



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-0966/1  
JK:ahe

## 2017 ASSEMBLY BILL 85

February 24, 2017 - Introduced by Representatives SUBECK, E. BROOKS, BERCEAU, BOWEN, OHNSTAD, POPE, SARGENT, SINICKI, SPREITZER and C. TAYLOR, cosponsored by Senators BEWLEY and RINGHAND. Referred to Committee on Campaigns and Elections.

\*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

1     **AN ACT** *to renumber* 66.0501 (4); *to amend* 7.30 (2) (a) and 60.37 (4) (a); and *to*  
2           *create* 66.0501 (4) (b) of the statutes; **relating to:** allowing a local public  
3           official to serve as an election official.

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***Analysis by the Legislative Reference Bureau***

This bill provides that an individual holding a local public office may be appointed to serve as an election official without having to vacate the local public office. Current law prohibits an individual from serving as an election official at an election for which the individual is a candidate. The bill does not change that prohibition.

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

4           **SECTION 1.** 7.30 (2) (a) of the statutes is amended to read:  
5           7.30 (2) (a) Only election officials appointed under this section or s. 6.875 may  
6           conduct an election. Except as otherwise provided in this paragraph and in ss. 7.15  
7           (1) (k) and 7.52 (1) (b), each election official shall be a qualified elector of a county in  
8           which the municipality where the official serves is located, and each chief inspector

**ASSEMBLY BILL 85****SECTION 1**

1 shall be a qualified elector of the municipality in which the chief inspector serves.  
2 If no qualified candidate for chief inspector is available or if the chief inspector is  
3 appointed to fill a vacancy under par. (b), the person so appointed need not be a  
4 qualified elector of the municipality. If a municipal clerk or deputy clerk is appointed  
5 to fill a vacancy under par. (b), the clerk or deputy clerk need not be a resident of the  
6 county, but shall be a resident of the state. No more than 2 individuals holding the  
7 office of clerk or deputy clerk may serve without regard to county residency in any  
8 municipality at any election. All officials appointed under this section shall be able  
9 to read and write the English language, be capable, and be of good understanding,  
10 and may not be a candidate for any office to be voted for at an election at which they  
11 serve. An individual holding a local public office, as defined in s. 19.42 (7w), may be  
12 appointed to serve as an election official under this section without having to vacate  
13 the local public office. In 1st class cities, they may hold no public office other than  
14 notary public. Except as authorized under subs. (1) (b) and (4) (c), all inspectors shall  
15 be affiliated with one of the 2 recognized political parties which received the largest  
16 number of votes for president, or governor in nonpresidential general election years,  
17 in the ward or combination of wards served by the polling place at the last election.  
18 Excluding the inspector who may be appointed under sub. (1) (b), the party which  
19 received the largest number of votes is entitled to one more inspector than the party  
20 receiving the next largest number of votes at each polling place. Whenever 2 or more  
21 inspectors are required to perform a function within a polling place and both parties  
22 that are entitled to submit nominees have done so, the chief inspector shall assign,  
23 insofar as practicable, an equal number of inspectors from the nominees of each  
24 party.

25 **SECTION 2.** 60.37 (4) (a) of the statutes is amended to read:

**ASSEMBLY BILL 85****SECTION 2**

1           60.37 (4) (a) An elected town officer, other than a town clerk, a town treasurer,  
2           or an officer serving in a combined office of town clerk and town treasurer, who also  
3           serves as a town employee may be paid an hourly wage for serving as a town  
4           employee, not exceeding a total of \$5,000 each year. An elected town officer, who is  
5           a town clerk, a town treasurer, or an officer serving in a combined office of town clerk  
6           and town treasurer, who also serves as a town employee may be paid an hourly wage  
7           for serving as a town employee, not exceeding a total of \$15,000 each year. Amounts  
8           that are paid under this paragraph may be paid in addition to any amount that an  
9           individual receives under s. 60.32 or as a volunteer fire fighter, emergency medical  
10          technician, or first responder under s. 66.0501 (4) (a). The \$5,000 maximum in this  
11          paragraph includes amounts paid to a town board supervisor who is acting as  
12          superintendent of highways under s. 82.03 (1).

13           **SECTION 3.** 66.0501 (4) of the statutes is renumbered 66.0501 (4) (a).

14           **SECTION 4.** 66.0501 (4) (b) of the statutes is created to read:

15           66.0501 (4) (b) It is compatible with his or her office for a local public official,  
16           as defined in s. 19.42 (7x), to serve as an election official appointed under s. 7.30 (2)  
17           (a) and be compensated for that service, as provided under s. 7.03.

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(END)