

1981 Assembly Bill 977

Date published: May 6, 1982

CHAPTER 377 , Laws of 1981

AN ACT to repeal 5.51 (8); to renumber and amend 5.53 (3) and 8.185 (4); to amend 5.51 (2), (3), (6) and (7), 5.53 (1) and (2), 5.58 (1) (c), (2) (a), (2m) and (3), 5.60 (1) (b), (3) (intro.), (4) (title), (b) and (c), (4m), (6) and (8) (a) 1 to 3, 5.62 (intro.) and (1) to (3), 5.64 (1) (intro.), (a) and (e), (2) (intro.) and (a) and (3), 5.72 (3), 7.08 (1) (a), 7.10 (1) (a), 7.50 (2) (h), 8.185 (2), 8.20 (2) (a), 10.02 (2) (c) and (3) (b) to (d), 59.997 (8), 60.81 (4), 66.01 (10), 66.018 (3), 67.05 (6), (6a) (d), (6b) (b) and (6m) (d), 67.14 (5), 117.035 (1) (e), 121.93 (4) and 125.05 (1) (b) 10; to repeal and recreate 5.51 (1) and 5.64 (2) (c); and to create 5.58 (1g) and (1r), 5.60 (6m), 6.80 (2) (am) and 8.185 (4) of the statutes, relating to election ballot formats and voting procedure.

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

SECTION 1. 5.51 (1) of the statutes is repealed and recreated to read:

5.51 (1) The type face used on all paper ballots shall be easy to read, and the type size may be no smaller than 8 point.

SECTION 2. 5.51 (2), (3), (6) and (7) of the statutes are amended to read:

5.51 (2) The paper used for ballots shall be 35 pounds per ream for sheets 24 inches by 36 inches. If a different size sheet is used, the weight per ream shall be proportioned accordingly, but shall meet this standard. This subsection does not apply to ballots used with electronic voting systems.

(3) All paper ballots shall be of sufficient width and length to provide space for all matter required to be printed on them. Except on ballots used with electronic voting systems, all ballot columns shall be separated by lines at least one-eighth inch in width.

(6) All candidates' names for the same office shall be placed, projected or composed on the ballot in the same size, style and color of type. The style and size of type shall conform substantially to the official ballot forms prescribed by the board under s. 7.08 (1) (a).

(7) In partisan primary elections, the all ballots of all parties shall be of uniform color and size, and the same type of paper shall be used for all ballots.

SECTION 3. 5.51 (8) of the statutes is repealed.

SECTION 4. 5.53 (1) and (2) of the statutes are amended to read:

5.53 (1) ~~The ballot~~ Voting machine ballots shall be placed, projected or composed on a board or screen inside the machine, under s. 5.64 and may be arranged in either ~~vertical or horizontal~~ columns or rows. The type face shall be easy to read, and the type size may be no smaller than 8 point.

(2) Where the provisions require separate ballots, the names or questions shall be placed in separate columns or rows upon the machines so they are voted on separately, except as otherwise provided for referenda under s. 5.64 (2) (c).

SECTION 5. 5.53 (3) of the statutes is renumbered 5.56 and amended to read:

5.56 (title) **Multiple columns and rows.** Whenever the number of candidates for any office requires the use of more than one row or column on a voting machine or whenever the official or agency having the responsibility to determine ballot positions determines that the number of candidates for an office requires the use of more than one column on a ballot, the official or agency having the such responsibility to determine ballot positions shall require that the rows or columns be rotated in such a manner that all rows ~~appear~~ are positioned on top, or all columns are positioned to the left ~~if vertical rows are used~~, in an equal number of wards or election districts. If the number of wards and election districts in which voting for an office is conducted is not equally divisible, the position of the rows or columns in the remaining wards or election districts shall be determined by the official or agency by the drawing of lots. The number of columns or rows shall be determined at the same time that the positions of the candidates' names are determined for each primary and election.

SECTION 6. 5.58 (1) (c) of the statutes is amended to read:

5.58 (1) (c) Towns and villages holding a primary under s. 8.05 shall arrange the ballot in substantially accordance with the form prescribed by the board under s. 7.08 (1) (a), which shall be the same form as provided in s. 5.60 (5) and (6) and annexed ballot 8 as appropriate, in so far as possible.

SECTION 7. 5.58 (1g) and (1r) of the statutes are created to read:

5.58 (1g) SCHOOL DISTRICT. (a) There shall be a separate ballot for city school officers when so required. Officers elected under s. 120.44 (2) (a) may be placed on the same ballot as other city officers.

(b) In cities of the 1st class, the names of the candidates for the seat of the member elected at-large to the board of school directors shall be placed on the official city primary ballot and there shall be a separate ballot giving the names of the candidates for any combined aldermanic district seat to be filled on the board of school directors. All names for the at-large seat shall be placed in one or more separate columns or rows on the ballot.

(c) The arrangement of candidates for school board seats shall be determined by the school district clerk or the executive secretary of the city board of election commissioners by the drawing of lots not later than the 7th day following the deadline for filing nomination papers or declarations of candidacy. The method of determining arrangement shall be the same as provided in s. 5.60 (1) (b). Sufficient space shall be provided on the ballot for write-in candidates.

(1r) TOWN SANITARY DISTRICT COMMISSION. There shall be a separate ballot for members of the town sanitary district commission if commissioners are elected under s. 60.305 and the boundaries of the district are not coterminous with one or more towns. Candidates for different seats shall be listed in separate columns or rows if more than one seat is contested in any election. Arrangement of the names on the ballot shall be determined by the town clerk of the town whose board of supervisors directs the election, in the same manner as provided in s. 5.60 (1) (b). The ballot shall be titled "Official Primary Ballot for Town Sanitary District Commission".

SECTION 8. 5.58 (2) (a) and (2m) of the statutes are amended to read:

5.58 (2) (a) There shall be one separate ballot for state superintendent, judicial officers, county executive under ss. 59.031 and 59.032 and county supervisor. In counties over 500,000 population the ballot also shall include those offices under s. 8.11 (2) and (2m). The arrangement of names for state superintendent, justice, court of appeals judge and circuit court judge shall be determined by the board in the manner specified in s. 5.60 (1) (b). Arrangement of candidates for county executive and county supervisor shall be determined by the county clerk or by the executive secretary of the county board of election commissioners in the manner specified in s. 5.60 (1) (b). The ballot shall be ~~in substantially the same form as annexed ballot "E"~~ but titled, "Official Ballot for Judicial, State Superintendent of Public Instruction, County Executive and County Supervisor Primary", except that in counties having a population of 500,000 or more, it shall be titled "Official Ballot for County Officers, Judicial, State Superintendent of Public Instruction and School Board Primary".

(2m) METROPOLITAN SEWERAGE COMMISSION. There shall be a separate ballot for members of the metropolitan sewerage commission if commissioners are elected under s. 66.23 (11) (am), with those candidates for ~~each seat~~ different seats listed in a separate ~~column~~ columns or rows if more than one seat is contested at any election. Arrangement of the names on the ballot shall be determined by the board. The ballot shall be ~~in substantially the same form as annexed ballot "E"~~ but titled "Official Primary Ballot for Metropolitan Sewerage Commission".

SECTION 9. 5.58 (3) of the statutes, as affected by chapter 20, laws of 1981, is amended to read:

5.58 (3) NAMES ON SPRING BALLOT. Only 2 candidates for state superintendent, for any judicial office, for any elected seat on a metropolitan sewerage commission or town sanitary district commission, in counties over 500,000 population only 2 candidates for member of the board of supervisors within each district, in 1st class cities only 2 candidates for any at-large seat and any combined aldermanic district seat as are to be elected to the board of school directors, in school districts electing school board members to numbered seats, or pursuant to an apportionment plan or district representation plan, only 2 school board candidates for each numbered seat or within each district, and twice as many candidates as are to be elected members of other school boards or other elective officers receiving the highest number of votes at the primary shall be nominees for the office at the spring election. Only their names shall appear on the official spring ballot.

SECTION 10. 5.60 (1) (b), (3) (intro), (4) (title), (b) and (c), (4m) and (6) of the statutes are amended to read:

5.60 (1) (b) The board shall certify the candidates' names and designate the official ballot arrangement for candidates for justice, court of appeals judge, circuit judge, state superintendent and, if commissioners are elected under s. 66.23 (11) (am), the metropolitan sewerage commission. The arrangement of names of all candidates on the ballot whose nomination papers are filed with the board shall be determined by the board by the drawing of lots not later than the 7th day following the deadline for filing nomination papers. Whenever a primary is held for an office, a 2nd drawing of all candidates for that office shall be held by or under the supervision of the board not later than the 3rd day following the completion of the primary canvass to determine the arrangement of candidates on the election ballot. ~~The board shall determine the arrangement of rows on voting machines at the same time as other arrangements are determined, as prescribed in s. 5.53 (3).~~

(3) CITY. (intro.) There shall be a separate ballot giving the names of all candidates for city and school offices, except under sub. (4), printed in ~~substantially~~ the same form as ~~annexed ballot "B"~~ prescribed by the board under s. 7.08 (1) (a). City election ballots may vary in form to conform to the law under which an election is held.

(4) (title) SCHOOL DISTRICT.

(b) In cities of the 1st class, the names of the candidates for the seat of the member elected at-large to the board of school directors shall be placed on the official city ballot and there shall be a separate ballot giving the names of the candidates for any combined aldermanic district seat and any at-large member seat to be filled on the board of school directors. The names for the at-large seat shall be placed in the same column or row on the ballot.

(c) The arrangement of candidates for school board seats shall be determined by the school district clerk or the executive secretary of the city board of election commissioners by the drawing of lots not later than the 7th day following the deadline for filing nomination papers or declarations of candidacy, if there is no primary, or not later than the 3rd day following the completion of the primary canvass if a primary is held. The method of determining arrangement shall be the same as provided in sub. (1) (b). Sufficient space shall be provided on the ballot for write-in candidates.

(4m) METROPOLITAN SEWERAGE COMMISSION. A separate ballot shall list the names of all candidates for metropolitan sewerage commission seats, if commissioners are elected under s. 66.23 (11) (am). The names for the ~~same seat~~ different seats shall be placed in the ~~same column~~ separate columns or rows if more than one seat is contested at any election.

(6) TOWN. There shall be a separate ballot giving the names of all candidates for elective town offices, except the superintendent of highways, in substantially the same form as annexed Ballot 6A or 6B prescribed by the board under s. 7.08 (1) (a). ~~Ballot 6A is~~ There shall be 2 ballots. One ballot shall be used for the election of one supervisor supervisors to numbered seats and 6B is one ballot shall be used for the election of the 2 supervisors jointly to unnumbered seats. On Ballot 6B the ballot used for the election of supervisors to numbered seats, all supervisor candidates shall be listed together and the voting instructions shall state "Vote for Two [insert number of supervisors to be elected]". Towns electing All towns shall elect their supervisors jointly on June 27, 1931, shall continue to do so until the method specified in Ballot 6A is adopted at to unnumbered seats unless the annual town meeting adopts a plan to elect supervisors to numbered seats. The names of candidates ~~whose nomination papers are filed at the~~ for town level office shall be arranged by using the same method as that used by the board under sub. (1) (b). A space shall be provided under each office on the ballot for a write-in candidate.

SECTION 11. 5.60 (6m) of the statutes is created to read:

5.60 (6m) TOWN SANITARY DISTRICT COMMISSION. A separate ballot shall list the names of all candidates for town sanitary district commission seats, if commissioners are elected under s. 60.305 and the boundaries of the district are not coterminous with the boundaries of one or more towns. The names for different seats shall be placed in separate columns or rows if more than one seat is contested at any election.

SECTION 12. 5.60 (8) (a) 1 to 3 of the statutes are amended to read:

5.60 (8) (a) 1. Form 1, to be used when there are several candidates:

OFFICIAL BALLOT
PRESIDENTIAL PREFERENCE VOTE

.... Party

MARK THIS BALLOT IN ONE SPACE ONLY. You have one of 3 choices — you may either:
Express your preference for one of the persons whose names are printed on this ballot (in that case, make a cross ~~or other similar mark~~ in the space square after that person's name); or

Vote against all of the names printed on this ballot, thus in fact expressing your preference for an uninstructed delegation from Wisconsin to the national convention of the party (in that case, make a cross ~~or other similar mark~~ in the space square following "None of the names shown"); or

Write in the name of another person to become the presidential candidate of the party (in that case, write that person's name into the space following "Write-in candidate").

- OLE CARLSON..... ()
- AMOS DUNCAN..... ()
- JAMES UNDERWOOD..... ()
- None of the names shown..... ()
- Write-in candidate..... (—)

2. Form 2, to be used when there is only one candidate:

OFFICIAL BALLOT
PRESIDENTIAL PREFERENCE VOTE
.... Party

MARK THIS BALLOT IN ONE SPACE ONLY. You have one of 3 choices — you may either:

Express your preference for the person whose name is printed on this ballot (in that case, make a cross ~~or other similar mark~~ in the space square marked "YES" following that person's name); or

Vote against the person whose name is printed on this ballot, thus in fact expressing your preference for an uninstructed delegation from Wisconsin to the national convention of the party (in that case, make a cross ~~or other similar mark~~ in the space square marked "NO" following that person's name); or

Write in the name of another person to become the presidential candidate of the party (in that case, write that person's name into the space following "Write-in candidate").

- JOHN DOE..... YES ... ()
- NO ... ()
- Write-in candidate..... (—)

3. Form 3, to be used when there are no candidates who have qualified to appear on the ballot:

OFFICIAL BALLOT
PRESIDENTIAL PREFERENCE VOTE
.... Party

MARK THIS BALLOT IN ONE SPACE ONLY. There are no candidates of the party who have qualified to have their names appear on the printed ballot. You have 2 choices — you may either:

Express your preference for an uninstructed delegation from Wisconsin to the national convention of the party (in that case, make a cross ~~or other similar mark~~ in the space square following "Uninstructed delegation"); or

Write in the name of a person to become the presidential candidate of the party (in that case, write that person's name into the space following "Write-in candidate").

- Uninstructed delegation..... ()
- Write-in candidate..... (—)

SECTION 13. 5.62 (intro.) and (1) to (3) of the statutes are amended to read:

5.62 September primary ballots. (intro.) At September primaries, where necessary, the following ballot or ballots shall be provided for each ward, in substantially the same form as ~~annexed Ballot 1~~ as prescribed by the board under s. 7.08 (1) (a).

(1) (a) There shall be an Australian ballot made up of the several party tickets with each party entitled to participate in the primary under par. (b) or sub. (2) having its own ballot. The independent candidates for state office shall have a separate ballot for all such candidates as under s. 5.64 (1) (e). The several ballots shall be secured together at the bottom. The party ballot of the party receiving the most votes for governor at the last general election shall be on top with the other parties arranged in an order based on their vote for governor at the last general election. The ballot listing the independent candidates shall be placed at the bottom. At polling places where voting machines are used, each party and the independent candidates shall be represented in a one or more separate column or row columns or rows on the ballot. At polling places where an electronic voting system is used other than an electronic voting machine, each party and the independent candidates may be represented in a separate ~~column or row~~ columns or rows on the ballot.

(b) Every political organization listed as independent and every recognized political party listed on the official ballot at the last general election that received at least one percent of the total votes cast for any statewide office, including presidential elector, which was contested at that election shall have a separate primary ballot or one or more separate column or row columns or rows on the primary ballot as prescribed in par. (a) and a separate column on the general election ballot. The chairman and secretary of the organization which was "independent" at the last election shall certify to the board their party name, which may not duplicate the name of an existing party.

(2) Any political organization may be represented on a separate primary ballot or a one or more separate column or row columns or rows on the primary ballot as prescribed in sub. (1) (a) if, not later than June 1 in the year of a September primary, it files with the board a petition so requesting, signed either by electors equal to one-sixth of the total vote cast for governor in each of at least 10 counties at the last election or one-sixth of the electors in any senate, assembly or congressional district. When their candidates fulfill the nomination paper requirements, they shall appear on a separate ballot or ~~column~~ one or more separate columns or rows on the ballot within the district or state.

(3) The board shall designate the official primary ballot arrangement for statewide offices by using the same procedure as provided in s. 5.60 (1) (b) for candidates for justice; congressional and state senate candidates by using the same procedure as for circuit judges under s. 5.60 (1) (b) by numbering the assembly districts and parts of assembly districts within each congressional or senate district; and assembly candidates, by similarly numbering and arranging by population the counties within an assembly district. Independent candidates for state office shall be listed for each office in an order drawn by lot by or under the supervision of the board. Below the names of the independent candidates shall appear the party or principle of the candidates, if any, in 5 words or less, as shown on their nomination papers.

SECTION 14. 5.64 (1) (intro.), (a) and (e) and (2) (intro.) and (a) of the statutes are amended to read:

5.64 (1) OFFICIAL BALLOT. (intro.) There shall be a separate ballot giving the names of all candidates for state, congressional, legislative and county offices in substantially the same form as ~~annexed Ballot "A"~~ prescribed by the board under s. 7.08 (1) (a).

(a) The ballot shall be labeled "Official Ballot" in lettering at least three-eighths inch high. Directly underneath in plain, legible type, shall be the following voting instructions: "If you desire to vote a straight party ticket for all statewide, congressional, legislative and county offices, place mark a cross (X) ~~or other mark~~ in the circle under the party designation at the top of the party column ~~of the party of your choice~~. If you desire to vote

for individual candidates, place mark a cross (X) ~~or other mark~~ in the square ~~to~~ at the right RIGHT of the name of each candidate for whom you wish desire to vote ~~for or write the name of your preference in the space provided.~~ To vote for a person whose name is not printed on the ballot, write the name in the blank space provided for the purpose. When voting for governor and lieutenant governor, you may ~~cast your~~ vote only for the candidates on one ticket jointly or write in the names of persons in both spaces."

(e) Within each column, each space shall state the office to be voted for directly above the candidate's first and last name. The candidate's name shall be placed in the party column by which nominated or if independent, in a column designated independent and all candidates for the same office shall appear ~~on or between~~ within the same horizontal lines rows on the ballot. Below the names of the independent candidates shall appear the party or principle of the candidates, if any, in 5 words or less, as shown on their nomination papers. Independent candidates for the same county office shall be listed in the same manner in an order drawn by lot by or under supervision of the county clerk or board of election commissioners. The board shall conduct a redrawing for purposes of determining the arrangement of independent candidates for state office in the manner provided in s. 5.60 (1) (b). To the right of each candidate's name, in each column, shall be a square for the elector to place mark his or her cross (X) ~~or other mark~~.

(2) REFERENDUM BALLOT. (intro.) There shall be a separate ballot when any proposed constitutional amendment or any other measure or question is submitted to a vote of the people. The ballot shall give a concise statement of each question in accordance with the act or resolution directing submission in substantially the same form as annexed Ballot "D" prescribed by the board under s. 7.08 (1) (a). ~~This Unless otherwise expressly provided, this ballot form shall be used at all elections when questions are submitted to a vote of the people.~~

(a) The ballot shall be titled "Official Referendum Ballot" in lettering at least three-eighths of an inch high. Directly underneath in plain, legible type shall be the following voting instructions: "If you desire to vote on any question, place a cross (X) ~~or other mark~~ in the square beneath the question after "yes" if in favor of the question, or place a cross (X) ~~or other mark~~ in the square after "no" if opposed to the question."

SECTION 15. 5.64 (2) (c) of the statutes, as affected by chapter 79, laws of 1981, is repealed and recreated to read:

5.64 (2) (c) The official referendum ballot prescribed under this subsection shall be utilized at every election, except that the format shall be altered to the extent provided or required by other laws establishing or authorizing referenda to be conducted. All referenda shall appear on a separate ballot, but more than one referendum question may appear on the same referendum ballot whenever the questions are numbered and all electors voting the ballot are entitled to vote upon all questions appearing thereon. The form of all referendum ballots shall be substantially the same as that prescribed by the board under s. 7.08 (1) (a).

SECTION 16. 5.64 (3) of the statutes is amended to read:

5.64 (3) PRESIDENTIAL BALLOTS. There shall be a separate ballot when the president and vice president of the United States are to be elected containing the names of all candidates for the offices in substantially the same form as annexed Ballot "C" prescribed by the board under s. 7.08 (1) (a).

(a) The ballot shall be titled "Official Presidential Ballot" in lettering at least three-eighths inch high. Directly underneath in plain, legible type shall be the following voting instructions: "Place a cross (X) ~~or other mark~~ in the square opposite the names of the candidates for whose electors you desire to vote or write in the name names of a candidate candidates for either president ~~or~~ and vice president, ~~or both,~~ in the space provided for the purpose. Vote in ONE square only." The board shall take administrative notice of the

nominations of the parties entitled to a separate ballot under s. 5.62 (1) (b) or (2) for the offices of president and vice president. The names of the presidential electors for the candidates supplied under ss. 8.18 (2) and 8.20 (2) (b) are not listed on the ballot but a vote for the candidates for president and vice president is a vote for them through their named presidential electors.

(b) The party candidates shall be arranged consecutively from top to bottom based on the number of votes received by their party's candidate for governor at the last election beginning with the party that received the most votes. The independent president-vice president candidates shall be listed together in an order drawn by lot by or under supervision of the board, following under the party candidates. Below the names of the independent candidates shall appear the party or principle of the candidates, if any, in 5 words or less, as shown on their nomination papers. Following under the independent candidates, a space shall be left for writing in the names of a candidate for president and vice president.

SECTION 17. 5.72 (3) of the statutes is amended to read:

5.72 (3) Whenever an affidavit is filed by the board or any elector alleging an error or omission in the preparation of ~~the ballots~~ a ballot, the circuit court for the county where the ballot is proposed to be used or its presiding judge, by order, may summarily require a county or municipal clerk to correct the error, or show cause why it should not be corrected and, by order, after the hearing, have the correction made.

SECTION 18. 6.80 (2) (am) of the statutes is created to read:

6.80 (2) (am) In partisan primaries, an elector may vote for a person as the candidate of the party of the elector's choice, if that person's name does not appear on the official ballot of that party, by writing in the name of the person in the space provided on the ballot or the ballot provided for that purpose, or where voting machines are used, in the irregular ballot device, designating the party for which the elector desires such person to be the nominee.

SECTION 18m. 7.08 (1) (a) of the statutes is amended to read:

7.08 (1) (a) Prepare all official ballot forms necessary under chs. 5 to 12 and revise the official ballot forms to harmonize with legislation and the current official status of the political parties whenever necessary. Samples of the official ballots shall be published ~~with chs. 5 to 12 by the board~~ for public use and distribution and the prescribed forms shall be substantially followed in all elections under chs. 5 to 12.

SECTION 19. 7.10 (1) (a) of the statutes is amended to read:

7.10 (1) (a) Each county clerk shall provide ballots for every election in the county for all national, state and county offices, including metropolitan sewerage commission elections under s. 66.23 (11) (am) and for state and county referenda. The official and sample ballots shall be prepared in substantially the same form as those ~~annexed to ch. 5~~ prescribed by the board under s. 7.08 (1) (a).

SECTION 20. 7.50 (2) (h) of the statutes is amended to read:

7.50 (2) (h) ~~Write in~~ In the general election or a partisan special election, write-in votes may not be counted for any person for any party, if the person's name appears on the official ballot of that party. ~~To vote for any person as the candidate of any party when that person's name does not appear on the official ballot of that party, the elector shall write the name of the person in the space provided on the ballot or the ballot provided for that purpose, or where voting machines are used, in the irregular ballot device, designating the party for which he or she desires such person to be the nominee.~~

SECTION 21. 8.185 (2) of the statutes is amended to read:

8.185 (2) Any ~~candidate~~ candidates for the office of president ~~or~~ and vice president of the United States as a ~~write-in candidate~~ candidates shall file a list of presidential electors and a declaration that ~~he~~ they will qualify for the ~~office~~ offices, if elected, with the board no later than 4:30 p.m. on the 2nd Tuesday preceding the day of the general election to

choose the president and vice president of the United States. The list shall contain one presidential elector from each congressional district and 2 electors from the state at large and the names of the candidates for president and vice president for whom they intend to vote, if elected. Each person who is listed as an elector shall file a declaration of acceptance of his or her nomination as an elector stating that he or she will qualify for the office, if elected. Such declaration shall be filed with the board no later than 4:30 p.m. on the 2nd Tuesday preceding the day of the general election to choose the president and the vice president of the United States. Compliance with this subsection may be waived by the board but only if the results of the general election indicate that a write-in candidate for the office of president is eligible to receive the electoral votes of this state except for noncompliance with this subsection. In such event, the write-in candidate and ~~his~~ that person's named presidential electors shall have until 4:30 p.m. on the Friday following the general election to comply with the filing requirements of this subsection.

SECTION 22. 8.185 (4) of the statutes is renumbered 7.50 (2) (i) and amended to read:

7.50 (2) (i) ~~Any~~ ~~The failure by a voter~~ an elector to write in the name of a candidate for the office of vice president of the United States on the general election ballot ~~shall does~~ not invalidate the elector's vote for any candidate whose name is written in for the office of president of the United States. The failure of an elector to write in the name of a candidate for the office of president of the United States on the general election ballot invalidates the elector's vote for any candidate whose name is written in for the office of vice president of the United States. The failure of an elector to write in the names of candidates for the offices of governor and lieutenant governor on the general election ballot invalidates the elector's vote for any candidate whose name is written in for the office of governor or lieutenant governor alone.

SECTION 23. 8.185 (4) of the statutes is created to read:

8.185 (4) Write-in votes for president and vice president shall be counted as provided in s. 7.50 (2) (i).

SECTION 24. 8.20 (2) (a) of the statutes is amended to read:

8.20 (2) (a) Nomination is by nomination papers. The nomination paper forms shall contain the candidate's name in any combination of initials for the first and middle names, plus the last name, but no nicknames, abbreviations or titles; the office for which he or she is nominated; his or her residence and post-office address; and the party or principle he or she represents, if any, in 5 words or less. In the case of candidates for the offices of governor and lieutenant governor, the nomination paper forms shall so contain both candidates' names; the office for which each is nominated; the residence and post-office address of each; and the party or principle they represent, if any, in 5 words or less.

SECTION 25. 10.02 (2) (c) and (3) (b) to (d) of the statutes are amended to read:

10.02 (2) (c) The facsimile ballots shall follow the voting instructions. The size and style of type and the general display of the facsimile ballots shall be prescribed by the board and shall conform substantially to the sample ballots annexed to the statutes form prescribed by the board under s. 7.08 (1) (a). The party columns shall not exceed 2-1/6 inches in width and the ballot size may be reduced. Voting machine facsimile ballots shall show a reduced diagram of the front of the voting machine and instructions to electors on how to vote on the machine.

(3) (b) 1. If an elector wishes to vote for all candidates nominated by any party, the elector shall make a cross ~~or other mark~~ in the circle or depress the lever or button under the party designation printed at the top of the ballot. Unless a name has been erased or crossed out, another name written in, a mark cross placed to the right of a candidate for the same office in another column or a sticker applied, a mark cross in the circle at the top of the column is a vote for all the party's candidates listed in the column. If an elector

does not wish to vote for all the candidates nominated by one party, the elector shall make a cross ~~or mark~~ in the square at the right of or separately depress the levers or buttons next to each candidate's name for whom he or she intends to vote, or shall insert or write in the name of a candidate.

2. At the presidential preference primary or a special partisan primary, the elector shall select the party ballot of his or her choice and shall make a cross ~~or other mark~~ in the square at the right of or depress the lever or button next to the candidate's name for each office for whom the elector intends to vote, or shall insert or write in the name of the elector's choice for a candidate.

2m. At the September primary, the elector shall select the party ballot of his or her choice or the ballot containing the names of the independent candidates for state office, and make a cross ~~or other mark~~ in the square at the right of or depress the lever or button next to the candidate's name for each office for whom the elector intends to vote or insert or write in the name of the elector's choice for a party candidate, if any. In order to qualify for participation in the Wisconsin election campaign fund, a candidate for state office at the September primary must receive at least 6% of all votes cast on all ballots for the office for which he or she is a candidate, in addition to other requirements.

3. When casting a presidential preference vote, the elector shall select the party ballot of his or her choice and make a cross ~~or other mark~~ in the space square at the right of or depress the button or lever next to the candidate's name for whom he or she intends to vote or shall, in the alternative, make such a cross ~~or mark~~ in the space square at the right of or depress the button or lever next to the word "no" when only one candidate is shown on the ballot or "none of the names shown" when several candidates are shown on the ballot, or shall write in the name of his or her choice for a candidate.

4. At a nonpartisan primary, the elector shall place a cross ~~or other mark~~ in the square at the right of or depress the button or lever next to the candidate's name for each office for whom he or she intends to vote, or insert or write in the name of his or her choice for a candidate.

(c) In presidential elections, the elector shall place a cross ~~or other mark~~ in the square at the right of or depress the button or lever next to the set of candidates for president and vice president for whom he or she intends to vote. The vote shall be counted for all the candidates for presidential electors of those candidates.

(d) On referenda questions, the elector shall make a cross ~~or other mark~~ in the square at the right of or depress the button or lever next to the answer which he or she intends to give.

SECTION 26. 59.997 (8) of the statutes is amended to read:

59.997 (8) The county clerk shall notice such election as other elections. The ballots shall be provided by the county clerk and shall be in substantially the following form:

OFFICIAL REFERENDUM BALLOT

If you desire to vote for the consolidation of (insert names of counties proposing to consolidate) counties pursuant to consolidation agreement, make a cross (X) ~~or other mark~~ in the square after the word "Yes," underneath the question; if you desire to vote against consolidation, make a cross (X) ~~or other mark~~ in the square after the word "No," underneath the question.

Shall (here insert names of counties proposing to consolidate) counties consolidate pursuant to consolidation agreement?

YES NO

SECTION 27. 60.81 (4) of the statutes is amended to read:

60.81 (4) (title) VOTING PROCEDURE. The referendum shall be conducted in the same manner as elections for supervisors of the town board, ~~and the form of.~~ The question appearing on the ballot shall be "Shall the town of ... become a 4th class city?". Below the question shall appear 2 squares. To the left of one square shall appear the words "For a city" or and to the left of the other square shall appear the words "against Against a city". The inspectors shall make a return to the clerk of such town.

SECTION 28. 66.01 (10) of the statutes is amended to read:

66.01 (10) The ballot shall be in substantially the following form:

Shall a charter convention be held?

YES NO

If a charter convention be held what plan do you favor?

PLAN 1 PLAN 2

[Repeat for each plan proposed.]

Mark an [X] in the square to the RIGHT of the ~~one~~ plan you vote for select.

If a majority of the electors voting thereon vote for a charter convention such convention, shall be held pursuant to the plan favored by a majority of the total votes cast for all plans. If no plan receives a majority, the ~~two~~ 2 plans receiving the highest number of votes shall be again submitted to the electors and a convention shall thereupon be held pursuant to the plan favored by a majority of the votes cast.

SECTION 29. 66.018 (3) of the statutes is amended to read:

66.018 (3) RETURN. An incorporation referendum shall be conducted in the same manner as an annexation referendum under s. 66.021 (5) insofar as applicable, ~~and the form of the ballot shall be except that the ballot shall contain the words "for For a city [village]" or and "against Against a city [village]".~~ The inspectors shall make a return to the circuit court.

SECTION 30. 67.05 (6), (6a) (d), (6b) (b) and (6m) (d) of the statutes are amended to read:

67.05 (6) REFERENDUM IN OTHER CASES. Whenever an initial resolution has been so adopted by the governing body of any municipality whatsoever other than a county, a town, a city, a village, a vocational, technical and adult education district or a board of park commissioners, the clerk of such municipality shall immediately record the same and call a special meeting for the purpose of submitting the resolution to the electors of the municipality for ratification or rejection. The calling and conduct of such meeting shall be governed by those statutes, so far as applicable, which govern the calling and conduct of special meetings in general. The notice of the meeting, which shall be publicly read before the balloting shall commence, and the ballot used, shall embody a copy of the resolution; the form of the ballot shall correspond, ~~as near as may be,~~ with form "D" annexed to s. the form prescribed by the elections board under ss. 5.64 (2) and 7.08 (1) (a); and the question submitted shall be whether the resolution shall be approved.

(6a) (d) The school board shall provide for the cost of all necessary election supplies, ballot boxes and booths, voting machines or electronic voting systems and the necessary election officials. The form of the ballot provided shall correspond ~~as near as may be~~ with the form "D" annexed to s. prescribed by the elections board under ss. 5.64 (2) and 7.08 (1) (a). The notice of such special election and the ballot used thereat shall embody a copy of the resolution, and the question submitted shall be whether the resolution shall be or shall not be approved.

(6b) (b) The school board shall provide the election officials of the town, city and village in which the school district lies with all necessary election supplies, and registration lists if the district has a register of its electors, except when registration with the municipal clerk is required for voting at such election. The municipal clerk shall then

arrange for the voting on the bond referendum. The form of the ballot shall correspond substantially with the form "~~D~~" ~~annexed to s.~~ prescribed by the elections board under ss. 5.64 (2) and 7.08 (1) (a). The notice of the election and the ballot to be used thereat shall embody a copy of the resolution, and the question submitted shall be whether the resolution shall be or shall not be approved.

(6m) (d) A copy of any resolution of the district board under par. (a) which requires a referendum shall be promptly transmitted by the secretary of the district board to the county clerk or board of election commissioners of each county any part of which is contained within the district. The district board shall provide the election officials of each city, village and town having territory in the district with all necessary election supplies, and, for a special election, shall arrange with affected municipalities for the necessary ballot boxes and booths, voting machines or electronic voting systems and the selection of the necessary election officials. Extra labor costs necessitated by a special election shall be assumed by the district board. The form of the ballot shall correspond substantially with the form "~~D~~" ~~annexed to s.~~ prescribed by the elections board under ss. 5.64 (2) and 7.08 (1) (a). The ballot need not embody a copy of the resolution, but shall contain a statement of the purpose and the amount of the bonds proposed to be issued.

SECTION 31. 67.14 (5) of the statutes is amended to read:

67.14 (5) The ballots for such election shall be provided by the county clerk, and the following words shall be substantially in the following form appear thereon:

FOR BONDS AGAINST BONDS

Mark an ~~X~~ a cross [~~X~~] in the square after the one you wish to vote for.

SECTION 32. 117.035 (1) (e) of the statutes is amended to read:

117.035 (1) (e) The election officials shall be selected by the governing body of the municipality where the polling place is located under s. 7.30. Each municipality shall compensate the election officials and shall provide the necessary voting machines, electronic voting systems or ballot boxes and voting booths. The county clerk shall provide for the printing and distribution of ballots and other election supplies at county expense. The form of the ballot shall correspond, ~~so far as possible,~~ to the form "~~D~~" ~~annexed to s.~~ prescribed by the elections board under ss. 5.64 and 7.08 (1) (a). The referendum shall be conducted and the votes canvassed and the results returned to the county clerk as at a general election.

SECTION 33. 121.93 (4) of the statutes is amended to read:

121.93 (4) The clerk of the school board shall provide the election officials with all necessary election supplies, registration lists if the district has a register of its electors, and, for a referendum held at other than a spring primary or election or September primary or general election, shall provide or arrange for the necessary voting machines, electronic voting systems or ballot boxes and booths and shall select the necessary election officials. The form of the ballot shall correspond substantially with the standard form "~~D1~~" ~~annexed to s.~~ 5.64 (2) for referendum ballots prescribed by the elections board under s. 7.08 (1) (a). The notice of the election and the ballot to be used shall embody a copy of the resolution, and the question submitted shall be whether the resolution shall or shall not be approved.

SECTION 34. 125.05 (1) (b) 10 of the statutes, as created by chapter 79, laws of 1981, is amended to read:

125.05 (1) (b) 10. Each question submitted to the electors shall ~~be on a separate ballot which conforms~~ conform to ~~s.~~ the form prescribed by the elections board under ss. 5.64 (2) ~~as far as applicable~~ and 7.08 (1) (a).

SECTION 35. **Effective date.** This act takes effect on July 1, 1982.