

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0931/P1dn

TKK:cjs:jm

January 17, 2013

Senator Lazich,

You have asked that I prepare a drafter's note discussing how and why this draft differs from 2011 Senate Bill 269.

2011 Senate Bill 269 amended s. 7.30 (2) (a) to require, with certain exceptions, that each election official be a "qualified elector of the county in which the polling place is located." This bill incorporates two changes made to this general requirement by Senate Substitute Amendment 1 to 2011 SB 269.

1. Municipalities in more than one county. This bill, like SSA 1 to 2011 SB 269, generally requires an individual who serves as an election official to be a qualified elector of a county in which the municipality where the election official serves is located, rather than of the county in which the polling place is located. This change was proposed after it was observed that several municipalities in the state cross county boundaries. This change would permit a larger pool of individuals to be available for appointment in such a municipality, in that individuals from either county could be appointed to serve as an election official in that municipality.

2. Chief inspectors. 2011 SB 269 did not distinguish between election officials and chief inspectors with respect to the geographical area from which the individual could be selected to serve. This bill, like SSA 1 to 2011 SB 269, requires the chief inspector to be a qualified elector of the municipality in which the chief inspector serves. As compared to the pool of individuals discussed in item 1., above, this change decreases the pool from which individuals could be selected to serve as chief inspector. In those cases in which the municipality within which the chief inspector is a qualified elector crosses a county boundary, however, the chief inspector would be able to serve at a polling place in either county, as long as the chief inspector is also a qualified elector of the municipality.

Please note that, as drafted, if no qualified candidate for chief inspector is available, this bill allows a chief inspector to be appointed who is not a qualified elector of the municipality but does not require that chief inspector to be a qualified elector of any jurisdiction, including the state. In contrast, current law and this bill requires a municipal clerk or deputy clerk who serves as a registration deputy or who is appointed to fill a vacancy under s. 7.30 (2) (b) to be a qualified elector of the state. Do you want to address this issue?

Please let me know if you have any questions or wish to discuss this further.

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