page 33, line 19: after that line insert:

7 “**SECTION 41a.** 343.50 (5) of the statutes, as affected by 2005 Wisconsin Act ...
8 (this act), is repealed and recreated to read:

9 343.50 (5) VALID PERIOD; FEES. The fee for an original card and for the
10 reinstatement of an identification card after cancellation under sub. (10) shall be \$9.
11 The card shall be valid for the succeeding period of 4 years from the applicant’s next
12 birthday after the date of issuance.”.

13 **51.** Page 34, line 3: after that line insert:

14 “**SECTION 42a.** 343.50 (6) of the statutes, as affected by 2005 Wisconsin Act ...
15 (this act), is repealed and recreated to read:

16 343.50 (6) RENEWAL. At least 30 days prior to the expiration of the card, the
17 department shall mail a renewal application to the last-known address of each
18 identification card holder. The department shall include with the application
19 information, as developed by all organ procurement organizations in cooperation
20 with the department, that promotes anatomical donations and which relates to the
21 anatomical donation opportunity available under s. 343.175. The fee for a renewal
22 identification card shall be \$9, which card shall be valid for 4 years.”.

23 **52.** Page 34, line 3: after that line insert:

24 “**SECTION 42m. Nonstatutory provisions.**

