

CHAPTER 521

AN ACT to amend 10.01 and 10.63; and to repeal and recreate 10.04 of the statutes, relating to the manner of selecting election commissioners, inspectors and ballot clerks in each city having a population of 100,000 or more and election commissioner in each county containing a city of the first class.

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

SECTION 1. 10.01 of the statutes is amended to read:

10.01 There is created a board of election commissioners for each city having more than 100,000 inhabitants, however incorporated, composed of 3 members, who shall be appointed as follows: The mayor of each \* \* \* city shall appoint 3 members for terms of \* \* \* 4 years, respectively, dating from July 1 \* \* \*, 1953, and until their successors are commissioned and qualified. Successors shall be appointed in like manner and their terms of office shall be \* \* \* 4 years in all cases and until their successors are commissioned and qualified. The board shall be composed of \* \* \* 2 members from \* \* \* the \* \* \* most dominant political \* \* \* party, as shown by the returns of the vote \* \* \* in the state for governor at the last preceding general election, and one member from the next most dominant political party, as shown by the returns of the vote in the state for governor at the last preceding general election, and appointments shall be made in accordance with this rule. \* \* \* Such members shall be selected from respective party lists containing not less than 3 names submitted jointly by the county statutory committee and the duly constituted county voluntary committee of each of the 2 dominant political parties in the state. The board shall choose its own chairman. Such commissioners shall be legal voters, and residents of the state for at least 5 years, and of the city for a like period of time. They shall hold no other public office, the office of notary public excepted, and shall be ineligible to any other elective or appointive public office, while members of such board, and shall, before entering upon the duties of election commissioners, subscribe to an oath binding them to support the constitution of the United States and of the state of Wisconsin, and to conduct themselves faithfully and impartially in office; said oath of office to be filed in the office of the city clerk.

SECTION 2. 10.04 of the statutes is repealed and recreated to read:

10.04 BOARD APPOINTS ELECTION OFFICERS. The board of election commissioners shall during January of odd-numbered years appoint for each precinct in the city 3 qualified voters as inspectors of election and 2 qualified voters as ballot clerks, who shall be appointed and served as follows:

(1) CERTIFICATION OF APPOINTEES. The elected ward committeemen of each of the 2 dominant political parties as shown by the returns of the vote for presidential electors in the ward at the last preceding general election or as shown by the vote for its candidate for governor in the ward at the last preceding general election, in other than a presidential election, shall certify to the board a composite list containing the names of not less than 5 times as many names of voters as there are voting precincts in the ward. Three-fifths of the names on each list shall be designated as inspectors, first choices and alternates, and two-fifths as ballot clerks, first choices and alternates.

(2) APPOINTMENT OF INSPECTORS. The board shall appoint 3 inspectors for each precinct as follows:

(a) In each precinct, 2 inspectors from each list submitted by the most dominant political party as shown by the returns of the vote for presidential electors in such precinct at the last preceding general election or as shown by the vote for its candidate for governor in the precinct at the last preceding general election, in other than a presidential election, as provided by sub. (1), in order of first choices or in case of disability, in order of alternates on the respective lists.

(b) In each precinct, one inspector from each list submitted by the second most dominant party as shown by the returns of the vote for presidential electors in such precinct at the last preceding general election or as shown by the vote for its candidate for governor in the precinct at the last preceding general election in other than a presidential election as provided by sub. (1), in order of first choices or, in case of disability, in order of alternates on the respective lists.

(3) APPOINTMENT OF BALLOT CLERKS. The board shall appoint 2 ballot clerks in each precinct, one from each list submitted as provided in sub. (1) in order of first choices

or, in case of disability in order of alternates in the same list. In each precinct not more than one ballot clerk shall be in the same list. In each precinct not more than one ballot clerk shall be from the same political party.

(4) QUALIFICATIONS, TERMS AND OATH OF OFFICE. (a) Inspectors and ballot clerks shall be citizens of the United States; shall be of good repute and character; able to read and write the English language; be of good understanding and capable. They must reside in the ward for which they are selected to act, be entitled to vote therein at the next election and not hold any other public office, except notary public, and shall not be a candidate for any public office while acting as inspectors or ballot clerks.

(b) Inspectors and ballot clerks shall be appointed for terms of 2 years and until their successors have been appointed and qualified.

(c) Before entering upon the duties of office, each inspector and ballot clerk shall subscribe to a like oath to that taken by election commissioners, which shall be filed with the board, and no further oath shall be required of them.

(5) DUTIES. Inspectors shall serve at all elections in such cities and ballot clerks shall serve only when paper ballots are used. Ballot clerks shall, at the request of the board, assist inspectors in the canvassing of votes received at the respective polling places.

(6) FILLING VACANCIES. When a vacancy in the office of inspector or ballot clerk occurs, the board shall fill it by appointment from the list submitted, under sub. (1), by the political party out of which the vacancy occurred so as to preserve the proper balance of party representation prescribed by subs. (2) and (3).

(7) REMOVAL. If the board finds that any inspector or ballot clerk lacks the qualifications prescribed in sub. (4) (a) or is guilty of neglecting the duties of his office or any official misconduct, it shall summarily remove from office such inspector or ballot clerk and shall fill the vacancy as provided in sub. (6).

(8) DEFAULT APPOINTMENTS. In case of the failure of the committeemen to furnish the list as provided in sub. (1) on or before December 1 in each even-numbered year, the board shall make the appointments.

SECTION 3. 10.63 of the statutes is amended to read:

10.63 There is created a "County Board of Election Commissioners" for each county containing a city of the first class, composed of 3 members, who shall be appointed as follows: The chairman of the county board of such county shall appoint 3 members for terms of \* \* \* 4 years, respectively, dating from July \* \* \* 1, 1953, and until their successors are commissioned and qualified. Successors shall be \* \* \* appointed by the chairman of the county board with the advice and consent of the county board; successors to the offices of commissioner shall be elected at the expiration of each term by the county board from \* \* \* respective party lists containing not less than 3 names, selected and approved jointly by the \* \* \* county \* \* \* statutory committee and the duly constituted county voluntary committee of each of the \* \* \* 2 dominant political parties in such county, \* \* \* as shown by the returns of the vote in the state for governor at the last preceding general election. Terms of office shall be \* \* \* 4 years in all cases, beginning July \* \* \* 1, 1953 and until their successors are commissioned and qualified. The board shall be composed of \* \* \* 2 members from \* \* \* the \* \* \* most dominant political \* \* \* party, as shown by the returns of the vote for governor \* \* \* in the state at the last preceding general election, and \* \* \* one member from the second most dominant party as shown by the returns of the vote for governor in the state at the last preceding general election, and appointments shall be made in accordance with this rule. The board shall choose its own chairman. \* \* \* The commissioners shall be legal voters, and residents of the state for at least 5 years, and of the county for a like period of time. They shall hold no other public office, the offices of notary public and city election commissioner excepted, and shall be ineligible to any other elective or appointive public office while members of such board, and shall, before entering upon the duties of county election commissioners, make and file in the office of the county clerk the constitutional oath of office.

Approved July 14, 1953.