



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-3063/1
JK:klm

2015 SENATE BILL 391

November 12, 2015 – Introduced by Senators LAZICH and WANGGAARD, cosponsored by Representatives VORPAGEL, HORLACHER, SKOWRONSKI, TAUCHEN, ALLEN, SANFELIPPO, EDMING, ZAMARRIPA, BERNIER, KUGLITSCH and E. BROOKS. Referred to Committee on Elections and Local Government.

1 **AN ACT to amend** 7.15 (1m), 7.31 (4), 7.315 (1) (b) 1., 7.315 (1) (b) 2., 7.53 (2) (a)
2 1., 7.53 (2m) (b) and 7.60 (2) of the statutes; **relating to:** training period for
3 election officials and terms for members of a board of canvassers.

Analysis by the Legislative Reference Bureau

This bill requires elections officials to attend at least one training session every two years during the period beginning on January 1 of each even-numbered year and ending on December 31 of the following year. Current law requires such training at least once every two years, but indicates neither the beginning nor the end of that period. The bill also changes the two-year term for members of a board of canvassers so that the term begins on January 1 of the even-numbered year rather than January 1 of the odd-numbered year.

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

4 **SECTION 1.** 7.15 (1m) of the statutes is amended to read:
5 7.15 (**1m**) ATTEND TRAINING. Each municipal clerk shall, at least once every 2
6 years during the period beginning on January 1 of each even-numbered year and

SENATE BILL 391**SECTION 1**

1 ending on December 31 of the following year, attend a training program sponsored
2 by the board under ss. 7.31 and 7.315.

3 **SECTION 2.** 7.31 (4) of the statutes is amended to read:

4 7.31 (4) The board shall require each individual to whom a certificate is issued
5 under this section to meet requirements to maintain that certification. The
6 requirements shall include a requirement to attend at least one training session held
7 under sub. (5) every 2 years during the period beginning on January 1 of each
8 even-numbered year and ending on December 31 of the following year. The board
9 shall renew the certificate of any individual who requests renewal and who meets the
10 requirements prescribed under this subsection.

11 **SECTION 3.** 7.315 (1) (b) 1. of the statutes is amended to read:

12 7.315 (1) (b) 1. Each inspector other than a chief inspector and each special
13 voting deputy appointed under s. 6.875 and special registration deputy appointed
14 under s. 6.26 or 6.55 (6) shall view or attend at least one training program every 2
15 years during the period beginning on January 1 of each even-numbered year and
16 ending on December 31 of the following year. Except as provided in subd. 2., no
17 individual may serve as an inspector, other than a chief inspector, as a special voting
18 deputy under s. 6.875, or as a special registration deputy under s. 6.26 or 6.55 (6) at
19 any election unless the individual has completed training for that election provided
20 by the municipal clerk pursuant to rules promulgated under par. (a) within 2 years
21 of the date of the election.

22 **SECTION 4.** 7.315 (1) (b) 2. of the statutes is amended to read:

23 7.315 (1) (b) 2. Only when an individual who has received training under subd.
24 1. is unavailable to perform his or her election duties due to sickness, injury, or other
25 unforeseen occurrence may an individual who has not received training under subd.

SENATE BILL 391**SECTION 4**

1 1. be appointed to serve as an inspector, other than chief inspector, or a special voting
2 deputy or special registration deputy. The appointment of an individual to serve
3 under this subdivision shall be for a specific election and no individual may be
4 appointed under this subdivision more than one time in a 2-year period beginning
5 on January 1 of each even-numbered year and ending on December 31 of the
6 following year.

7 **SECTION 5.** 7.53 (2) (a) 1. of the statutes is amended to read:

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

15 **SECTION 6.** 7.53 (2m) (b) of the statutes is amended to read:

16 7.53 (2m) (b) Except as provided in par. (c), the municipal board of absentee
17 ballot canvassers shall be composed of the municipal clerk, or a qualified elector of
18 the municipality designated by the clerk, and 2 other qualified electors of the
19 municipality appointed by the clerk. The members of the board of absentee ballot
20 canvassers shall serve for 2-year terms commencing on January 1 of each
21 ~~odd-numbered~~ even-numbered year, except that any member who is appointed to
22 fill a permanent vacancy shall serve for the unexpired term of the original appointee.
23 If the municipal clerk's office is vacant or if the clerk and the clerk's designee cannot
24 perform his or her duties, the mayor, president, or board chairperson of the
25 municipality shall designate another qualified elector of the municipality to serve in

SENATE BILL 391**SECTION 6**

1 lieu of the clerk for that election. If the clerk is a candidate at an election being
2 canvassed, the clerk or the clerk's designee may perform the clerk's duties on the
3 board of absentee ballot canvassers only if the clerk does not have an opponent whose
4 name appears on the ballot. If the clerk is a candidate at the election being canvassed
5 by the board of absentee ballot canvassers and has an opponent whose name appears
6 on the ballot, the mayor, president, or board chairperson of the municipality shall
7 designate another qualified elector of the municipality to serve in lieu of the clerk and
8 his or her designee for that election. If any other member of the board of absentee
9 ballot canvassers is a candidate at the election being canvassed, the clerk shall
10 appoint another qualified elector of the municipality to temporarily fill the vacancy.

11 **SECTION 7.** 7.60 (2) of the statutes is amended to read:

12 7.60 (2) COUNTY BOARD OF CANVASSERS. The county clerk and 2 qualified electors
13 of the county appointed by the clerk constitute the county board of canvassers. The
14 members of the board of canvassers shall serve for 2-year terms commencing on
15 January 1 of each ~~odd-numbered~~ even-numbered year, except that any member who
16 is appointed to fill a permanent vacancy shall serve for the unexpired term of the
17 original appointee. One member of the board of canvassers shall belong to a political
18 party other than the clerk's. The county clerk shall designate a deputy clerk who
19 shall perform the clerk's duties as a member of the board of canvassers in the event
20 that the county clerk's office is vacant, or the clerk cannot perform his or her duties.
21 If the county clerk and designated deputy clerk are both unable to perform their
22 duties, the county executive or, if there is no county executive, the chairperson of the
23 county board of supervisors shall designate another qualified elector of the county
24 to perform the clerk's duties. If a member other than the clerk cannot perform his
25 or her duties, the clerk shall appoint another member to serve. Except as otherwise

SENATE BILL 391

1 provided in this subsection, no person may serve on the county board of canvassers
2 if the person is a candidate for an office to be canvassed by that board. If the clerk
3 is a candidate at an election being canvassed, the clerk may perform his or her duties
4 on the board only if the clerk has no opponent whose name appears on the ballot, or,
5 in the case of a recount, if the office the clerk is seeking is not a subject of the recount.
6 If lists of candidates for the county board of canvassers are submitted to the county
7 clerk by political party county committees, the lists shall consist of at least 3 names
8 and the clerk shall choose the board members from the lists. Where there is a county
9 board of election commissioners, it shall serve as the board of canvassers. If the
10 county board of election commissioners serves as the board of canvassers, the
11 executive director of the county board of election commissioners shall serve as a
12 member of the board of canvassers to fill a temporary vacancy on that board.

SECTION 8. Nonstatutory provisions.

13
14 (1) TRANSITION TERMS. Notwithstanding sections 7.315 (1) (b) 2., 7.53 (2) (a) 1.,
15 7.53 (2m) (b), and 7.60 (2) of the statutes, as affected by this act, an election official
16 appointed to serve a 2-year term ending on December 31, 2016, shall serve until
17 December 31, 2017.

18 (END)