

**2005 DRAFTING REQUEST**

**Bill**

Received: 11/03/2004

Received By: **jkuesel**

Wanted: **As time permits**

Identical to LRB:

For: **Samantha Kerkman (608) 266-2530**

By/Representing: **Jennifer Toftness**

This file may be shown to any legislator: **NO**

Drafter: **jkuesel**

May Contact:

Addl. Drafters:

Subject: **Elections - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Kerkman@legis.state.wi.us**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

---

**Topic:**

Residency of election officials

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**Instructions:**

Per 2003 AB-190.

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkuesel 11/12/2004	kfollett 11/18/2004		_____			
/1			rschluet 11/18/2004	_____	Inorthro 11/18/2004	sbasford 12/03/2004 sbasford 12/03/2004	
/2	jkuesel 01/21/2005	kfollett 01/21/2005	rschluet 01/21/2005	_____	lemery 01/21/2005	lemery 01/21/2005	

Vers.    Drafted    Reviewed    Typed    Proofed    Submitted    Jacketed    Required

FE Sent For:

*none  
needed*

<END>

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/?	jkuesel 11/12/2004	kfollett 11/18/2004					
/1	jkuesel 1/20	12 kjf 1/21	rschluet 11/18/2004		lnorthro 11/18/2004	sbasford 12/03/2004 sbasford 12/03/2004	

*[Handwritten signatures and initials over the Drafting History table]*

**LRB-0638**

12/03/2004 07:41:36 AM

Page 2

Vers.    Drafted    Reviewed    Typed    Proofed    Submitted    Jacketed    Required

FE Sent For:

<END>

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/?	jkuesel 11/12/2004	kfollett 11/18/2004		_____			
/1			rschluet 11/18/2004	_____	lnorthro 11/18/2004		

**LRB-0638**

11/18/2004 12:12:37 PM

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12/1	jkuesel 11/12						
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*[Handwritten signature]*  
*[Handwritten initials]*  
**<END>**

FE Sent For:

**2003 ASSEMBLY BILL 190**

*PWP*  
~~March 25, 2003 - Introduced by Representatives KERKMAN, BIES, COGGS, LADWIG, LASSA, J. LEHMAN, M. LEHMAN, MILLER, MUSSER, OLSEN, SERATTI, STASKUNAS, STONE, TRAVIS, VRAKAS and HUBER, cosponsored by Senators WIRCH and KEDZIE. Referred to Committee on Campaigns and Elections.~~

*Regen*

1 AN ACT *to amend* 7.30 (2) (a) and (b) of the statutes; **relating to:** residency of  
2 certain election officials.

---

*an*  
***Analysis by the Legislative Reference Bureau*** *is*

Currently, election officials must be electors of the municipality in which the officials serve. In addition, election officials who serve at a polling place are generally required to be a qualified elector of the ward for which the polling place is established, whenever a municipality is divided into wards. However, special voter registration deputies who register electors at a polling place on election day, election officials who are appointed to work at a polling place that serves more than one ward, election officials who are reassigned by a municipal clerk or board of election commissioners to correct staffing deficiencies, or election officials who are appointed to fill a temporary or permanent vacancy need not be electors of any particular ward but they must be electors of the municipality in which the election officials serve. Officials who are appointed to work at a polling place that serves more than one ward must be electors at one of the wards served by the polling place.

This bill provides that if a municipal clerk or executive director of a municipal board of election commissioners, or a deputy appointed by a municipal clerk or executive director, serves as a special voter registration deputy to register electors at a polling place on election day or is appointed to fill a temporary or permanent vacancy in an inspector (poll worker) position, the clerk, director, or deputy need not

X

**ASSEMBLY BILL 190**

be an elector of the municipality in which he or she serves, but must be a qualified elector of this state.

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

1           **SECTION 1.** 7.30 (2) (a) and (b) of the statutes are amended to read:

2           7.30 (2) (a) Only election officials appointed under this section may conduct an  
3 election. Except as ~~authorized in~~ otherwise provided in this paragraph and in s. 7.15  
4 (1) (k), each ~~inspector~~ election official shall be a qualified elector of the ward or wards,  
5 or the election district, for which the polling place is established. ~~Special~~ A special  
6 registration ~~deputies~~ deputy who is appointed under s. 6.55 (6) ~~and or an~~ election  
7 ~~officials who are~~ official who is appointed to fill a vacancy under par. (b) need not be  
8 a resident of the ward or wards, or the election district, but shall be a resident of the  
9 municipality, except that if a municipal clerk or deputy clerk serves as a registration  
10 deputy or is appointed to fill a vacancy under par. (b), the clerk or deputy clerk need  
11 not be a resident of the municipality, but shall be a resident of the state. Special  
12 registration deputies may be appointed to serve more than one polling place. All  
13 officials shall be able to read and write the English language, be capable, and be of  
14 good understanding, and may not be a candidate for any office to be voted for at an  
15 election at which they serve. In 1st class cities, they may hold no public office other  
16 than notary public. Except as authorized under sub. (4) (c), all inspectors shall be  
17 affiliated with one of the 2 recognized political parties which received the largest  
18 number of votes for president, or governor in nonpresidential general election years,  
19 in the ward or combination of wards served by the polling place at the last election.  
20 The party which received the largest number of votes is entitled to one more inspector  
21 than the party receiving the next largest number of votes at each polling place. The

**ASSEMBLY BILL 190**

1 same election officials may serve the electors of more than one ward where wards are  
2 combined under s. 5.15 (6) (b). If a municipality is not divided into wards, the ward  
3 requirements in this paragraph apply to the municipality at large.

4 (b) When a vacancy occurs, the vacancy shall be filled by appointment of the  
5 municipal clerk. The vacancy shall be filled from the remaining names on the lists  
6 submitted under sub. (4) or from additional names submitted by the chairperson of  
7 the county party committee of the appropriate party under sub. (4) whenever names  
8 are submitted under sub. (4) (d). If the vacancy is due to candidacy, sickness or any  
9 other temporary cause, the appointment shall be a temporary appointment and  
10 effective only for the election at which the temporary vacancy occurs. The same  
11 qualifications that applied to original appointees shall be required of persons who fill  
12 vacancies. ~~Vacancies, except that a vacancy~~ may be filled in cases of emergency or  
13 because of time limitations by a person ~~from~~ who resides in another aldermanic  
14 district or ward within the municipality, and if a municipal clerk or deputy clerk fills  
15 the vacancy, the clerk or deputy may serve without regard to the clerk's or deputy's  
16 municipality of residence, if the clerk or deputy meets the other qualifications.

17 (END)

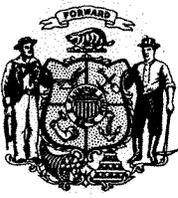
**Barman, Mike**

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**From:** Popp, Sarah  
**Sent:** Thursday, December 02, 2004 10:43 AM  
**To:** LRB.Legal  
**Subject:** Draft review: LRB 05-0638/1 Topic: Residency of election officials

It has been requested by <Popp, Sarah> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-0638/1 Topic: Residency of election officials



Wanted by Mon 1/24

**2005 BILL**

Regen

1 AN ACT to amend 7.30 (2) (a) and (b) of the statutes; relating to: residency of  
2 certain election officials.

*Analysis by the Legislative Reference Bureau*

Currently, election officials must be electors of the municipality in which the officials serve. In addition, an election official who serves at a polling place is generally required to be a qualified elector of the ward for which the polling place is established, whenever a municipality is divided into wards. However, special voter registration deputies who register electors at a polling place on election day, election officials who are appointed to work at a polling place that serves more than one ward, election officials who are reassigned by a municipal clerk or board of election commissioners to correct staffing deficiencies, or election officials who are appointed to fill a temporary or permanent vacancy need not be electors of any particular ward but they must be electors of the municipality in which the election officials serve. Officials who are appointed to work at a polling place that serves more than one ward must be electors at one of the wards served by the polling place.

This bill provides that if a municipal clerk or executive director of a municipal board of election commissioners, or a deputy appointed by a municipal clerk or executive director, serves as a special voter registration deputy to register electors at a polling place on election day or is appointed to fill a temporary or permanent vacancy in an inspector (poll worker) position, the clerk, director, or deputy need not

in the office of the municipal clerk or executive director who is

**BILL** such  
such

be an elector of the municipality in which he or she serves, but must be a qualified elector of this state. *However, the bill provides that in no case may more than two nonresident individuals fill vacancies in election official positions within a single municipality at any election.*

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

1 SECTION 1. 7.30 (2) (a) and (b) of the statutes are amended to read:

2 7.30 (2) (a) Only election officials appointed under this section may conduct an  
3 election. ~~Except as authorized in otherwise provided in this paragraph and in s. 7.15~~

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9 municipality, except that if a municipal clerk or deputy clerk serves as a registration

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12 registration deputies may be appointed to serve more than one polling place. All  
13 officials shall be able to read and write the English language, be capable, and be of  
14 good understanding, and may not be a candidate for any office to be voted for at an

15 election at which they serve. In 1st class cities, they may hold no public office other  
16 than notary public. Except as authorized under sub. (4) (c), all inspectors shall be

17 affiliated with one of the 2 recognized political parties which received the largest  
18 number of votes for president, or governor in nonpresidential general election years,  
19 in the ward or combination of wards served by the polling place at the last election.

20 The party which received the largest number of votes is entitled to one more inspector  
21 than the party receiving the next largest number of votes at each polling place. The

*office  
of*

*No more than 2 individuals holding the clerk or deputy clerk may serve without regard to municipal residency in any municipality at any election*

**BILL**

1 same election officials may serve the electors of more than one ward where wards are  
2 combined under s. 5.15 (6) (b). If a municipality is not divided into wards, the ward  
3 requirements in this paragraph apply to the municipality at large.

4 (b) When a vacancy occurs, the vacancy shall be filled by appointment of the  
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10 effective only for the election at which the temporary vacancy occurs. The same  
11 qualifications that applied to original appointees shall be required of persons who fill  
12 vacancies. Vacancies, except that a vacancy may be filled in cases of emergency or  
13 because of time limitations by a person from who resides in another aldermanic  
14 district or ward within the municipality, and if a municipal clerk or deputy clerk fills  
15 the vacancy, the clerk or deputy *but not more than 2 individuals in any*  
may serve without regard to the clerk's or deputy's  
16 municipality of residence, if the clerk or deputy meets the other qualifications.

17 (END)

*municipality,*

*a total of*