



2013 SENATE BILL 20

1 **AN ACT** *to amend* 7.30 (2) (a) and (b), 7.30 (4) (b) 1., 7.30 (4) (b) 2. and 7.30 (4)
2 (c) of the statutes; **relating to:** residency of election officials.

Analysis by the Legislative Reference Bureau

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

3 **SECTION 1.** 7.30 (2) (a) and (b) of the statutes are 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
6 (1) (k) and 7.52 (1) (b), each election official shall be a qualified elector of the ward
7 or wards, or the election district, for a county in which the polling place is established.
8 A special registration deputy who is appointed under s. 6.55 (6) or an election official
9 who is appointed under this section to fill a vacancy under par. (b) need not be a
10 resident of the ward or wards, or the election district, but shall be a resident of the

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

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1 (b) When a vacancy occurs in an office under this section, the vacancy shall be
2 filled by appointment of the municipal clerk. Unless the vacancy occurs in the
3 position of an inspector appointed under sub. (1) (b), the vacancy shall be filled from
4 the remaining names on the lists submitted under sub. (4) or from additional names
5 submitted by the chairperson of the county party committee of the appropriate party
6 under sub. (4) whenever names are submitted under sub. (4) (d). If the vacancy is
7 due to candidacy, sickness or any other temporary cause, the appointment shall be
8 a temporary appointment and effective only for the election at which the temporary
9 vacancy occurs. The same qualifications that applied to original appointees shall be
10 required of persons who fill vacancies except that ~~a vacancy may be filled in cases of~~
11 ~~emergency or because of time limitations by a person who resides in another~~
12 ~~aldermanic district or ward within the municipality, and if a municipal clerk or~~
13 ~~deputy clerk fills the vacancy, the clerk or deputy, but not more than a total of 2~~
14 ~~individuals in any municipality, may serve without regard to the clerk's or deputy's~~
15 ~~municipality~~ county of residence, if the clerk or deputy meets the other
16 qualifications.

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

18 7.30 (4) (b) 1. In cities where there is a board of election commissioners, the
19 ~~aldermanic district committeemen or committeewomen~~ the county committee under
20 s. 8.17 of each of the 2 ~~dominant~~ recognized political parties described under sub. (2)
21 shall submit a certified list no later than November 30 of each odd-numbered year
22 containing the names of at least as many nominees as there are inspectors from that
23 party for each of the voting wards in the aldermanic district. For inspectors serving
24 under s. 7.52 (1) (b), the aldermanic district committeemen and committeewomen
25 county committees under s. 8.17 of the 2 ~~dominant~~ recognized political parties

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

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

14 7.30 (4) (b) 2. a. In municipalities a municipality other than cities and villages
15 a city or village located in counties a county having a population of more than
16 500,000, the committees organized under s. 8.17 ~~from~~ for each of the 2 dominant
17 recognized political parties described under sub. (2) shall submit a list containing at
18 least as many the names as there are needed appointees of nominees from that party.
19 The list shall be submitted by the chairperson of each of the 2 committees shall
20 submit the list to the mayor, president, or chairperson, or clerk of the municipality,
21 or to his or her agent, or shall deliver or mail the list to the office of the municipality.
22 If the chairperson submits the list to the municipal clerk or his or her agent, the clerk
23 shall immediately forward the list to the mayor, president, or chairperson of the
24 municipality. If committees are organized in subdivisions of a city, ~~the list shall be~~
25 ~~submitted through~~ the chairperson of the city committee shall submit the list. If

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1 there is no municipal committee, ~~the list shall be submitted by the chairperson of the~~
2 county or legislative district committee shall submit the list. Except as provided in
3 par. (c), only those persons submitted by the chairperson of each committee under s.
4 8.17 may act as election officials. The chairperson of each committee under s. 8.17
5 may designate any individual whose name is submitted as a first choice nominee.
6 ~~The list shall contain the signature of the chairperson and secretary of the~~
7 ~~submitting committee~~ shall sign the list.

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

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1 ~~municipalities~~ a municipality located in ~~counties~~ a county having a population of
2 500,000 or less. The list ~~appropriate committee member, committee members, or~~
3 ~~chairperson~~ shall ~~be submitted~~ submit the list to the mayor ~~or~~, president, or clerk of
4 the municipality, or to his or her agent, or shall deliver or mail the list to the office
5 of the municipality. If the list is submitted to the municipal clerk or his or her agent,
6 the clerk shall immediately forward the list to the mayor or president. Except as
7 provided in par. (c), only those persons whose names are submitted as provided in
8 this paragraph may act as election officials. ~~The committeeman or committeewoman~~
9 appropriate committee member, committee members, or chairperson may designate
10 any individual whose name is submitted as a first choice nominee. ~~The list shall~~
11 ~~contain the signature of the aldermanic district or village committeeman or~~
12 ~~committeewoman~~ committee member or the chairperson of the appropriate
13 committee shall sign the list.

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

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

24 7.30 (4) (c) Except with respect to inspectors who are appointed under sub. (1)
25 (b), for so long as nominees are made available by the political parties under this

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1 section, appointments may be made only from the lists of submitted nominees
2 submitted under this subsection. If the lists are not submitted by November 30 of
3 the year in which appointments are to be made, the board of election commissioners
4 shall appoint, or the mayor, president or chairperson of a municipality shall
5 nominate, qualified persons whose names have not been submitted. The board of
6 election commissioners shall give priority to appointing, and the mayor, president,
7 or chairperson of the municipality shall give priority to nominating, qualified
8 electors of the municipality for which no list of nominees was submitted. If an
9 insufficient number of qualified electors of the municipality can be identified, the
10 board of election commissioners may appoint, and the mayor, president, or
11 chairperson of the municipality may nominate, qualified electors of a county within
12 which the municipality is located. If an insufficient number of nominees appears on
13 the lists as of November 30, the board of election commissioners shall similarly
14 appoint, or the mayor, president or chairperson shall similarly nominate, sufficient
15 individuals to fill the remaining vacancies. In addition, the mayor, president, or
16 board chairperson of the municipality shall similarly nominate qualified persons to
17 serve in the inspector positions authorized under sub. (1) (b). Any appointment
18 under this paragraph which is made due to the lack of availability of names
19 submitted under par. (b) may be made without regard to party affiliation.

20

(END)