



1997 ASSEMBLY BILL 427

June 12, 1997 - Introduced by Representatives KREUSER, CULLEN, HUBER, MEYER, MURAT, ROBSON, TURNER, HANDRICK, OLSEN and WALKER, cosponsored by Senator FARROW. Referred to Committee on Elections and Constitutional Law.

1 **AN ACT** *to repeal* 5.35 (6) (a) 4. and 5.64 (3); *to amend* 5.37 (3), 5.64 (1) (intro.),
2 (a), (b) and (d), 6.24 (5) and 10.02 (3) (b) 1.; and *to create* 5.64 (1) (em) of the
3 statutes; **relating to:** elimination of the separate ballot for the offices of
4 president and vice president.

Analysis by the Legislative Reference Bureau

Currently, at the presidential election, electors may vote a straight party ticket for the candidates of any party that has a separate ballot or column on the ballot, except for the offices of president and vice president. In order to vote for the offices of president and vice president, electors must cast a separate ballot or vote, regardless of whether they vote a straight party ticket.

This bill eliminates the separate presidential ballot so that electors who vote a straight party ticket will automatically cast a vote for the candidates of their selected party for president and vice president without having to cast a separate ballot or vote for these offices.

For further information see the *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:

5 **SECTION 1.** 5.35 (6) (a) 4. of the statutes is repealed.

ASSEMBLY BILL 427**SECTION 2**

1 **SECTION 2.** 5.37 (3) of the statutes is amended to read:

2 5.37 (3) For presidential electors one device shall be provided to vote for all of
3 one party's electoral candidates at the same time. The device shall be opposite or
4 adjacent to the ~~ballot continue~~ the names of the party's candidates for president and
5 vice president.

6 **SECTION 3.** 5.64 (1) (intro.), (a), (b) and (d) of the statutes are amended to read:

7 5.64 (1) OFFICIAL BALLOT. (intro.) There shall be a separate ballot giving the
8 names of all candidates for president and vice president and for statewide,
9 congressional, legislative and county offices in the same form as prescribed by the
10 board under s. 7.08 (1) (a).

11 (a) The ballot shall be labeled "Official Ballot" in lettering at least
12 three-eighths inch high. Directly underneath in plain, legible type, shall be the
13 following voting instructions, as appropriate: "If you desire to vote a straight party
14 ticket for [president and vice president and] all statewide, congressional, legislative
15 and county offices, make a cross (X) in the circle under the party designation at the
16 top of the party column. If you desire to vote for individual candidates, make a cross
17 (X) in the square at the RIGHT of the name of each candidate for whom you desire
18 to vote. To vote for a person whose name does not appear on the ballot, write the name
19 in the blank space provided for the purpose. [When voting for president and vice
20 president, you may vote only for the candidates on one ticket jointly or write in the
21 names of persons in both spaces.] [When voting for governor and lieutenant governor,
22 you may vote only for the candidates on one ticket jointly or write in the names of
23 persons in both spaces."]. Under the party designation at the top of each party
24 column shall appear the following words in boldface type: "Make a cross (X) in this
25 circle to vote a straight party ticket."

ASSEMBLY BILL 427

1 (b) Below the voting instructions the ballot shall be divided into vertical
2 columns. The names of the candidates for the offices of president and vice president
3 certified under s. 8.16 (7) or filed under s. 8.20 shall appear on the ballot in the form
4 prescribed in s. 7.08 (2) (a). The names of the candidates on the regular party tickets
5 nominated at the primary or replacements appointed under s. 8.35 (2) shall be
6 printed each in a separate column under the party designation. The columns shall
7 be arranged from left to right according to rank, based on the number of votes
8 received by the party's candidate for president or governor at the last general election
9 beginning with the party that received the most votes. To the right of the columns
10 for parties qualifying under s. 5.62 (1) (b) shall be placed the columns for parties
11 qualifying under s. 5.62 (2) in the same order in which the parties filed petitions with
12 the board. To the right of the party columns shall be a column for the names of
13 independent candidates for each office, or more than one column if the first column
14 does not provide sufficient space for the names of all such candidates.

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

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

19 5.64 (1) (em) In the case of balloting for the offices of president and vice
20 president, the names of the candidates shall be placed in the column of the party
21 which nominated them or if independent, in a column designated independent. To
22 the right of the names of the set of candidates for president and vice president in each
23 column shall be one square for the elector to cast a ballot jointly for both offices.

24 **SECTION 5.** 5.64 (3) of the statutes is repealed.

25 **SECTION 6.** 6.24 (5) of the statutes is amended to read:

ASSEMBLY BILL 427**SECTION 6**

1 6.24 (5) BALLOTS. The board shall prescribe a special ballot for use under this
2 section whenever necessary. Official ballots under ~~ss. s. 5.60 (8) and 5.64 (3)~~ may also
3 be used. The ballot shall be designed to comply with the requirements of ss. 5.60 (8),
4 5.62 and 5.64 (1) insofar as applicable. All ballots shall be limited to national offices
5 only.

6 **SECTION 7.** 10.02 (3) (b) 1. of the statutes is amended to read:

7 10.02 (3) (b) 1. If an elector wishes to vote for all candidates nominated by any
8 party, the elector shall make a cross (X) in the circle or depress the lever or button
9 under the party designation printed at the top of the ballot, except that at the general
10 election, the elector shall cast one vote jointly for the offices of president and vice
11 president or governor and lieutenant governor. A vote for candidates for president
12 and vice president is a vote for the presidential electors of those candidates. Unless
13 a name has been erased or crossed out, another name written in, a cross made to the
14 right of a candidate for the same office in another column or a sticker applied, a cross
15 in the circle at the top of the column is a vote for all the party's candidates listed in
16 the column. If an elector does not wish to vote for all the candidates nominated by
17 one party, the elector shall make a cross (X) in the square at the right of or separately
18 depress the levers or buttons next to each candidate's name for whom he or she
19 intends to vote, or shall insert or write in the name of a candidate.

20

(END)