

2013 Senate Bill 20 (LRB -0931)

An Act to amend 7.30 (2) (a) and (b) of the statutes; relating to: residency of election officials.

2013

- 02-13. S. Introduced by Senators **Lazich, Cowles, Grothman and Miller**; cosponsored by Representatives **Bernier, Kleefisch, Bies, Thiesfeldt and Schraa** 65
- 02-13. S. Read first time and referred to Elections and Urban Affairs 65
- 09-04. S. Public hearing held
- 10-31. S. Senate Amendment 1 offered by Senator Lazich (**LRB a0856**) 450
- 10-31. S. Senate Amendment 2 offered by Senator Lazich (**LRB a1097**) 450
- 10-31. S. Senator Miller withdrawn as a coauthor 450
- 10-31. S. Executive action taken
- 11-01. S. Report introduction of Senate Substitute Amendment 1 by Elections and Urban Affairs, Ayes 5, Noes 0 (**LRB s0112**) 452
- 11-01. S. Report adoption of Senate Amendment 1 recommended by Elections and Urban Affairs, Ayes 5, Noes 0 452
- 11-01. S. Report adoption of Senate Amendment 2 recommended by Elections and Urban Affairs, Ayes 4, Noes 1 452
- 11-01. S. Report passage as amended recommended by Elections and Urban Affairs, Ayes 3, Noes 2 452
- 11-01. S. Available for scheduling

2014

- 03-07. S. Placed on calendar 3-11-2014 pursuant to Senate Rule 18(1) 743
- 03-11. S. Senate Amendment 1 to Senate Amendment 1 offered by Senators Lassa, Hansen, Erpenbach, Carpenter, L. Taylor, Vinehout, Harris, Shilling, Lehman, Miller, T. Cullen, Risser and C. Larson (**LRB a2085**) 750
- 03-11. S. Placed at the foot of the 12th on the calendar of 3-11-2014, Ayes 18, Noes 15 753
- 03-11. S. Read a second time 761
- 03-11. S. Senate Amendment 1 to Senate Amendment 1 rejected, Ayes 18, Noes 15 761
- 03-11. S. **Senate Amendment 1 adopted** 761
- 03-11. S. **Senate Amendment 2 adopted** 761
- 03-11. S. Ordered to a third reading 761
- 03-11. S. Refused to suspend rules, Ayes 18, Noes 15 761
- 03-12. S. Read a third time and **passed**, Ayes 17, Noes 16 769
- 03-12. S. Ordered immediately messaged 770
- 03-12. A. Received from Senate 737
- 03-18. A. Read first time and referred to committee on Rules 749
- 03-18. A. Made a special order of business at 10:21 AM on 3-20-2014 pursuant to Assembly Resolution 28 766
- 03-20. A. Read a second time
- 03-20. A. Assembly Amendment 1 offered by Representatives Zamarripa, Zepnick and Hulsey (**LRB a2234**)
- 03-20. A. Assembly Amendment 1 laid on table, Ayes 56, Noes 38
- 03-20. A. Ordered to a third reading
- 03-20. A. Rules suspended
- 03-20. A. Read a third time and **concurred in**, Ayes 56, Noes 38
- 03-20. A. Ordered immediately messaged
- 03-21. S. Received from Assembly concurred in

2013

ENROLLED BILL

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ADOPTED DOCUMENTS:

Orig Engr SubAmdt

13-0931/1 ✓

Amendments to above (if none, write "NONE"):

SA1 — a 0856/1 ✓
SA2 — a 1097/3 ✓

Corrections - show date (if none, write "NONE"):

~~None~~

ccc is to
SA2

→ CCC in enrolling (3/26/14)

Topic

Rel

3-26-14

Date

JR Miller

Enrolling Drafter



2013 SENATE BILL 20

February 13, 2013 - Introduced by Senators LAZICH, COWLES, GROTHMAN and MILLER, cosponsored by Representatives BERNIER, KLEEFISCH, BIES, THIESFELDT and SCHRAA. Referred to Elections and Urban Affairs.

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

Analysis by the Legislative Reference Bureau

Current law generally requires election officials to be qualified electors of the municipality in which the officials serve. In addition, current law generally requires election officials who serve at a polling place to be qualified electors of the ward for which the polling place is established, whenever a municipality is divided into wards. However, special 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 must be qualified electors of the municipality in which they serve. Officials who are appointed to work at a polling place that serves more than one ward must be electors of one of the wards served by the polling place. A high school pupil who is 16 or 17 years of age may serve as an inspector (poll worker) at the polling place serving his or her residence. In addition, if the municipal clerk or the executive director of a board of election commissioners or a deputy to the clerk or executive director serves as a special registration deputy or is appointed to work at a polling place to fill a vacancy in an inspector position, the clerk, executive director, or deputy need not be a resident of the municipality in which he or she serves.

This bill provides, with certain exceptions, that an individual who serves as an election official at a polling place on election day need be an elector only of a county

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in which the municipality where the official serves is located. An individual who serves as the chief inspector at a polling place must be a qualified elector of the municipality where he or she serves unless no qualified candidate is available or the chief inspector is appointed to fill a temporary vacancy. A high school pupil who serves as an inspector must continue to meet the current residency requirement.

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 or s. 6.875 may
3 conduct an election. Except as otherwise provided in this paragraph and in ss. 7.15
4 (1) (k) and 7.52 (1) (b), each election official shall be a qualified elector of ~~the ward~~
5 ~~or wards, or the election district, for a county in which the polling place is established.~~
6 ~~A special registration deputy who is appointed under s. 6.55 (6) or an election official~~
7 ~~who is appointed under this section to fill a vacancy under par. (b) need not be a~~
8 ~~resident of the ward or wards, or the election district, but shall be a resident of the~~
9 ~~municipality, except that if~~ where the official serves is located, and each chief
10 inspector shall be a qualified elector of the municipality in which the chief inspector
11 serves. If no qualified candidate for chief inspector is available or if the chief
12 inspector is appointed to fill a vacancy under par. (b), the person so appointed need
13 not be a qualified elector of the municipality. If a municipal clerk or deputy clerk
14 serves as a registration deputy or is appointed to fill a vacancy under par. (b), the
15 clerk or deputy clerk need not be a resident of the municipality county, but shall be
16 a resident of the state. No more than 2 individuals holding the office of clerk or
17 deputy clerk may serve without regard to municipal county residency in any
18 municipality at any election. Special registration deputies who are appointed under
19 s. 6.55 (6) may be appointed to serve more than one polling place. All officials

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1 appointed under this section shall be able to read and write the English language,
2 be capable, and be of good understanding, and may not be a candidate for any office
3 to be voted for at an election at which they serve. In 1st class cities, they may hold
4 no public office other than notary public. Except as authorized under subs. (1) (b) and
5 (4) (c), all inspectors shall be affiliated with one of the 2 recognized political parties
6 which received the largest number of votes for president, or governor in
7 nonpresidential general election years, in the ward or combination of wards served
8 by the polling place at the last election. Excluding the inspector who may be
9 appointed under sub. (1) (b), the party which received the largest number of votes is
10 entitled to one more inspector than the party receiving the next largest number of
11 votes at each polling place. ~~Election officials appointed under this section may serve~~
12 ~~the electors of more than one ward where wards are combined under s. 5.15 (6) (b).~~
13 ~~If a municipality is not divided into wards, the ward requirements in this paragraph~~
14 ~~apply to the municipality at large.~~

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

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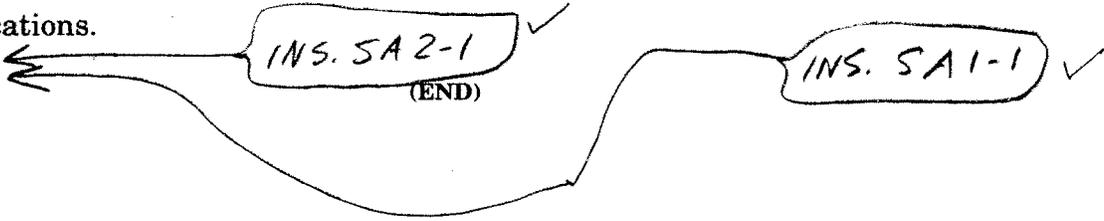
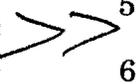
SECTION 1

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

INS. SA 2-1 ✓

(END)

INS. SA 1-1 ✓





**SENATE AMENDMENT 1,
TO SENATE BILL 20**

October 31, 2013 – Offered by Senator LAZICH.

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

2 ✓ 1. Page 4, line 5: after that line insert:

3 “SECTION 1m. 7.30 (4) (c) of the statutes is amended to read:

4 7.30 (4) (c) Except with respect to inspectors who are appointed under sub. (1)
5 (b), for so long as nominees are made available by the political parties under this
6 section, appointments may be made only from the lists of submitted nominees
7 submitted under this subsection. If the lists are not submitted by November 30 of
8 the year in which appointments are to be made, the board of election commissioners
9 shall appoint, or the mayor, president or chairperson of a municipality shall
10 nominate, qualified persons whose names have not been submitted. The board of
11 election commissioners shall give priority to appointing, and the mayor, president,
12 or chairperson of the municipality shall give priority to nominating, qualified
13 electors of the municipality for which no list of nominees was submitted. If an

SAI-1

1 insufficient number of qualified electors of the municipality can be identified, the
2 board of election commissioners may appoint, and the mayor, president, or
3 chairperson of the municipality may nominate, qualified electors of a county within
4 which the municipality is located. If an insufficient number of nominees appears on
5 the lists as of November 30, the board of election commissioners shall similarly
6 appoint, or the mayor, president or chairperson shall similarly nominate, sufficient
7 individuals to fill the remaining vacancies. In addition, the mayor, president, or
8 board chairperson of the municipality shall similarly nominate qualified persons to
9 serve in the inspector positions authorized under sub. (1) (b). Any appointment
10 under this paragraph which is made due to the lack of availability of names
11 submitted under par. (b) may be made without regard to party affiliation.”.

12

(END)



State of Wisconsin
2013-2014 LEGISLATURE

CORRECTIONS IN:

**· SENATE AMENDMENT 2,
TO SENATE BILL 20**

Prepared by the Legislative Reference Bureau
(March 26, 2014)

In enrolling, the following correction was made:

1. Page 2, line 11: delete "SECTION 1r" and substitute "SECTION 1k".

(END)



**SENATE AMENDMENT 2,
TO SENATE BILL 20**

October 31, 2013 - Offered by Senator LAZICH.

SA2-1 ✓

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

2 ✓ 1. Page 4, line 5: after that line insert:

3 SECTION 1g. 7.30 (4) (b) 1. of the statutes is amended to read:

4 7.30 (4) (b) 1. In cities where there is a board of election commissioners, the
5 ~~aldermanic district committeemen or committeewomen~~ the county committee under
6 s. 8.17 of each of the 2 ~~dominant~~ recognized political parties described under sub. (2)
7 shall submit a certified list no later than November 30 of each odd-numbered year
8 containing the names of ~~at least as many~~ nominees as there are inspectors from that
9 party for each of the voting wards in the aldermanic district. For inspectors serving
10 under s. 7.52 (1) (b), the ~~aldermanic district committeemen and committeewomen~~
11 county committees under s. 8.17 of the 2 ~~dominant~~ recognized political parties
12 described under sub. (2) shall ~~jointly~~ submit a certified list of ~~nominees~~
13 at least twice as many the names of nominees as there are inspectors from that party

1 who are to be appointed under s. 7.52 (1) (b). The chairperson may designate any
 2 individual whose name is submitted as a first choice nominee. The chairperson shall
 3 sign any list submitted under this subdivision. The board of election commissioners
 4 shall appoint, no later than December 31 of odd-numbered years, at least 5
 5 inspectors for each ward. The Unless nonappointment is authorized under par. (e),
 6 the board of election commissioners shall appoint all first choice nominees for so long
 7 as positions are available, unless nonappointment is authorized under par. (e), and,
 8 The board of election commissioners shall appoint other individuals in its discretion.
 9 The board of election commissioners and may designate such alternates as it deems
 10 advisable.

SECTION 1k

SECTION 1k

stays

CCC
(in enrolling)

SECTION 1k. 7.30 (4) (b) 2. of the statutes is amended to read:

12 7.30 (4) (b) 2. a. In municipalities a municipality other than cities and villages
 13 a city or village located in ~~counties~~ a county having a population of more than
 14 500,000, the committees organized under s. 8.17 ~~from~~ for each of the 2 ~~dominant~~
 15 recognized political parties described under sub. (2) shall submit a list containing at
 16 least as many the names as there are needed appointees of nominees from that party.
 17 The list shall be submitted by the chairperson of each of the 2 committees shall
 18 submit the list to the mayor, president, or chairperson, or clerk of the municipality,
 19 or to his or her agent, or shall deliver or mail the list to the office of the municipality.
 20 If the chairperson submits the list to the municipal clerk or his or her agent, the clerk
 21 shall immediately forward the list to the mayor, president, or chairperson of the
 22 municipality. If committees are organized in subdivisions of a city, ~~the list shall be~~
 23 ~~submitted through the chairperson of the city committee shall submit the list.~~ If
 24 there is no municipal committee, ~~the list shall be submitted by the chairperson of the~~
 25 county or legislative district committee shall submit the list. Except as provided in

1 par. (c), only those persons submitted by the chairperson of each committee under s.
2 8.17 may act as election officials. The chairperson of each committee under s. 8.17
3 may designate any individual whose name is submitted as a first choice nominee.
4 The list ~~shall contain the signature of the~~ chairperson and secretary of the
5 submitting committee shall sign the list.

6 b. In cities a city or villages village located in counties a county having a
7 population of more than 500,000, other than cities a city where there is a board of
8 election commissioners, ~~the~~ if there is an aldermanic district or village
9 ~~committeeman or committeewoman~~ member of a committee under s. 8.17 for the
10 ward or wards where each a polling place is located, ~~if there is one, or for the~~
11 committee member shall submit a list containing the names of nominees from the
12 recognized political party, described under sub. (2), represented by the committee
13 member. For inspectors serving to be appointed under s. 7.52 (1) (b), the
14 ~~committeemen and committeewomen for the municipality acting jointly, committee~~
15 members of the committees under s. 8.17 for the 2 recognized political parties
16 described under sub. (2) for the municipality acting jointly shall submit a list
17 containing at least as many the names as there are needed appointees for inspector
18 positions of nominees from the party represented by the ~~committeeman or~~
19 ~~committeewoman or by the committeemen and committeewomen~~ committee
20 members of the committees for the municipality acting jointly. For appointments of
21 Nominations for inspectors to be appointed in cities and villages a city or village
22 where there is no aldermanic district or village ~~committeeman or committeewoman,~~
23 ~~nominations~~ committee member shall proceed in the same manner as in
24 ~~municipalities~~ a municipality located in counties a county having a population of
25 500,000 or less. The list appropriate committee member, committee members, or

1 ~~chairperson shall be submitted~~ submit the list to the mayor ~~or, president, or clerk of~~
2 the municipality, or to his or her agent, or shall deliver or mail the list to the office
3 of the municipality. If the list is submitted to the municipal clerk or his or her agent,
4 the clerk shall immediately forward the list to the mayor or president. Except as
5 provided in par. (c), only those persons whose names are submitted as provided in
6 this paragraph may act as election officials. ~~The committeeman or committeewoman~~
7 appropriate committee member, committee members, or chairperson may designate
8 any individual whose name is submitted as a first choice nominee. ~~The list shall~~
9 ~~contain the signature of the aldermanic district or village committeeman or~~
10 ~~committeewoman~~ committee member or the chairperson of the appropriate
11 committee shall sign the list.

12 c. ~~Upon~~ Unless nonappointment is authorized under par. (e), upon submission
13 ~~of each nominee's name~~ the lists of names as provided under subd. 2. a. or b., the
14 governing body shall appoint each first choice nominee for so long as positions to be
15 filled from that list are available, ~~unless nonappointment is authorized under par.~~
16 ~~(e), and.~~ The governing body shall appoint other nominees in its discretion. If any
17 nominee is not appointed, the mayor, president, or chairperson of the municipality
18 shall immediately nominate another person from the appropriate lists submitted
19 and continue until the necessary number of election officials from each party is
20 achieved at that meeting.”.

21 (END)