

1 **SECTION 70.** 8.20 (9) of the statutes is amended to read:

2 8.20 (9) Persons nominated by nomination papers without a recognized
3 political party designation shall be placed on the official ballot at the general election
4 and at any partisan election to the right or below the recognized political party
5 candidates in their own column or row designated "Independent". At the ~~September~~
6 partisan primary, persons nominated for state office by nomination papers without
7 a recognized political party designation shall be placed on a separate ballot or, if a
8 consolidated paper ballot under s. 5.655 (2), an electronic voting system or voting
9 machines are used, in a column or row designated "Independent". If the candidate's
10 name already appears under a recognized political party it may not be listed on the
11 independent ballot, column or row.

12 **SECTION 71.** 8.37 of the statutes is amended to read:

13 **8.37 Filing of referenda petitions or questions.** Unless otherwise required
14 by law, all proposed constitutional amendments and any other measure or question
15 that is to be submitted to a vote of the people, or any petitions requesting that a
16 measure or question be submitted to a vote of the people, if applicable, shall be filed
17 with the official or agency responsible for preparing the ballots for the election no
18 later than ~~42~~ 70 days prior to the election at which the amendment, measure or
19 question will appear on the ballot. No later than the end of the next business day
20 after a proposed measure is filed with a school district clerk under this section, the
21 clerk shall file a copy of the measure or question with the clerk of each county having
22 territory within the school district.

23 **SECTION 72.** 8.50 (intro.) of the statutes is amended to read:

24 **8.50 Special elections.** (intro.) Unless otherwise provided, this section
25 applies to filling vacancies in the U.S. senate and house of representatives, executive

1 state offices except the offices of governor, lieutenant governor, and district attorney,
2 judicial and legislative state offices, county, city, village, and town offices, and the
3 offices of municipal judge and member of the board of school directors in school
4 districts organized under ch. 119. State legislative offices may be filled in
5 anticipation of the occurrence of a vacancy whenever authorized in sub. (4) (e). No
6 special election may be held after February 1 preceding the spring election unless it
7 is held on the same day as the spring election, nor after ~~September~~ August 1
8 preceding the general election unless it is held on the same day as the general
9 election, until the day after that election. If the special election is held on the day
10 of the general election, the primary for the special election, if any, shall be held on
11 the day of the ~~September~~ partisan primary. If the special election is held on the day
12 of the spring election, the primary for the special election, if any, shall be held on the
13 day of the spring primary.

14 **SECTION 73.** 8.50 (1) (d) of the statutes is amended to read:

15 8.50 (1) (d) When the election concerns a national ~~or state office~~ office or a
16 special election for state office is held concurrently with the general election, the
17 board shall transmit to each county clerk a certified list of all persons for whom
18 nomination papers have been filed in its office at least 62 days before the special
19 primary, and in other cases the board shall transmit the list to each county clerk at
20 least 22 days before the special primary, a certified list of all persons for whom
21 nomination papers have been filed in its office. If no primary is required, the list shall
22 be transmitted at least 42 days prior to the day of the special election unless the
23 special election concerns a national office or is held concurrently with the general
24 election, in which case the list shall be transmitted at least 62 days prior to the day
25 of the special election. Immediately upon receipt of the certified list, the county clerk

1 shall prepare his or her ballots. For a county special election, the county clerk shall
2 certify the candidates and prepare the ballots. If there is a primary, the county clerk
3 shall publish one type B notice in a newspaper under ch. 10. When a primary is held,
4 as soon as possible after the primary, the county clerk shall certify the candidates and
5 prepare the ballots for the following special election. The clerk shall publish one type
6 B notice in a newspaper under ch. 10 for the election.

7 **SECTION 74.** 8.50 (2) of the statutes is amended to read:

8 8.50 (2) DATE OF SPECIAL ELECTION. (a) The date for the special election shall
9 be not less than 62 nor more than 77 days from the date of the order except when the
10 special election is held to fill a vacancy in a national office or the special election is
11 held on the day of the general election or spring election. If a special election is held
12 concurrently with the spring or general election, the special election may be ordered
13 not earlier than 92 days prior to the spring primary or September primary,
14 respectively, and not later than 49 days prior to that primary. If a special election
15 is held concurrently with the general election or a special election is held to fill a
16 national office, the special election may be ordered not earlier than 122 days prior
17 to the partisan primary or special primary, respectively, and not later than 92 days
18 prior to that primary.

19 (b) If a primary is required, the primary shall be on the day 4 weeks before the
20 day of the special election except when the special election is held on the same day
21 as the general election the special primary shall be held on the same day as the
22 ~~September~~ partisan primary or if the special election is held concurrently with the
23 spring election, the primary shall be held concurrently with the spring primary, and
24 except when the special election is held on the Tuesday after the first Monday in

1 November of an odd-numbered year, the primary shall be held on the 2nd Tuesday
2 of ~~September~~ August in that year.

3 **SECTION 75.** 8.50 (3) (a) of the statutes is amended to read:

4 8.50 (3) (a) Nomination papers may be circulated no sooner than the day the
5 order for the special election is filed and shall be filed not later than 5 p.m. 28 days
6 before the day that the special primary will or would be held, if required, except when
7 a special election is held concurrently with the spring election or general election, the
8 deadline for filing nomination papers shall be specified in the order and the date shall
9 be no earlier than the date provided in s. 8.10 (2) (a) or 8.15 (1), respectively, and no
10 later than 35 days prior to the date of the spring primary or ~~September~~ no later than
11 June 1 preceding the partisan primary. Nomination papers may be filed in the
12 manner specified in s. 8.10, 8.15, or 8.20. Each candidate shall file a declaration of
13 candidacy in the manner provided in s. 8.21 no later than the latest time provided
14 in the order for filing nomination papers. If a candidate for state or local office has
15 not filed a registration statement under s. 11.05 at the time he or she files nomination
16 papers, the candidate shall file the statement with the papers. A candidate for state
17 office shall also file a statement of economic interests with the board no later than
18 the end of the 3rd day following the last day for filing nomination papers specified
19 in the order.

20 **SECTION 76.** 8.50 (3) (b) of the statutes is amended to read:

21 8.50 (3) (b) Except as otherwise provided in this section, the provisions for
22 ~~September primaries~~ the partisan primary under s. 8.15 are applicable to all
23 partisan primaries held under this section, and the provisions for spring primaries
24 under s. 8.10 are applicable to all nonpartisan primaries held under this section. In
25 a special partisan primary or election, the order of the parties on the ballot shall be

1 the same as provided under s. 5.62 (1) or 5.64 (1) (b). Independent candidates for
2 state office at a special partisan election shall not appear on the primary ballot. No
3 primary is required for a nonpartisan election in which not more than 2 candidates
4 for an office appear on the ballot or for a partisan election in which not more than one
5 candidate for an office appears on the ballot of each recognized political party. In
6 every special election except a special election for nonpartisan state office where no
7 candidate is certified to appear on the ballot, a space for write-in votes shall be
8 provided on the ballot, regardless of whether a special primary is held.

9 **SECTION 77.** 8.50 (3) (c) of the statutes is amended to read:

10 8.50 (3) (c) Notwithstanding ss. 5.37 (4), 5.91 (6) and 6.80 (2) (f), whenever a
11 special partisan primary is held concurrently with the presidential preference
12 primary, an elector may choose the party column or ballot in which the elector will
13 cast his or her vote separately for each of the 2 primaries. Whenever 2 or more special
14 partisan primaries or one or more special partisan primaries and a ~~September~~
15 partisan primary are held concurrently, the procedure prescribed in ss. 5.37 (4), 5.91
16 (6) and 6.80 (2) (f) applies.

17 **SECTION 78.** 8.50 (4) (b) of the statutes is amended to read:

18 8.50 (4) (b) A vacancy in the office of U.S. senator or representative in congress
19 occurring prior to the 2nd Tuesday in ~~May~~ April in the year of the general election
20 shall be filled at a special primary and election. A vacancy in that office occurring
21 between the 2nd Tuesday in ~~May~~ April and the 2nd Tuesday in ~~July~~ May in the year
22 of the general election shall be filled at the ~~September~~ partisan primary and general
23 election.

24 **SECTION 79.** 8.50 (4) (fm) of the statutes is amended to read:

1 8.50 (4) (fm) A permanent vacancy in the office of municipal judge may be filled
2 by temporary appointment of the municipal governing body, or, if the judge is elected
3 under s. 755.01 (4), jointly by the governing bodies of all municipalities served by the
4 judge. The office shall then be permanently filled by special election, which shall be
5 held concurrently with the next spring election following the occurrence of the
6 vacancy, except that a vacancy occurring during the period after December 1 and on
7 or before the date of the spring election shall be filled at the 2nd succeeding spring
8 election, and except that the governing body of a city or village or, if the judge is
9 elected under s. 755.01 (4), the governing bodies of the participating cities or villages
10 may, if the vacancy occurs before ~~June~~ May 1 in the year preceding expiration of the
11 term of office, order a special election to be held on the Tuesday after the first Monday
12 in November following the date of the order. A person so elected shall serve for the
13 residue of the unexpired term.

14 **SECTION 80.** 9.01 (1) (a) 1. of the statutes is amended to read:

15 9.01 (1) (a) 1. Any candidate voted for at any election or any elector who voted
16 upon any referendum question at any election may petition for a recount. The
17 petitioner shall file a verified petition or petitions with the proper clerk or body under
18 par. (ar) not earlier than the time of completion of the canvass and not later than 5
19 p.m. on the 3rd business day following the last meeting day of the municipal or
20 county board of canvassers determining the election for that office or on that
21 referendum question prior to issuance of any amended return under s. ~~6.221~~ 7.515
22 (6) (b) or, if more than one board of canvassers makes the determination, not later
23 than 5 p.m. on the 3rd business day following the last meeting day of the last board
24 of canvassers which makes a determination prior to issuance of any amended return
25 under s. ~~6.221~~ 7.515 (6) (b). If the chairperson of the board or chairperson's designee

1 makes the determination for the office or the referendum question, the petitioner
2 shall file the petition not earlier than the last meeting day of the last county board
3 of canvassers to make a statement in the election or referendum and not later than
4 5 p.m. on the 3rd business day following the day on which the government
5 accountability board receives the last statement from a county board of canvassers
6 for the election or referendum.

7 **SECTION 81.** 9.01 (1) (ag) 1. of the statutes is amended to read:

8 9.01 (1) (ag) 1. If the difference between the votes cast for the leading candidate
9 and those cast for the petitioner or the difference between the affirmative and
10 negative votes cast upon any referendum question is less than 10 if 1,000 or less votes
11 are cast or not more than 0.5% of the total votes cast for the office or on the question
12 if more than 1,000 votes are cast prior to issuance of any amended return under s.
13 ~~6.221~~ 7.515 (6) (b), the petitioner is not required to pay a fee.

14 **SECTION 82.** 9.01 (1) (ag) 1m. of the statutes is amended to read:

15 9.01 (1) (ag) 1m. If the difference between the votes cast for the leading
16 candidate and those cast for the petitioner or the difference between the affirmative
17 and negative votes cast upon any referendum question is at least 10 if 1,000 or less
18 votes are cast or is more than 0.5% but not more than 2% if more than 1,000 votes
19 are cast prior to issuance of any amended return under s. ~~6.221~~ 7.515 (6) (b), the
20 petitioner shall pay a fee of \$5 for each ward for which the petition requests a ballot
21 recount, or \$5 for each municipality for which the petition requests a recount where
22 no wards exist.

23 **SECTION 83.** 9.01 (1) (ag) 2. of the statutes is amended to read:

24 9.01 (1) (ag) 2. If the difference between the votes cast for the leading candidate
25 and those cast for the petitioner or the difference between the affirmative and

1 negative votes cast upon any referendum question is more than 2% if more than
2 1,000 votes are cast prior to issuance of any amended return under s. ~~6.221~~ 7.515 (6)
3 (b), the petitioner shall pay a fee equal to the actual cost of performing the recount
4 in each ward for which the petition requests a recount, or in each municipality for
5 which the petition request a recount where no wards exist.

6 **SECTION 84.** 9.01 (1) (b) (intro.) of the statutes is amended to read:

7 9.01 (1) (b) (intro.) The proper board of canvassers shall reconvene no earlier
8 than 9 a.m. on the day following delivery of notice to all candidates under sub. (2) and
9 no later than 9 a.m. on the day following the last day for filing of a petition, or if the
10 original canvass is subject to correction under s. ~~6.221~~ 7.515 (6) (b), immediately after
11 issuance of the amended statement and determination in the original canvass,
12 whichever is later. The board of canvassers shall then proceed to recount the ballots
13 in the wards or municipalities specified and to review the allegations of fact
14 contained in the petition or petitions. The recount shall proceed for each ward or
15 municipality as follows:

16 **SECTION 85.** 10.01 (2) (d) of the statutes is amended to read:

17 10.01 (2) (d) Type D—The type D notice shall state the hours the polls will be
18 open and the polling places to be utilized at the election or shall include a concise
19 statement of how polling place information may be obtained. In cities over 500,000
20 population, the board of election commissioners shall determine the form of the
21 notice. In other municipalities and special purpose districts, the clerk of the
22 municipality or special purpose district shall give the polling place information in the
23 manner the governing body of the municipality or special purpose district decides
24 will most effectively inform the electors. The type D notice shall be published by the
25 municipal clerk or board of election commissioners of each municipality once on the

1 day before each spring primary and election, each special national, state, county or
2 municipal election at which the electors of that municipality are entitled to vote and
3 each ~~September~~ partisan primary and general election. The clerk of each special
4 purpose district which calls a special election shall publish a type D notice on the day
5 before the election, and the day before the special primary, if any, except as
6 authorized in s. 8.55 (3).

7 **SECTION 86.** 10.01 (2) (e) of the statutes is amended to read:

8 10.01 (2) (e) Type E—The type E notice shall state the qualifications for
9 absentee voting, the procedures for obtaining an absentee ballot in the case of
10 registered and unregistered voters, the places and the deadlines for application and
11 return of application, including any alternate site under s. 6.855, and the office hours
12 during which an elector may cast an absentee ballot in the municipal clerk's office
13 or at an alternate site under s. 6.855. The municipal clerk shall publish a type E
14 notice on the 4th Tuesday preceding each spring primary and election, on the 4th
15 Tuesday preceding each ~~September~~ partisan primary and general election, on the
16 4th Tuesday preceding the primary for each special national, state, county or
17 municipal election if any, on the 4th Tuesday preceding a special county or municipal
18 referendum, and on the 3rd Tuesday preceding each special national, state, county
19 or municipal election to fill an office which is not held concurrently with the spring
20 or general election. The clerk of each special purpose district which calls a special
21 election shall publish a type E notice on the 4th Tuesday preceding the primary for
22 the special election, if any, on the 4th Tuesday preceding a special referendum, and
23 on the 3rd Tuesday preceding a special election for an office which is not held
24 concurrently with the spring or general election except as authorized in s. 8.55 (3).

25 **SECTION 87.** 10.02 (3) (b) 2m. of the statutes is amended to read:

1 10.02 (3) (b) 2m. At the ~~September~~ partisan primary, the elector shall select the
2 party ballot of his or her choice or the ballot containing the names of the independent
3 candidates for state office, and make a cross (X) next to or depress the lever or button
4 next to the candidate's name for each office for whom the elector intends to vote or
5 insert or write in the name of the elector's choice for a party candidate, if any. In order
6 to qualify for participation in the Wisconsin election campaign fund, a candidate for
7 state office at the ~~September~~ partisan primary, other than a candidate for district
8 attorney, must receive at least 6% of all votes cast on all ballots for the office for which
9 he or she is a candidate, in addition to other requirements.

10 **SECTION 88.** 10.06 (1) (f) of the statutes is amended to read:

11 10.06 (1) (f) On or before the 2nd Tuesday in ~~May~~ April preceding a ~~September~~
12 partisan primary and general election the board shall send a type A notice to each
13 county clerk.

14 **SECTION 89.** 10.06 (1) (h) of the statutes is amended to read:

15 10.06 (1) (h) As soon as possible after the deadline for determining ballot
16 arrangement for the ~~September~~ partisan primary on the ~~3rd Tuesday in July~~ June
17 10, the board shall send a type B notice to each county clerk certifying the list of
18 candidates for the ~~September~~ partisan primary.

19 **SECTION 90.** 10.06 (1) (i) of the statutes is amended to read:

20 10.06 (1) (i) As soon as possible after the state canvass, but no later than the
21 4th Tuesday in ~~September~~ August, the board shall send a type B notice certifying the
22 list of candidates and type A and C notices certifying each question for any
23 referendum to each county clerk for the general election and a certified list of
24 candidates under s. 11.50 to the state treasurer pursuant to s. 7.08 (2) (c).

25 **SECTION 91.** 10.06 (2) (gm) of the statutes is amended to read:

1 10.06 (2) (gm) On the last Tuesday in ~~May~~ April the county clerk shall send
2 notice of the coming ~~September~~ partisan primary and general election to each
3 municipal clerk.

4 **SECTION 92.** 10.06 (2) (h) of the statutes is amended to read:

5 10.06 (2) (h) On the last Tuesday in ~~May~~ April preceding a ~~September~~ partisan
6 primary and general election, the county clerk shall publish a type A notice based on
7 the notice received from the board for all national and state offices to be filled at the
8 election by any electors voting in the county and incorporating county offices.

9 **SECTION 93.** 10.06 (2) (j) of the statutes is amended to read:

10 10.06 (2) (j) On the Monday preceding the ~~September~~ partisan primary the
11 county clerk shall publish a type B notice.

12 **SECTION 94.** 10.06 (3) (cm) of the statutes is amended to read:

13 10.06 (3) (cm) On the 4th Tuesday preceding the ~~September~~ partisan primary
14 and general election, when held, the municipal clerk shall publish a type E notice.
15 If there are municipal referenda, the municipal clerk shall publish a type A notice
16 of the referenda at the same time.

17 **SECTION 95.** 11.06 (12) (a) 1. of the statutes is amended to read:

18 11.06 (12) (a) 1. "Election period" means the period between December 1 and
19 the date of the spring election, the period between ~~June~~ May 1 and the day of the
20 general election in any even-numbered year or the period between the first day for
21 circulation of nomination papers and the day of a special election for any state office.

22 **SECTION 96.** 11.26 (17) (d) of the statutes is amended to read:

23 11.26 (17) (d) In the case of any candidate at the spring primary or election or
24 the ~~September~~ partisan primary or general election, the "campaign" of the candidate
25 ends on June 30 or December 31 following the date on which the election or primary

1 is held in which the candidate is elected or defeated, or the date on which the
2 candidate receives sufficient contributions to retire any obligations incurred in
3 connection with that contest, whichever is later. In the case of any candidate at a
4 special primary or election, the “campaign” of the candidate ends on the last day of
5 the month following the month in which the primary or election is held in which the
6 candidate is elected or defeated, or the date on which the candidate receives
7 sufficient contributions to retire any obligations incurred in connection with that
8 contest, whichever is later.

9 **SECTION 97.** 11.31 (3m) of the statutes is amended to read:

10 11.31 (3m) UNOPPOSED CANDIDATES; EXCEPTION. Notwithstanding subs. (1) and
11 (2), if all candidates for state senator or representative to the assembly in a
12 legislative district who are certified under s. 7.08 (2) (a) to appear on the ~~September~~
13 partisan primary ballot of all parties recognized under s. 5.62 (1) (b) or (2) have no
14 opponent who is certified to appear on the same primary ballot, or if no primary is
15 required for all candidates of parties recognized under s. 5.62 (1) (b) or (2) for state
16 senator or representative to the assembly in a legislative district who are certified
17 under s. 8.50 (1) (d) to appear on a special partisan election ballot, then the separate
18 limitation specified in sub. (1) for disbursements during the primary and election
19 period does not apply to candidates for that office in that primary and election, and
20 the candidates are bound only by the total limitations specified for the primary and
21 election.

22 **SECTION 98.** 11.31 (7) (a) of the statutes is amended to read:

23 11.31 (7) (a) For purposes of this section, the “campaign” of a candidate extends
24 from July 1 preceding the date on which the spring primary or election occurs or
25 January 1 preceding the date on which the ~~September~~ partisan primary or general

1 election occurs for the office which the candidate seeks, or from the date of the
2 candidate's public announcement, whichever is earlier, through the last day of the
3 month following the month in which the election or primary is held.

4 **SECTION 99.** 11.50 (1) (a) 1. of the statutes is amended to read:

5 11.50 (1) (a) 1. With respect to a spring or general election, any individual who
6 is certified under s. 7.08 (2) (a) as a candidate in the spring election for state
7 superintendent, or an individual who receives at least 6% of the vote cast for all
8 candidates on all ballots for any state office, except district attorney, for which the
9 individual is a candidate at the ~~September~~ partisan primary and who is certified
10 under s. 7.08 (2) (a) as a candidate for that office in the general election, or an
11 individual who has been lawfully appointed and certified to replace either such
12 individual on the ballot at the spring or general election; and who has qualified for
13 a grant under sub. (2).

14 **SECTION 100.** 11.50 (2) (b) 4. of the statutes is amended to read:

15 11.50 (2) (b) 4. The financial reports filed by or on behalf of the candidate as
16 of the date of the spring or ~~September~~ partisan primary, or the date that the special
17 primary is or would be held, if required, indicate that his or her statement filed with
18 the application under par. (a) is true; and

19 **SECTION 101.** 11.50 (2) (b) 5. of the statutes is amended to read:

20 11.50 (2) (b) 5. The financial reports filed by or on behalf of the candidate as
21 of the date of the spring or ~~September~~ partisan primary, or the date that the special
22 primary is or would be held, if required, indicate that the candidate has received at
23 least the amount provided in this subdivision, from contributions of money, other
24 than loans, made by individuals, which have been received during the period ending
25 on the date of the spring primary and July 1 preceding such date in the case of

1 candidates at the spring election, or the date of the ~~September~~ partisan primary and
2 January 1 preceding such date in the case of candidates at the general election, or
3 the date that a special primary will or would be held, if required, and 90 days
4 preceding such date or the date a special election is ordered, whichever is earlier, in
5 the case of special election candidates, which contributions are in the aggregate
6 amount of \$100 or less, and which are fully identified and itemized as to the exact
7 source thereof. A contribution received from a conduit which is identified by the
8 conduit as originating from an individual shall be considered a contribution made by
9 the individual. Only the first \$100 of an aggregate contribution of more than \$100
10 may be counted toward the required percentage. For a candidate at the spring or
11 general election for an office identified in s. 11.26 (1) (a) or a candidate at a special
12 election, the required amount to qualify for a grant is 5 percent of the candidate's
13 authorized disbursement limitation under s. 11.31. For any other candidate at the
14 general election, the required amount to qualify for a grant is 10 percent of the
15 candidate's authorized disbursement limitation under s. 11.31.

16 **SECTION 102.** 11.50 (2) (c) of the statutes is amended to read:

17 11.50 (2) (c) If a candidate has not filed financial reports as of the date of the
18 spring primary, ~~September~~ partisan primary, special primary, or date that the
19 special primary would be held, if required, which indicate that he or she has met the
20 qualification under par. (b) 5., the candidate may file a special report with the board.
21 Such report shall be filed not later than the 7th day after the primary, or 7th day after
22 the date the primary would be held, if required, and shall include such
23 supplementary information as to sources of contributions which may be necessary
24 to complete the candidate's qualification. The special report shall cover the period
25 from the day after the last date covered on the candidate's most recent report, or from

1 the date on which the first contribution was received or the first disbursement was
2 made, whichever is earlier, if the candidate has not previously filed a report, to the
3 date of such report. All information included on the special report shall also be
4 included in the candidate's next report under s. 11.20.

5 **SECTION 103.** 11.50 (2) (f) of the statutes is amended to read:

6 11.50 (2) (f) The board shall inform each candidate in writing of the approval
7 or disapproval of the candidate's application, as promptly as possible after the date
8 of the spring primary, ~~September~~ partisan primary, special primary, or date that the
9 primary would be held, if required. With respect to a candidate at a special election
10 who applies for a postelection grant under sub. (1) (a) 2., the board shall inform the
11 candidate in writing of the conditional approval or disapproval of the candidate's
12 application at the same time.

13 **SECTION 104.** 11.50 (2) (i) of the statutes is amended to read:

14 11.50 (2) (i) Notwithstanding par. (g), if an eligible candidate at the spring
15 election or a special nonpartisan election who accepts a grant is opposed by one or
16 more candidates in the election, or if an eligible candidate at the general election or
17 a special partisan election who accepts a grant is opposed by one or more candidates
18 in the election who receive at least 6 percent of the vote cast for all candidates for the
19 same office on all ballots at the ~~September~~ partisan primary or a special partisan
20 primary if a primary was held, and in either case if any such opponent of the eligible
21 candidate does not accept a grant under this section in whole or in part, the eligible
22 candidate is not bound by the pledge made in his or her application to adhere to the
23 contribution limitations prescribed in s. 11.26 and the disbursement limitation
24 prescribed under s. 11.31, unless each such opponent files an affidavit of voluntary
25 compliance under s. 11.31 (2m).

1 **SECTION 105.** 13.123 (3) (b) 1. a. of the statutes is amended to read:

2 13.123 (3) (b) 1. a. After the day of the ~~September~~ partisan primary, that the
3 member either has not filed nomination papers for reelection or election to another
4 legislative seat or has sought a party nomination for a legislative seat but it is
5 generally acknowledged that the member has not won nomination.

6 **SECTION 106.** 59.08 (7) (b) of the statutes is amended to read:

7 59.08 (7) (b) The question of the consolidation of the counties shall be submitted
8 to the voters at the next election to be held on the first Tuesday in April, or the next
9 regular election, or at a special election to be held on the day fixed in the order issued
10 under par. (a), which day shall be the same in each of the counties proposing to
11 consolidate. A copy of the order shall be filed with the county clerk of each of the
12 counties as provided in s. 8.37. If the question of consolidation is submitted at a
13 special election, it shall be held not less than ~~42~~ 70 days nor more than ~~60~~ 88 days
14 from the completion of the consolidation agreement, but not within 60 days of any
15 spring or general election.

16 **SECTION 107.** 59.10 (3) (cm) 2. of the statutes is amended to read:

17 59.10 (3) (cm) 2. 'Petition and referendum.' Except as provided in subd. 3., the
18 electors of a county may, by petition and referendum, decrease the number of
19 supervisors at any time after the first election is held following enactment of a
20 decennial supervisory district plan under par. (b). A petition for a change in the
21 number of supervisors may be filed with the county clerk. Prior to circulating a
22 petition to decrease the number of supervisors in any county, a petitioner shall
23 register with the county clerk, giving the petitioner's name and address and
24 indicating the petitioner's intent to file such a petition. No signature on a petition
25 is valid unless the signature is obtained within the 60-day period following such

1 registration. The petition shall specify the proposed number of supervisors to be
2 elected. Within 14 days after the last day for filing an original petition, any other
3 petitioner may file an alternative petition with the county clerk proposing a different
4 number of supervisors to be elected, and, if the petition is valid, the alternative
5 proposed in the petition shall be submitted for approval at the same referendum. An
6 alternative petition is subject to the same registration and signature requirements
7 as an original petition. Each petition shall be in the form specified in s. 8.40 and shall
8 contain a number of signatures of electors of the county equal to at least 25 percent
9 of the total votes cast in the county for the office of supervisor at the most recent
10 spring election preceding the date of filing. The county clerk shall promptly
11 determine the sufficiency of a petition filed under this subdivision. Upon
12 determination that a petition is sufficient, or if one or more valid alternative
13 petitions are filed, upon determination that the petitions are sufficient, the county
14 clerk shall call a referendum concurrently with the next spring or general election
15 in the county that is held not earlier than 42 70 days after the determination is made.
16 The question proposed at the referendum shall be: "Shall the board of supervisors
17 of County be decreased from members to members?". If one or more
18 alternative valid petitions are filed within 14 days after the last day that an original
19 petition may be filed, the question relating to the number of supervisors shall appear
20 separately. The first question shall be: "Shall the size of the county board of
21 supervisors of County be decreased from its current membership of members?".
22 Any subsequent question shall be: "If so, shall the size of the board be decreased to
23 members?". Each elector may vote in the affirmative or negative on the first
24 question and may then vote in the affirmative on one of the remaining questions. If
25 the first question is not approved by a majority of the electors voting on the question,

1 any subsequent question is of no effect. If the question is approved by a majority of
2 the electors voting on the question, or, if more than one question is submitted, if the
3 first question is approved by a majority of the electors voting on the question, the
4 board shall enact an ordinance prescribing revised boundaries for the supervisory
5 districts in the county. The ordinance shall be enacted in accordance with the
6 approved question or, if more than one question is submitted, in accordance with the
7 choice receiving a plurality of the votes cast. The districts are subject to the same
8 requirements that apply to districts in any plan enacted by the board under subd. 1.
9 If the board has determined under sub. (1) (b) to adopt staggered terms for the office
10 of supervisor, the board may change the expiration date of the term of any supervisor
11 to an earlier date than the date provided under current ordinance if required to
12 implement the redistricting or to maintain classes of members. The county clerk
13 shall file a certified copy of any redistricting plan enacted under this subdivision with
14 the secretary of state.

15 **SECTION 108.** 59.605 (3) (a) 1. of the statutes is amended to read:

16 59.605 (3) (a) 1. If the governing body of a county wishes to exceed the operating
17 levy rate limit otherwise applicable to the county under this section, it shall adopt
18 a resolution to that effect. The resolution shall specify either the operating levy rate
19 or the operating levy that the governing body wishes to impose for either a specified
20 number of years or an indefinite period. The governing body shall call a special
21 referendum for the purpose of submitting the resolution to the electors of the county
22 for approval or rejection. In lieu of a special referendum, the governing body may
23 specify that the referendum be held at the next succeeding spring primary or election
24 or ~~September~~ partisan primary or general election to be held not earlier than 42 70

1 days after the adoption of the resolution of the governing body. The governing body
2 shall file the resolution to be submitted to the electors as provided in s. 8.37.

3 **SECTION 109.** 60.30 (1e) (b) of the statutes is amended to read:

4 60.30 (1e) (b) An ordinance enacted under par. (a) may not take effect until it
5 is approved in a referendum called by the town board for that purpose at the next
6 spring or general election, to be held not sooner than ~~45~~70 days after the referendum
7 is called by the town board. The referendum question shall be: "Shall the person
8 holding the office of ... [town clerk or town treasurer, or both; or the combined office
9 of town clerk and town treasurer] in the town of ... be appointed by the town board?".

10 **SECTION 110.** 62.13 (6) (b) of the statutes is amended to read:

11 62.13 (6) (b) The provisions of this subsection shall apply only if adopted by the
12 electors. Whenever not less than ~~42~~70 days prior to a regular city election a petition
13 therefor, conforming to the requirements of s. 8.40 and signed by electors equal in
14 number to not less than 20% of the total vote cast in the city for governor at the last
15 general election, shall be filed with the clerk as provided in s. 8.37, the clerk shall give
16 notice in the manner of notice of the regular city election of a referendum on the
17 adoption of this subsection. Such referendum election shall be held with the regular
18 city election, and the ballots shall conform with the provisions of ss. 5.64 (2) and
19 10.02, and the question shall be "Shall s. 62.13 (6) of the statutes be adopted?"

20 **SECTION 111.** 66.0217 (7) (a) 3. of the statutes is amended to read:

21 66.0217 (7) (a) 3. If the notice indicates that the petition is for a referendum
22 on the question of annexation, the clerk of the city or village shall file the notice as
23 provided in s. 8.37. If the notice indicates that the petition is for a referendum on the
24 question of annexation, the town clerk shall give notice as provided in par. (c) of a
25 referendum of the electors residing in the area proposed for annexation to be held not

1 less than ~~42~~ 70 days nor more than ~~72~~ 100 days after the date of personal service or
2 mailing of the notice required under this paragraph. If the notice indicates that the
3 petition is for direct annexation, no referendum shall be held unless within 30 days
4 after the date of personal service or mailing of the notice required under this
5 paragraph, a petition conforming to the requirements of s. 8.40 requesting a
6 referendum is filed with the town clerk as provided in s. 8.37, signed by at least 20%
7 of the electors residing in the area proposed to be annexed. If a petition requesting
8 a referendum is filed, the clerk shall give notice as provided in par. (c) of a referendum
9 of the electors residing in the area proposed for annexation to be held not less than
10 ~~42~~ 70 days nor more than ~~72~~ 100 days after the receipt of the petition and shall mail
11 a copy of the notice to the clerk of the city or village to which the annexation is
12 proposed. The referendum shall be held at a convenient place within the town to be
13 specified in the notice.

14 **SECTION 112.** 66.0219 (4) (b) of the statutes is amended to read:

15 66.0219 (4) (b) The referendum election shall be held not less than ~~42~~ 70 days
16 nor more than ~~72~~ 100 days after the filing of the order as provided in s. 8.37, in the
17 territory proposed for annexation, by the electors of that territory as provided in s.
18 66.0217 (7), so far as applicable. The ballots shall contain the words “For
19 Annexation” and “Against Annexation”. The certification of the election inspectors
20 shall be filed with the clerk of the court, and the clerk of any municipality involved,
21 but need not be filed or recorded with the register of deeds.

22 **SECTION 113.** 66.0227 (3) of the statutes is amended to read:

23 66.0227 (3) The governing body of a city, village or town involved may, or if a
24 petition conforming to the requirements of s. 8.40 signed by a number of qualified
25 electors equal to at least 5% of the votes cast for governor in the city, village or town

1 at the last gubernatorial election, demanding a referendum, is presented to it within
2 30 days after the passage of either of the ordinances under sub. (2) shall, submit the
3 question to the electors of the city, village or town whose electors petitioned for
4 detachment, at a referendum election called for that purpose not less than ~~42~~ 70 days
5 nor more than ~~72~~ 100 days after the filing of the petition, or after the enactment of
6 either ordinance. The petition shall be filed as provided in s. 8.37. If a number of
7 electors cannot be determined on the basis of reported election statistics, the number
8 shall be determined in accordance with s. 60.74 (6). The governing body of the
9 municipality shall appoint 3 election inspectors who are resident electors to
10 supervise the referendum. The ballots shall contain the words "For Detachment"
11 and "Against Detachment". The inspectors shall certify the results of the election by
12 their attached affidavits and file a copy with the clerk of each town, village or city
13 involved, and none of the ordinances may take effect nor be in force unless a majority
14 of the electors approve the question. The referendum election shall be conducted in
15 accordance with chs. 6 and 7 to the extent applicable.

16 **SECTION 114.** 66.0305 (6) (b) of the statutes is amended to read:

17 66.0305 (6) (b) The advisory referendum shall be held not less than ~~42~~ 70 days
18 nor more than ~~72~~ 100 days after adoption of the resolution under par. (a) calling for
19 the referendum or not less than ~~42~~ 70 days nor more than ~~72~~ 100 days after receipt
20 of the petition under par. (a) by the municipal or county clerk. The municipal or
21 county clerk shall give notice of the referendum by publishing a notice in a
22 newspaper of general circulation in the political subdivision, both on the publication
23 day next preceding the advisory referendum election and one week prior to that
24 publication date.

25 **SECTION 115.** 66.0307 (4) (e) 2. of the statutes is amended to read:

1 66.0307 (4) (e) 2. The advisory referendum shall be held not less than ~~42~~ 70
2 days nor more than ~~72~~ 100 days after adoption of the resolution under subd. 1. calling
3 for the referendum or not less than ~~42~~ 70 days nor more than ~~72~~ 100 days after receipt
4 of the petition by the municipal clerk. The municipal clerk shall give notice of the
5 referendum by publishing a notice in a newspaper of general circulation in the
6 municipality, both on the publication day next preceding the advisory referendum
7 election and one week prior to that publication date.

8 **SECTION 116.** 66.0602 (4) (a) of the statutes is amended to read:

9 66.0602 (4) (a) A political subdivision may exceed the levy increase limit under
10 sub. (2) if its governing body adopts a resolution to that effect and if the resolution
11 is approved in a referendum. The resolution shall specify the proposed amount of
12 increase in the levy beyond the amount that is allowed under sub. (2), and shall
13 specify whether the proposed amount of increase is for the next fiscal year only or if
14 it will apply on an ongoing basis. With regard to a referendum relating to the 2005
15 levy, or any levy in an odd-numbered year thereafter, the political subdivision may
16 call a special referendum for the purpose of submitting the resolution to the electors
17 of the political subdivision for approval or rejection. With regard to a referendum
18 relating to the 2006 levy, or any levy in an even-numbered year thereafter, the
19 referendum shall be held at the next succeeding spring primary or election or
20 ~~September partisan~~ primary or general election.

21 **SECTION 117.** 66.0619 (2m) (b) of the statutes is amended to read:

22 66.0619 (2m) (b) If a referendum is to be held on a resolution, the municipal
23 governing body shall file the resolution as provided in s. 8.37 and shall direct the
24 municipal clerk to call a special election for the purpose of submitting the resolution
25 to the electors for a referendum on approval or rejection. In lieu of a special election,

1 the municipal governing body may specify that the election be held at the next
2 succeeding spring primary or election or ~~September~~ partisan primary or general
3 election.

4 **SECTION 118.** 66.0921 (2) of the statutes is amended to read:

5 66.0921 (2) FACILITIES AUTHORIZED. A municipality may enter into a joint
6 contract with a nonprofit corporation organized for civic purposes and located in the
7 municipality to construct or otherwise acquire, equip, furnish, operate and maintain
8 a facility to be used for municipal and civic activities if a majority of the voters voting
9 in a referendum at a special election or at a spring primary or election or ~~September~~
10 partisan primary or general election approve the question of entering into the joint
11 contract.

12 **SECTION 119.** 66.1113 (2) (g) of the statutes is amended to read:

13 66.1113 (2) (g) The village of Sister Bay may enact an ordinance or adopt a
14 resolution declaring itself to be a premier resort area under par. (a) even if less than
15 40 percent of the equalized assessed value of the taxable property within Sister Bay
16 is used by tourism-related retailers. The village may not impose the tax authorized
17 under par. (b) unless the village board adopts a resolution proclaiming its intent to
18 impose the tax and the resolution is approved by a majority of the electors in the
19 village voting on the resolution at a referendum, to be held at the first spring primary
20 or election or ~~September~~ partisan primary or general election following by at least
21 45 days the date of adoption of the resolution.

22 **SECTION 120.** 66.1113 (2) (h) of the statutes is amended to read:

23 66.1113 (2) (h) The village of Ephraim may enact an ordinance or adopt a
24 resolution declaring itself to be a premier resort area under par. (a) even if less than
25 40 percent of the equalized assessed value of the taxable property within Ephraim

1 is used by tourism-related retailers. The village may not impose the tax authorized
2 under par. (b) unless the village board adopts a resolution proclaiming its intent to
3 impose the tax and the resolution is approved by a majority of the electors in the
4 village voting on the resolution at a referendum, to be held at the first spring primary
5 or election or ~~September~~ partisan primary or general election following by at least
6 45 days the date of adoption of the resolution.

7 **SECTION 121.** 67.05 (6m) (b) of the statutes is amended to read:

8 67.05 **(6m)** (b) If a referendum is to be held on an initial resolution, the district
9 board shall direct the technical college district secretary to call a special election for
10 the purpose of submitting the initial resolution to the electors for a referendum on
11 approval or rejection. In lieu of a special election, the district board may specify that
12 the election be held at the next succeeding spring primary or election or ~~September~~
13 partisan primary or general election.

14 **SECTION 122.** 67.12 (12) (e) 5. of the statutes is amended to read:

15 67.12 **(12)** (e) 5. Within 10 days of the adoption by a technical college district
16 board of a resolution under subd. 1. to issue a promissory note for a purpose under
17 s. 38.16 (2), the secretary of the district board shall publish a notice of such adoption
18 as a class 1 notice, under ch. 985. The notice need not set forth the full contents of
19 the resolution, but shall state the amount proposed to be borrowed, the method of
20 borrowing, the purpose thereof, that the resolution was adopted under this
21 subsection and the place where and the hours during which the resolution is
22 available for public inspection. If the amount proposed to be borrowed is for building
23 remodeling or improvement and does not exceed \$1,500,000 or is for movable
24 equipment, the district board need not submit the resolution to the electors for
25 approval unless, within 30 days after the publication or posting, a petition

1 conforming to the requirements of s. 8.40 is filed with the secretary of the district
2 board requesting a referendum at a special election to be called for that purpose.
3 Such petition shall be signed by electors from each county lying wholly or partially
4 within the district. The number of electors from each county shall equal at least 1.5%
5 of the population of the county as determined under s. 16.96 (2) (c). If a county lies
6 in more than one district, the technical college system board shall apportion the
7 county's population as determined under s. 16.96 (2) (c) to the districts involved and
8 the petition shall be signed by electors equal to the appropriate percentage of the
9 apportioned population. In lieu of a special election, the district board may specify
10 that the referendum shall be held at the next succeeding spring primary or election
11 or ~~September~~ partisan primary or general election. Any resolution to borrow
12 amounts of money in excess of \$1,500,000 for building remodeling or improvement
13 shall be submitted to the electors of the district for approval. If a referendum is held
14 or required under this subdivision, no promissory note may be issued until the
15 issuance is approved by a majority of the district electors voting at such referendum.
16 The referendum shall be noticed, called and conducted under s. 67.05 (6a) insofar as
17 applicable, except that the notice of special election and ballot need not embody a
18 copy of the resolution and the question which shall appear on the ballot shall be
19 "Shall (name of district) be authorized to borrow the sum of \$.... for (state purpose)
20 by issuing its general obligation promissory note (or notes) under section 67.12 (12)
21 of the Wisconsin Statutes?"

22 **SECTION 123.** 86.21 (2) (a) of the statutes is amended to read:

23 86.21 (2) (a) Before any such toll bridge is constructed or acquired under this
24 section, a resolution authorizing the construction or acquisition thereof, and
25 specifying the method of payment therefor, shall be adopted by a majority of the

1 members of the governing body of such county, town, village or city at a regular
2 meeting, after publication of said resolution, as a class 2 notice, under ch. 985. The
3 resolution shall include a general description of the property it is proposed to acquire
4 or construct. Any county, town, village or city constructing or acquiring a toll bridge
5 under this section may provide for the payment of the same or any part thereof from
6 the general fund, from taxation, or from the proceeds of either municipal bonds,
7 revenue bonds or as otherwise provided by law. Such resolution shall not be effective
8 until 15 days after its passage and publication. If within said 15 days a petition
9 conforming to the requirements of s. 8.40 is filed with the clerk of such municipality,
10 and filed as provided in s. 8.37, signed by at least 20% of the electors thereof
11 requesting that the question of acquiring such toll bridge be submitted to the said
12 electors, such question shall be submitted at the next general or regular municipal
13 election that is held not sooner than 42 70 days from the date of filing such petition.
14 The question submitted to the electors shall specify the method of payment for such
15 toll bridge as provided in the resolution for the acquisition thereof. If no such petition
16 is filed, or if the majority of votes cast at such referendum election are in favor of the
17 acquisition of such toll bridge, then the resolution of the governing body for the
18 acquisition of such toll bridge shall be in effect.

19 **SECTION 124.** 92.11 (4) (c) of the statutes is amended to read:

20 92.11 (4) (c) *Wording of ballot question; procedure.* The county board shall
21 include the wording of the question to be placed before the electors in the referendum
22 as a part of the ordinance adopted under this section or the revision to an ordinance
23 adopted under this section. Upon the adoption of the ordinance or revision the county
24 board shall forward a copy of the ordinance or revision to the county clerk who shall
25 cause the question to be placed before the voters of the affected area in the next

1 spring or general election occurring not less than ~~45~~ 70 days after the adoption of the
2 ordinance or revision. The form of the ballot shall correspond substantially to the
3 form prescribed under s. 5.64 (2).

4 **SECTION 125.** 117.22 (2) (e) of the statutes is amended to read:

5 117.22 (2) (e) If a primary election for the school board positions is required
6 under s. 120.06 (7) (b), it shall be held on the day which is 4 weeks before the election,
7 except that if the school board election is held on the day of the general election, the
8 primary shall be held on the day of the ~~September~~ partisan primary, and if the school
9 board election is held on the day of the spring election, the primary shall be held on
10 the day of the spring primary. The school district clerk shall notify the clerk of each
11 city, village or town, any part of which is contained within an affected school district,
12 of the primary election. The school district clerk shall give the notices under s. 120.06
13 (8) (c) on the Monday before the primary election, if one is held, and on the Monday
14 before the school board election.

15 **SECTION 126.** 120.02 (1) of the statutes is amended to read:

16 120.02 (1) CHANGE IN NUMBER OF SCHOOL BOARD MEMBERS. If, at least 30 days
17 prior to the day of the annual school district meeting, in a common or union high
18 school district, or at least ~~45~~ 70 days prior to the day of the election of school board
19 members in a unified school district, a petition conforming to the requirements of s.
20 8.40 requesting a change in the number of school board members is filed with the
21 school district clerk the clerk shall incorporate in the notice of the annual meeting
22 or election a statement that at the meeting or election the question of changing the
23 number of school board members to the number requested in the petition will be
24 voted upon. The petition shall be signed by not less than 100 electors residing in the
25 school district, except that in school districts which contain, in whole or in part, a city

1 of the 2nd or 3rd class in which one or more electors of the school district reside, the
2 petition shall be signed by not less than 500 electors residing in the school district.
3 If, at the meeting or election of school board members, a resolution based on a petition
4 requesting a change in the number of school board members is adopted by a majority
5 vote, school board members shall be elected at the next school board election and
6 thereafter in accordance with sub. (3).

7 **SECTION 127.** 120.02 (2) (a) of the statutes is amended to read:

8 120.02 (2) (a) If, at least 30 days prior to the day of the annual meeting, in a
9 common or union high school district, or at least ~~45~~ 70 days prior to the day of the
10 election of school board members in a unified school district, a petition conforming
11 to the requirements of s. 8.40 requesting the establishment of a plan of
12 apportionment of school board members is filed with the school district clerk the
13 clerk shall incorporate notice of receipt of such petition in the notice of the annual
14 meeting or election. The petition shall specify the proposed plan of apportionment
15 of school board members among the cities, towns and villages or parts thereof within
16 the school district and set the total number of school board members at not more than
17 11. The petition shall be signed by not less than 100 electors residing in the school
18 district, except that in school districts which contain, in whole or in part, a city of the
19 2nd or 3rd class in which one or more electors of the school district reside, the petition
20 shall be signed by not less than 500 electors residing in the school district. If a
21 majority vote of the annual meeting or election approves the plan set forth in the
22 petition, the plan shall remain in operation until revised by the same procedure.
23 School board members elected under this subsection shall be elected by a vote of the
24 electors of the entire school district in accordance with the plan prepared under sub.
25 (3).

1 **SECTION 128.** 120.02 (4) of the statutes is amended to read:

2 120.02 (4) ELECTION TO NUMBERED SEATS. If, at least 30 days prior to the day of
3 the annual meeting, in a common or union high school district, or at least ~~45~~ 70 days
4 prior to the day of the election of school board members in a unified school district,
5 a petition conforming to the requirements of s. 8.40 which sets forth a plan for the
6 assignment of a number to each seat on the school board is filed with the school
7 district clerk, the school district clerk shall incorporate notice of receipt of such
8 petition in the notice of the annual meeting or election required under s. 120.06 (8)
9 (c). The petition shall be signed by not less than 100 electors residing in the school
10 district, except that in school districts which contain, in whole or in part, a city of the
11 2nd or 3rd class in which one or more electors of the school district reside, the petition
12 shall be signed by not less than 500 electors residing in the school district. If a
13 majority vote of the annual meeting or election approves the plan set forth in the
14 petition, the plan shall remain in operation until revised by the same procedure.

15 **SECTION 129.** 121.91 (3) (a) of the statutes is amended to read:

16 121.91 (3) (a) If a school board wishes to exceed the limit under sub. (2m)
17 otherwise applicable to the school district in any school year, it shall promptly adopt
18 a resolution supporting inclusion in the final school district budget of an amount
19 equal to the proposed excess revenue. The resolution shall specify whether the
20 proposed excess revenue is for a recurring or nonrecurring purpose, or, if the
21 proposed excess revenue is for both recurring and nonrecurring purposes, the
22 amount of the proposed excess revenue for each purpose. The resolution shall be filed
23 as provided in s. 8.37. Within 10 days after adopting the resolution, the school board
24 shall notify the department of the scheduled date of the referendum and submit a
25 copy of the resolution to the department. The school board shall call a special

1 referendum for the purpose of submitting the resolution to the electors of the school
2 district for approval or rejection. In lieu of a special referendum, the school board
3 may specify that the referendum be held at the next succeeding spring primary or
4 election or ~~September~~ partisan primary or general election, if such election is to be
5 held not sooner than ~~42~~ 70 days after the filing of the resolution of the school board.
6 The school district clerk shall certify the results of the referendum to the department
7 within 10 days after the referendum is held.

8 **SECTION 130.** 125.05 (1) (b) 5. of the statutes is amended to read:

9 125.05 (1) (b) 5. The petition shall be filed with the clerk of the municipality
10 at least ~~42~~ 70 days prior to the first Tuesday of April.

11 **SECTION 131.** 197.04 (1) (b) of the statutes is amended to read:

12 197.04 (1) (b) If within either of the 90-day periods described in par. (a) a
13 petition conforming to the requirements of s. 8.40 is filed with the clerk of the
14 municipality as provided in s. 8.37 and the petition has been signed by 5% of the
15 electors of a 1st class city or by 10% of the electors of all other municipalities
16 requesting that the question of discontinuing the proceeding to acquire the plant or
17 equipment of the public utility be submitted to the electors of the municipality, the
18 applicable question under par. (c) shall be submitted to the electors at any general
19 or regular municipal election that is held not less than ~~42~~ 70 and not more than ~~47~~
20 75 days from the date of the filing of the petition. If no general election or regular
21 municipal election is to be held within the stated periods, the governing body of the
22 municipality shall order the holding of a special election, to be held not less than ~~42~~
23 70 days from the date of filing of the petition, for the purpose of submitting the
24 question to the electors.

25 **SECTION 132.** 229.824 (15) of the statutes is amended to read:

1 229.824 (15) Impose, by the adoption of a resolution, the taxes under subch. V
2 of ch. 77, except that the taxes imposed by the resolution may not take effect until
3 the resolution is approved by a majority of the electors in the district's jurisdiction
4 voting on the resolution at a referendum, to be held at the first spring primary or
5 ~~September~~ partisan primary following by at least 45 days the date of adoption of the
6 resolution. Two questions shall appear on the ballot. The first question shall be:
7 "Shall a sales tax and a use tax be imposed at the rate of 0.5% in County for
8 purposes related to football stadium facilities in the Professional Football
9 Stadium District?" The 2nd question shall be: "Shall excess revenues from the 0.5%
10 sales tax and use tax be permitted to be used for property tax relief purposes in
11 County?" Approval of the first question constitutes approval of the resolution of the
12 district board. Approval of the 2nd question is not effective unless the first question
13 is approved. The clerk of the district shall publish the notices required under s. 10.06
14 (4) (c), (f) and (i) for any referendum held under this subsection. Notwithstanding
15 s. 10.06 (4) (c), the type A notice under s. 10.01 (2) (a) relating to the referendum is
16 valid even if given and published late as long as it is given and published prior to the
17 election as early as practicable. A district may not levy any taxes that are not
18 expressly authorized under subch. V of ch. 77. The district may not levy any taxes
19 until the professional football team and the governing body of the municipality in
20 which the football stadium facilities are located agree on how to fund the
21 maintenance of the football stadium facilities. The district may not levy any taxes
22 until the professional football team and the governing body of the municipality in
23 which the football stadium facilities are located agree on how to distribute the
24 proceeds, if any, from the sale of naming rights related to the football stadium
25 facilities. If a district board adopts a resolution that imposes taxes and the resolution

1 is approved by the electors, the district shall deliver a certified copy of the resolution
2 to the secretary of revenue at least 120 days before its effective date. If a district
3 board adopts a resolution that imposes taxes and the resolution is not approved by
4 the electors, the district is dissolved.

5 **SECTION 133.** 995.20 of the statutes is amended to read:

6 **995.20 Legal holidays.** January 1, January 15, the 3rd Monday in February
7 (which shall be the day of celebration for February 12 and 22), the last Monday in
8 May (which shall be the day of celebration for May 30), June 19, which shall be the
9 day of observation for Juneteenth Day, July 4, the 1st Monday in September which
10 shall be known as Labor day, the 2nd Monday in October, November 11, the 4th
11 Thursday in November (which shall be the day of celebration for Thanksgiving),
12 December 25, the day of holding the ~~September~~ partisan primary election, and the
13 day of holding the general election in November are legal holidays. On Good Friday
14 the period from 11 a.m. to 3 p.m. shall uniformly be observed for the purpose of
15 worship. In every 1st class city the day of holding any municipal election is a legal
16 holiday, and in every such city the afternoon of each day upon which a primary
17 election is held for the nomination of candidates for city offices is a half holiday and
18 in counties having a population of 500,000 or more the county board may by
19 ordinance provide that all county employees shall have a half holiday on the day of
20 such primary election and a holiday on the day of such municipal election, and that
21 employees whose duties require that they work on such days be given equivalent
22 time off on other days. Whenever any legal holiday falls on Sunday, the succeeding
23 Monday shall be the legal holiday.

24 **SECTION 134. Initial applicability.**

1 (1) The treatment of sections 6.24 (4) (c), 6.86 (1) (a) 3., 6.865 (title), (3), and
2 (3m) (a), (b), and (c), and 7.15 (1) (j) of the statutes first applies with respect to
3 requests for absentee ballots made for voting at elections held on or after the effective
4 date of this subsection.

5 **SECTION 135. Effective dates.** This act takes effect on the day after
6 publication, except as follows:

7 (1) The treatment of sections 6.24 (4) (c), 6.86 (1) (a) 3., 6.865 (title), (3), and
8 (3m) (a), (b), and (c), and 7.15 (1) (j) of the statutes and SECTION 134 (1) of this act take
9 effect on the 90th day beginning after publication.

10

(END)

**2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

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INS 11-25:

SECTION 1. 6.22 (4) (c) of the statutes is amended to read:

6.22 (4) (c) A military elector may indicate an alternate address on his or her absentee ballot application. If the elector's ballot is returned as undeliverable prior to the deadline for return of absentee ballots under s. 6.87 (6), and the elector remains eligible to receive absentee ballots under this section, the municipal clerk shall immediately send or, if the elector is a military elector as defined in s. 6.34 (1) (a),[✓] transmit an absentee ballot to the elector at the alternate address.

History: 1971 c. 304 s. 29 (2); 1971 c. 336 s. 37; 1973 c. 334 s. 57; 1975 c. 85 ss. 10, 66 (3); 1977 c. 394; 1979 c. 89, 311; 1981 c. 391; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 192; 1995 a. 313; 1999 a. 182; 2001 a. 16; 2005 a. 149, 451.

INS 16-2:

SECTION 2. 6.24 (1) of the statutes is amended to read:

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

History: 1977 c. 394; 1979 c. 260, 311; 1985 a. 304; 1987 a. 391; 1989 a. 192; 1995 a. 313; 1997 a. 35; 1999 a. 182 ss. 68 to 75m, 224; 2001 a. 16; 2003 a. 24, 265; 2005 a. 451.

INS 22-18:

SECTION 3. 6.87 (3) (d) of the statutes, as affected by 2011 Wisconsin Act 23, is amended to read:

6.87 (3) (d) A municipal clerk shall, if the clerk is reliably informed by ~~an absent~~ elector a military elector, as defined in s. 6.34 (1) ^{(b)✓} or an overseas elector, as defined in s. 6.34 (1) ^{(a)✓}, of a facsimile transmission number or electronic mail address where the elector can receive an absentee ballot, transmit a facsimile or electronic copy of the ~~absent~~ elector's ballot to that elector in lieu of mailing under this subsection. An elector may receive an absentee ballot only if the elector is a military elector or an overseas elector under s. 6.34 (1) and [✓] has filed a valid application for the ballot under as provided in s. 6.86 (1). [✓] If the clerk transmits an absentee ballot to ~~an absentee a~~ military or overseas [✓] elector electronically, the clerk shall also transmit a facsimile or electronic copy of the text of the material that appears on the certificate envelope prescribed in sub. (2), together with instructions prescribed by the board. The instructions shall require the ~~absent~~ military or overseas [✓] elector to make and subscribe to the certification as required under sub. (4) (b) and to enclose the absentee ballot in a separate envelope contained within a larger envelope, that shall include the completed certificate. The elector shall then affix sufficient postage unless the absentee ballot qualifies for mailing free of postage under federal free postage laws and shall mail the absentee ballot to the municipal clerk. Except as authorized in s. 6.97 (2), an absentee ballot received from ~~an~~ a military or overseas [✓] elector who receives the ballot electronically shall not be counted unless it is cast in the manner prescribed in this paragraph and in accordance with the instructions provided by the board. [✓]

History: 1971 c. 242; 1971 c. 304 s. 29 (1), (2); 1975 c. 85; 1975 c. 93 s. 119 (2); 1975 c. 199; 1977 c. 394; 1979 c. 232, 260, 311, 355; 1983 a. 36, 484, 538; 1985 a. 304; 1991 a. 316; 1999 a. 49, 182; 2001 a. 16, 38, 109; 2003 a. 265; 2005 a. 451.

SECTION 4. 6.875 (3) of the statutes, as affected by 2011 Wisconsin Act 23, is amended to read:

6.875 (3) An occupant of a nursing home or qualified retirement home, qualified community-based residential facility, qualified residential care apartment complex, or qualified adult family who who qualifies as an absent elector and desires to receive an absentee ballot shall make application under s. 6.86 (1), (2), or (2m) with the municipal clerk or board of election commissioners of the municipality in which the elector is a resident. The clerk or board of election commissioners of a municipality receiving an application from an elector who is an occupant of a nursing home or qualified retirement home, qualified community-based residential facility, qualified residential car apartment complex, or qualified adult family home located in a different municipality shall, as soon as possible, notify and ~~transmit~~ send an absentee ballot for the elector to the clerk or board of election commissioners of the municipality in which the home, facility, or complex is located. The clerk or board of election commissioners of a municipality receiving an application from an elector who is an occupant of a nursing home or qualified retirement home, qualified community-based residential facility, qualified residential care apartment complex, or qualified adult family home located in the municipality but who is a resident of a different municipality shall, as soon as possible, notify and request ~~transmission~~ of an absentee ballot from the clerk or board of election commissioners of the municipality in which the elector is a resident. The clerk or board of election commissioners shall make a record of all absentee ballots to be ~~transmitted~~ sent, delivered, and voted under this section.

History: 1985 a. 304; 1987 a. 391; 1989 a. 192; 1997 a. 127, 188, 237; 1999 a. 32, 182; 2001 a. 16, 109; 2005 a. 149, 451; 2007 a. 96.

SECTION 5. 6.88 (1) of the statutes is amended to read:

6.88 (1) When an absentee ballot arrives at the office of the municipal clerk, or at an alternate site under s. 6.855, if applicable, the clerk shall enclose it, unopened, in a carrier envelope which shall be securely sealed and endorsed with the name and official title of the clerk, and the words "This envelope contains the ballot of an absent elector and must be opened in the same room where votes are being cast at the polls during polling hours on election day or, in municipalities where absentee ballots are canvassed under s. 7.52, stats., at a meeting of the municipal board of absentee ballot canvassers under s. 7.52, stats.". If the elector is a military elector, as defined in s. 6.34 (1) (a), or an overseas elector, as defined in s. 6.34 (1) (b), and the ballot was received by the elector by facsimile transmission or electronic mail and is accompanied by a separate certificate, the clerk shall enclose the ballot in a certificate envelope and securely append the completed certificate to the outside of the envelope before enclosing the ballot in the carrier envelope. The clerk shall keep the ballot in the clerk's office or at the alternate site, if applicable until delivered, as required in sub. (2).

History: 1971 c. 304 s. 29 (2); 1975 c. 85, 199; 1977 c. 394 ss. 43, 53; 1979 c. 232, 260; 1983 a. 183, 484; 1987 a. 391; 1999 a. 49, 182; 2001 a. 38, 109; 2003 a. 265; 2005 a. 451.

SECTION 6. 6.88 (3) (b) of the statutes is amended to read:

6.88 (3) (b) When the inspectors find that a certification is insufficient, that the applicant is not a qualified elector in the ward or election district, that the ballot envelope is open or has been opened and resealed, that the ballot envelope contains more than one ballot of any one kind or, except in municipalities where absentee ballots are canvassed under s. 7.52, that the certificate of ~~an~~ a military or overseas elector who received an absentee ballot by facsimile transmission or electronic mail is missing, or if proof is submitted to the inspectors that an elector voting an absentee ballot has since died, the inspectors shall not count the ballot. The inspectors shall

endorse every ballot not counted on the back, “rejected (giving the reason)”. The inspectors shall reinsert each rejected ballot into the certificate envelope in which it was delivered and enclose the certificate envelopes and ballots, and securely seal the ballots and envelopes in an envelope marked for rejected absentee ballots. The inspectors shall endorse the envelope, “rejected ballots” with a statement of the ward or election district and date of the election, signed by the chief inspector and one of the inspectors representing each of the 2 major political parties and returned to the municipal clerk in the same manner as official ballots voted at the election.✓

History: 1971 c. 304 s. 29 (2); 1975 c. 85, 199; 1977 c. 394 ss. 43, 53; 1979 c. 232, 260; 1983 a. 183, 484; 1987 a. 391; 1999 a. 49, 182; 2001 a. 38, 109; 2003 a. 265; 2005 a. 451.

INS 25-6:

SECTION 7. 7.52 (3) (b) of the statutes is amended to read:

7.52 (3) (b) When the board of absentee ballot canvassers finds that a certification is insufficient, that the applicant is not a qualified elector in the ward or election district, that the ballot envelope is open or has been opened and resealed, that the ballot envelope contains more than one ballot of any one kind, or that the certificate of ~~an~~ a military or overseas elector who received an absentee ballot by facsimile transmission or electronic mail is missing, or if proof is submitted to the board of absentee ballot canvassers that an elector voting an absentee ballot has since died, the board of absentee ballot canvassers shall not count the ballot. Each member of the board of absentee ballot canvassers shall endorse every ballot not counted on the back as “rejected (giving the reason).” The board of absentee ballot canvassers shall reinsert each rejected ballot into the certificate envelope in which it was delivered and enclose the certificate envelopes and ballots, and securely seal the ballots and envelopes in an envelope marked for rejected absentee ballots. The

board of absentee ballot canvassers shall endorse the envelope as “rejected ballots,” with a statement of the ward or election district and date of the election, and each member of the board of absentee ballot canvassers shall sign the statement. The board of absentee ballot canvassers shall then return the envelope containing the ballots to the municipal clerk. ✓

History: 2005 a. 451.