

1999 DRAFTINGREQUEST

BillReceived: **05/27/1999**Received By: **kuesejt**Wanted: **As time permits**

Identical to LRB:

For: **Legislative Council - JLC 6-2298**By/Representing: **Bob Conlin**

This file may be shown to any legislator: NO

Drafter: **kuesejt**

May Contact:

Alt. Drafters: **rmarchan**Subject: **Elections - miscellaneous**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Various election law changes

Instructions:

Per 1997 AB-959.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/2	kuesej t 08/10/1999	kgeller 08/10/1999	jfrantze 08/10/1999	_____	lrb-docadmin 08/10/1999	lrb-docadmin 08/17/1999	

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08-19-99
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State of Wisconsin
1999 - 2000 LEGISLATURE

3140/1
LRB-2881
JTK&RJM:cmh:ijs

Friday, July 16

1999 BILL

DNOTE

RMNR

re-gen. cat

1 **AN ACT to repeal** 5.25 (4) (b), 5.35 (6) (a) 4., 5.55 (form), 5.58 (2) (b), 5.64 (1) (c),
2 5.64 (2) (a) and (b), 5.64 (3) (intro.), 6.865 (2), 6.92 (1) to (6), 6.925 (1) to (6), 7.15
3 (1) (cs), 8.17 (2), (3) and (4) (a) and (b), 10.66 (1m) (a), 10.66 (3) (b), 10.76 (1r)
4 (a) and 10.76 (3) (a); **to renumber** 5.64 (2) (c); **to renumber and amend** 5.55
5 (intro.), 5.58 (2) (a), 5.62 (1) (b), 5.62 (2), 5.64 (1) (e), 5.64 (3) (a), 5.64 (3) (b), 6.92
6 (intro.), 6.925 (intro.) and 8.17 (4) (c); **to consolidate, renumber and amend**
7 6.865 (intro.) and (1); **to amend** 5.01 (4) (a), 5.05 (1) (e), 5.15 (6) (b), 5.25 (1), 5.37
8 (3), 5.58 (1c), 5.58 (1r), 5.58 (2m), 5.60 (1) (intro.), 5.60 (1) (b), 5.60 (8) (a), 5.62
9 (1) (a), 5.62 (5), 5.64 (1) (intro.), 5.64 (1) (a), 5.64 (1) (b), 5.64 (1) (d), 5.64 (1) (f),
10 5.65, 5.81 (2), 6.15 (3) (b), 6.24 (1), (2) and (3), 6.24 (5), 6.275 (1) (c), 6.28 (1), 6.29
11 (1), 6.30 (3) (c), 6.77 (2), 6.79 (intro.), 6.79 (1), 6.79 (2), 6.79 (5), 6.80 (2) (e) and
12 (f), 6.85, 6.86 (1) (b), 6.86 (3) (a), 6.87 (2), 6.88 (1), 7.30 (2) (a), 7.51 (2) (e), 7.51
13 (2) (g), 7.51 (4) (a), 7.53 (1), 7.53 (2) (d), 7.53 (3) (a), 7.60 (2), 7.60 (4) (a), 7.60 (4)
14 (b), 7.60 (4) (c), 7.60 (5), 7.60 (6), 7.70 (3) (d), 7.70 (3) (f), 8.05 (1) (j), 8.05 (3) (d)

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1 and (e), 8.05 (5), 8.10 (3) (intro.), 8.10 (6) (a), 8.11 (1) (d), (2) and (2m), 8.12 (2),
 2 8.15 (4) (a), 8.17 (1) (a), 8.17 (5) (b), 8.20 (3), 8.20 (9), 8.21, 8.35 (2) (a), 8.40 (2),
 3 8.50 (1) (a), 8.50 (1) (b), 8.50 (2) (a), 8.50 (4) (fm), 9.01 (1) (ag) 1. and 2., 9.01 (2),
 4 9.01 (5) (a), 9.01 (7) (a), 10.02 (3) (b) 1., 10.02 (3) (b) 2., 10.02 (3) (b) 2m., 10.02
 5 (3) (b) 3. and 4., (c) and (d), 10.82 (1) (e), 10.82 (2) (d), 10.82 (3) (d), 10.82 (4) (d),
 6 10.82 (5) (c), 11.02 (3), 11.03 (1), 11.60 (4) and (5), 24.66 (4), 32.72 (l), 38.08 (1)
 7 (a) 1., 59.05 (2), 59.08 (7) (b), 60.30 (4) (b), 60.62 (2), 60.74 (5) (b), 60.785 (2) (a),
 8 61.187 (1), 61.46 (1), 62.13 (6) (b), 64.39 (2), 66.021 (5) (a), 66.022 (3), 66.023 (4)
 9 (e) 1. and 2., 66.024 (4) (a) and (b), 66.027, 66.028 (6) (a) and (b), 66.059 (2m) (b),
 10 66.061 (1) (c), 66.075 (5), 66.521 (10) (d), 66.77 (3) (a) 1., 66.94 (4), 67.12 (12) (e)
 11 6., 81.01 (3) (b), 86.21 (2) (a), 92.11 (4) (c), 119.48 (4) (c), 119.49 (2), 120.06 (6)
 12 (b), 120.06 (7) (a), 120.06 (7) (b), 121.91 (3) (a), 125.05 (1) (b) 5., 197.04 (1) (b),
 13 197.10 (2), 755.01 (4) and 778.135; and **to create** 5.02 (26), 5.25 (4) (d), 5.51 (8),
 14 5.62 (1) (b) 2., 5.62 (2) (b), 5.64 (1) (e) 2., 5.64 (1) (eg), 5.655, 6.77 (3), 7.08 (5),
 15 7.10 (5), 7.10 (6), 7.15 (1) (L), 7.21 (2m), 8.10 (6) (bm), 8.17 (5) (bm), 8.37, 9.01
 16 (1) (ag) 2g. and 2r., 11.02 (3e), 67.05 (3) (am) and 120.06 (8) (dm) of the statutes;

17 **relating to:** ~~absentee voting qualifications, late voter registration, location of~~
 18 ~~polling places; reports on impediments to voting; selection of party~~
 19 ~~committeemen and committeewomen; recount fees; delivery of recount~~
 20 ~~petitions to affected candidates; minutes of recount proceedings; certifications~~
 21 ~~by circulators of nomination papers and election-related petitions; presidential~~
 22 ~~ballots; maintenance of poll lists in an electronic format; an elector's residency~~
 23 ~~for voting purposes after municipal annexation; qualification of political~~
 24 ~~parties for separate positions on partisan primary and election ballots; the date~~
 25 ~~of special elections; the composition of the county board of canvassers;~~

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1 eligibility of adult children of overseas electors to vote in this state; reporting
 2 of election returns by ward; authorizing a county board of election
 3 commissioners to bring civil actions for violations of the campaign financing
 4 law; administration of elections for joint municipal judges; depositing ballots
 5 in ballot boxes; the time for a hearing on recount appeals; write-in absentee
 6 ballots; consolidated paper ballots; filing of referenda questions; ballot design;
 7 filing of declarations of candidacy and recording of votes received by write-in
 8 candidates in certain elections; the procedure for challenging electors; terms of
 9 office of town officers, requiring a referendum; and granting rule-making
 10 authority.

Analysis by the Legislative Reference Bureau

This bill makes various changes in election laws. Significant provisions include:

I. DATE OF SPECIAL ELECTIONS

Generally, under current law, the date of a special election may not be less than 62 days nor more than 77 days from the date of the order requiring the special election. This bill provides that the date of the special election may not be less than 92 days nor more than 107 days from the date of the order requiring the special election.

II. REGISTRATION AND VOTER PARTICIPATION

Voting absentee

Under current law, the authority to vote absentee is restricted to electors who will be absent from the municipality in which they are qualified electors on election day for any reason or who because of age, sickness, handicap, physical disability, jury duty, service as an election official or religious reasons cannot appear at the polling place in their wards.

This bill authorizes absentee voting by any qualified elector who for any reason is unable or unwilling to vote at the polling place.

Late voter registration

Under current law, the deadline for voter registration is 5 p.m. on the second Wednesday preceding the election. Registrations made by mail must be delivered to the office of municipal clerk or board of election commissioners or postmarked not later than the second Wednesday preceding the election. Voters may register after

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~~this deadline in person at the office of the municipal clerk or board of election commissioners or at the proper polling place on election day.~~

~~This bill authorizes a municipal clerk to accept a registration in any manner after the second Wednesday preceding an election, if the clerk determines that the registration list can be revised to incorporate the registration in time for the election without creating a secondary registration list or separate registration material to accommodate the late registrant.~~

Location of polling places

~~Under current law, the governing body of a city, village or town establishes polling places, except that the city board of election commissioners establishes polling places in cities with a population of over 500,000. So far as practicable, the places chosen must be public buildings.~~

~~This bill permits the authority charged with establishing polling places to choose a nonpublic building for this purpose if a public building is not practicable, as under current law, or a nonpublic building better serves the needs of the electorate.~~

Challenging electors

~~Under current law, election inspectors must challenge an elector's qualifications to vote if the inspector knows or suspects that the elector attempting to vote is unqualified. In doing so, the inspector must administer an oath to the challenged elector and must ask various questions specified in the statutes designed to aid in determining the elector's qualifications. The inspector may also ask any other questions to determine the elector's qualifications. The statutory questions are as follows:~~

~~“(1) If challenged as unqualified on the ground that the person is not a citizen: Are you a citizen of the United States?”~~

~~(2) If challenged as unqualified on the ground that the person is not a resident of the ward where the person's vote is offered:~~

~~(a) When did you last come into this ward?~~

~~(b) Did you come for a temporary purpose only, or for the purpose of making it your home?~~

~~(c) Did you come into this ward for the purpose of voting here?~~

~~(d) Have you now and have you had for the last ten days a voting residence in this ward? If so, what is the particular description, name and location of your residence?~~

~~(e) If the answer to par. (d) is no, then: Have you moved from the ward after the close of registration?~~

~~(f) Have you registered to vote at this election at any other place within or outside this state?~~

~~(g) Have you applied for an absentee ballot at any place in this or any other state?~~

~~(h) If single, do you board for part of the week, month or year with your parents?~~

~~(i) If you have no parents, or are self-supporting, have you registered to vote in this ward?~~

~~(j) Will you file your next state income tax return as a resident of this ward?~~

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(3) If challenged as unqualified on the ground that the person is not 18 years of age: Are you 18 years of age to the best of your knowledge and belief?

(4) If challenged as unqualified on the ground that the person has made or become directly or indirectly interested in any bet or wager depending upon the result of the election:

(a) Have you made, in any manner, any bet or wager depending upon the result of this election, or on the election of any person for whom votes may be cast at the election?

(b) Are you in any manner, directly or indirectly, interested in any bet or wager depending in any way upon the result of this election?

(5) If challenged as unqualified on the ground that the person has been convicted of treason, felony or bribery and not been subsequently restored to civil rights:

(a) Have you ever been tried or convicted in this state of any crime? If yes, then -

(b) Of what crime, when and in what court were you so convicted?

(c) Have you in any manner since the conviction been restored to civil rights, and if yes, how?."

Challenges to an elector's qualifications may also be made by other electors who know or suspect that an elector is not qualified to vote. In such a case, the elector making the challenge is asked similar questions, which are also specified in the statutes, designed to elicit information about the challenged elector's qualifications.

This bill repeals the statutory questions used when an elector's qualifications are challenged. Instead, the bill requires the elections board, by rule, to determine the questions to be asked when an elector's qualifications are challenged.

Report on impediments to voting

Under current federal and state law, all polling places, with limited exceptions, must be accessible to handicapped and elderly voters. Until 1994, federal law also required the chief election officer of each state to report to the federal election commission every two years the number of accessible and inaccessible polling places in the state and the reasons for any instances of inaccessibility. State law requires the executive director of the state elections board to transmit a copy of each such report to the legislature. Federal law, however, no longer requires this report.

This bill deletes the current reporting requirements and instead requires the state elections board to submit a biennial report on the impediments faced by elderly and handicapped voters in the state to each house of the legislature for distribution to the appropriate standing committees.

Voting residence after annexation

Under current law, when territory of a municipality becomes part of another municipality, an elector of the territory must vote in the municipality in which the territory is included on the day of the election.

This bill provides that when such territory becomes part of another municipality fewer than ten days prior to an election, an elector must vote in the municipality in which the territory was included prior to the change.

BILL***Children of overseas electors***

Under current law, the adult dependent children of members of the armed forces and merchant marine, federal employes and peace corps volunteers who are stationed abroad may vote in elections in this state in the ward or election district where the parent who provides support for the children is entitled to vote. This bill extends the privilege of voting, in federal elections only, to the adult citizen children of other U.S. citizens who are residing overseas, subject to approval at a statewide referendum to be held in November 2000.

Depositing ballots in ballot boxes

Generally, under current law, when an elector has completed voting his or her ballot, the elector may either deposit the ballot in the ballot box or deliver it to an election inspector for deposit in the ballot box. However, in certain situations, electors are not given such an option. For example, persons otherwise qualified to vote, but who have not resided in the state for ten days prior to the date of the presidential election, may vote for president but the statutes provide that such electors' ballots must be given to an election inspector who must deposit the ballots in the ballot box. Conversely, at partisan primaries and the presidential preference primary when paper ballots are distributed to electors, the statutes provide that an elector must place the ballot in the appropriate ballot box and do not provide the option for an inspector to deposit the ballot. This bill amends current law to provide specifically that, in these situations, the ballots may be either deposited directly in the ballot box by the electors or given to the inspector who must deposit them in the ballot box.

III. ROLE OF POLITICAL PARTIES AND CANDIDATES***Election of committeemen or committeewomen***

Under current law, political parties qualifying for separate ballot status elect their party committeemen or committeewomen at the September primary. The function of committeemen and committeewomen is to represent their neighborhoods in the structure of the political parties and to serve as liaisons between their party and the residents of their election districts.

This bill requires that political party committeemen or committeewomen be selected by a vote of the county political party members in good standing at a meeting held after the September primary but before April 1 of the following year.

Affidavits relating to nomination papers and petitions

Under current law, the circulator of nomination papers or other election-related petitions must make, under oath, an affidavit attesting to certain information including the fact that he or she personally circulated the nomination papers or petition, personally obtained the signatures thereon and knows the respective residences of the signers thereof. A circulator falsifying any such information may be fined not more than \$10,000 or imprisoned not more than three years, or both, under the election laws. The person may also be subject to a fine of not more than \$10,000 or imprisonment not to exceed five years, or both, for false swearing.

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This bill deletes the requirement that circulators of nomination papers or election-related petitions make an affidavit under oath. Instead, the bill requires circulators to certify all of the information currently required in the affidavit, subject to the same penalties under the election laws. However, under the bill, falsifying the information in the circulator's certification would not subject a person to the penalties for false swearing.

Presidential ballots

Current law requires a separate ballot when the president and vice president of the United States are to be elected. This bill eliminates that requirement and requires instead that the names of candidates for president and vice president be placed on the official general election ballot in a manner that will allow electors to vote for a political party's candidates for president and vice president by voting a straight party ticket.

Partisan primary and election ballots

Under current law, every recognized political party listed on the official ballot at the last gubernatorial election whose candidate for any statewide office received at least 1% of the total votes cast for that office and, if the last general election was also a presidential election, every recognized political party listed on the ballot at that election whose candidate for president received at least 1% of the total votes cast for that office is entitled to a separate primary ballot or one or more separate columns or rows on the September primary ballot. In addition, at least one candidate of the party for a state office must have qualified to have his or her name appear on the ballot under the name of the party at the last gubernatorial election.

This bill imposes an additional requirement that, within each assembly district or county, the party have at least one candidate for any national, state or county office listed on the current ballot. If a party does not qualify for a separate ballot, column or row, the bill requires that the ballot contain a place for casting a vote for a write-in candidate of the party for each office.

Filing declarations of candidacy

Currently, the name of each person who receives a vote at an election is recorded on the returns for that election. When a county or state canvass of an election is performed, the names of write-in candidates who receive a comparatively small number of votes may be omitted and the votes designated on the returns as "scattering votes".

This bill permits any write-in candidate to file a declaration of candidacy with the appropriate filing officer or agency, in the same form as is currently provided for other candidates, no later than 5 p.m. on the day before a primary or other election at which the candidate seeks office. Under the bill, the name of any write-in candidate need not be recorded on the returns for any election unless the candidate has filed a timely declaration of candidacy for the office for which the candidate receives votes. The procedure does not apply if a write-in candidate seeks an office for which there are no candidates whose names appear on the ballot or if there appears on the ballot the name of a deceased candidate for the office that the write-in candidate seeks.

BILL***Commencement of terms of office for certain elected town officers***

This bill changes the date of commencement of the terms of office for elected town officers from one week after the spring election to two weeks after the election, consistent with the commencement dates of elected county, city and village officers. The bill does not change the June 1 commencement date for the term of an elected town assessor.

IV. ELECTIONS ADMINISTRATION***Appointment of poll workers***

Currently, party committeemen and committeewomen, if any, may nominate to municipalities individuals to serve as election inspectors (poll workers) and special voting deputies at certain nursing and retirement homes and community-based residential facilities. Under the appointment procedure for election inspectors, a committeeman or committeewoman submits a number of nominees equal to the number of inspectors to be appointed. A committeeman or committeewoman may designate any individual as a first choice nominee. The municipal governing body or board of election commissioners must appoint every first choice nominee unless the governing body or board of election commissioners obtains permission from the state elections board not to appoint the nominee. The elections board may only permit nonappointment if a showing of good cause is made. A municipality's request for nonappointment may be contested and is subject to notice and hearing under the state administrative procedure act. The decision of the elections board may be appealed to circuit court. Regardless of whether nominees are submitted to a municipality by a committeeman or committeewoman, all election inspectors must be designated to represent one of the two political parties whose candidate for president or governor received the greatest number of votes in the area served by the polling place at the most recent general election, with the party whose candidate received the greatest number of votes entitled to be represented by one more inspector than the other party. Appointees serve for two-year terms. Vacancies are filled by the municipal clerk or board of election commissioners of each municipality in the same manner that original appointments are made.

This bill provides that whenever there are an insufficient number of nominees submitted to a municipality by the appropriate party committeemen and committeewomen, the municipality may appoint election inspectors or special voting deputies without regard to party affiliation.

Electronic poll lists

Under current law, election officials at each election ward must maintain two separate lists of all persons voting.

This bill authorizes those lists to be maintained in an electronic format approved by the elections board or its executive director.

Reporting election returns by ward

Current law authorizes the governing body of a municipality to combine two or more wards for voting purposes to facilitate using a common polling place. However, with certain exceptions, every municipality having a population of 35,000 or more is required to maintain separate election returns for each ward so combined. This

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bill changes the population threshold so that only municipalities with a population of 50,000 or more are required to maintain separate election returns for each ward so combined.

Composition of county board of canvassers

Under current law, the county board of canvassers is composed of the county clerk and two qualified electors of the county appointed by the clerk. If the county clerk's office is vacant, if the clerk cannot perform his or her duties or if the clerk is a candidate for an office to be canvassed by the board, the county executive or the chairperson of the county board of supervisors, if there is no executive, must designate another qualified elector of the county to perform the clerk's duties.

Also under current law, every county clerk is required to appoint one or more deputies.

This bill provides that, if a county clerk's office is vacant, if the clerk cannot perform his or her duties, or if the clerk is a candidate at an election being canvassed, the county clerk shall designate a deputy clerk to perform his or her duties. Under the bill, if the county clerk and the designated deputy clerk are both unable to perform their duties, the county executive or chairperson of the county board of supervisors designates another qualified elector to serve, as currently provided.

Enforcement of campaign finance law by Milwaukee County board of election commissioners

Under current law, the state elections board is authorized to investigate, subpoena records and commence and settle civil actions requiring the payment of civil forfeitures for violations of the campaign financing law. This bill grants the same authority to the county board of election commissioners, which must be established in any county with a population of more than 500,000 (currently, Milwaukee County), with respect to campaign finance reports and statements for county offices and referenda.

Administration of elections for joint municipal judges

Under current law, municipalities may enter into an agreement to establish a joint municipal court. In such cases, candidates for municipal judge file nomination papers with the elections board and their elections are certified by the board of state canvassers. This bill requires those candidates to file nomination papers with the county clerk or board of election commissioners of the county having the largest population in the jurisdiction served by the judge and their elections to be certified by the board of canvassers of that county.

Elimination of preparation of write-in absentee ballots for military and overseas electors

Under current law, municipal clerks must prepare write-in absentee ballots for delivery to military and overseas electors no later than 90 days before the election and distribute those ballots when available or when requested. This bill deletes the requirement to prepare and distribute these ballots. Under the bill, electors who prepare these ballots themselves may continue to cast them.

BILL***Consolidated paper ballots***

Under current law, if a municipality utilizes paper ballots at an election, it must provide separate ballots for certain offices or combinations of offices specified by law and separate ballots for referenda. The ballots are then distributed only to those groups of electors who are eligible to vote in the elections to which they pertain.

This bill authorizes a municipality, with the consent of the county clerk or board of election commissioners of each county in which there is located any portion of the municipality, to substitute for paper ballots a consolidated ballot that is prepared for utilization with an electronic voting system in any municipality located in any such county. With the consolidated ballot, all of the offices and referenda appear on the same ballot.

The bill provides that a consolidated ballot may only be distributed to electors who are eligible to vote for all of the offices and in all of the referenda appearing on the ballot.

Filing of referendum questions

Generally, under current law, notice of referendum questions that will appear on an election ballot must be published by the appropriate county or municipal clerk or other appropriate election official or agency prior to the election at which they will appear. However, the statutes do not provide a specific time by which the questions must be provided to the official or agency. This bill requires that, unless otherwise required by current law, all referendum questions that will appear on an election ballot, and all petitions seeking to have questions submitted to a vote of the people, be submitted to the official or agency responsible for the preparation of the ballots no later than six weeks prior to the election at which the question will appear. If, under current law, a referendum may be held sooner than six weeks after the filing of a petition or the passage of a resolution calling for that referendum, this bill extends the time period before which the referendum may be held to not less than six weeks.

Ballot design requirements

Current law sets forth numerous, specific ballot design requirements for use in elections, including spring primary ballots, spring election ballots, September primary ballots, general election ballots and special referenda ballots.

This bill deletes these specific requirements. Instead, the bill requires that, unless otherwise provided by the statutes, all ballots conform with the ballot forms prescribed by the state elections board.

Recount fees

Under current law, each petition for a recount must be accompanied by a fee that is determined by the vote differential between the votes cast for the leading candidate and those for the petitioner or between the affirmative and negative votes cast upon a referendum question. If the vote differential is less than 10 and the total votes cast are 1,000 or less, or less than one-half of 1% of the total votes cast if more than 1,000 votes are cast, the petitioner is not required to pay a fee. If the vote differential is at least 10 out of a total vote of 1,000 or less, or at least one-half of 1% if more than 1,000 votes are cast, the petitioner is required to pay a fee of \$5 for each

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ward for which the petition requests a ballot recount, or \$5 for each municipality where no wards exist.

This bill specifies the following recount fees depending on the vote differential between the votes cast for the leading candidate and those cast for the petitioner or the difference between the affirmative and negative votes cast upon any referendum question:

1. No fee if the vote differential is less than one-half of 1%.
2. Five dollars per ward (or municipality where no wards exist) if the vote differential is at least one-half of 1% but less than 3%.
3. One-half the actual cost of the recount if the vote differential is at least 3% but less than 5%.
4. The actual cost of the recount if the vote differential is 5% or more.

Additionally, the bill requires the elections board to promulgate an administrative rule defining the "actual cost" of conducting a recount.

Delivery of recount documents

Under current law, when a petition for an election recount is filed, the clerk or body with whom the petition is filed must have copies of the petition delivered to the candidates affected by the recount by the sheriff in the manner provided for service of a summons in a civil action.

This bill allows the opportunity for a candidate or an agent designated by the candidate to accept a copy of the petition personally.

Minutes of recount proceedings

Under current law, a board of canvassers must keep complete minutes of all of its recount proceedings. This bill requires a copy of those minutes to be provided to the state elections board.

Time for a hearing on recount appeals

Under current law, an appeal of a recount determination may be made to the circuit court. When an appeal is filed, the court must set the matter for a hearing. However, the time prescribed by the statutes in which the hearing must be held appears to conflict in two different statutory provisions. One provision requires the hearing to be held within five days of the date of the order requiring the municipal clerks to transfer relevant election materials to the court, and another provision requires the hearing to be held within 15 days of the filing of an answer to the appeal. This bill removes this apparent conflict and requires the court to hold a hearing 15 days after the date that the answer to the appeal is filed.

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 5.01 (4) (a) of the statutes is amended to read:

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1 **5.01 (4)** (a) If 2 or more candidates for the same office receive the greatest, but
2 an equal number of votes, the winner shall be chosen by lot in the presence of the
3 board of canvassers charged with the responsibility to determine the election, ~~except~~
4 ~~as provided in s. 9.17 (b), or in the case of an election for state or national office~~
5 ~~or municipal judge, if the judge is elected under s. 755.01 (4), or metropolitan~~
6 sewerage commissioner, if the commissioner is elected under s. 66.23 (11) (am), in the
7 presence of the chairperson of the board.

8 **SECTION 2.** 5.02 (26) of the statutes is created to read:

9 5.02 (26) "Write-in candidate" means a candidate who seeks or receives votes
10 at an election for an office without qualifying to have his or her name appear on the
11 ballot at that election for the office for which the candidate seeks or receives votes.

12 **SECTION 3.** 5.05 (1) (e) of the statutes is amended to read:

13 5.05 (1) (e) Delegate to its executive director the authority to issue a subpoena
14 under par. (b), apply for a search warrant under par. (b), commence an action under
15 par. (d), intervene in an action or proceeding under sub. (9), issue an order under s.
16 5.06, exempt a polling place from accessibility requirements under s. 5.25 (4) (a),
17 exempt a municipality from the requirement to use voting machines or an electronic
18 voting system under s. 5.40 (5m), approve an electronic data recording system for
19 maintaining: poll lists under s. 6.79, or authorize nonappointment of an individual
20 who is nominated to serve as an election official under s. 7.30 (4) (e), subject to such
21 limitations as the board deems appropriate.

22 **SECTION 4.** 5.15 (6) (b) of the statutes is amended to read:

23 5.15 (6) (b) No later than 60 days before each September primary and general
24 election, and no later than 30 days before each other election the governing body of
25 any municipality may by resolution combine 2 or more wards for voting purposes to

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1 facilitate using a common polling place. Whenever wards are so combined, the
2 original ward numbers shall continue to be utilized for all official purposes. Except
3 as otherwise authorized under this paragraph, every municipality having a
4 population of 50,000 or more, ~~or 35,000 or more after June 1, 1996~~, shall maintain
5 separate returns for each ward so combined. In municipalities having a population
6 of less than 50,000, ~~or less than 35,000 after June 1, 1996~~, the governing body may
7 provide in the resolution that returns shall be maintained only for each group of
8 combined wards at any election. ~~In municipalities having a population as shown in~~
9 ~~the 1990 federal decennial census of at least 87,000 but not more than 150,000, the~~
10 ~~governing body may provide in a resolution adopted prior to June 1, 1996 that groups~~
11 ~~of not more than 2 wards shall use common ballot boxes and ballots or voting~~
12 ~~machines and that returns shall be maintained only for each group of combined~~
13 ~~wards at any election held prior to June 1, 1996.~~ Whenever a governing body
14 provides for common ballot boxes and ballots or voting machines, separate returns
15 shall be maintained for each separate ballot required under ss. 5.62 and 5.64 at the
16 September primary and general election. The municipal clerk shall transmit a copy
17 of the resolution to the county clerk of each county in which the municipality is
18 contained. In municipalities having a population of less than 50,000, ~~or less than~~
19 ~~35,000 after June 1, 1996~~, the resolution shall remain in effect for each election until
20 modified or rescinded, or until a new division is made under this section.

21 **SECTION 5.** 5.25 (1) of the statutes is amended to read:

22 5.25 (1) All elections under chs. 5 to 12 shall be held at the polling places
23 provided in this section. ~~So far as practicable, the~~ The places chosen shall be public
24 buildings, unless the use of a public building for this purpose is impracticable or a
25 nonpublic building better serves the needs of the electorate. as determined by the

1 ~~authority charged with the responsibility for establishing polling places under sub.~~

2 (2).

3 **SECTION 6.** 5.25 (4) (b) of the statutes is repealed.

4 **SECTION 7.** 5.25 (4) (d) of the statutes is created to read:

5 5.25 (4) (d) No later than June 30, 2001, and every 2 years thereafter, the board
6 shall submit a report on impediments to voting faced by elderly and handicapped
7 individuals to the appropriate standing committees of the legislature under s. 13.172
8 (3). In preparing its report under this paragraph, the board shall consult with
9 appropriate advocacy groups representing the elderly and handicapped populations.

10 **SECTION 8.** 5.35 (6) (a) 4. of the statutes is repealed.

11 **SECTION 9.** 5.37 (3) of the statutes is amended to read:

12 5.37 (3) For presidential electors one device shall be provided to vote for all of
13 one party's electoral candidates at the same time. The device shall be opposite or
14 adjacent to the ~~ballot containing the~~ names of the party's candidates for president
15 and vice president.

16 **SECTION 10.** 5.51 (8) of the statutes is created to read:

17 5.51 (8) Unless otherwise specifically provided, the form of all ballots shall
18 conform to the ballot forms prescribed by the board under s. 7.08 (1) (a).

19 **SECTION 11.** 5.55 (intro.) of the statutes is renumbered 5.55 and amended to
20 read:

21 **5.55 Ballot identification.** On every ballot, except a ballot label or voting
22 machine ballot, shall be printed "Official Ballot" or "Official Ballot for"
23 followed by the designation of the polling place for which the ballot has been
24 prepared, the date of the election, and the **official** endorsement and blank
25 certificates. The number of the ward or wards or aldermanic district, if any, and the

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1 name of the municipality may be omitted in printing and stamped or written on the
2 ballots at any location which is clearly visible at the option of the county clerk.
3 Printed information and initials shall appear on the back and outside of the ballot.
4 When a ballot card is employed with an electronic voting system, the date of the
5 election may be printed or stamped on the back of the ballot card in such a manner
6 that the card is not reusable, at the option of the county clerk. ~~Each ballot shall be~~
7 ~~prepared in substantially the following form:~~

8 **SECTION 12. 5.55** (form) of the statutes is repealed.

9 **SECTION 13. 5.58 (lc)** of the statutes is amended to read:

10 **5.58 (lc) MUNICIPAL JUDGE.** There shall be a separate ballot for municipal
11 judges if they are elected under s. 755.01 (4). Arrangement of the names on the ballot
12 shall be determined by the board. ~~The ballot shall be entitled "Official Primary~~
13 ~~Ballot for Municipal Judge"~~ county clerk or the executive director of the county board
14 of election commissioners of the county having the largest portion of the population
15 in the jurisdiction served by the judge.

16 **SECTION 14. 5.58 (lr)** of the statutes is amended to read:

17 **5.58 (lr) TOWN SANITARY DISTRICT COMMISSION.** There shall be a separate ballot
18 for members of the town sanitary district commission if commissioners are elected
19 under s. 60.74 and the boundaries of the district are not coterminous with one or more
20 towns. Candidates for different seats shall be listed in separate columns or rows if
21 more than one seat is contested in any election. Arrangement of the names on the
22 ballot shall be determined by the town clerk of the town whose board of supervisors
23 directs the election, in the same manner as provided in s. 5.60 (1) (b). ~~The ballot shall~~
24 ~~be titled "Official Primary Ballot for Town Sanitary District Commission".~~

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1 SECTION 15. 5.58 (2) (a) of the statutes is renumbered 5.58 (2) and amended to
2 read:

3 5.58 (2) STATE SUPERINTENDENT OF PUBLIC INSTRUCTION; JUDICIARY; COUNTY
4 EXECUTIVE; AND COUNTY SUPERVISORS. There shall be one separate ballot for state
5 superintendent, judicial officers, county executive under s. 59.17 and county
6 supervisor. In counties having a population of 500,000 or more, the ballot also shall
7 include those offices under s. 8.11 (2) and (2m). The arrangement of names of
8 candidates for state superintendent, justice, court of appeals judge and circuit court
9 judge shall be determined by the board in the manner specified in s. 5.60 (1) (b).
10 Arrangement of the names of candidates for county executive and county supervisor
11 shall be determined by the county clerk or by the executive director of the county
12 board of election commissioners in the manner specified in s. 5.60 (1) (b). ~~The ballot~~
13 ~~shall be titled "Official Ballot for State Superintendent of Public Instruction,~~
14 ~~Judicial, County Executive and County Supervisor Primary".~~

15 SECTION 16. 5.58 (2) (b) of the statutes is repealed.

16 SECTION 17. 5.58 (2m) of the statutes is amended to read:

17 5.58 (2m) METROPOLITAN SEWERAGE COMMISSION. There shall be a separate
18 ballot for members of the metropolitan sewerage commission if commissioners are
19 elected under s. 66.23 (11) (am), with candidates for different seats listed in separate
20 columns or rows if more than one seat is contested at any election. Arrangement of
21 the names on the ballot shall be determined by the board. ~~The ballot shall be titled~~
22 ~~"Official Primary Ballot for Metropolitan Sewerage Commission".~~

23 SECTION 18. 5.60 (1) (intro.) of the statutes is amended to read:

24 5.60 (1) STATE SUPERINTENDENT; JUDICIARY; COUNTY EXECUTIVE AND COUNTY
25 SUPERVISORS. (intro.) There shall be one separate ballot for state superintendent,

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1 judicial officers, county executive and county supervisor. For county supervisor, the
 2 ballot shall be prepared in accordance with ss. 5.58 (2) and 59.10 (3). Arrangement
 3 of the names of candidates for county executive ~~and~~, county supervisor and
 4 municipal judge, if the judge is elected under s. 755.01 (4), shall be determined by
 5 the county clerk or the executive director of the county board of election
 6 commissioners determining ballot arrangement under s. 5.58 (1c), in the manner
 7 prescribed in par. (b).

8 **SECTION 19.** 5.60 (1) (b) of the statutes is amended to read:

9 5.60 (1) (b) The board shall certify the candidates' names and designate the
 10 official ballot arrangement for candidates for state superintendent, justice, court of
 11 appeals judge, circuit judge, ~~municipal judge elected under s. 755.01 (4)~~ and, if
 12 commissioners are elected under s. 66.23 (11) (am), the metropolitan sewerage
 13 commission. The arrangement of names of all candidates on the ballot whose
 14 nomination papers are filed with the board shall be determined by the board by the
 15 drawing of lots not later than the 2nd Tuesday in January, or the next day if the first
 16 Tuesday is a holiday. Whenever a primary is held for an office, a 2nd drawing of all
 17 candidates for that office shall be held by or under the supervision of the board not
 18 later than the 3rd day following the completion of the primary canvass to determine
 19 the arrangement of candidates on the election ballot.

20 **SECTION 20.** 5.60 (8) (a) of the statutes is amended to read:

21 5.60 (8) (a) An official ballot shall be printed and provided for use in each voting
 22 district. ~~The form of each ballot shall be substantially as follows:~~

23 ~~1. Form 1, to be used when there are several candidates:~~

24 ~~OFFICIAL BALLOT~~

25 ~~PRESIDENTIAL PREFERENCE VOTE~~

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~~.... 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 (X) in the square after that person’s name); or~~

~~Vote for an uninstructed delegation from Wisconsin to the national convention of the party (in that case, make a cross (X) in the square following “Uninstructed delegation”); 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 ()~~

~~Uninstructed delegation ()~~

~~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 (X) in the square after that person’s name); or~~

~~Vote for an uninstructed delegation from Wisconsin to the national convention of the party (in that case, make a cross (X) in the square marked “Uninstructed delegation” following that person’s name); or~~

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

4 JOHN DOE ()

5 Uninstructed delegation ()

6 ~~Write in candidate~~

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

9 OFFICIAL BALLOT

10 PRESIDENTIAL PREFERENCE VOTE

11 Party

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

15 ~~Express your preference for an uninstructed delegation from Wisconsin to the~~
16 ~~national convention of the party (in that case, make a cross (X) in the square~~
17 ~~following "Uninstructed delegation"); or~~

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

21 Uninstructed delegation ()

22 ~~Write in candidate~~

23 SECTION 21. 5.62 (1) (a) of the statutes is amended to read:

24 5.62 (1) (a) At September primaries, the following ballot shall be provided for
25 the nomination of candidates of recognized political parties for national, state and

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1 county offices and independent candidates ~~for state office~~ in each ward, in the same
2 form as prescribed by the board under s. 7.08 (1) (a). The ballots shall be made up
3 of the several party tickets with each party entitled to participate in the primary
4 under par. (b) or sub. (2) having its own ballot. The independent candidates ~~for state~~
5 ~~office other than district attorney~~ shall have a separate ballot for all such candidates
6 as under s. 5.64 (1) (e). The ballots shall be secured together at the bottom. The party
7 ballot of the party receiving the most votes for president or governor at the last
8 general election shall be on top with the other parties arranged in descending order
9 based on their vote for president or governor at the last general election. The ballots
10 of parties qualifying under sub. (2) shall be placed after the parties qualifying under
11 par. (b), in the same order in which the parties filed petitions with the board. The
12 ballot listing the independent candidates shall be placed at the bottom. On that
13 ballot, if a place is designated to write in the names of any party candidates under
14 par. (b) 2. or sub. (2) (b), the places shall appear before the names of the independent
15 candidates in the same order in which the ballots of their parties would appear under
16 this paragraph. At polling places where voting machines are used, each party and
17 the independent candidates shall be represented in one or more separate columns
18 or rows on the ballot. At polling places where an electronic voting system is used
19 other than an electronic voting machine, each party and the independent candidates
20 may be represented in separate columns or rows on the ballot.

21 **SECTION 22.** 5.62 (1) (b) of the statutes is renumbered 5.62 (1) (b) 1. and
22 amended to read:

23 5.62 (1) (b) 1. Every Except as provided in subd. 2. and s. 5.64 (1) (e) 2., every
24 recognized political party listed on the official ballot at the last gubernatorial election
25 whose candidate for any statewide office received at least ~~one percent~~ 1% of the total

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1 votes cast for that office and, if the last general election was also a presidential
2 election, every recognized political party listed on the ballot at that election whose
3 candidate for president received at least ~~one percent~~ 1% of the total vote cast for that
4 office shall have a separate primary ballot or one or more separate columns or rows
5 on the primary ballot as prescribed in par. (a) and a separate column on the general
6 election ballot in every ward and election district. An organization which was listed
7 as "independent" at the last general election and whose candidate meets the same
8 qualification shall receive the same ballot status upon petition of the chairperson
9 and secretary of the organization to the board requesting such status and specifying
10 their party name, which may not duplicate the name of an existing party. A petition
11 under this ~~paragraph subdivision~~ may be filed no later than 5 p.m. on June 1 in the
12 year of each general election. ~~This paragraph applies to a party only if at least one~~
13 ~~candidate of the party for a state office qualifies to have his or her name appear on~~
14 ~~the ballot under the name of the party at the last gubernatorial election.~~

15 **SECTION 23.** 5.62 (1) (b) 2. of the statutes is created to read:

16 5.62 (1) (b) 2. Subdivision 1. applies to a party within any assembly district or
17 county at any September primary election only if at least one candidate of the party
18 for any national, state or county office qualifies to have his or her name appear on
19 the ballot under the name of that party within that assembly district or county The
20 county clerk or county board of election commissioners shall provide a place on the
21 ballot for the independent candidates that will permit an elector to cast a vote for a
22 write-in candidate for the nomination of any party for each national, state and
23 county office whenever that party qualifies to be represented on a separate primary
24 ballot or in one or more separate columns or rows under subd. 1. but does not qualify
25 under this subdivision.

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SECTION 24

1 **SECTION 24.** 5.62 (2) of the statutes is renumbered 5.62 (2) (a) and amended to
2 read:

3 5.62 (2) (a) ~~Any~~ Except as provided in par. (b) and s. 5.64 (1) (e) 2., any political
4 organization may be represented on a separate primary ballot or in one or more
5 separate columns or rows on the primary ballot as prescribed in sub. (1) (a) and in
6 a separate column on the general election ballot in every ward and election district
7 if, not later than 5 p.m. on June 1 in the year of a September primary, it files with
8 the board a petition so requesting. To qualify for a separate ballot, the petition shall
9 be signed by at least 10,000 electors, including at least 1,000 electors residing in each
10 of at least 3 separate congressional districts. The petition shall conform to the
11 requirements of s. 8.40. No signature obtained before January 1 in the year of filing
12 is valid. When the candidates of a political organization filing a valid petition fulfill
13 the requirements prescribed by law, they shall appear on a separate ballot or one or
14 more separate columns or rows on the ballot for the period ending with the following
15 general election.

16 **SECTION 25.** 5.62 (2) (b) of the statutes is created to read:

17 5.62 (2) (b) Paragraph (a) applies to a party within any assembly district or
18 county at any September primary election only if at least one candidate of the party
19 for any national, state or county office qualifies to have his or her name appear on
20 the ballot under the name of that party within that assembly district or county The
21 county clerk or county board of election commissioners shall provide a place on the
22 ballot for the independent candidates that will permit an elector to cast a vote for a
23 write-in candidate for the nomination of any party for each national, state and
24 county office whenever that party qualifies to be represented on a separate primary

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1 ballot or in one or more separate columns or rows under par. (a) but does not qualify
2 under this paragraph.

3 **SECTION 26.** 5.62 (5) of the statutes is amended to read:

4 5.62 (5) At the September primary, an elector may vote for the candidates of
5 only one party, or the elector may vote for any of the independent candidates ~~for state~~
6 ~~office~~ listed; but the elector may not vote for more than one candidate for a single
7 office. A space shall be provided on the ballot for an elector to write in the name of
8 his or her choice as a party candidate for any office, including a party candidate of
9 a party whose name appears on the ballot, column or row designated for independent
10 candidates, as provided in sub. (1) (b) or (2) (b), but no space shall be provided to write
11 in the names of independent candidates.

12 **SECTION 27.** 5.64 (1) (intro.) of the statutes is amended to read:

13 5.64 (1) **OFFICIAL BALLOT.** (intro.) There shall be a separate ballot giving the
14 names of all candidates for president and vice president and for statewide,
15 congressional, legislative and county offices in the same form as prescribed by the
16 board under s. 7.08 (1) (a).

17 **SECTION 28.** 5.64 (1) (a) of the statutes is amended to read:

18 5.64 (1) (a) The ballot shall ~~be labeled "Official Ballot" in lettering at least~~
19 ~~three eighths inch high. Directly underneath in plain, legible type, shall be the~~
20 ~~following voting instructions: "If you desire permit an elector to vote a straight party~~
21 ~~ticket for president and vice president, whenever those offices are contested, and for~~
22 ~~all statewide, congressional, legislative and county offices, make a cross (X) in the~~
23 ~~circle under the party designation at the top of the party column. If you desire to vote~~
24 ~~for individual candidates -) in the square at the ~~RIGHT~~ of the name~~
25 ~~of each candidate for whom you desire to vote. To for each office or to vote for a person~~

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1 whose name does not appear on the ballot, ~~write the name in the blank space~~
2 ~~provided for the purpose for any office~~. When voting for governor and lieutenant
3 governor, ~~you may~~ the ballot shall permit an elector to vote only for the candidates
4 on one ticket jointly or write in the names of persons in both spaces.“~~Under the~~
5 ~~party designation at the top of each party column shall appear the following words~~
6 ~~in boldface type: “Make a cross (X) in this circle to vote a straight party ticket.”.~~

7 SECTION 29. 5.64 (1) (b) of the statutes is amended to read:

8 5.64 (1) (b) ~~Below the voting instructions the ballot shall be divided into~~
9 ~~vertical columns~~. The names of the candidates on the regular party tickets
10 nominated at the primary or replacements appointed under s. 8.35 (2) shall be
11 ~~printed each~~ in appear in a separate column under the party designation. The
12 columns shall be arranged from left to right according to rank, based on the number
13 of votes received by the each party's candidate for president or governor at the last
14 general election beginning with the party that received the most votes. To the right
15 of the columns for parties qualifying under s. 5.62 (1) (b) shall be placed the columns
16 for parties qualifying under s. 5.62 (2) in the same order in which the parties filed
17 petitions with the board. To the right of the party columns shall be a column for the
18 names of independent candidates for each office, or more than one column if the first
19 column does not provide sufficient space for the names of all such candidates.

20 SECTION 30. 5.64 (1) (c) of the statutes is repealed.

21 SECTION 31. 5.64 (1) (d) of the statutes is amended to read:

22 5.64 (1) (d) The offices shall be arranged beginning with president and vice
23 president or governor and lieutenant governor, whenever these offices are filled, and
24 then the remaining offices in the order designated under s. 5.62 (3).

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1 **SECTION 32.** 5.64 (1) (e) of the statutes is renumbered 5.64 (1) (e) **1.** and
2 amended to read:

3 5.64 **(1)** (e) 1. ~~Within each column, each space shall state the office to be voted~~
4 ~~for directly above the candidate's first and last name.~~ The Except as provided in
5 subd. 2., each candidate's name shall be placed in the party column of the party by
6 which nominated or if independent, in a column designated independent and all
7 candidates for the same office shall appear within the same rows on the ballot. ~~Below~~
8 If a place is designated to write in the names of any party candidates in the column
9 for independent candidates under subd. 2., the places shall appear before the name
10 of the independent candidates in the same order in which the columns of their parties
11 would appear under par. (b). Along with the names of the independent candidates
12 shall appear the party or principle of the candidates, if any, in 5 words or less, as
13 shown on their nomination papers. Independent candidates for the same county
14 office shall be listed in the same manner in an order drawn by lot by or under
15 supervision of the county clerk or board of election commissioners. The board shall
16 conduct a redrawing for purposes of determining the arrangement of independent
17 candidates for state office who appeared on the primary ballot in the manner
18 provided ins. 5.60 (1) (b). ~~To the right of each candidate's name, in each column, shall~~
19 ~~be a square for the elector to make his or her cross (X).~~

20 **SECTION 33.** 5.64 (1) (e) 2. of the statutes is created to read:

21 5.64 **(1)** (e) 2. There shall be a separate column for the candidates of each party
22 qualifying for that column under s. 5.62 (1) (b) or (2), except that if, within any
23 assembly district or county, there are no candidates for any national, state or county
24 office representing such a party who qualify to have their names appear on the ballot
25 under the name of that party within that assembly district, the county clerk or board

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1 of election commissioners shall provide a space within the column for the
2 independent candidates that will permit an elector to cast a vote for a write-in
3 candidate of that party for each national, state and county office.

4 **SECTION 34.** 5.64 (1) (eg) of the statutes is created to read:

5 5.64 (1) (eg) In the case of balloting for the offices of president and vice
6 president, the names of the candidates shall be placed in the column of the party that
7 nominated them or if independent, in a column designated independent. In each
8 column there shall be one choice for the elector to cast a ballot jointly for both offices.

9 **SECTION 35.** 5.64 (1) (f) of the statutes is amended to read:

10 5.64 (1) (f) In the case of balloting for the office of governor and lieutenant
11 governor, the names of the candidates shall be placed in the party column by which
12 nominated or if independent, in a column designated independent. ~~To the right of~~
13 ~~the names of the set of candidates for governor and lieutenant governor, in~~ In each
14 column there shall be one square choice for the elector to cast a ballot jointly for both
15 offices.

16 **SECTION 36.** 5.64 (2) (a) and (b) of the statutes are repealed.

17 **SECTION 37.** 5.64 (2) (c) of the statutes is renumbered 5.64 (2).

18 **SECTION 38.** 5.64 (3) (intro.) of the statutes is repealed.

19 **SECTION 39.** 5.64 (3) (a) of the statutes is renumbered 5.64 (1) (em) and
20 amended to read:

21 5.64 (1) (em) ~~The ballot shall be titled "Official Presidential Ballot" in lettering~~
22 ~~at least three eighths inch high. Directly underneath in plain, legible type shall be~~
23 ~~the following voting instructions: "Make a cross (X) in the square opposite the names~~
24 ~~of the candidates for whose electors you desire to vote or write in the names of~~
25 ~~candidates for president and vice president in the space provided for the purpose.~~

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1 ~~Vote in ONE square only.~~ The names of the candidates for the offices of president
2 and vice president certified under s. 8.16 (7) or filed under s. 8.20 shall appear on the
3 ballot in the form prescribed in s. 7.08 (2) (a). The names of the presidential electors
4 for the candidates supplied under ss. 8.18 (2) and 8.20 (2) (d) are not listed on the
5 ballot but a vote for the candidates for president and vice president is a vote for them
6 through their named presidential electors.

7 **SECTION 40.** 5.64 (3) (b) of the statutes is renumbered 5.64 (1) (es) and amended
8 to read:

9 5.64 (1) (es) The party candidates shall be arranged consecutively from top to
10 bottom based on the number of votes received by their party's candidate for governor
11 at the last election beginning with the party that received the most votes. The
12 independent president-vice president candidates shall be listed together in an order
13 drawn by lot by or under supervision of the board, following under the party
14 candidates. ~~Below~~ Along with the names of the independent candidates shall appear
15 the party or principle of the candidates, if any, in 5 words or less, as shown on their
16 nomination papers. Following under the independent candidates, a space shall be
17 left for writing in the names of a candidate for president and vice president.

18 **SECTION 41.** 5.65 of the statutes is amended to read:

19 **5.65 Special referendum ballots.** Unless otherwise provided, ballots for
20 special referenda shall conform to the format prescribed ~~in~~ under s. 5.64 (2), insofar
21 as applicable.

22 **SECTION 42.** 5.655 of the statutes is created to read:

23 **5.655 Special consolidated paper ballot. (1)** Whenever a municipality
24 employing paper ballots is required to utilize separate ballots for certain offices or
25 referenda at an election, the municipality may, with the approval of the county clerk

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SECTION 42

1 or board of election commissioners of each county in which there is located any
2 portion of the municipality where one or more electors reside, substitute a ballot that
3 is utilized with an electronic voting system by any municipality that is located in any
4 such county, if the ballot contains all of the applicable information required to be
5 provided for paper ballots at that election. On such a ballot, there shall appear all
6 offices and referenda on which votes are to be cast at the election. Such a ballot may
7 only be distributed to electors who are eligible to vote for all of the offices and in all
8 of the referenda appearing on the ballot. The municipality shall utilize separate
9 ballots to the extent required to permit participation in an election by those electors
10 of the municipality who are not authorized to vote for all offices and in all referenda.

11 (2) The board shall require the same notices and instructions to be given to
12 electors who use a ballot that is authorized under sub. (1) as are provided to electors
13 who use the same ballot with an electronic voting system, insofar as applicable.

14 **SECTION 43. 5.81 (2)** of the statutes is amended to read:

15 5.81 (2) When an electronic voting system utilizes a ballot label booklet and
16 ballot card, ballots for candidates and ballots on referenda may be placed on the
17 voting device by providing in the ballot booklet separate ballot label pages or series
18 of pages distinguished by differing colors. Whenever practicable, all candidates for
19 the **same** office shall appear in the booklet on the same page or facing pages. More
20 than one question may be placed on the same ballot page or series of pages. In
21 elections where provision is made for straight party voting ~~by marking a party circle,~~
22 the designation of the political parties for straight party voting shall be on a separate
23 page on which no names of candidates may appear. On each succeeding page of the
24 candidate booklet, where the ballot information is listed vertically, the party
25 affiliation of each candidate or the designation "independent" or the candidate's

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1 statement of principles, if any, shall appear ~~immediately to the left of~~ next to the
2 candidate's name, and the name of candidates for the same office shall be listed
3 vertically under the title of that office.

4 SECTION 44. 6.15 (3) (b) of the statutes is amended to read:

5 6.15 (3) (b) *Election day*. An eligible elector may appear at the polling place for
6 the ward or election district where he or she resides and make application for a ballot
7 under sub. (2). In such case, the inspector or special registration deputy shall
8 perform the duties of the municipal clerk. The elector shall provide identification.
9 If the elector is qualified, he or she shall be permitted to vote. The elector shall mark
10 or punch the ballot and, unless the ballot is utilized with an electronic voting system,
11 the elector shall fold the ballot, and shall deposit the ballot in the ballot box or give
12 it to the inspector. The inspector shall deposit it directly in the ballot box. Voting
13 machines or ballots utilized with electronic voting systems may only be used by
14 electors voting under this section if they permit voting for president and vice
15 president only.

16 SECTION 45. 6.24 (1), (2) and (3) of the statutes are amended to read:

17 **6.24 (1) DEFINITION.** In this section, "overseas elector" means a U.S. citizen who
18 is not disqualified from voting under s. 6.03, who has attained or will attain the age
19 of 18 by the date of an election at which the citizen proposes to vote and who does not
20 qualify as a resident of this state under s. 6.10, but who was last domiciled in this
21 state or whose parent was last domiciled in this state immediately prior to the
22 parent's departure from the United States, and who is not registered to vote or voting
23 in any other state, territory or possession.

24 (2) **ELIGIBILITY.** An overseas elector under sub. (1) may vote in any election for
25 national office, including the September primary and presidential preference

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1 primary and any special primary or election. Such elector may not vote in an election
2 for state or local office. An overseas elector shall vote in the ward or election district
3 in which ~~he or she~~ the elector was last domiciled or in which the elector's narent was
4 last domiciled prior to departure from the United States.

5 (3) **REGISTRATION.** If registration is required in the municipality where the
6 overseas elector resides resided or where the elector's narent resided, the elector
7 shall register on a form prescribed by the board designed to ascertain the elector's
8 qualifications under this section. The form shall be substantially similar to the
9 original form under s. 6.33 (1), insofar as applicable. Registration shall be
10 accomplished in accordance with s. 6.30 (3).

11 **SECTION 46.** 6.24 (5) of the statutes is amended to read:

12 6.24 (5) **BALLOTS.** The board shall prescribe a special ballot for use under this
13 section whenever necessary. Official ballots ~~under ss 5.60 (8) and 5.64 (3)~~ prescribed
14 for use in the presidential preference primary may also be used. The ballot shall be
15 designed to comply with the requirements of prescribed under ss. 5.60 (8), 5.62 and
16 5.64 (1) insofar as applicable. All ballots shall be limited to national offices only.

17 **SECTION 47.** 6.275 (1) (c) of the statutes is amended to read:

18 6.275 (1) (c) Where registration applies, the total number of electors of the
19 municipality residing in that county who registered after the close of registration and
20 prior to the day of the primary or election under ~~s. ss. 6.28 (1) and~~ 6.29.

21 **SECTION 48.** 6.28 (1) of the statutes is amended to read:

22 6.28 (1) **REGISTRATION LOCATIONS; DEADLINE.** ~~Registration~~ Except as authorized
23 in ss. 6.29 and 6.55 (2), registration in person for any election shall close at 5 p.m.
24 on the 2nd Wednesday preceding the election. Registrations made by mail under s.
25 6.30 (4) must be delivered to the office of the municipal clerk or postmarked no later

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1 than the 2nd Wednesday preceding the election. An annlication for registration in
2 person or by mail may be accented for placement on the registration list after the
3 specified deadline, if the municipal clerk determines that the registration list can be
4 revised to incorporate the registration in time for the election. All applications for
5 registration corrections and additions may be made throughout the year at the office
6 of the city board of election commissioners, at the office of the municipal clerk, at the
7 office of any register of deeds or at other locations provided by the board of election
8 commissioners or the common council in cities over 500,000 population or by either
9 or both the municipal clerk, or the common council, village or town board in all other
10 municipalities and may also be made during the school year at any high school by
11 qualified persons under sub. (2) (a). Other registration locations may include but are
12 not limited to fire houses, police stations, public libraries, institutions of higher
13 education, supermarkets, community centers, plants and factories, banks, savings
14 and loan associations and savings banks. Special registration deputies shall be
15 appointed for all locations.

16 **SECTION 49.** 6.29 (1) of the statutes is amended to read:

17 6.29 (1) No names may be added to a registration list for any election after the
18 close of registration, except as authorized under this section or s. ~~6.28 (1) or 6.55 (2)~~
19 ~~or (3)~~. Any person whose name is not on the registration list but who is otherwise
20 a qualified elector is entitled to vote at the election upon compliance with this section.

21 **SECTION 50.** 6.30 (3) (c) of the statutes is amended to read:

22 6.30 (3) (c) The elector shall return the registration form to the clerk of the
23 municipality where the elector resides. The form shall be prepostpaid for return
24 when mailed at any point within the United States. To be eligible to vote in an
25 election the form shall be received by the clerk prior to the close of the clerk's office

BILL**SECTION 50**

1 on the registration deadline date for that election+ unless the clerk accents the form
2 for placement on the registration list after the deadline date as provided in s. 6.28
3 (1).

4 **SECTION 51. 6.77 (2)** of the statutes is amended to read:

5 6.77 (2) ~~Whenever~~ Except as provided in sub. (3), whenever territory which was
6 formerly a part of one municipality becomes a part of another municipality, an elector
7 of the territory shall vote in the municipality in which the territory is included on the
8 day of the election.

9 **SECTION 52. 6.77 (3)** of the statutes is created to read:

10 6.77 (3) Whenever territory which was formerly a part of one municipality
11 becomes a part of another municipality less than 10 days prior to the election, an
12 elector of the territory shall vote in the municipality in which the territory was
13 formerly included.

14 **SECTION 53. 6.79 (intro.)** of the statutes is amended to read:

15 **6.79 Recording electors.** (intro.) Two election officials at each election ward
16 shall be in charge of and shall maintain 2 separate lists of all persons voting. The
17 municipal clerk may elect to maintain the information on the poll list manually or
18 electronically. If the list is maintained electronically, the officials shall enter the
19 information into an electronic data recording system that enables retrieval of a
20 printed copy of the poll list at the polling place. The system employed is subject to
21 the approval of the board.

22 **SECTION 54. 6.79 (1)** of the statutes is amended to read:

23 6.79 (1) **MUNICIPALITIES WITHOUT REGISTRATION.** Where there is no registration,
24 before being permitted to vote, each person shall state his or her full name and
25 address. The officials shall ~~record~~ enter each name and address on a poll list in the

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1 same order as the votes are cast. If the residence of the elector does not have a
2 number, the election officials shall, in the appropriate space, ~~write~~ enter "none".
3 Alternatively, the municipal clerk may maintain a poll list consisting of the full name
4 and address of electors compiled from previous elections. Whenever an elector
5 appears to vote, the officials shall verify the correctness of the elector's name and
6 address, and shall enter a serial number next to the name of the elector in the order
7 that the votes are cast, beginning with the number one. If the name and address of
8 an elector do not appear on the prepared poll list, the officials shall ~~record~~ enter the
9 name, address and serial number of the elector at the bottom of the list. The officials
10 may require any elector to provide identification, including acceptable proof of
11 residence, or to have another elector corroborate his or her information in accordance
12 with the procedure specified in s. 6.55 (2) (b) before permitting the elector to vote.
13 The officials shall maintain a separate list of those persons voting under ss. 6.15 and
14 6.24.

15 **SECTION 55.** 6.79 (2) of the statutes is amended to read:

16 6.79 (2) **MUNICIPALITIES WITH REGISTRATION.** Where there is registration, each
17 person, before receiving a voting number, shall state his or her full name and
18 address. Upon the prepared registration list, after the name of each elector, the
19 officials shall enter the serial number of the vote as it is polled, beginning with
20 number one. Each elector shall receive a slip bearing the same serial number. A
21 separate list shall be maintained for electors who are voting under s. 6.15, 6.29 or
22 6.55 (2) or (3) and electors who are reassigned from another polling place under s.
23 5.25 (5) (b). Each such elector shall have his or her full name, address and serial
24 number likewise ~~recorded~~ entered and shall be given a slip bearing such number.

25 **SECTION 56.** 6.79 (5) of the statutes is amended to read:

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SECTION 56

FORMAT

~~designated~~

1
2

6.79 (5) ~~POLL LIST FORMS~~. Poll lists shall be kept on forms for in an electronic
format ^{prescribed} ~~designed~~ by the board to be substantially similar to the standard registration
list forms used in municipalities where registration is required and shall require, for
each person offering to vote, the entry of the person's full name and address.

SECTION 57. 6.80 (2) (e) and (f) of the statutes are amended to read:

6.80 (2) (e) Upon voting his or her ballot, the elector shall publicly and in person
deposit it ~~in~~ into the ballot box or deliver it to an inspector ~~for, who shall~~ deposit the
ballot in into the ballot box.

(f) In the presidential preference primary and other partisan primary elections
at polling places where ballots are distributed to electors, unless the ballots are
utilized with an electronic voting system in which all candidates appear on the same
ballot, after the elector prepares his or her ballot the elector shall detach the
remaining ballots, fold the ballots to be ~~discarded,~~ and fold the completed ballot
unless the ballot is intended for counting with automatic tabulating equipment, The
elector shall then either personally deposit the ballots to be discarded ~~in~~ into the
separate ballot box marked "blank ballot box"; and deposit the completed ballot ~~in~~
into the ballot box indicated by the inspectors, or give the ballots to an inspector who
shall denosit the ballots directly into the appropriate ballot boxes. The inspectors
shall keep the blank ballot box locked until the canvass is completed and shall
dispose of the blank ballots as prescribed by the municipal clerk.

SECTION 58. 6.85 of the statutes is amended to read:

6.85 Absent elector; definition. An absent elector is any otherwise qualified
elector who ~~is or expects to be absent from the municipality in which the absent~~
~~elector is a qualified elector on election day whether by reason of active service in the~~
~~U.S. armed forces or for any other reason, or who because of age, sickness, handicap,~~

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1 ~~physical disability, jury duty, service as an election official or religious reasons~~
2 ~~cannot~~ is unable or unwilling to appear at the polling place in his or her ward. ~~No~~
3 ~~person under the age of 70 qualifies as an absent elector solely because of age.~~ Any
4 otherwise qualified elector who changes residence within this state by moving to a
5 different ward or municipality later than 10 days prior to an election may vote an
6 absentee ballot in the ward or municipality where he or she was qualified to vote
7 before moving. An elector qualifying under this section may vote by absentee ballot
8 under ss. 6.86 to 6.89.

9 **SECTION 59.** 6.86 (1) (b) of the statutes is amended to read:

10 6.86 (1) (b) Except as provided in this section, if application is made in writing,
11 the application, signed by the elector, shall be received no later than 5 p.m. on the
12 Friday immediately preceding the election. If application is made in person, the
13 application shall be made no later than 5 p.m. on the day preceding the election. If
14 the elector is making written application and the application indicates that the
15 reason for requesting an absentee ballot is that the elector is a sequestered juror, the
16 application shall be received no later than 5 p.m. on election day. If the application
17 is received after 5 p.m. on the Friday immediately preceding the election, the
18 municipal clerk or the clerk's agent shall immediately take the ballot to the court in
19 which the elector is serving as a juror and deposit it with the judge. The judge shall
20 recess court, as soon as convenient, and give the elector the ballot. The judge shall
21 then notarize the affidavit as provided in s. 6.87 and shall deliver the ballot to the
22 clerk or agent of the clerk who shall deliver it to the polling place as required in s.
23 6.88. If application is made under sub. (2), the application may be received no later
24 than 5 p.m. on the Friday immediately preceding the election.

25 **SECTION 60.** 6.86 (3) (a) of the statutes is amended to read:

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1 6.86 (3) (a) Any elector who is registered, or otherwise qualified where
2 registration is not required, and who ~~qualifies under ss. 6.20 and 6.85 as an absent~~
3 ~~elector. Cause the elector~~ is hospitalized, may apply for and obtain an official ballot
4 by agent. The agent may apply for and obtain a ballot for the hospitalized absent
5 elector by presenting a form prescribed by the board and containing the required
6 information supplied by the hospitalized elector and signed by that elector and any
7 other elector residing in the same municipality as the hospitalized elector,
8 corroborating the information contained therein. The corroborating elector shall
9 state on the form his or her full name and address.

10 **SECTION 61.** 6.865 (intro.) and (1) of the statutes are consolidated, renumbered
11 6.865 and amended to read:

12 **6.865 Federal postcard request form.** A federal postcard registration and
13 absentee ballot request form may be used to apply for an absentee ballot under s. 6.86
14 (1) if the form is completed in such manner that the municipal clerk or board of
15 election commissioners with whom it is filed is able to determine ~~all of the following:~~
16 ~~(1) That that~~ the applicant is an elector of this state and of the ward or election
17 district where the elector seeks to vote.

18 **SECTION 62.** 6.865 (2) of the statutes is repealed.

19 **SECTION 63.** 6.87 (2) of the statutes is amended to read:

20 6.87 (2) The municipal clerk shall place the ballot in an unsealed envelope
21 furnished by the clerk. The envelope shall have the name, official title and
22 post-office address of the clerk upon its face. The other side of the envelope shall
23 have a printed certificate-affidavit in substantially the following form:

24 [STATE OF

25 County of]

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1 or

2 [(name of foreign country and city or other jurisdictional unit)]

3 I, (certify) (do solemnly swear) subject to the penalties of s. 12.60 (1) (b), Wis.

4 Stats., for false statements, that I am a resident of the [... ward ~~of the~~] (town) (village)

5 of or of the aldermanic district in the city of residing at in said city, the

6 county of state of Wisconsin, and am entitled to vote in the (ward) (election

7 district) at the election to be held on that I am not voting at any other location

8 in this election; that I ~~cannot~~ am unable or unwilling: to appear at the polling place

9 in the (ward) (election district) on election day ~~because I am let to be absent from the~~

10 ~~municipality or because of age, sickness, handicap, physical disability, religious~~

11 ~~reasons, jury duty, service as an election official, or because I have changed my~~

12 ~~residence within the state from one ward or election district to another within 10~~

13 ~~days before the election.~~ I (certify) (swear) that I exhibited the enclosed ballot

14 unmarked to the (2 witnesses) (person administering the oath), that I then in (their)

15 (his) (her) presence and in the presence of no other person marked the ballot and

16 enclosed and sealed the same in this envelope in such a manner that no one but

17 myself and any person rendering assistance under s. 6.87 (5), Wis. Stats., if I

18 requested assistance, could know how I voted.

19 Signed

20 The (2 witnesses) (person administering the oath) shall execute either of the
21 following as appropriate:

22 We, the undersigned witnesses, subject to the penalties of s. 12.60 (1) (b), Wis.
23 Stats., for false statements, certify that the above statements are true and the voting
24 procedure was executed as there stated. Neither of us is a candidate for any office
25 on the enclosed ballot (except in the case of an incumbent municipal clerk). The

BILL

1 elector was not solicited or advised by us to vote for or against any candidate or
2 measure.

3(Name)

4(Address)

5(Name)

6(Address)

7 Subscribed and sworn to before me this day of A.D., and I hereby
8 certify that I am not a candidate on the ballot upon which the affiant voted (unless
9 I am an incumbent municipal clerk), that the voting procedure above was executed
10 as therein stated, and that the **affiant** was not solicited or advised by me to vote for
11 or against any candidate or measure.

12(Name)

13(Title)

14(State or nation)

15 **SECTION 64.** 6.88 (1) of the statutes is amended to read:

16 6.88 (1) When an absentee ballot arrives at the office of the municipal clerk,
17 the clerk shall enclose it, unopened, in a carrier envelope which shall be securely
18 sealed and endorsed with the name and official title of the clerk, ~~and the words "This~~
19 ~~envelope contains the ballot of an absent, aged, sick, handicapped or disabled elector~~
20 ~~or the ballot of an election official and must be opened at the polls during polling~~
21 ~~hours on election day".~~ The clerk shall keep the ballot in the clerk's office until
22 delivered, as required in sub. (2).

23 **SECTION 65.** 6.92 (intro.) of the statutes is renumbered 6.92 and amended to
24 read:

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1 **6.92 Inspector making challenge.** Each inspector shall challenge for
2 cause any person offering to vote whom the inspector knows or suspects is not a
3 qualified elector. If a person is challenged as unqualified by an inspector, one of the
4 inspectors shall administer the following oath or affirmation to the person: 'You do
5 solemnly swear (or affirm) that you will fully and truly answer all questions put to
6 you regarding your place of residence and qualifications as an elector of this
7 election"; and shall then ask ~~those of the following~~ questions which are appropriate
8 as determined by the board, by rule, to test the person's qualificationsa

9 **SECTION 66.** 6.92 (1) to (6) of the statutes are repealed.

10 **SECTION 67.** 6.925 (intro.) of the statutes is renumbered 6.925 and amended
11 to read:

12 **6.925 Elector making challenge in person.** Any elector may challenge for
13 cause any person offering to vote whom the elector knows or suspects is not a
14 qualified elector. If a person is challenged as unqualified by an elector, one of the
15 inspectors may administer the oath or affirmation to the challenged elector under s.
16 6.92 and ask the challenged elector the questions under that section which are
17 appropriate to test the elector's qualifications. In addition, one of the inspectors shall
18 administer the following oath or affirmation to the challenging elector: 'You do
19 solemnly swear (or affirm> that you will fully and truly answer all questions put to
20 you regarding the challenged person's place of residence and qualifications as an
21 elector of this election"; and shall then ask ~~those of the following~~ questions which are
22 appropriate as determined by the board, by rule, to test the qualifications of the
23 challenged elector;*

24 **SECTION 68.** 6.925 (1) to (6) of the statutes are repealed.

25 **SECTION 69.** 7.08 (5) of the statutes is created to read:

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1 **7.08 (5) NOTICE OF WRITE-IN CANDIDATES.** Whenever a write-in candidate files
2 a timely declaration of candidacy with the board, the board shall immediately notify
3 the county clerk or board of election commissioners of each county where the write-in
4 candidate seeks office of the name of the candidate and the office that the candidate
5 seeks. This subsection does not apply if the write-in candidate seeks an office for
6 which there are no candidates whose names appear on the ballot or if there appears
7 on the ballot the name of a deceased candidate for the office that the write-in
8 candidate seeks.

9 **SECTION 70.** 7.10 (5) of the statutes is created to read:

10 **7.10 (5) NOTICE OF WRITE-IN CANDIDATES.** Whenever a write-in candidate files
11 a timely declaration of candidacy with the county clerk or the clerk receives notice
12 from the board under s. 7.08 (5) that a write-in candidate seeks office in the county,
13 the clerk shall immediately notify the municipal clerk or board of election
14 commissioners of each municipality in the county where the write-in candidate
15 seeks **office** of the name of the candidate and the office that the candidate seeks. This
16 subsection does not apply if the write-in candidate seeks an office for which there are
17 no candidates whose names appear on the ballot or if there appears on the ballot the
18 name of a deceased candidate for the **office** that the write-in candidate seeks.

19 **SECTION 71.** 7.10 (6) of the statutes is created to read:

20 **7.10 (6) MUNICIPAL JUDGE; CERTIFIED LIST.** If candidates for the office of a
21 municipal judge who is elected under s. 755.01 (4) file nomination papers in the office
22 of the county clerk and any municipality served by the judge prepares its own ballots
23 for voting machines or an electronic voting system, the county clerk shall certify to
24 the municipal clerk of that municipality the names of the candidates for judge as soon

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1 as possible after the last day for filing nomination papers and after certification by
2 the county board of canvassers of the results of any primary election.

3 **SECTION 72.** 7.15 (1) (cs) of the statutes is repealed.

4 **SECTION 73.** 7.15 (1) (L) of the statutes is created to read:

5 7.15 (1) (L) Whenever a write-in candidate files a timely declaration of
6 candidacy with the municipal clerk or the clerk receives notice from the county clerk
7 or board of election commissioners under s. 7.10 (5) or a school district clerk under
8 s. 120.06 (8) (dm) that a write-in candidate seeks office in the municipality, notify
9 the inspectors at each polling place in the municipality where the write-in candidate
10 seeks office of the name of the candidate and the office that the candidate seeks no
11 later than 8 p.m. on election day. This paragraph does not apply if the write-in
12 candidate seeks an office for which there are no candidates whose names appear on
13 the ballot or if there appears on the ballot the name of a deceased candidate for the
14 office that the write-in candidate seeks.

15 **SECTION 74.** 7.21 (2m) of the statutes is created to read:

16 7.21 (2m) The county board of election commissioners may:

17 (a) Bring civil actions to require forfeitures under s. 11.60 for any violation of
18 ch. 11. Forfeiture actions brought by the county board of election commissioners may
19 concern only violations with respect to reports or statements required by law to be
20 filed with it. The county board of election commissioners may compromise and settle
21 any civil action or potential action brought or authorized to be brought by it under
22 ch. 11 which, in the opinion of the county board of election commissioners, constitutes
23 a minor violation, a violation caused by excusable neglect, or which for other good
24 cause shown, should not in the public interest be prosecuted under such chapter.
25 Notwithstanding s. 778.06, an action or proposed action authorized under this

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1 paragraph may be settled for such sum as may be agreed between the parties. Any
2 settlement made by the county board of election commissioners shall be in such
3 amount as to deprive the alleged violator of any benefit of his or her wrongdoing and
4 may contain a penal component to serve as a deterrent to future violations. In
5 settling actions or proposed actions, the county board of election commissioners shall
6 treat comparable situations in a comparable manner and shall ensure that any
7 settlement bears a reasonable relationship to the severity of the offense or alleged
8 offense. Forfeiture actions brought by the county board of election commissioners
9 shall be brought in the circuit court for the county served by the board of election
10 commissioners.

11 (b) In the discharge of its authority under par. (a) and upon notice to the party
12 or parties being investigated, subpoena and bring before it any person in the state
13 and require the production of any papers, books or other records relevant to an
14 investigation. A circuit court may by order permit the inspection and copying of the
15 accounts and the depositor's and loan records at any financial institution, as defined
16 in s. 705.01 (3), doing business in the state to obtain evidence of any violation of ch.
17 11 upon showing by the county board of election commissioners of probable cause to
18 believe that there is a violation and that such accounts and records may have a
19 substantial relation to the violation. In the discharge of its duties, the county board
20 of election commissioners may cause the deposition of witnesses to be taken in the
21 manner prescribed for taking depositions in civil actions in circuit court.

22 (c) Delegate to its executive director the authority to issue a subpoena or apply
23 for a search warrant under par. (b), subject to such limitations as the county board
24 of election commissioners considers appropriate.

25 **SECTION 75. 7.30 (2) (a) of the statutes is amended to read:**

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1 7.30 (2) (a) Only election officials appointed under this section may conduct an
2 election. Except as authorized in s. 7.15 (1) (k), each inspector shall be a qualified
3 elector in the ward for which the polling place is established. Special registration
4 deputies appointed under s. 6.55 (6) and election officials serving more than one ward
5 or when necessary to fill a vacancy under par. (b) need not be a resident of that ward,
6 but shall be a resident of the municipality. Special registration deputies may be
7 appointed to serve more than one polling place. All officials shall be able to read and
8 write the English language, be capable, be of good understanding, and may not be
9 a candidate, ~~other than for party committeeman or committeewoman,~~ for any office
10 to be voted for at an election at which they serve. In 1st class cities, they may hold
11 no public office other than notary public. Except as authorized under sub. (4) (c), all
12 inspectors shall be affiliated with one of the 2 recognized political parties which
13 received the largest number of votes for president, or governor in nonpresidential
14 general election years, in the ward or combination of wards served by the polling
15 place at the last election. The party which received the largest number of votes is
16 entitled to one more inspector than the party receiving the next largest number of
17 votes at each polling place. The same election officials may serve the electors of more
18 than one ward where wards are combined under s. 5.15 (6) (b). If a municipality is
19 not divided into wards, the ward requirements in this paragraph apply to the
20 municipality at large.

21 **SECTION 76.** 7.51 (2) (e) of the statutes is amended to read:

22 **7.51 (2) (e)** If, after any ballots have been laid aside, the number of ballots still
23 exceeds the total number of electors recorded on the registration or poll list, the
24 inspectors shall separate the absentee ballots from the other ballots. If there is an
25 excess number of absentee ballots, the inspectors shall place the absentee ballots in

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1 the ballot box and one of the inspectors shall publicly and without examination draw
2 therefrom by chance the number of ballots equal to the excess number of absentee
3 ballots. If there is an excess number of other ballots, the inspectors shall place those
4 ballots in the ballot box and one of the inspectors shall publicly and without
5 examination draw therefrom by chance the number of ballots equal to the excess
6 number of those ballots. All ballots so removed may not be counted but shall be
7 specially marked as having been removed by the inspectors on original canvass due
8 to an excess number of ballots, set aside and preserved. When the number of ballots
9 and total shown on the poll or registration list agree, the inspectors shall return all
10 ballots to be counted to the ballot box and shall turn the ballot box in such manner
11 as to thoroughly mix the ballots. The inspectors shall then open, count and record
12 the number of votes. In recording the votes cast for an office, the inspectors may
13 indicate votes cast for a write-in candidate who does not file a timely declaration of
14 candidacy for the office for which the candidate receives votes as scattering votes,
15 unless there are no candidates whose names appear on the ballot for that office or
16 unless there appears on the ballot the name of a deceased candidate for that office.
17 When the ballots are counted, the inspectors shall separate them into piles for ballots
18 similarly voted. Objections may be made to placement of ballots in the piles at the
19 time the separation is made.

20 **SECTION 77. 7.51 (2)(g)** of the statutes is amended to read:

21 **7.51 (2)(g)** Immediately after the polls close, where voting machines are used,
22 the inspectors shall open the registering or recording compartments or remove the
23 record of the votes cast and shall canvass, record, announce and return on the tally
24 sheets and certificates furnished. In recording the votes cast for an office, the
25 inspectors may indicate votes cast for a write-in candidate who does not file a timely

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1 declaration of candidacy for the office for which the candidate receives votes as
2 scattering votes, unless there are no candidates whose names appear on the ballot
3 for that office or unless there ~~appears~~ on the ballot the name of a deceased candidate.

4 In recording the votes registered on any counter which, before the opening of the
5 polls, did not register 000, the inspectors shall upon the return sheets subtract the
6 number registered before the polls opened from the number registered when the
7 polls closed. The difference between the 2 numbers is the correct vote for the
8 candidate whose name was represented by the counter, except if the number
9 registered on the counter when the polls closed is smaller than the number registered
10 thereon when the polls opened, the number 1,000 shall be added to the number
11 registered when the polls closed, before the subtraction is made.

12 **SECTION 78.** 7.51 (4) (a) of the statutes is amended to read:

13 7.51 (4) (a) The tally sheets shall state the total number of votes cast for each
14 office and for each individual receiving votes for that office, ~~whether or not the~~
15 ~~individual's name appears on the ballot, and shall except a write-in candidate who~~
16 has not filed a timely declaration of candidacy for the office for which the candidate
17 receives a vote, unless there are no candidates whose names appear on the ballot for
18 that office or unless there appears on the ballot the name of a deceased candidate for
19 that office. The tally sheets shall also state the vote for and against each proposition
20 voted on. Upon completion of the tally sheets, the inspectors shall immediately
21 complete inspectors' statements in duplicate. The inspectors shall state the excess
22 by which the number of ballots exceeds the number of electors voting as shown by
23 the poll or registration list, if any, and shall state the number of the last elector as
24 shown by the registration or poll lists. At least 3 inspectors, including the chief
25 inspector and, unless election officials are appointed under s. 7.30 (4) (c) without

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1 regard to party affiliation, at least one inspector representing each political party,
2 shall then certify to the correctness of the statements and tally sheets and sign their
3 names. All other election officials assisting with the tally shall also certify to the
4 correctness of the tally sheets. When the tally is complete, the inspectors shall
5 publicly announce the results from the statements.

6 **SECTION 79.** 7.53 (1) of the statutes is amended to read:

7 **7.53 (1) MUNICIPALITIES WITH ONE POLLING PLACE.** Where the municipality
8 constitutes one ward or combines all wards to utilize a single polling place under s.
9 5.15 (6) (b), the canvass shall be conducted publicly under s. 7.51 and the inspectors
10 shall act as the municipal board of canvassers. Upon completion of the canvass and
11 ascertainment of the results by the inspectors, the clerk shall publicly read the
12 names of the persons voted for and the number of votes for each person for each
13 municipal office, except a write-in candidate who has not filed a timely declaration
14 of candidacy for the office for which the candidate receives a vote, unless there are
15 no candidates whose names appear on the ballot for that office or unless there
16 appears on the ballot the name of a deceased candidate for that office. The clerk shall
17 also publicly read the names of the persons declared by the inspectors to have won
18 nomination or election to each municipal office and the number of votes cast for and
19 against each municipal referendum question.

20 **SECTION 80.** 7.53 (2) (d) of the statutes is amended to read:

21 7.53 (2) (d) The municipal board of canvassers shall publicly canvass the
22 returns of every municipal election. The canvass shall begin within 24 hours after
23 the polls close. At the spring election, the board of canvassers shall publicly declare
24 the results on or before the 2nd Tuesday in **April**. The board of canvassers shall
25 prepare a statement showing the results of each election for any municipal office and

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1 each municipal referendum. After each primary for municipal offices, the board of
2 canvassers shall prepare a statement certifying the names of those persons who have
3 won nomination to office. After each other election for a municipal office and each
4 municipal referendum, the board of canvassers shall prepare a determination
5 showing the names of the persons who are elected to each municipal office and the
6 results of each municipal referendum. The statement shall include the number of
7 votes cast for each person for each municipal office, except a write-in candidate who
8 has not filed a timely declaration of candidacy for the office for which the candidate
9 receives a vote, unless there are no candidates whose names appear on the ballot for
10 that office or unless there appears on the ballot the name of a deceased candidate for
11 that office. The statement shall also include the number of votes cast for and against
12 each auestion submitted by the municipality. The board of canvassers shall file each
13 statement and determination in the office of the municipal clerk or board of election
14 commissioners.

15 **SECTION 81.** 7.53 (3) (a) of the statutes is amended to read:

16 7.53 (3) (a) In a common, union high or unified school district, the school district
17 clerk shall appoint 2 qualified electors of the school district prior to the date of the
18 election being canvassed who shall, with the school district clerk, constitute the
19 school district board of canvassers. If the school district clerk is a candidate at the
20 election being canvassed, the other 2 members of the board of canvassers shall
21 designate a 3rd member to serve in lieu of the clerk for that election. The canvass
22 shall begin as soon as possible after receipt of the returns, and shall continue,
23 without adjournment, until completed. The board of canvassers may return
24 defective returns to the municipal board of canvassers in the manner provided in s.
25 7.60 (3). The board of canvassers shall prepare a written statement showing the

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1 numbers of votes cast for each person for each office ~~and, except a write-in candidate~~
2 who has not filed a timely declaration of candidacy for the office for which the
3 candidate receives a vote, unless there are no candidates whose names appear on the
4 ballot for that office or unless there appears on the ballot for that office the name of
5 a deceased candidate. The statement shall also show the numbers of votes cast for
6 and against each question ~~and~~. The board of canvassers shall also prepare a
7 determination showing the names of the persons who are elected to the school board
8 and the results of any school district referendum. Following each primary election,
9 the board of canvassers shall prepare a statement certifying the names of the persons
10 who have won nomination to the school board. Each statement and determination
11 shall be attested by each of the canvassers. The board of canvassers shall file each
12 statement and determination in the school district office. The school district clerk
13 shall certify nominations after each primary and issue certificates of election to
14 persons who are elected to the school board after each election in the manner
15 provided in sub. (4).

16 **SECTION 82. 7.60 (2) of the statutes is amended to read:**

17 7.60 (2) COUNTY BOARD OF CANVASSERS. The county clerk and 2 qualified electors
18 of the county appointed by the clerk constitute the county board of canvassers. The
19 members of the board of canvassers shall serve for 2-year terms commencing on
20 January 1 of each odd-numbered year, except that any member who is appointed to
21 fill a permanent vacancy shall serve for the unexpired term of the original appointee.
22 One member of the board of canvassers shall belong to a political party other than
23 the clerk's. If the county clerk's office is vacant, ~~or~~ if the clerk cannot perform his or
24 her duties or if the clerk is a candidate at an election being canvassed, the county
25 clerk shall designate a deputy clerk to perform the clerk's duties. If the county clerk

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1 and designated deputy clerk are both unable to perform their duties, the county
2 executive or, if there is no county executive, the chairperson of the county board of
3 supervisors shall designate another qualified elector of the county to perform the
4 clerk's duties. If a member other than the clerk cannot perform his or her duties, the
5 clerk shall appoint another member to serve. No person may serve on the county
6 board of canvassers if the person is a candidate for an office to be canvassed by that
7 board. If lists of candidates for the county board of canvassers are submitted to the
8 county clerk by political party county committees, the lists shall consist of at least
9 3 names and the clerk shall choose the board members from the lists. Where there
10 is a county board of election commissioners, it shall serve as the board of canvassers.

11 **SECTION 83.** 7.60 (4) (a) of the statutes is amended to read:

12 7.60 (4) (a) The board of canvassers shall make separate duplicate statements
13 showing the numbers of votes cast for the offices of president and vice president; state
14 officials; U.S. senators and representatives in congress; state legislators; justice;
15 court of appeals judge; circuit judges; district attorneys; ~~municipal judges, if they are~~
16 ~~elected under s. 755.01 (4);~~ and metropolitan sewerage commissioners, if the
17 commissioners are elected under s. 66.23 (11) (am). If a municipal judge elected
18 under s. 755.01 (4) serves a municipality that is located partially within the county
19 and candidates for that judge file nomination papers in another county, the
20 board of canvassers shall prepare a duplicate statement showing the numbers of
21 votes cast for that judge in that county for transmittal to the other county. For
22 partisan candidates, the statements shall include the political party or principle
23 designation, if any, next to the name of each candidate. The board of canvassers shall
24 also prepare a statement showing the results of any county, technical college district
25 or statewide referendum. Each statement shall state show the total number of votes

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1 cast in the county for each office; the names of all persons for whom the votes were
2 cast, as returned; and the number of votes cast for each person; and, except a write-in
3 candidate who has not filed a timely declaration of candidacy for the office for which
4 the candidate receives a vote, unless there are no candidates whose names appear
5 on the ballot for that office or unless there appears on the ballot for that office the
6 name of a deceased candidate. The statement shall also show the number of votes
7 cast for and against any question submitted at a referendum. The board of
8 canvassers shall use one copy of the each duplicate statement to report to the
9 elections board ~~or~~, technical college district board or board of canvassers of any other
10 county and shall file the other statement in the office of the county clerk or board of
11 election commissioners.

12 **SECTION 84.** 7.60 (4) (b) of the statutes is amended to read:

13 7.60 (4) (b) The board of canvassers shall then prepare a written
14 determination, in duplicate where necessary, giving the names of the persons elected
15 to any county office and to any municipal judgeship if the judge is elected under s.
16 755.01 (4) and candidates for that judgeship file nomination papers in that county.
17 The board of canvassers shall likewise prepare a written determination showing the
18 results of any county referendum. Following any primary election, the board of
19 canvassers shall prepare a statement certifying the names of all persons who have
20 won nomination to any county office or any municipal judge'ship, if the judge is
21 elected under s. 755.01 (4) and candidates for that judge'ship file nomination papers
22 in that county. The board of canvassers shall file all statements and determinations
23 in the office of the county clerk or board of election commissioners.

24 **SECTION 85.** 7.60 (4) (c) of the statutes is amended to read:

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1 7.60 (4) (c) In preparing the statements and determinations, the board of
2 canvassers shall carefully review the tally sheets and inspectors' statement. The
3 board of canvassers may omit the ~~names of individuals whose names do not appear~~
4 ~~on the ballot and who receive a comparatively small number of votes.~~ The board of
5 ~~canvassers shall~~ name of any write-in candidate who has not filed a timely
6 declaration of candidacy for the office for which the candidate receives votes, and
7 designate votes received by ~~such individuals~~ the candidate as scattering votes,
8 unless there are no candidates whose names appear on the ballot for that office or
9 unless there appears on the ballot for that office the name of a deceased candidate.
10 The board of canvassers shall append to each statement and determination a
11 tabulation of the votes cast at each election district, ward or combination of wards
12 authorized under s. 5.15 (6) (b) in the county for each office and each individual,
13 whether the votes are canvassed or not, as well as the total canvassed votes cast for
14 each individual and each office, except where scattering votes are designated. If any
15 votes are rejected, the board of canvassers shall specify the reasons therefor.

16 **SECTION 86.** 7.60 (5) of the statutes is amended to read:

17 7.60 (5) **REPORTING.** Immediately following the canvass the county clerk shall
18 deliver or send to the elections board, by 1st class mail, a certified copy of each
19 statement of the county board of canvassers for president and vice president; state
20 officials; senators and representatives in congress; state legislators; justice; court of
21 appeals judge; circuit judge; district attorney; ~~municipal judge, if elected under s.~~
22 ~~755.01 (4);~~ and metropolitan sewerage commissioners, if the commissioners are
23 elected under s. 66.23 (11) (am). The statement shall record the returns for each
24 office or referendum by ward, unless combined returns are authorized under s. 5.15
25 (6) (b) in which case the statement shall record the returns for each group of

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1 combined wards. Following primaries the county clerk shall enclose on blanks
2 prescribed by the elections board the names, party or principle designation, if any,
3 and number of votes received by each candidate recorded in the same manner. The
4 county clerk shall deliver or transmit the certified statement to the elections board
5 no later than 7 days after each primary and no later than 10 days after any other
6 election. The board of canvassers shall deliver or transmit a certified copy of each
7 statement for any technical college district referendum to the secretary of the
8 technical college district board. If the board of canvassers becomes aware of a
9 material mistake in the canvass of an election for state or national office or a
10 statewide or technical college district referendum prior to the close of business on the
11 day the elections board receives returns from the last county board of canvassers
12 with respect to that canvass, the board of canvassers may petition the elections board
13 to reopen and correct the canvass. The elections board shall direct the canvass to be
14 reopened and corrected if it determines that the public interest so requires. If the
15 elections board directs the canvass to be reopened, the board of canvassers shall
16 reconvene and transmit a certified corrected copy of the canvass statement to the
17 elections board or secretary of the technical college district board.

18 **SECTION 87. 7.60 (6) of the statutes is amended to read:**

19 7.60 (6) **CERTIFICATE OF ELECTION.** Immediately after expiration of the time
20 allowed to file a petition for a recount the county clerk shall issue a certificate of
21 election to each person who is elected to any county office ~~and to each person who is~~
22 ~~elected to the office of party committeeman or committeewoman.~~ The certificate
23 notice shall state the amount of the required official bond, if any. When a petition
24 for a recount is filed, the county clerk shall not issue the certificate of election for the

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1 office in question until the recount has been completed and the time allowed for filing
2 an appeal has passed, or if appealed until the appeal is decided.

3 **SECTION 88.** 7.70 (3) (d) of the statutes is amended to read:

4 7.70 (3) (d) When the certified statements and returns are received, the
5 chairperson of the board shall proceed to examine and make a statement of the total
6 number of votes cast at any election for the offices involved in the election for
7 president and vice president; a statement for each of the offices of governor,
8 lieutenant governor, if a primary, and a joint statement for the offices of governor and
9 lieutenant governor, if a general election; a statement for each of the offices of
10 secretary of state, state treasurer, attorney general, and state superintendent; for
11 U.S. senator; representative in congress for each congressional district; the state
12 legislature; justice; court of appeals judge; circuit judge; district attorney; ~~municipal~~
13 ~~judge, if he or she is elected under s. 755.01(4);~~ metropolitan sewerage commission,
14 if the commissioners are elected under s. 66.23 (11) (am); and for any referenda
15 questions submitted by the legislature.

16 **SECTION 89.** 7.70 (3) (f) of the statutes is amended to read:

17 7.70 (3) (f) The statements shall show the persons' names receiving votes, and
18 any referenda questions; the whole number of votes given to each; and an individual
19 listing by the districts or counties in which they were given. ~~The names of persons~~
20 ~~not regularly nominated who received only a comparatively small number of votes~~
21 name of any write-in candidate who has not filed a timely declaration of candidacy
22 for the office for which the candidate receives votes may be omitted and ~~their the~~
23 votes cast for that candidate may be designated as scattering votes.

24 **SECTION 90.** 8.05 (1) (j) of the statutes is amended to read:

1 8.05 (1) (j) The municipal clerk shall notify in writing each candidate whose
2 name is certified as a nominee under par. (h) of his or her nomination. If a municipal
3 judge is elected under s. 755.01 (4), the county clerk of the county having the largest
4 portion of the population in the jurisdiction served by the judge shall make the
5 notification. Upon receipt of the notice, each candidate shall file a declaration of
6 candidacy in the manner prescribed by s. 8.21 with the municipal clerk making the
7 notification no later than 5 p.m. on the 5th day after the notification is mailed or
8 personally delivered to the candidate by the municipal clerk, except as authorized
9 in this paragraph. If an incumbent whose name is certified as a nominee fails to file
10 a declaration of candidacy within the time prescribed by this paragraph, each
11 certified candidate for the office held by the incumbent, other than the incumbent,
12 may file a declaration of candidacy no later than 72 hours after the latest time
13 prescribed in this paragraph. If the candidate has not filed a registration statement
14 under s. 11.05 at the time of the notification, the candidate shall file the statement
15 with the declaration. A candidate for municipal judge shall also file a statement of
16 economic interests with the ethics board under s. 19.43 (4) no later than 4:30 p.m.
17 on the 5th day after notification of nomination is mailed or personally delivered to
18 the candidate ~~by the municipal clerk,~~ or no later than 4:30 p.m. on the next business
19 day after the last day for filing a declaration of candidacy whenever that candidate
20 is granted an extension of time for filing a declaration of candidacy under this
21 paragraph. Upon receipt of the declaration of candidacy and registration statement
22 of each qualified candidate, and upon filing of a statement of economic interests by
23 each candidate for municipal judge, the municipal clerk, or the county clerk if the
24 judge is elected under s. 755.01 (4), shall place the name of the candidate on the
25 ballot. No later than the end of the 3rd day following qualification by all candidates,

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1 the municipal clerk, or the county clerk if the judge is elected under s. 755.01 (4),
2 shall draw lots to determine the arrangement of candidates' names on the spring
3 election ballot.

4 **SECTION 91.** 8.05 (3) (d) and (e) of the statutes are amended to read:

5 8.05 (3) (d) The question of adoption of the nonpartisan primary under this
6 subsection may be submitted to the electors at any regular election held in the town
7 or at a special election called for the purpose. When a petition requesting adontion
8 of the nonnartisan nprimary conforming to the requirements of s. 8.40 signed by at
9 least 20 electors of the town is filed with the town clerk ~~so requesting as provided in~~
10 s. 8.37, the question shall be submitted to a vote.

11 (e) Petitions requesting a vote on the question at a regular town election shall
12 be filed in accordance with s. 8.37 no later than 5 p.m. the last Tuesday in February.
13 When the petition is filed, the clerk shall check its sufficiency. Whether at a regular
14 or special election, the clerk shall give separate notice by one publication in a
15 newspaper at least 5 days before the election.

16 **SECTION 92.** 8.05 (5) of the statutes is amended to read:

17 8.05 (5) **WHEN PRIMARY IS HELD.** Towns and villages adopting the nonpartisan
18 primary to nominate candidates, under subs. (3) and (4), shall hold a primary only
19 when the number of candidates for an elective office in the municipality exceeds
20 twice the number to be elected to the office. A primary for the office of municipal
21 judee under s. 755.01 (4) shall be held whenever there are more than 2 candidates
22 for that office. Those offices for which a primary has been held shall have only the
23 names of candidates nominated at the primary appear on the official spring election
24 ballot. When the number of candidates for an office does not exceed twice the number

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1 to be elected, their names shall appear on the official ballot for the election without
2 a primary.

3 SECTION 93. 8.10 (3) (intro.) of the statutes is amended to read:

4 8.10 (3) (intro.) The ~~affidavit~~ certification of a qualified elector under s. 8.15
5 (4) (a) shall be appended to each nomination paper. The number of required
6 signatures on nomination papers filed under this section is:

7 SECTION 94. 8.10 (6) (a) of the statutes is amended to read:

8 8.10 (6) (a) For state office -, ~~if they are elected under s.~~
9 ~~755.01(4)~~; or seats on a metropolitan sewerage commission, if the commissioners are
10 elected under s. 66.23 (11) (am), in the office of the board.

11 SECTION 95. 8.10 (6) (bm) of the statutes is created to read:

12 8.10 (6) (bm) For municipal judge, if the judge is elected under s. 755.01 (4), in
13 the office of the county clerk or board of election commissioners of the county having
14 the largest portion of the population in the jurisdiction served by the judge.

15 SECTION 96. 8.11 (1) (d), (2) and (2m) of the statutes are amended to read:

16 8.11 (1) (d) When the number of candidates, other than write-in candidates,
17 for any city office does not exceed twice the number to be elected to the office, no
18 primary may be held for the office and the candidates' names shall appear on the
19 ballot for the ensuing election.

20 (2) MILWAUKEE COUNTY. A primary shall be held in counties having a population
21 of 500,000 or more whenever there are more than twice the number of candidates,
22 other than write-in candidates, to be elected to any judicial office within the county
23 or to the county board of supervisors from any one district.

24 (2m) FIRST CLASS CITY SCHOOL BOARD. A primary shall be held in 1st class cities
25 whenever there are more than 2 candidates, other than write-in candidates, for

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1 member of the board of school directors at-large or from any election district in any
2 year.

3 **SECTION 97. 8.12 (2)** of the statutes is amended to read:

4 8.12 (2) **BALLOTS**. The form of the official ballots shall be prescribed by the
5 board ~~under c. 5.60 (8). The ballot shall provide to an elector the opportunity to vote~~
6 for an uninstructed delegation to represent this state at the presidential nominating
7 convention of his or her party, or to write in the name of a candidate for the
8 presidential nomination of his or her party.

9 **SECTION 98. 8.15 (4)** (a) of the statutes is amended to read:

10 8.15 (4) (a) The ~~affidavit certification~~ of a qualified elector stating his or her
11 residence with street and number, if any, shall appear at the bottom of each
12 nomination paper, stating he or she personally circulated the nomination paper and
13 personally obtained each of the signatures; he or she knows they are electors of the
14 ward, aldermanic district, municipality or county, as the nomination papers require;
15 he or she knows they signed the paper with full knowledge of its content; he or she
16 knows their respective residences given; he or she knows each signer signed on the
17 date stated opposite his or her name; and, that he or she, the ~~affiant~~ circulator,
18 resides within the district which the candidate named therein will represent, if
19 elected; that he or she intends to support the candidate; and that he or she is aware
20 that falsifying the ~~affidavit certification~~ is punishable under ~~ss. s. 12.13 (3) (a) and~~
21 ~~946.32 (1)(c)~~, Wis. stats. The ~~affidavit certification~~ may be made by the candidate
22 or any qualified elector. ~~The nomination papers are valid with or without the seal~~
23 ~~of the officer who administers the oath.~~

24 **SECTION 99. 8.17 (1)** (a) of the statutes is amended to read:

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1 8.17 (1) (a) Political parties qualifying for a separate ballot under s. 5.62 (1) (b)
2 or (2) shall elect their party committeemen and committeewomen ~~at the September~~
3 primary ~~as provided under sub. (5) (b)~~. The function of committeemen and
4 committeewomen is to represent their neighborhoods in the structure of a political
5 party. Committeemen and committeewomen shall act as liaison representatives
6 between their parties and the residents of the election districts in which they serve.
7 Activities of committeemen and committeewomen shall include, but not be limited
8 to, voter identification; assistance in voter registration drives; increasing voter
9 participation in political parties; polling and other methods of passing information
10 from residents to political parties and elected public officials; and dissemination of
11 information from public officials to residents. For assistance in those and other
12 activities of interest to a political party, each committeeman and committeewoman
13 may appoint a captain to engage in these activities in each ward, if the election
14 district served by the committeeman or committeewoman includes more than one
15 ward. In an election district which includes more than one ward, the committeeman
16 or committeewoman shall coordinate the activities of the ward captains in promoting
17 the interests of his or her party.

18 **SECTION 100.** 8.17 (2), (3) and (4) (a) and (b) of the statutes are repealed.

19 **SECTION 101.** 8.17 (4) (c) of the statutes is renumbered 8.17 (4) and amended
20 to read:

21 8.17 (4) The term of office of each ~~elected or appointed~~ committeeman or
22 committeewoman shall end on the date of the meeting held under sub. (5) (b)
23 following each September primary.

24 **SECTION 102.** 8.17 (5) (b) of the statutes is amended to read:

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1 8.17 (5) (b) A combined meeting of the county committee and members in good
2 standing of the party in the county shall be held no sooner than 15 days after the
3 September primary and no later than April 1 of the following year. At this meeting,
4 the party committeemen or committeewomen and the county committee offices of
5 chairperson, vice chairperson, secretary and treasurer shall be filled by election by
6 the committeemen, committeewomen and party members present and voting, each
7 of whom is entitled to one vote. At this meeting, the county committee shall elect the
8 members of the congressional district committee as provided in sub. (6) (b), (c) and
9 (d). The secretary of the county committee shall give at least 7 days' written notice
10 of the meeting to party and committee members. Individuals elected as county
11 committee officers or as congressional district committee members may be, but are
12 not required to be, committeemen or committeewomen. They are required to be party
13 members in good standing. Their The terms of committeemen and
14 committeewomen, county committee officers and congressional district committee
15 members begin during the meeting immediately upon completion and verification of
16 the voting for each office.

17 **SECTION 103.** 8.17 (5) (bm) of the statutes is created to read:

18 8.17 (5) (bm) A county committee may require that candidates for party
19 committeemen and committeewomen file nomination papers with the county
20 committee prior to the combined meeting under par. (b). The form, content and
21 circulation and filing deadlines of the nomination papers shall be established by the
22 county committee.

23 **SECTION 104.** 8.20 (3) of the statutes is amended to read:

24 8.20 (3) The ~~affidavit~~ certification of an elector under s. 8.15 (4) (a) shall be
25 appended to each nomination paper.