

1 **AN ACT** *to amend* 6.33 (2) (a) and (b), 6.55 (2) (b) and 6.55 (2) (c) 1.; and *to create*
2 6.33 (2) (c) of the statutes; **relating to:** requiring 2 registration deputies for polling
3 place registration.

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft was prepared for the joint legislative council's special committee on election law review.

Under current law, an elector may register to vote at the polling place (or at another designated location in the same building as the polling place) on the day of the election. An elector registering at the polling place is required to complete a registration form before an election official and provide acceptable proof of residence or corroboration of residence by one other elector of the municipality.

This draft requires that same-day registration take place before 2 election officials, that the officials ensure that the registration form is completed in a legible manner, and that both officials sign the registration form.

[This draft does not modify the corroboration element or the proof of residence component of current law. Those matters are addressed in other drafts.]

This draft contains an effective date of January 1, 2006.

4 **SECTION 1.** 6.33 (2) (a) and (b) of the statutes are amended to read:
5 6.33 (2) (a) All information may be recorded by any person, except that the ward and
6 aldermanic district, if any, other geographic information under sub. (1), the indication of
7 whether the registration is received by mail shall be recorded by the clerk. All information
8 shall be recorded in a legible manner. Each applicant shall sign his or her own name unless
9 the applicant is unable to sign his or her name due to physical disability. In such case, the
10 applicant may authorize another elector to sign the form on his or her behalf. If the applicant

1 so authorizes, the elector signing the form shall attest to a statement that the application is
2 made upon request and by authorization of a named elector who is unable to sign the form due
3 to physical disability.

NOTE: The amendment to s. 6.33 (2) (a) specifies that all information on
a registration card be recorded in a legible manner.

4 (b) Except as provided in par. (c) and s. 6.86 (3) (a) 2., the registration form shall be
5 signed by the registering elector and any corroborating elector under s. 6.29 (2) (a) or 6.55 (2)
6 before the clerk, issuing officer or registration deputy. The form shall contain a certification
7 by the registering elector that all statements are true and correct.

8 **SECTION 2.** 6.33 (2) (c) of the statutes is created to read:

9 6.33 (2) (c) For polling place registration under s. 6.55, the registration form shall be
10 signed by the registering elector and any corroborating elector under s. 6.55 (2) before 2
11 inspectors or special registration deputies under s. 6.55 (6), who must ensure that the form is
12 completed in a legible manner. The form shall contain a certification by the registering elector
13 that all statements are true and correct. The form shall also contain a space for the signatures
14 of both inspectors or special registration deputies who must each sign the form before the
15 elector is permitted to vote.

NOTE: This SECTION requires the registration form used at polling places
on election day to be signed by the registering elector before 2 inspectors
(poll workers) or special registration deputies and requires both
inspectors or deputies to sign the form before the elector is permitted to
vote. The inspectors or deputies must ensure that the form is filled out
legibly.

16 **SECTION 3.** 6.55 (2) (b) of the statutes is amended to read:

17 6.55 (2) (b) Upon executing the registration form under par. (a), the elector shall provide
18 acceptable proof of residence under sub. (7). If the elector cannot provide acceptable proof
19 of residence, the information contained in the registration form shall be corroborated in a

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

9 **SECTION 4.** 6.55 (2) (c) 1. of the statutes is amended to read:

10 6.55 (2) (c) 1. As an alternative to registration at the polling place under pars. (a) and
11 (b), the board of election commissioners, or the governing body of any municipality may by
12 resolution require a person who qualifies as an elector and who is not registered and desires
13 to register on the day of an election to do so at another readily accessible location in the same
14 building as the polling place serving the elector's residence or at an alternate polling place
15 assigned under s. 5.25 (5) (b), instead of at the polling place serving the elector's residence.
16 In such case, the municipal clerk shall prominently post a notice of the registration location
17 at the polling place. ~~The municipal clerk, deputy clerk or special registration deputy at the~~
18 ~~registration location shall require such person to execute~~ The elector who desires to register
19 shall execute a registration form as prescribed under par. (a) and ~~to~~ provide acceptable proof
20 of residence as provided under sub. (7). If the elector cannot provide acceptable proof of
21 residence, the information contained in the registration form shall be corroborated in the
22 manner provided in par. (b). ~~The signing by the elector executing the registration form and~~
23 ~~by any corroborator shall be in the presence of the municipal clerk, deputy clerk or special~~
24 ~~registration deputy.~~ The elector and any corroborators shall sign the registration form in the

1 presence of the municipal clerk, a deputy clerk, or 2 special registration deputies, who must
2 ensure that the form is completed in a legible manner. The form shall then be signed by the
3 municipal clerk, the deputy clerk, or the 2 special registration deputies in whose presence the
4 elector signed the form. Upon proper completion of registration, the municipal clerk, deputy
5 clerk or a special registration deputy shall serially number the registration and give one copy
6 to the elector for presentation at the polling place serving the elector's residence or an alternate
7 polling place assigned under s. 5.25 (5) (b).

NOTE: This SECTION makes the same-day registration process conducted at a site in the same building as the polling place parallel to that for polling place registration with the exception that the registration form may be executed in the presence of the clerk, a deputy clerk, or 2 registration deputies.

COMMENT: How should s. 6.55 (3) be treated? This provision concerns persons who believe they are registered but learn they are not on the registration list when they get to the polls. Such an elector must sign a statement of eligibility to vote and provide proof of residence before being allowed to vote. Should these actions be conducted in the presence of 2 poll workers? Is this provision even necessary?

Section 6.55 (3) reads as follows:

Any qualified elector in the ward or election district where the elector desires to vote whose name does not appear on the registration list but who claims to be registered to vote in the election may request permission to vote at the polling place for that ward or election district. When the request is made, the inspector shall require the person to give his or her name and address. If the elector is not at the polling place which serves the ward or election district where the elector resides, the inspector shall provide the elector with directions to the correct polling place. If the elector is at the correct polling place, the elector shall then execute the following written statement: "I, ..., hereby certify that to the best of my knowledge, I am a qualified elector, having resided at for at least 10 days immediately preceding this election, and that I am not disqualified on any ground from voting, and I have not voted at this election and am properly registered to vote in this election." The person shall be required to provide acceptable proof of residence as provided under sub. (7) and shall then be given the right to vote. If the elector cannot provide acceptable proof of residence, the statement shall be

certified by the elector and shall be corroborated in a statement that is signed by any other elector who resides in the municipality and that contains the current street address of the corroborating elector. The corroborator shall then provide acceptable proof of residence as provided in sub. (7). Whenever the question of identity or residence cannot be satisfactorily resolved and the elector cannot be permitted to vote, an inspector shall telephone the office of the municipal clerk to reconcile the records at the polling place with those at the office.

1 **SECTION 5. Effective date.** This act takes effect on January 1, 2006.

2 (END)