

2005 Assembly Bill 61

Date of enactment: **August 12, 2005**  
Date of publication\*: **August 26, 2005**

## 2005 WISCONSIN ACT 27

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

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

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

7.30 (2) (a) Only election officials appointed under this section may conduct an election. Except as ~~authorized in otherwise provided in this paragraph and in s. 7.15 (1) (k), each inspector~~ election official shall be a qualified elector of the ward or wards, or the election district, for which the polling place is established. ~~Special A special registration deputies~~ deputy who is appointed under s. 6.55 (6) ~~and or an election officials who are official who is~~ appointed to fill a vacancy under par. (b) need not be a resident of the ward or wards, or the election district, but shall be a resident of the municipality, except that if a municipal clerk or deputy clerk serves as a registration deputy or is appointed to fill a vacancy under par. (b), the clerk or deputy clerk need not be a resident of the municipality, but shall be a resident of the state. No more than 2 individuals holding the office of clerk or deputy clerk may serve without regard to municipal residency in any municipality at any election. Special registration deputies may be appointed to serve more than one polling place. All officials shall be able to read and write the English language, be capable, and be of good understanding, and may not be a candidate for any office to be voted for at an election at which they serve. In 1st class cities, they may hold no public office other than notary public.

Except as authorized under sub. (4) (c), all inspectors shall be affiliated with one of the 2 recognized political parties which received the largest number of votes for president, or governor in nonpresidential general election years, in the ward or combination of wards served by the polling place at the last election. The party which received the largest number of votes is entitled to one more inspector than the party receiving the next largest number of votes at each polling place. The same election officials may serve the electors of more than one ward where wards are combined under s. 5.15 (6) (b). If a municipality is not divided into wards, the ward requirements in this paragraph apply to the municipality at large.

(b) When a vacancy occurs, the vacancy shall be filled by appointment of the municipal clerk. The vacancy shall be filled from the remaining names on the lists submitted under sub. (4) or from additional names submitted by the chairperson of the county party committee of the appropriate party under sub. (4) whenever names are submitted under sub. (4) (d). If the vacancy is due to candidacy, sickness or any other temporary cause, the appointment shall be a temporary appointment and effective only for the election at which the temporary vacancy occurs. The same qualifications that applied to original appointees shall be required of persons who fill vacancies. ~~Vacancies, except that a vacancy~~ may be filled in cases of emergency or because of time limitations by a person ~~from~~ who resides in another aldermanic district or ward within the municipality, and if a municipal clerk

\* Section 991.11, WISCONSIN STATUTES 2003-04 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

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or deputy clerk fills the vacancy, the clerk or deputy, but not more than a total of 2 individuals in any municipality, may serve without regard to the clerk's or deputy's

municipality of residence, if the clerk or deputy meets the other qualifications.

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