

No. 33, A.]

[Published July 31, 1929.]

CHAPTER 331.

AN ACT to create subsection (9) of section 27.01 of the statutes, relating to the creation of a state park on the east shore of Lake Geneva, Walworth county.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. A new subsection is added to section 27.01 of the statutes to read: (27.01) (9) The conservation commission is authorized to enter into negotiations for the acquisition by purchase, donation or otherwise an area of approximately one hundred acres in extent for park and recreational purposes along the east shore of Lake Geneva, at the point commonly known as Buttons Bay, in section 1, township 1, range 17, in the town of Linn, Walworth county.

SECTION 2. This act shall take effect upon passage and publication.

Approved July 29, 1929.

No. 423, A.]

[Published July 31, 1929.]

CHAPTER 332.

AN ACT to repeal sections 5.09 and 5.12, subsection (1) of section 6.11, section 6.21 and the introductory paragraph of subsection (1) and subsections (2), (4) and (5) of section 6.22; to create a new subsection (1) of section 6.11, a new section 6.21, a new introductory paragraph of subsection (1) and a new subsection (2) of section 6.22 and section 6.82; and to amend subsection (2) of section 5.04, subsection (4) of section 5.08 and subsection (2) of section 5.22 of the statutes, relating to primary and election notices and compensation for the publication thereof.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Sections 5.09 and 5.12, subsection (1) of section 6.11, section 6.21 and the introductory paragraph of subsection (1) and subsections (2), (4) and (5) of section 6.22 of the statutes are repealed.

SECTION 2. A new subsection is added to section 6.11, a new section is added to the statutes, a new introductory paragraph is

added to subsection (1) and a new subsection is added to section 6.22, and a new section is added to the statutes to be numbered and to read: (6.11) (1) The county clerk thereupon shall forthwith prepare under his signature and seal a notice containing so much of the notice of the secretary of state as may be applicable to his county, including constitutional amendments or other questions, together with a statement of the several county officers to be elected by the voters of his county and cause the same to be published as provided in section 6.82. Commencing not later than the last Friday of September, such notice shall be published once each week until election.

6.21 (1) Before an election to fill any public office or at which a constitutional or other question is submitted, the county or city clerk of each county or city shall cause to be published a facsimile of the official ballot.

(2) Said publication shall be preceded with a notice of the time and place of holding the election, together with information to the voter for marking his ballot, which notice and information shall be substantially in the form provided in section 6.22, to be varied and modified according to the nature of the election.

(3) Such publication shall be made twice in daily or weekly newspapers in counties or cities having such, one of which publications in daily papers shall be on the publication day preceding the election and the other publication one week previously, and when published in a weekly paper the dates shall be designated by the county clerk.

(4) Such facsimile ballot notice, when published in a city using voting machines, shall include a sample ballot in the form of a diagram showing the face of the machine with the official ballot thereon, together with instructions to the voter for the proper operation of the machine.

(5) Lists of delegates to national conventions and lists of presidential electors shall be published once each week for two consecutive weeks in manner provided in subsection (4) of section 5.08.

6.22 (1) (Introductory paragraph) In making publication of a facsimile ballot notice, the county clerk shall precede the same with a statement substantially in the following form:

FACSIMILE BALLOT NOTICE OF.....ELECTION

Office of County Clerk.

To the Electors of.....County :

Notice is hereby given that a.....election is to be held in the several towns, wards, villages, and election precincts in the county of....., on the.....day of....., 19....., at which the officers named below are to be chosen. The names of the candidates for each office to be voted for, whose nominations have been certified to or filed in this office, are given under the title of the office and under the appropriate party or other designation, each in its proper column, together with the question submitted to a vote, in the sample ballot below.

Information to Voters

The following instructions are given for the information and guidance of voters :

(2) (a) The headline, or caption, of said facsimile ballot notice shall be conspicuously displayed, but in no case shall said caption, together with the necessary spacing above and below, occupy more than one and one-fourth inches in depth. The reading matter of said notice shall be set solid in the type of the regular reading matter of the paper making the publication but not in smaller than six point nor larger than ten point type. The size and style of type and the general display of facsimile ballots shall conform as nearly as may be to those of the sample ballots printed in the statutes; provided, that party columns shall not exceed two and one-sixth inches in width. The fee for such publication shall be paid for by the square. •

(b) The caption, introductory paragraph and information to voters shall be printed but once in any such notice and shall be followed by a facsimile of each of the ballots to be used at such election. Whenever possible the complete notice shall appear on a single page of the newspaper. If this be impracticable, a footnote, in twelve point caps, shall indicate on what page the notice is continued. At the top of each succeeding page, or column of the said notice, shall appear, in twelve point caps and figures, the notation : "For information to voters and for other facsimile ballots, see page"

6.82 (1) All costs for ballots, blanks and other supplies to be used at any primary or election, all publication fees, and all expenses necessarily incurred in the preparation for or in con-

ducting any primary or election shall be paid out of the treasury of the town, city, village, county or state, as the case may be.

(2) All primary or election notices or certificates of election, required by law to be published, shall be published in from one to four newspapers of general circulation published within the county or city. In counties of over two hundred and fifty thousand population, one of such newspapers shall represent the political party that cast the largest vote in such county or city at the preceding general election, and one of such newspapers shall represent the political party that cast the next largest vote in such county or city at the preceding general election. In no case shall any such notice be published in more than two newspapers unless authorized by a resolution adopted by the county board or city council, which resolution may designate by name the newspapers in which all such notices shall appear, and shall be in force until rescinded by like action. Provided, that in counties having one or more daily newspapers, at least one of such publications shall be made in a daily newspaper that has been published continuously for two years.

(3) Compensation for publishing all notices and certificates relative to primaries and elections, unless otherwise provided, shall be paid for by the folio and the fees shall be graduated according to circulation as set forth herein.

| Circulation | First insertion per square or folio | Subsequent insertions per square or folio |
|---|-------------------------------------|---|
| (a) 2,000 or less..... | \$.80 | \$.50 |
| (b) 2,001 to 4,000 | .90 | .60 |
| (c) Over 4,000..... | 1.00 | .70 |
| (d) To newspapers published in cities of the first class..... | Commercial rates | Commercial rates |

In making claim for compensation, except in cities of the first class, newspapers of over two thousand circulation, shall furnish an affidavit showing total paid circulation.

(4) When in doubt as to the compliance of any election notice with the specifications of the statutes, or as to the correct fees to

be paid therefor, the county clerk may consult the secretary of state who shall refer such question to the state printing board for official determination.

(5) For any primary or election notice, the word "square" shall be construed to mean one inch in length of column and not more than a newspaper column in width. The word "folio" shall mean the same as elsewhere defined in the statutes. Any fraction of a square or folio shall be paid for as a full square.

(6) Whenever the office of county clerk is vacant and there shall be no person authorized to perform his duties, the sheriff shall make out and transmit to town, city and village clerks any primary or election notice, required to be issued, and shall publish the same as may be required by law.

SECTION 3. Subsection (2) of section 5.04, subsection (4) of section 5.08, and subsection (2) of section 5.22 of the statutes are amended to read: (5.04) (2) Upon receipt of such notice the county clerk shall immediately prepare under his hand and official seal a similar notice containing so much of the notice received from the secretary of state as may be applicable to his county * * *. *He shall also specify the county offices for which candidates are to be nominated at such primary, and, within ten days, publish said notice once each week for four consecutive weeks, * * * as provided in section 6.82.*

(5.08) (4) Such clerk shall forthwith upon receipt thereof publish under the proper party designation, the title of each office, the names and addresses of all persons for whom nomination papers have been filed, giving the name and address of each, the date of the primary, the hours during which the polls will be opened, and *state that the primary will be held at the regular polling places in each precinct. The fee for such publication shall be * * * paid for by the square.*

(5.22) (2) Except as * * * otherwise provided, such elections shall be noticed, held and conducted, and the results canvassed and returned in the * * * manner * * * *provided for judicial elections.*

SECTION 4. This act shall take effect upon passage and publication.

Approved July 29, 1929.