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1 7.10 (1) (d) The county clerk may receive and store any unused ballots after an
2 election upon request of any municipal clerk of a municipality within the county, and
3 may destroy such ballots pursuant to s. 7.23 (1) (am).

4 **SECTION 97.** 7.10 (9) of the statutes is amended to read:

5 7.10 (9) TRAINING OF ELECTION OFFICIALS. Each county clerk shall assist the
6 board in the training of election officials under ~~ss. s.~~ s. 5.05 (7) and 7.31.

7 **SECTION 98.** 7.15 (1) (e) of the statutes is amended to read:

8 7.15 (1) (e) ~~In coordination with the board, instruct~~ Train election officials in
9 their duties, calling them together whenever advisable, advise them of changes in
10 laws, rules and procedures affecting the performance of their duties, and administer
11 examinations as authorized under s. 7.30 (2) (c). The training shall conform with the
12 requirements prescribed in rules promulgated by the board under ss. 7.31 and 7.315.
13 The clerk shall assure that officials who serve at polling places where an electronic
14 voting system is used are familiar with the system and competent to instruct electors
15 in its proper use. The clerk shall inspect systematically and thoroughly the conduct
16 of elections in the municipality so that elections are honestly, efficiently and
17 uniformly conducted.

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18 **SECTION 99.** 7.15 (1m) of the statutes is created to read:

19 7.15 (1m) ATTEND TRAINING. Each municipal clerk shall, at least once every 2
20 years, attend training sponsored by the board under ss. 7.31 and 7.315.

21 **SECTION 100.** 7.15 (2m) of the statutes is created to read:

22 7.15 (2m) OPERATION OF ALTERNATE ABSENTEE BALLOT SITE. In a municipality in
23 which the governing body has elected to establish an alternate absentee ballot site
24 under s. 6.855, the municipal clerk shall operate such site as though it were his or

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1 her office for absentee ballot purposes and shall ensure that such site is adequately
2 staffed.

3 **SECTION 101.** 7.15 (11) of the statutes is amended to read:

4 7.15 (11) TRAINING OF ELECTION OFFICIALS. Each municipal clerk shall assist the
5 board in the training of train election officials under ss. ~~5.05 (7)~~ and ss. 7.31 and
6 7.315.

7 **SECTION 102.** 7.23 (1) (a) of the statutes is amended to read:

8 7.23 (1) (a) Any Except as provided in par. (am), unused materials after an
9 election and the contents of the blank ballot box after a primary may be destroyed
10 at a time and in a manner designated by the appropriate clerk.

11 **SECTION 103.** 7.23 (1) (am) of the statutes is created to read:

12 7.23 (1) (am) Unused ballots may be discarded or destroyed no earlier than the
13 day after the latest day for the filing of a petition for a recount under s. 9.01 for any
14 office on the ballots.

15 **SECTION 104.** 7.30 (1) of the statutes is renumbered 7.30 (1) (a) and amended
16 to read:

17 7.30 (1) (a) There Except as authorized under par. (b), there shall be 7
18 inspectors for each polling place at each election. ~~In~~ Except as authorized in par. (b),
19 in municipalities where voting machines are used, the municipal governing body
20 may reduce the number of inspectors to 5. A municipal governing body may provide
21 for the appointment of additional inspectors whenever more than one voting
22 machine is used or wards are combined under s. 5.15 (6) (b). A municipal governing
23 body may provide by ordinance for the selection of alternate officials or the selection
24 of 2 or more sets of officials to work at different times on election day, and may permit
25 the municipal clerk or board of election commissioners to establish different working

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1 hours for different officials assigned to the same polling place. Alternate officials
2 shall also be appointed in a number sufficient to maintain adequate staffing of
3 polling places. ~~Unless~~ Except for inspectors who are appointed under par. (b) and
4 officials who are are appointed without regard to party affiliation under sub. (4) (c),
5 additional officials shall be appointed in such a manner that the total number of
6 officials is an odd number and the predominant party under sub. (2) is represented
7 by one more official than the other party.

8 **SECTION 105.** 7.30 (1) (b) of the statutes is created to read:

9 7.30 (1) (b) Each municipality may appoint one additional inspector to serve
10 at each polling place without regard to party affiliation who shall serve as a greeter
11 to answer questions and to direct electors to the proper locations for registration and
12 voting and who shall be available to substitute for other election officials who must
13 leave the room during the voting process.

14 **SECTION 106.** 7.30 (2) (a) of the statutes, as affected by 2005 Wisconsin Act 27,
15 is amended to read:

16 7.30 (2) (a) Only election officials appointed under this section or s. 6.875 may
17 conduct an election. Except as otherwise provided in this paragraph and in s. 7.15
18 (1) (k), each election official shall be a qualified elector of the ward or wards, or the
19 election district, for which the polling place is established. A special registration
20 deputy who is appointed under s. 6.55 (6) or an election official who is appointed
21 under this section to fill a vacancy under par. (b) need not be a resident of the ward
22 or wards, or the election district, but shall be a resident of the municipality, except
23 that if a municipal clerk or deputy clerk serves as a registration deputy or is
24 appointed to fill a vacancy under par. (b), the clerk or deputy clerk need not be a
25 resident of the municipality, but shall be a resident of the state. No more than 2

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1 individuals holding the office of clerk or deputy clerk may serve without regard to
2 municipal residency in any municipality at any election. Special registration
3 deputies who are appointed under s. 6.55 (6) may be appointed to serve more than
4 one polling place. All officials appointed under this section shall be able to read and
5 write the English language, be capable, and be of good understanding, and may not
6 be a candidate for any office to be voted for at an election at which they serve. In 1st
7 class cities, they may hold no public office other than notary public. Except as
8 authorized under ~~sub.~~ subs. (1) (b) and (4) (c), all inspectors shall be affiliated with
9 one of the 2 recognized political parties which received the largest number of votes
10 for president, or governor in nonpresidential general election years, in the ward or
11 combination of wards served by the polling place at the last election. ~~The~~ Excluding
12 the inspector who may be appointed under sub. (1) (b), the party which received the
13 largest number of votes is entitled to one more inspector than the party receiving the
14 next largest number of votes at each polling place. ~~The same election~~ Election
15 officials appointed under this section may serve the electors of more than one ward
16 where wards are combined under s. 5.15 (6) (b). If a municipality is not divided into
17 wards, the ward requirements in this paragraph apply to the municipality at large.

18 **SECTION 107.** 7.30 (2) (am) of the statutes is amended to read:

19 7.30 (2) (am) Except as otherwise provided in this paragraph, a pupil who is
20 16 or 17 years of age, and who is enrolled in grades 9 to 12 in a public or private school,
21 ~~and who has at least a 3.0 grade point average or the equivalent~~ may serve as an
22 inspector at the polling place serving the pupil's residence, with the approval of the
23 pupil's parent or guardian and of the principal of the school in which the pupil is
24 enrolled. A school board or governing body of a private school may establish criteria
25 for participation by a pupil as an inspector. A pupil may serve as an inspector at a

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1 polling place under this paragraph only if at least one election official at the polling
2 place other than the chief inspector is a qualified elector of this state. No pupil may
3 serve as chief inspector at a polling place under this paragraph. Before appointment
4 by any municipality of a pupil as an inspector under this paragraph, the municipal
5 clerk shall obtain written authorization from the pupil's parent or guardian and from
6 the principal of the school where the pupil is enrolled for the pupil to serve for the
7 ~~entire term~~ election for which he or she is appointed. Upon appointment of a pupil
8 to serve as an inspector, the municipal clerk shall notify the principal of the school
9 where the pupil is enrolled of the ~~date of expiration of the pupil's term of office~~ name
10 of the pupil and the date of the election at which the pupil has been appointed to
11 serve.

12 **SECTION 108.** 7.30 (2) (b) of the statutes, as affected by 2005 Wisconsin Act 27,
13 is amended to read:

14 7.30 (2) (b) When a vacancy occurs in an office under this section, the vacancy
15 shall be filled by appointment of the municipal clerk. ~~The~~ Unless the vacancy occurs
16 in the position of an inspector appointed under sub. (1) (b), the vacancy shall be filled
17 from the remaining names on the lists submitted under sub. (4) or from additional
18 names submitted by the chairperson of the county party committee of the
19 appropriate party under sub. (4) whenever names are submitted under sub. (4) (d).
20 If the vacancy is due to candidacy, sickness or any other temporary cause, the
21 appointment shall be a temporary appointment and effective only for the election at
22 which the temporary vacancy occurs. The same qualifications that applied to
23 original appointees shall be required of persons who fill vacancies except that a
24 vacancy may be filled in cases of emergency or because of time limitations by a person
25 who resides in another aldermanic district or ward within the municipality, and if

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1 a municipal clerk or deputy clerk fills the vacancy, the clerk or deputy, but not more
2 than a total of 2 individuals in any municipality, may serve without regard to the
3 clerk's or deputy's municipality of residence, if the clerk or deputy meets the other
4 qualifications.

5 **SECTION 109.** 7.30 (2) (c) of the statutes is amended to read:

6 7.30 (2) (c) The governing body of any municipality may require all persons
7 serving as election officials to prove their ability to read and write English and to
8 have a general knowledge of the election laws. Examinations may be given to prove
9 the qualifications can be met. The municipal clerk shall ensure that all training
10 meets the training requirements prescribed in rules promulgated by the board under
11 ss. 7.31 and 7.315.

12 **SECTION 110.** 7.30 (4) (a) of the statutes is amended to read:

13 7.30 (4) (a) Except in cities where there is a board of election commissioners,
14 the mayor, president or board chairperson of each municipality shall nominate to the
15 governing body no later than their last regular meeting in December of each
16 ~~even-numbered~~ odd-numbered year the necessary election officials for each polling
17 place. If no regular meeting is scheduled, the mayor, president or chairperson shall
18 call a special meeting for the purpose of considering nominations no later than
19 December 31.

20 **SECTION 111.** 7.30 (4) (b) (intro.) of the statutes is amended to read:

21 7.30 (4) (b) (intro.) The 2 dominant parties, under sub. (2), are each responsible
22 for submitting a list of names from which ~~the~~ all appointees to inspector positions,
23 other than appointees to inspector positions authorized under sub. (1) (b), shall be
24 chosen.

25 **SECTION 112.** 7.30 (4) (b) 1. of the statutes is amended to read:

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1 7.30 (4) (b) 1. In cities where there is a board of election commissioners, the
2 aldermanic district committeemen or committeewomen under s. 8.17 of each of the
3 2 dominant recognized political parties shall submit a certified list no later than
4 November 30 of each ~~even-numbered~~ odd-numbered year containing the names of
5 at least as many nominees as there are inspectors from that party for each of the
6 voting wards in the aldermanic district. The chairperson may designate any
7 individual whose name is submitted as a first choice nominee. The board of election
8 commissioners shall appoint, no later than December 31 of ~~even-numbered~~
9 odd-numbered years, at least 5 inspectors for each ward. The board of election
10 commissioners shall appoint all first choice nominees for so long as positions are
11 available, unless nonappointment is authorized under par. (e), and shall appoint
12 other individuals in its discretion. The board of election commissioners may
13 designate such alternates as it deems advisable.

14 **SECTION 113.** 7.30 (4) (c) of the statutes is amended to read:

15 7.30 (4) (c) ~~For~~ Except with respect to inspectors who are appointed under sub.
16 (1) (b), for so long as nominees are made available by the political parties under this
17 section, appointments may be made only from the lists of submitted nominees. If the
18 lists are not submitted by November 30 of the year in which appointments are to be
19 made, the board of election commissioners shall appoint, or the mayor, president or
20 chairperson of a municipality shall nominate qualified persons whose names have
21 not been submitted. If an insufficient number of nominees appears on the lists as
22 of November 30, the board of election commissioners shall similarly appoint, or the
23 mayor, president or chairperson shall similarly nominate sufficient individuals to fill
24 the remaining vacancies. In addition, the mayor, president, or board chairperson of
25 the municipality shall similarly nominate qualified persons to serve in the inspector

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1 positions authorized under sub. (1) (b). Any appointment which is made due to the
2 lack of availability of names submitted under par. (b) may be made without regard
3 to party affiliation.

4 **SECTION 114.** 7.30 (6) (a) of the statutes is amended to read:

5 7.30 (6) (a) ~~The Except as provided in par. (am), the~~ appointed election officials
6 shall hold office for 2 years and until their successors are appointed and qualified.
7 They shall serve at every election held in their ward during their term of office.

8 **SECTION 115.** 7.30 (6) (am) of the statutes is created to read:

9 7.30 (6) (am) A pupil appointed as an inspector under sub. (2) (am) shall serve
10 as an inspector only for the election for which he or she is appointed. Nothing in this
11 paragraph shall be construed to limit the number of times a pupil may be appointed
12 as an inspector.

13 **SECTION 116.** 7.30 (6) (b) of the statutes is amended to read:

14 7.30 (6) (b) Prior to the first election following the appointment of the
15 inspectors, the municipal clerk shall appoint one of the inspectors at each polling
16 place, ~~other than an inspector who is appointed under sub. (1) (b),~~ to serve as chief
17 inspector. No person may serve as chief inspector at any election who is not certified
18 by the board under s. 7.31 at the time of the election. The chief inspector shall hold
19 the position for the remainder of the term unless the inspector is removed by the clerk
20 or the inspector ceases to be certified under s. 7.31, except that whenever wards are
21 combined or separated under s. 5.15 (6) (b), the municipal clerk shall appoint another
22 inspector who is certified under s. 7.31 to serve as chief inspector at each polling place
23 designated under s. 5.15 (6) (b). If a vacancy occurs in the position of chief inspector
24 at any polling place, the municipal clerk shall appoint one of the other inspectors who
25 is certified under s. 7.31 to fill the vacancy.

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1 **SECTION 117.** 7.30 (6) (c) of the statutes is amended to read:

2 7.30 **(6)** (c) If any election official appointed under this section lacks the
3 qualifications set forth in this section, fails to attend training sessions required
4 under s. 7.15 (1) (e) unless excused therefrom, is guilty of neglecting his or her official
5 duties or commits official misconduct, the municipal clerk or board of election
6 commissioners shall summarily remove the official from office and the vacancy shall
7 be filled under sub. (2) (b).

8 **SECTION 118.** 7.315 of the statutes is created to read:

9 **7.315 Training of other election officials. (1)** (a) The board shall, by rule,
10 prescribe the contents of the training that municipal clerks must provide to
11 inspectors, other than chief inspectors, to special voting deputies appointed under
12 s. 6.875, and to special registration deputies appointed under ss. 6.26 and 6.55 (6).

13 (b) 1. Except as provided in subd. 2., no individual may serve as an inspector,
14 other than a chief inspector, as a special voting deputy under s. 6.875, or as a special
15 registration deputy under s. 6.26 or 6.55 (6) at any election unless the individual has
16 completed training for that election provided by the municipal clerk pursuant to
17 rules promulgated under par. (a).

18 2. Only when an individual who has received training under subd. 1. is
19 unavailable to perform his or her election duties due to sickness, injury, or other
20 unforeseen occurrence may an individual who has not received training under subd.
21 1. be appointed to serve as an inspector, other than chief inspector, or a special voting
22 deputy or special registration deputy. The appointment of an individual to serve
23 under this subdivision shall be for a specific election and no individual may be
24 appointed under this subdivision more than one time in a 2-year period.

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1 (2) The board shall, by rule, prescribe requirements for, and the content of,
2 training required of municipal clerks under s. 7.15 (1m). The board may provide such
3 training directly or arrange for such training to be provided by other organizations.
4 The rules may not require training more than once every 2 years. The rules shall
5 provide a method for notifying the relevant municipal governing body if a municipal
6 clerk fails to attend required training.

7 (3) The board may produce and periodically reissue as necessary a video
8 program for the purpose of training election officials, including special voting
9 deputies and special registration deputies. The board shall make any such program
10 available for viewing electronically through an Internet-based system.

11 **SECTION 119.** 7.32 of the statutes is amended to read:

12 **7.32 Change of election official numbers.** Notwithstanding s. 7.30 (1) (a),
13 the governing body or board of election commissioners of any municipality may by
14 resolution reduce the number of election officials and modify or rescind any similar
15 previous action. No such action may reduce the number of officials at a polling place
16 to less than 3.

17 **SECTION 120.** 7.33 (3) of the statutes is amended to read:

18 7.33 (3) Every employer shall grant to each employee who is appointed to serve
19 as an election official under s. 7.30 a leave of absence for the entire 24-hour period
20 of each election day in which the official serves in his or her official capacity. An
21 employee who serves as an election official shall provide his or her employer with at
22 least 7 days' notice of application for a leave. The municipal clerk shall verify
23 appointments upon request of any employer.

24 **SECTION 121.** 7.33 (4) of the statutes is amended to read:

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1 7.33 (4) Except as otherwise provided in this subsection, each local
2 governmental unit, as defined in s. 16.97 (7), may, and each state agency shall, upon
3 proper application under sub. (3), permit each of its employees to serve as an election
4 official under s. 7.30 without loss of fringe benefits or seniority privileges earned for
5 scheduled working hours during the period specified in sub. (3), without loss of pay
6 for scheduled working hours during the period specified in sub. (3) except as provided
7 in sub. (5), and without any other penalty. For employees who are included in a
8 collective bargaining unit for which a representative is recognized or certified under
9 subch. V of ch. 111, this subsection shall apply unless otherwise provided in a
10 collective bargaining agreement.

11 **SECTION 122.** 7.33 (6) of the statutes is amended to read:

12 7.33 (6) Each employer other than a state agency shall, upon proper application
13 under sub. (3), permit each of its employees to serve as an election official under s.
14 7.30 without loss of fringe benefits or seniority privileges earned for scheduled
15 working hours during the period specified in sub. (3), and shall not impose any other
16 penalty upon an employee who serves as an election official, except the employer
17 need not pay wages to an employee for time not worked while the employee is serving
18 as an election official.

19 **SECTION 123.** 7.37 (2) of the statutes is amended to read:

20 7.37 (2) PRESERVE ORDER. The inspectors shall possess full authority to
21 maintain order and to enforce obedience to their lawful commands during the
22 election and the canvass of the votes. They shall permit only one person in a voting
23 booth at a time and shall prevent any person from taking notice of how another
24 person has voted, except when assistance is given under s. 6.82. They shall enforce
25 s. 5.35 (5) and prevent electioneering and distribution of election-related material

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1 from taking place in violation of s. ss. 12.03 and 12.035. If any person refuses to obey
2 the lawful commands of an inspector, or is disorderly in the presence or hearing of
3 the inspectors, interrupts or disturbs the proceedings, they may order any law
4 enforcement officer to remove the person from the voting area or to take the person
5 into custody.

6 **SECTION 124.** 7.37 (13) of the statutes is created to read:

7 **7.37 (13) CLOSING OF POLLS.** *For each polling place, the municipal clerk*
8 ~~At the time the polls officially close, an inspector,~~
9 ~~including an inspector appointed under s. 7.30 (1) (b), shall~~
10 ~~at the time that the polls officially close~~
11 ~~at the end of the line of individuals waiting to vote, if any. Only individuals in line~~
12 ahead of the ~~inspector~~ *official* shall be permitted to vote under s. 6.78 (4).
The official may be an inspector or special registration deputy appointed under s. 6.55 (6) who serves at that polling place, an employee of the municipal clerk or a police officer.

11 **SECTION 125.** 7.41 of the statutes is amended to read:

12 **7.41 Public's right to access. (1)** Any member of the public may be present
13 at any polling place, in the office of any municipal clerk whose office is located in a
14 public building on any day that absentee ballots may be cast in that office, or at an
15 alternate site under s. 6.855 on any day that absentee ballots may be cast at that site
16 for the purpose of observation of an election and the absentee ballot voting process,
17 except a candidate whose name appears on the ballot at the polling place or on an
18 absentee ballot to be cast at the clerk's office or alternate site at that election. The
19 chief inspector or municipal clerk may reasonably limit the number of persons
20 representing the same organization who are permitted to observe an election under
21 this subsection at the same time.

22 **(2)** The chief inspector or municipal clerk may restrict the location of any
23 individual exercising the right under sub. (1) to certain areas within a polling place,
24 the clerk's office, or alternate site under s. 6.855. The chief inspector or municipal
25 clerk shall clearly designate such an area as an observation area. Designated

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1 observation areas shall be so positioned to permit any authorized individual to
2 readily observe all public aspects of the voting process.

3 (3) The chief inspector or municipal clerk may order the removal of any
4 individual exercising the right under sub. (1) if that individual commits an overt act
5 which:

6 (a) Disrupts the operation of the polling place, clerk's office, or alternate site
7 under s. 6.855; or

8 (b) Violates s. 12.03 (2) or 12.035.

9 (4) No individual exercising the right under sub. (1) may view the confidential
10 portion of a registration list maintained under s. 6.36 (4) or a poll list maintained
11 under s. 6.79 (6). However, the inspectors or municipal clerk shall disclose to such
12 an individual, upon request, the existence of such a list, the number of electors whose
13 names appear on the list, and the number of those electors who have voted at any
14 point in the proceedings. No such individual may view the certificate of an absent
15 elector who obtains a confidential listing under s. 6.47 (2).

16 **SECTION 126.** 7.41 (5) of the statutes is created to read:

17 7.41 (5) The board shall promulgate rules regarding the proper conduct of
18 individuals exercising the right under sub. (1), including the interaction of those
19 individuals with inspectors and other election officials.

20 **SECTION 127.** 7.51 (1) of the statutes is amended to read:

21 7.51 (1) CANVASS PROCEDURE. Immediately after the polls close the inspectors
22 except any inspector appointed under s. 7.30 (1) (b) shall proceed to canvass publicly
23 all votes received at the polling place. In any municipality where an electronic voting
24 system is used, the municipal governing body or board of election commissioners may
25 provide or authorize the municipal clerk or executive director of the board of election

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1 commissioners to provide for the adjournment of the canvass to one or more central
2 counting locations for specified polling places in the manner prescribed in subch. III
3 of ch. 5. No central counting location may be used to count votes at a polling place
4 where an electronic voting system is not employed. The canvass, whether conducted
5 at the polling place or at a central counting location, shall continue without
6 adjournment until the canvass is completed and the return statements are
7 statement is made or, in municipalities where absentee ballots are canvassed under
8 s. 7.52, until the canvass of all ballots cast is completed and the return statement for
9 those ballots are made. The inspectors shall not permit access to the name of any
10 elector who has obtained a confidential listing under s. 6.47 (2) during the canvass,
11 except as authorized in s. 6.47 (8).

12 **SECTION 128.** 7.51 (2) (c) of the statutes is amended to read:

13 7.51 (2) (c) Whenever the number of ballots exceeds the number of voting
14 electors as indicated on the poll list, the inspectors shall place all ballots face up to
15 check for blank ballots. In this paragraph, "blank ballot" means a ballot on which
16 no votes are cast for any office or question. The inspectors shall mark, lay aside and
17 preserve any blank ballots. If Except in municipalities where absentee ballots are
18 canvassed under s. 7.52, if the number of ballots still exceeds the number of voting
19 electors, the inspectors shall place all ballots face down and proceed to check for the
20 initials. The inspectors shall mark, lay aside and preserve any ballot not bearing the
21 initials of 2 inspectors or any absentee ballot not bearing the initials of the municipal
22 clerk. During the count the inspectors shall count those ballots cast by challenged
23 electors the same as the other ballots.

24 **SECTION 129.** 7.51 (2) (e) of the statutes is amended to read:

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1 7.51 (2) (e) If, Except in municipalities where absentee ballots are canvassed
2 under s. 7.52, if after any ballots have been laid aside, the number of ballots still
3 exceeds the total number of electors recorded on the poll list, the inspectors shall
4 separate the absentee ballots from the other ballots. If there is an excess number of
5 absentee ballots, the inspectors shall place the absentee ballots in the ballot box and
6 one of the inspectors shall publicly and without examination draw therefrom by
7 chance the number of ballots equal to the excess number of absentee ballots. If there
8 is an excess number of ~~other~~ nonabsentee ballots, the inspectors shall place those
9 ballots in the ballot box and one of the inspectors shall publicly and without
10 examination draw therefrom by chance the number of ballots equal to the excess
11 number of those ballots. All ballots so removed may not be counted but shall be
12 specially marked as having been removed by the inspectors on original canvass due
13 to an excess number of ballots, set aside and preserved. When the number of ballots
14 and total shown on the poll list agree, the inspectors shall return all ballots to be
15 counted to the ballot box and shall turn the ballot box in such manner as to
16 thoroughly mix the ballots. The inspectors shall then open, count and record the
17 number of votes. When the ballots are counted, the inspectors shall separate them
18 into piles for ballots similarly voted. Objections may be made to placement of ballots
19 in the piles at the time the separation is made.

20 **SECTION 130.** 7.51 (3) (d) of the statutes is amended to read:

21 7.51 (3) (d) All Except in municipalities where absentee ballots are canvassed
22 under s. 7.52, all absentee certificate envelopes which have been opened shall be
23 returned by the inspectors to the municipal clerk in a securely sealed carrier
24 envelope which is clearly marked “used absentee certificate envelopes”. The
25 envelopes shall be signed by the chief inspector and 2 other inspectors. Except when

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1 the ballots are used in a municipal or school district election only, the municipal clerk
2 shall transmit the used envelopes to the county clerk.

3 **SECTION 131.** 7.51 (4) (a) of the statutes is amended to read:

4 7.51 (4) (a) The tally sheets shall state the total number of votes cast for each
5 office and for each individual receiving votes for that office, whether or not the
6 individual's name appears on the ballot, and shall state the vote for and against each
7 proposition voted on. Upon completion of the tally sheets, the inspectors shall
8 immediately complete the inspectors' statements in duplicate statement. The
9 inspectors shall state the excess, if any, by which the number of ballots exceeds the
10 number of electors voting as shown by the poll list and shall state the number of the
11 last elector as shown by the poll lists. At least 3 inspectors, including the chief
12 inspector and, unless election officials are appointed under s. 7.30 (4) (c) without
13 regard to party affiliation, at least one inspector representing each political party,
14 but not including any inspector appointed under s. 7.30 (1) (b), shall then certify to
15 the correctness of the ~~statements~~ statement and tally sheets and sign their names.
16 All other election officials assisting with the tally shall also certify to the correctness
17 of the tally sheets. When the tally is complete, the inspectors shall publicly announce
18 the results from the ~~statements~~ statement.

19 **SECTION 132.** 7.51 (5) (a) of the statutes is amended to read:

20 7.51 (5) (a) 1. The inspectors shall make full and accurate return of the votes
21 cast for each candidate and proposition on tally sheet forms provided by the
22 municipal clerk for that purpose. Each tally sheet shall record the returns for each
23 office or referendum by ward, unless combined returns are authorized in accordance
24 with s. 5.15 (6) (b) in which case the tally sheet shall record the returns for each group
25 of combined wards.

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1 2. After recording the votes, the inspectors shall seal in a carrier envelope
2 outside the ballot bag or container ~~one inspectors' statement under sub. (4) (a), one~~
3 tally sheet, and one poll list for delivery to the county clerk, unless the election relates
4 only to municipal or school district offices or referenda.

5 3. The inspectors shall also ~~similarly seal one~~ the inspectors' statement, inside
6 a separate carrier envelope, and shall similarly seal in a separate carrier envelope
7 one tally sheet, and one poll list for delivery to the municipal clerk. For school district
8 elections, except in 1st class cities, the inspectors shall ~~similarly seal one inspectors'~~
9 ~~statement,~~ one tally sheet, and one poll list for delivery to the school district clerk.

10 4. The inspectors shall immediately deliver all ballots, statements, tally sheets,
11 lists, and envelopes to the municipal clerk.

12 **SECTION 133.** 7.51 (5) (a) 5. of the statutes is created to read:

13 7.51 (5) (a) 5. Upon receipt of the materials under subd. 4., the municipal clerk
14 shall make sufficient copies of the inspectors' statement under sub. (4) (a) and seal
15 one copy of the statement inside a carrier envelope together with the envelope
16 containing any materials required to be delivered to the county clerk or the school
17 district clerk. The municipal clerk shall retain the original inspectors' statement.

18 **SECTION 134.** 7.51 (5) (b) of the statutes is amended to read:

19 7.51 (5) (b) The municipal clerk shall ~~arrange for delivery of~~ deliver all ballots,
20 statements, tally sheets, lists, and envelopes relating to a school district election to
21 the school district clerk by 4 p.m. on the day following each such election. The
22 municipal clerk shall deliver the ballots, statements, tally sheets, lists, and
23 envelopes for his or her municipality relating to any county, technical college district,
24 state, or national election to the county clerk by ~~2~~ 4 p.m. on the day following each
25 such election or, in municipalities where absentee ballots are canvassed under s.

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1 7.52, by 4. p.m. on the 2nd day following each such election. The person delivering
 2 the returns shall be paid out of the municipal treasury. Each clerk shall retain
 3 ballots, statements, tally sheets, or envelopes received by the clerk until destruction
 4 is authorized under s. 7.23 (1).

5 **SECTION 135.** 7.52 of the statutes is created to read:

6 **7.52 Canvassing of absentee ballots. (1)** ^(a) The governing body of any
 7 municipality may provide by ordinance that, in lieu of canvassing absentee ballots
 8 at polling places under s. 6.88, the municipal board of absentee ballot canvassers
 9 designated under s. 7.53 (2m) shall canvass all absentee ballots at all elections held
 10 in the municipality. ~~Thereafter, at every election,~~ the board of absentee ballot
 11 canvassers shall, any time after the opening of the polls and before 10 p.m. on election
 12 day, publicly convene to count the absentee ballots for the municipality. The
 13 municipal clerk shall give at least 48 hours' notice of any meeting under this
 14 subsection. Any member of the public has the same right of access to a meeting of
 15 the municipal absentee ballot board of canvassers under this subsection that the
 16 individual would have under s. 7.41 to observe the proceedings at a polling place. The
 17 board of absentee ballot canvassers may order the removal of any individual
 18 exercising the right to observe the proceedings if the individual disrupts the meeting.

Prior to enacting an ordinance under this subsection, the municipal clerk or board of election commissioners of the municipality shall notify the board in writing of the proposed enactment and shall consult with the board concerning administration of this section. At every election held in the municipality following enactment of an ordinance under this subsection,

19 **(2)** In counting the absentee ballots, the board of absentee ballot canvassers
 20 shall use 2 duplicate copies of a single poll list for the entire municipality prepared
 21 in accordance with s. 6.36 (2). Upon accepting each absentee ballot, the board of
 22 absentee ballot canvassers shall enter a poll list number on the poll list next to the
 23 name of the elector who voted the ballot, beginning with the number one. If the
 24 elector's name does not appear on the poll list, the board of absentee ballot

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1 canvassers shall enter the number on a separate list maintained under this
2 subsection.

3 (3) (a) The board of absentee ballot canvassers shall first open the carrier
4 envelope only, and, in such a manner that a member of the public, if he or she desired,
5 could hear, announce the name of the absent elector or the identification serial
6 number of the absent elector if the elector has a confidential listing under s. 6.47 (2).

7 When the board of absentee ballot canvassers finds that the certification has been
8 properly executed, ^{and} the applicant is a qualified elector of the ward or election district,

9 ~~and the applicant has not voted in the election,~~ the board of absentee ballot
10 canvassers shall enter an indication on the poll list next to the applicant's name
11 indicating an absentee ballot is cast by the elector. The board of absentee ballot
12 canvassers shall then open the envelope containing the ballot in a manner so as not
13 to deface or destroy the certification thereon. The board of absentee ballot
14 canvassers shall take out the ballot without unfolding it or permitting it to be
15 unfolded or examined. Unless the ballot is cast under s. 6.95, the board of absentee
16 ballot canvassers shall verify that the ballot has been endorsed by the issuing clerk.

17 The board of absentee ballot canvassers shall mark the poll list number of each
18 elector who casts an absentee ballot on the back of the elector's ballot. The board of
19 absentee ballot canvassers shall then deposit the ballot into the proper ballot box and
20 enter the absent elector's name or poll list number after his or her name on the poll
21 list.

22 (b) When the board of absentee ballot canvassers finds that a certification is
23 insufficient, that the applicant is not a qualified elector in the ward or election
24 district, that the ballot envelope is open or has been opened and resealed, that the
25 ballot envelope contains more than one ballot of any one kind, or that the certificate

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1 of an elector who received an absentee ballot by facsimile transmission or electronic
2 mail is missing, or if proof is submitted to the board of absentee ballot canvassers that
3 an elector voting an absentee ballot has since died, the board of absentee ballot
4 canvassers shall not count the ballot. Each member of the board of absentee ballot
5 canvassers shall endorse every ballot not counted on the back as “rejected (giving the
6 reason).” The board of absentee ballot canvassers shall reinsert each rejected ballot
7 into the certificate envelope in which it was delivered and enclose the certificate
8 envelopes and ballots, and securely seal the ballots and envelopes in an envelope
9 marked for rejected absentee ballots. The board of absentee ballot canvassers shall
10 endorse the envelope as “rejected ballots,” with a statement of the ward or election
11 district and date of the election, and each member of the board of absentee ballot
12 canvassers shall sign the statement. The board of absentee ballot canvassers shall
13 then return the envelope containing the ballots to the municipal clerk.

14 (4) (a) The board of absentee ballot canvassers shall then open the ballot box
15 and remove and count the number of ballots therein without examination except as
16 is necessary to ascertain that each is a single ballot. If 2 or more ballots are folded
17 together so as to appear as a single ballot, the board of absentee ballot canvassers
18 shall lay them aside until the count is completed; and if, after a comparison of the
19 count and the appearance of the ballots it appears to the board of absentee ballot
20 canvassers that the ballots folded together were voted by the same person they shall
21 not be counted but the board of absentee ballot canvassers shall mark them as to the
22 reason for removal, set them aside, and carefully preserve them. The board of
23 absentee ballot canvassers shall then proceed under par. (b).

24 (b) When during the counting of the ballots cast at an election the board of
25 absentee ballot canvassers finds that a ballot is so defective that it cannot determine

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1 with reasonable certainty for whom it was cast, the board of absentee ballot
2 canvassers shall so mark the ballot and preserve it. The board of absentee ballot
3 canvassers shall not count the vote cast on the ballot for any office for which it
4 determines the ballot to be defective.

5 (c) Whenever the number of ballots exceeds the number of voting electors as
6 indicated on the poll list, the board of absentee ballot canvassers shall place all
7 ballots face up to check for blank ballots. In this paragraph, “blank ballot” means
8 a ballot on which no votes are cast for any office or question. The board of absentee
9 ballot canvassers shall mark, lay aside, and preserve any blank ballots. If the
10 number of ballots still exceeds the number of voting electors, the board of absentee
11 ballot canvassers shall place all ballots face down and proceed to check for the
12 initials. The board of absentee ballot canvassers shall mark, lay aside, and preserve
13 any ballot not bearing the initials of the municipal clerk. During the count, the board
14 of absentee ballot canvassers shall count those ballots cast by challenged electors the
15 same as the other ballots.

16 (d) The board of absentee ballot canvassers shall keep a written statement, in
17 duplicate, of the number of ballots set aside and the number of defective ballots and
18 challenged ballots. The statement shall contain a record of the reasons for setting
19 aside each ballot and the reasons why each defective or challenged ballot is defective
20 or challenged. The board of absentee ballot canvassers shall certify that the
21 statement is correct, sign it, and attach it to the tally sheets.

22 (e) If, after any ballots have been set aside, the number of ballots still exceeds
23 the total number of electors recorded on the poll list, the board of absentee ballot
24 canvassers shall place the absentee ballots in the ballot box and one of the members
25 shall publicly and without examination draw therefrom by chance the number of

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1 ballots equal to the excess number of ballots. All ballots so removed shall not be
2 counted but shall be specially marked as having been removed by the board of
3 absentee ballot canvassers on original canvass due to an excess number of ballots,
4 set aside, and preserved. When the number of ballots and total shown on the poll list
5 agree, the board of absentee ballot canvassers shall return all ballots to be counted
6 to the ballot box and shall turn the ballot box in such manner as to thoroughly mix
7 the ballots. The board of absentee ballot canvassers shall then open, count, and
8 record the number of votes. When the ballots are counted, the board of absentee
9 ballot canvassers shall separate them into piles for ballots similarly voted.
10 Objections may be made to placement of ballots in the piles at the time the separation
11 is made.

12 (f) If corrected ballots under s. 5.06 (6) or 5.72 (3) are distributed under s. 7.10
13 (3), only the votes cast on the corrected ballots may be counted for any office or
14 referendum in which the original ballots differ from the corrected ballots.

15 (g) The board of absentee ballot canvassers shall place together all ballots
16 counted by it that relate to any national, state, or county office or any state, county,
17 or technical college district referendum and secure them together so they cannot be
18 untied or tampered with without breaking the seal. The secured ballots, together
19 with any ballots marked "Defective," shall then be secured by the board of absentee
20 ballot canvassers in the ballot container in such a manner that the container cannot
21 be opened without breaking the seals or locks, or destroying the container. The board
22 of absentee ballot canvassers shall place the ballots cast under s. 6.97 in a separate,
23 securely sealed carrier envelope which is clearly marked "Section 6.97 ballots." Each
24 member of the board of absentee ballot canvassers shall sign the carrier envelope.
25 The carrier envelope shall not be placed in the ballot container. The board of

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1 absentee ballot canvassers shall then deliver the ballots to the municipal clerk in the
2 ballot container and carrier envelope.

3 (h) For ballots that relate only to municipal or school district offices or
4 referenda, the board of absentee ballot canvassers, in lieu of par. (a), after counting
5 the ballots shall return them to the proper ballot boxes, lock the boxes, paste paper
6 over the slots, sign their names to the paper, and deliver them and the keys therefor
7 to the municipal or school district clerk. The clerk shall retain the ballots until
8 destruction is authorized under s. 7.23.

9 (i) All absentee certificate envelopes that have been opened shall be returned
10 by the board of absentee ballot canvassers to the municipal clerk in a securely sealed
11 carrier envelope that is clearly marked “used absentee certificate envelopes.” The
12 envelopes shall be signed by each member of the board of absentee ballot canvassers.
13 Except when the ballots are used in a municipal or school district election only, the
14 municipal clerk shall transmit the used envelopes to the county clerk.

15 (5) The vote of any absent elector may be challenged for cause and the board
16 of absentee ballot canvassers shall have all the power and authority given the
17 inspectors to hear and determine the legality of the ballot the same as if the ballot
18 had been voted in person.

19 (6) (a) The board of absentee ballot canvassers shall review each certificate
20 envelope to determine whether any absentee ballot is cast by an elector whose name
21 appears on the poll list as ineligible to vote at the election, including ineligibility to
22 vote by reason of a felony conviction. If the board of absentee ballot canvassers
23 receives an absentee ballot that has been cast by an elector whose name appears on
24 the poll list as ineligible to vote, the inspectors shall challenge the ballot in the same
25 manner as provided for inspectors making challenges under s. 6.92 and shall treat

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1 the ballot in the manner as provided for treatment of challenged ballots by inspectors
2 under s. 6.95.

3 (b) Any elector may challenge for cause any absentee ballot. For the purpose
4 of deciding upon ballots that are challenged for any reason, the board of absentee
5 ballot canvassers may call before it any person whose absentee ballot is challenged
6 if the person is available to be called. If the person challenged refuses to answer fully
7 any relevant questions put to him or her by the board of absentee ballot canvassers
8 under s. 6.92, the board of absentee ballot canvassers shall reject the person's vote.
9 If the challenge is not withdrawn after the person offering to vote has answered the
10 questions, one of the members of the board of absentee ballot canvassers shall
11 administer to the person the following oath or affirmation: "You do solemnly swear
12 (or affirm) that: you are 18 years of age; you are a citizen of the United States; you
13 are now and for 10 days have been a resident of this ward except under s. 6.02 (2),
14 stats.; you have not voted at this election; you have not made any bet or wager or
15 become directly or indirectly interested in any bet or wager depending upon the
16 result of this election; you are not on any other ground disqualified to vote at this
17 election." If the person challenged refuses to take the oath or affirmation, the
18 person's vote shall be rejected. If the person challenged answers fully all relevant
19 questions put to the elector by the board of absentee ballot canvassers under s. 6.92,
20 takes the oath or affirmation, and fulfills the applicable registration requirements,
21 and if the answers to the questions given by the person indicate that the person meets
22 the voting qualification requirements, the person's vote shall be received.

23 (7) The board of absentee ballot canvassers shall maintain tally sheets on
24 forms provided by the municipal clerk, which shall state the total number of votes
25 cast for each office and for each individual receiving votes for that office, whether or

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1 not the individual's name appears on the ballot, and shall state the vote for and
2 against each proposition voted on. Upon completion of the canvass of the absentee
3 ballots, the board of absentee ballot canvassers shall immediately complete
4 statements in duplicate. The statements shall state the excess, if any, by which the
5 number of ballots exceeds the number of electors voting as shown by the poll list used
6 by the board of absentee ballot canvassers under this section and shall state the poll
7 list number of the last elector as shown by the poll list. Each member of the board
8 of absentee ballot canvassers shall then certify to the correctness of the statements
9 and tally sheets and sign their names. All other election officials assisting with the
10 tally shall also certify to the correctness of the tally sheets. When the tally is
11 complete, the board of absentee ballot canvassers shall publicly announce the results
12 from the statements, and the records of the count are open to public inspection and
13 copying under s. 19.35 (1).

14 (8) The board of absentee ballot canvassers shall make full and accurate return
15 of the votes cast for each candidate and proposition on the tally sheet forms. Each
16 tally sheet shall record the returns for each office or referendum by ward, unless
17 combined returns are authorized in accordance with s. 5.15 (6) (b), in which case the
18 tally sheet shall record the returns for each group of combined wards. After
19 recording the votes, the board of absentee ballot canvassers shall seal in a carrier
20 envelope outside the ballot bag or container one inspector's statement under sub. (4)
21 (d), one tally sheet, and one poll list for delivery to the county clerk, unless the
22 election relates only to municipal or school district offices or referenda. The board
23 of absentee ballot canvassers shall also similarly seal one statement, one tally sheet,
24 and one poll list for delivery to the municipal clerk.

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1 **(9)** The governing body of any municipality that has provided by ordinance
2 enacted under sub. (1) for the canvassing of absentee ballots at all elections held in
3 the municipality under this section may by similar action rescind that decision.
4 Thereafter, the absentee ballots at all elections held in the municipality shall be
5 canvassed as provided in s. 6.88.

6 **SECTION 136.** 7.53 (1) of the statutes is amended to read:

7 **7.53 (1) MUNICIPALITIES WITH ONE POLLING PLACE.** Where the municipality
8 constitutes one ward or combines all wards to utilize a single polling place under s.
9 5.15 (6) (b), the canvass of the votes cast at the polling place shall be conducted
10 publicly under s. 7.51 and the inspectors, other than any inspector appointed under
11 s. 7.30 (1) (b), shall act as the municipal board of canvassers. In municipalities where
12 absentee ballots are canvassed under s. 7.52, after the canvass of the absentee ballots
13 is completed under s. 7.52, the board of absentee ballot canvassers shall reconcile the
14 poll list of the electors who vote by absentee ballot with the corresponding poll list
15 of the electors who vote in person to ensure that no elector is allowed to cast more
16 than one ballot. If an elector who votes in person has submitted an absentee ballot,
17 the absentee ballot is void. Upon completion of the canvass under this subsection and
18 any canvass that is conducted under s. 7.52 and ascertainment of the results by the
19 inspectors or, in municipalities where absentee ballots are canvassed under s. 7.52,
20 by the inspectors and the board of absentee ballot canvassers, the municipal clerk
21 shall publicly read to the inspectors or the board of absentee ballot canvassers the
22 names of the persons voted for and the number of votes for each person for each
23 municipal office, the names of the persons declared by the inspectors or board of
24 absentee ballot canvassers to have won nomination or election to each municipal

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1 office, and the number of votes cast for and against each municipal referendum
2 question.

3 **SECTION 137.** 7.53 (2) (a) of the statutes is amended to read:

4 7.53 (2) (a) 1. Except as provided in par. (c), the municipal board of canvassers
5 for municipal elections in each municipality utilizing more than one polling place
6 shall be composed of the municipal clerk and 2 other qualified electors of the
7 municipality appointed by the clerk. The members of the board of canvassers shall
8 serve for 2-year terms commencing on January 1 of each odd-numbered year, except
9 that any member who is appointed to fill a permanent vacancy shall serve for the
10 unexpired term of the original appointee.

11 2. If the municipal clerk's office is vacant, or if the clerk cannot perform his or
12 her duties ~~or if the clerk is a candidate at an election being canvassed~~, the mayor,
13 president or board chairperson of the municipality shall designate another qualified
14 elector of the municipality to serve in lieu of the clerk for that election.

15 4. If any other member of the board of canvassers is a candidate at the election
16 being canvassed, the clerk shall appoint another qualified elector of the municipality
17 to temporarily fill the vacancy.

18 **SECTION 138.** 7.53 (2) (a) 3. of the statutes is created to read:

19 7.53 (2) (a) 3. If the clerk is a candidate at an election being canvassed, the clerk
20 may perform his or her duties on the board of canvassers only if the clerk does not
21 have an opponent whose name appears on the ballot, or in the case of a recount, if
22 the office the clerk is seeking is not a subject of the recount. If the clerk is a candidate
23 at the election being canvassed and has an opponent whose name appears on the
24 ballot or if the office the clerk is seeking is a subject of a recount, the mayor, president

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1 of board chairperson of the municipality shall designate another qualified elector of
2 the municipality to serve in lieu of the elector for that election.

3 **SECTION 139.** 7.53 (2) (d) of the statutes is amended to read:

4 7.53 (2) (d) The municipal board of canvassers shall publicly canvass the
5 returns of every municipal election. The canvass shall begin within 24 hours after
6 the polls close. After any canvass of the absentee ballots is completed under s. 7.52,
7 the board of canvassers shall reconcile the poll list of the electors who vote by
8 absentee ballot with the corresponding poll list of the electors who vote in person to
9 ensure that no elector is allowed to cast more than one ballot. If an elector who votes
10 in person has submitted an absentee ballot, the absentee ballot is void. At the spring
11 election, the board of canvassers shall publicly declare the results on or before the
12 2nd Tuesday in April. The board of canvassers shall prepare a statement showing
13 the results of each election for any municipal office and each municipal referendum.
14 After each primary for municipal offices, the board of canvassers shall prepare a
15 statement certifying the names of those persons who have won nomination to office.
16 After each other election for a municipal office and each municipal referendum, the
17 board of canvassers shall prepare a determination showing the names of the persons
18 who are elected to each municipal office and the results of each municipal
19 referendum. The board of canvassers shall file each statement and determination
20 in the office of the municipal clerk or board of election commissioners.

21 **SECTION 140.** 7.53 (2m) of the statutes is created to read:

22 7.53 (2m) BOARD OF ABSENTEE BALLOT CANVASSERS. (a) If a municipality elects
23 to count absentee ballots in the manner provided for in s. 7.52, the municipality shall
24 establish a board of absentee ballot canvassers as provided in par. (b).

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1 (b) Except as provided in par. (c), the municipal board of absentee ballot
2 canvassers shall be composed of the municipal clerk, or a qualified elector of the
3 municipality designated by the clerk, and 2 other qualified electors of the
4 municipality appointed by the clerk. The members of the absentee ballot board of
5 canvassers shall serve for 2-year terms commencing on January 1 of each
6 odd-numbered year, except that any member who is appointed to fill a permanent
7 vacancy shall serve for the unexpired term of the original appointee. If the municipal
8 clerk's office is vacant or if the clerk and the clerk's designee cannot perform his or
9 her duties, the mayor, president, or board chairperson of the municipality shall
10 designate another qualified elector of the municipality to serve in lieu of the clerk for
11 that election. If the clerk is a candidate at an election being canvassed, the clerk or
12 the clerk's designee may perform the clerk's duties on the board of absentee ballot
13 canvassers only if the clerk does not have an opponent whose name appears on the
14 ballot. If the clerk is a candidate at the election being canvassed by the board of
15 absentee ballot canvassers and has an opponent whose name appears on the ballot,
16 the mayor, president, or board chairperson of the municipality shall designate
17 another qualified elector of the municipality to serve in lieu of the clerk and his or
18 her designee for that election. If any other member of the board of absentee ballot
19 canvassers is a candidate at the election being canvassed, the clerk shall appoint
20 another qualified elector of the municipality to temporarily fill the vacancy.

21 (c) Nothing in this subsection precludes a municipal clerk from appointing
22 individuals to the board of absentee ballot canvassers who are simultaneously
23 serving on any other board of canvassers.

24 **SECTION 141.** 7.60 (2) of the statutes is amended to read: