

**2013 DRAFTING REQUEST**

**Bill**

Received: 9/20/2012 Received By: jkuesel  
Wanted: As time permits Same as LRB:  
For: Mary Lazich (608) 266-5400 By/Representing: Andrew Hanus  
May Contact: Drafter: jkuesel  
Subject: Elections - miscellaneous Addl. Drafters:  
Extra Copies:

Submit via email: YES  
Requester's email: Sen.Lazich@legis.wisconsin.gov  
Carbon copy (CC) to: joseph.kreye@legis.wisconsin.gov  
tracy.kuczenski@legis.wisconsin.gov

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Party representation at polling places

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**Instructions:**

Per attached #8.

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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 10/24/2012	evinz 10/30/2012		_____			
/1			rschluet 10/30/2012	_____	srose 10/30/2012	lparisi 4/18/2013	

FE Sent For:

*None*

<END>

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Per attached #8.

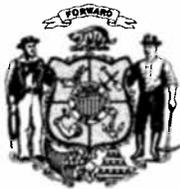
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12/1	jkuesel 10/24/12	11 eev 10/30/12	11 eev 10/30/12				

FE Sent For:

<END>

1. **Full access to election documents during recount.** Change recount statutes so that candidates have complete access to all Election Day documents during a recount, including same-day registration documents. If a candidate finds errors with an Election Day registration, they could arguably be used to warrant a draw down.
  - a. Potential problems: Confidential information on registration forms may need to be redacted, and there wouldn't be much time to do it.
2. **Greater recount efficiency.** Clarify in statute that members of the board of canvass may deputize tabulators to allow them to handle absentees. Currently only members of the board of canvass may handle absentee ballots during a recount.
3. **Greater ballot security by mandating only the chief elections inspector may seal ballot bags.**
4. **Better record of proof of residency.** Currently, there is a space on new registration forms where an election worker may write the type of proof of residency provided. Require that poll workers fill this out.
5. **Clarify that a missing poll book signature results in a draw down during a recount.**
6. **Clarify that a missing witness address results in an invalid absentee ballot.**
7. **Larger pool of GAB nominees.** Modify 5.052 to give the governor more choices when appointing GAB members. → Already in drafting
8. **Party representation should apply to individual tasks at polling place, not just polling place generally.** Currently, each of the two political parties gets proportional representation at each polling place, but arguably some stations within the polling place (such as the registration table) are more important. The statutes should guarantee each party equal representation at each station within each polling place.
9. **Poll worker residency.** Currently, election officials are generally required to be qualified electors of the ward or municipality in which they serve. 2011 SB 269 would have expanded this to *county*, but the bill failed to pass the Assembly. It passed the Senate 17-16.
10. **Require that remade ballots are marked as such in a uniform location.** During recounts, it is often difficult to pick out remade ballots because each polling place marks them differently and in different locations on the ballots. Prescribing a uniform method and location for marking them will make it easier to identify remade ballots.



1

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

AD  
RF

1

AN ACT <sup>(generate)</sup> relating to: party representation for election officials serving at polling places.

2

**Analysis by the Legislative Reference Bureau**

Currently, polling places are staffed principally by election inspectors. Unless a municipality decides to increase or decrease the number of inspectors, there are <sup>(7)</sup> inspectors at each polling place. With certain exceptions, the individuals who are appointed as inspectors at a polling place are drawn from nominations submitted by the political parties whose candidates for president or governor received the most votes in the area served by the polling place at the preceding general election, with the party whose candidate received the most votes entitled to fill one more position than the other party.

This bill provides that whenever <sup>(2)</sup> or more inspectors are assigned to perform ~~different functions~~ within a polling place and both parties that are entitled to submit nominees have done so, the chief inspector must assign ~~the functions to be performed~~ <sup>(SP)</sup> ~~equally~~ in so far as practicable, by inspectors drawn from the nominees of each party.

function

(an equal number of inspectors)

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

3

SECTION 1. 7.30 (2) (a) of the statutes is amended to read:

4

7.30 (2) (a) Only election officials appointed under this section or s. 6.875 may

5

conduct an election. Except as otherwise provided in this paragraph and in ss. 7.15

1 (1) (k) and 7.52 (1) (b), each election official shall be a qualified elector of the ward  
2 or wards, or the election district, for which the polling place is established. A special  
3 registration deputy who is appointed under s. 6.55 (6) or an election official who is  
4 appointed under this section to fill a vacancy under par. (b) need not be a resident  
5 of the ward or wards, or the election district, but shall be a resident of the  
6 municipality, except that if a municipal clerk or deputy clerk serves as a registration  
7 deputy or is appointed to fill a vacancy under par. (b), the clerk or deputy clerk need  
8 not be a resident of the municipality, but shall be a resident of the state. No more  
9 than 2 individuals holding the office of clerk or deputy clerk may serve without  
10 regard to municipal residency in any municipality at any election. Special  
11 registration deputies who are appointed under s. 6.55 (6) may be appointed to serve  
12 more than one polling place. All officials appointed under this section shall be able  
13 to read and write the English language, be capable, and be of good understanding,  
14 and may not be a candidate for any office to be voted for at an election at which they  
15 serve. In 1st class cities, they may hold no public office other than notary public.  
16 Except as authorized under subs. (1) (b) and (4) (c), all inspectors shall be affiliated  
17 with one of the 2 recognized political parties which received the largest number of  
18 votes for president, or governor in nonpresidential general election years, in the ward  
19 or combination of wards served by the polling place at the last election. Excluding  
20 the inspector who may be appointed under sub. (1) (b), the party which received the  
21 largest number of votes is entitled to one more inspector than the party receiving the  
22 next largest number of votes at each polling place. Whenever 2 or more inspectors  
23 are assigned to perform different functions within a polling place and both parties  
24 that are entitled to submit nominees have done so, the chief inspector shall assign  
25 the functions to be performed equally, in so far as practicable, by inspectors drawn

25

*required a function*  
~~are assigned to perform different functions within a polling place and both parties~~  
~~that are entitled to submit nominees have done so, the chief inspector shall assign~~  
~~the functions to be performed equally, in so far as practicable, by inspectors drawn~~  
*an equal number of*



**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0123/1dn

JTK...@...

cev

date

Senator Lazich:

Currently, under s. 6.55 (6), stats., municipalities may elect to appoint special registration deputies for the purpose of registering electors at polling places. These special registration deputies are not inspectors and do not serve terms of office. They are appointed for one election only and they may be used elsewhere or not at all in the next election. The parties do not participate in the nomination or appointment process for these officials. Therefore, this draft does not affect these officials. If you want to discuss this matter further or to make any additional changes relating to these officials, please let me know.

Jeffery T. Kuesel  
Managing Attorney  
Phone: (608) 266-6778

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0123/1dn  
JTK:eev:rs

October 30, 2012

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Jeffery T. Kuesel  
Managing Attorney  
Phone: (608) 266-6778

**Parisi, Lori**

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**From:** Sieg, Tricia  
**Sent:** Thursday, April 18, 2013 11:17 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -0123/1 Topic: Party representation at polling places

Please Jacket LRB -0123/1 for the SENATE.

**Rose, Stefanie**

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**From:** Sen.Lazich  
**Sent:** Monday, April 29, 2013 4:09 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -0123/1 Topic: Party representation at polling places

Please Jacket LRB -0123/1 for the ASSEMBLY. Will be giving to Rep. Bernier to introduce

Any questions just call me

Tricia

Senator Lazich's office