

State of Wisconsin



2015 Senate Bill 391

Date of enactment: **March 1, 2016**
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2015 WISCONSIN ACT 229

AN ACT *to amend* 7.15 (1m), 7.31 (4), 7.315 (1) (b) 1., 7.315 (1) (b) 2., 7.53 (2) (a) 1., 7.53 (2m) (b) and 7.60 (2) of the statutes; **relating to:** training period for election officials and terms for members of a board of canvassers.

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

SECTION 1. 7.15 (1m) of the statutes is amended to read:

7.15 (1m) ATTEND TRAINING. Each municipal clerk shall, at least once every 2 years during the period beginning on January 1 of each even-numbered year and ending on December 31 of the following year, attend a training program sponsored by the board under ss. 7.31 and 7.315.

SECTION 2. 7.31 (4) of the statutes is amended to read:

7.31 (4) The board shall require each individual to whom a certificate is issued under this section to meet requirements to maintain that certification. The requirements shall include a requirement to attend at least one training session held under sub. (5) every 2 years during the period beginning on January 1 of each even-numbered year and ending on December 31 of the following year. The board shall renew the certificate of any individual who requests renewal and who meets the requirements prescribed under this subsection.

SECTION 3. 7.315 (1) (b) 1. of the statutes is amended to read:

7.315 (1) (b) 1. Each inspector other than a chief inspector and each special voting deputy appointed under s. 6.875 and special registration deputy appointed under

s. 6.26 or 6.55 (6) shall view or attend at least one training program every 2 years during the period beginning on January 1 of each even-numbered year and ending on December 31 of the following year. Except as provided in subd. 2., no individual may serve as an inspector, other than a chief inspector, as a special voting deputy under s. 6.875, or as a special registration deputy under s. 6.26 or 6.55 (6) at any election unless the individual has completed training for that election provided by the municipal clerk pursuant to rules promulgated under par. (a) within 2 years of the date of the election.

SECTION 4. 7.315 (1) (b) 2. of the statutes is amended to read:

7.315 (1) (b) 2. Only when an individual who has received training under subd. 1. is unavailable to perform his or her election duties due to sickness, injury, or other unforeseen occurrence may an individual who has not received training under subd. 1. be appointed to serve as an inspector, other than chief inspector, or a special voting deputy or special registration deputy. The appointment of an individual to serve under this subdivision shall be for a specific election and no individual may be appointed under this subdivision more than one time in a 2-year period beginning on January 1 of each even-numbered year and ending on December 31 of the following year.

SECTION 5. 7.53 (2) (a) 1. of the statutes is amended to read:

* Section 991.11, WISCONSIN STATUTES: 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."

7.53 (2) (a) 1. Except as provided in par. (c), the municipal board of canvassers for municipal elections in each municipality utilizing more than one polling place shall be composed of the municipal clerk and 2 other qualified electors of the municipality appointed by the clerk. The members of the board of canvassers shall serve for 2-year terms commencing on January 1 of each ~~odd-numbered~~ even-numbered year, except that any member who is appointed to fill a permanent vacancy shall serve for the unexpired term of the original appointee.

SECTION 6. 7.53 (2m) (b) of the statutes is amended to read:

7.53 (2m) (b) Except as provided in par. (c), the municipal board of absentee ballot canvassers shall be composed of the municipal clerk, or a qualified elector of the municipality designated by the clerk, and 2 other qualified electors of the municipality appointed by the clerk. The members of the board of absentee ballot canvassers shall serve for 2-year terms commencing on January 1 of each ~~odd-numbered~~ even-numbered year, except that any member who is appointed to fill a permanent vacancy shall serve for the unexpired term of the original appointee. If the municipal clerk's office is vacant or if the clerk and the clerk's designee cannot perform his or her duties, the mayor, president, or board chairperson of the municipality shall designate another qualified elector of the municipality to serve in lieu of the clerk for that election. If the clerk is a candidate at an election being canvassed, the clerk or the clerk's designee may perform the clerk's duties on the board of absentee ballot canvassers only if the clerk does not have an opponent whose name appears on the ballot. If the clerk is a candidate at the election being canvassed by the board of absentee ballot canvassers and has an opponent whose name appears on the ballot, the mayor, president, or board chairperson of the municipality shall designate another qualified elector of the municipality to serve in lieu of the clerk and his or her designee for that election. If any other member of the board of absentee ballot canvassers is a candidate at the election being canvassed, the clerk shall appoint another qualified elector of the municipality to temporarily fill the vacancy.

SECTION 7. 7.60 (2) of the statutes is amended to read:

7.60 (2) COUNTY BOARD OF CANVASSERS. The county clerk and 2 qualified electors of the county appointed by the clerk constitute the county board of canvassers. The members of the board of canvassers shall serve for 2-year terms commencing on January 1 of each ~~odd-numbered~~ even-numbered year, except that any member who is appointed to fill a permanent vacancy shall serve for the unexpired term of the original appointee. One member of the board of canvassers shall belong to a political party other than the clerk's. The county clerk shall designate a deputy clerk who shall perform the clerk's duties as a member of the board of canvassers in the event that the county clerk's office is vacant, or the clerk cannot perform his or her duties. If the county clerk and designated deputy clerk are both unable to perform their duties, the county executive or, if there is no county executive, the chairperson of the county board of supervisors shall designate another qualified elector of the county to perform the clerk's duties. If a member other than the clerk cannot perform his or her duties, the clerk shall appoint another member to serve. Except as otherwise provided in this subsection, no person may serve on the county board of canvassers if the person is a candidate for an office to be canvassed by that board. If the clerk is a candidate at an election being canvassed, the clerk may perform his or her duties on the board only if the clerk has no opponent whose name appears on the ballot, or, in the case of a recount, if the office the clerk is seeking is not a subject of the recount. If lists of candidates for the county board of canvassers are submitted to the county clerk by political party county committees, the lists shall consist of at least 3 names and the clerk shall choose the board members from the lists. Where there is a county board of election commissioners, it shall serve as the board of canvassers. If the county board of election commissioners serves as the board of canvassers, the executive director of the county board of election commissioners shall serve as a member of the board of canvassers to fill a temporary vacancy on that board.

SECTION 8. Nonstatutory provisions.

(1) TRANSITION TERMS. Notwithstanding sections 7.315 (1) (b) 2., 7.53 (2) (a) 1., 7.53 (2m) (b), and 7.60 (2) of the statutes, as affected by this act, an election official appointed to serve a 2-year term ending on December 31, 2016, shall serve until December 31, 2017.