

arate ballot containing the words "for raising money to build a town hall," and those voting against a ballot containing the words "against raising money to build a town hall."

SECTION 46. Subsection 2 of section 927—5 of the statutes is amended by striking out all of the subsection following the subsection number and by inserting in place of the matter stricken out the following words: "The vote upon such question shall be taken as directed by section 10.61."

SECTION 47. This act shall take effect upon passage and publication.

Approved July 8, 1915.

No. 82; S.]

[Published July 13, 1915.

CHAPTER 386.

AN ACT to embody the present sections of the statutes relating to voting machines in a new chapter and to renumber and amend or revise such sections.

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

SECTION 1. A new chapter is added to the statutes to be numbered and entitled as follows:

CHAPTER 11.

VOTING MACHINES AND THE COUPON BALLOT.

Voting Machines at Elections.

SECTION 2. Section 44—1 of the statutes is renumbered to be section 11.01; and is amended by striking therefrom the first four words thereof, namely: "Be it enacted that" also by striking therefrom the sentence: "The first commissioners shall be appointed within thirty days after the taking effect of this act."

SECTION 3. Section 44—2 of the statutes is renumbered to be section 11.02 and is amended by striking therefrom the word "act" wherever it appears and by inserting in place thereof the word "chapter."

SECTION 4. Section 44—3 of the statutes is renumbered to be section 11.03.

SECTION 5. Section 44—4 of the statutes is renumbered to be section 11.04 and is amended by striking therefrom the word "act" and by inserting in place thereof the word "chapter."

SECTION 6. Section 44—5 of the statutes is renumbered to be section 11.05.

SECTION 7. Section 44—6 of the statutes is renumbered to be section 11.06, and said section is amended to read: 11.06

(1) More than one voting machine may be used in any one polling place.

(2) *Where more than one voting machine shall be used in an election precinct, one additional election inspector may be appointed by the proper authorities for the additional machine; such additional inspector to be of the party casting the largest vote at the preceding general election.*

(3) *At any election or primary, when voting machines are used, the services of ballot clerks shall be dispensed with at such primary and election days in the election districts where voting machines are used.*

(4) The room in which the election is held shall have a railing separating that part of the room to be occupied by the election officers from that part of the room occupied by the voting machine or machines. The exterior of the voting machine and every part of the polling place shall be in plain view of the inspectors. The machine shall be so placed that no person on the opposite side of the railing can see or determine how the voter casts his vote, and that no person can so see or determine from the outside of the room. After the opening of the polls the inspectors shall not allow any person to pass within the railing to that part of the room where the machine is situated, except for the purpose of voting and except as provided in * * * section 11.08; *and they shall permit only one voter at a time for each machine to be in such part of the room.* They shall not themselves remain or permit any person to remain in any position that would permit him or them or see or ascertain how the voter votes or how he has voted. * * *

(5) *Each voter shall be allowed a reasonable time in which to vote, such time to be determined by a majority of the inspectors in the booth, having regard to the size of the ballot and the number of voters in line ready to vote, but in no case shall such time be less than one minute. If a voter refuses to leave the voting machine after being notified by one of the inspectors that such time has expired, he shall at once be removed by the inspectors.*

SECTION 8. Section 44—6a of the statutes is renumbered to be section 11.07.

SECTION 9. Section 44—7 and section 44—13 of the statutes are consolidated, renumbered and revised to read: 11.08 All

the provisions of chapter 6 relating to general elections and all statutes declaring misconduct at or in relation to elections to be crimes or the grounds or occasions of forfeiture, shall, as far as consistent with the provisions of this chapter, be applicable to elections at which voting machines are used.

SECTION 10. Section 44—8 of the statutes is renumbered to be section 11.09 and is amended by striking from subsection (1) thereof the words "of the first class" and by inserting in place thereof the words "having more than one hundred thousand inhabitants"; also by striking from subsection (2) of said section the figures 38 and by inserting in place thereof the figures 6.23; also by striking from said subsection (2) the words "as amended"; also by striking from subsection (4) thereof the words "of the first class" and by inserting in place thereof the words "having more than one hundred thousand inhabitants."

SECTION 11. Section 44—9 of the statutes is renumbered to be section 11.10 and is amended by striking from the first subsection thereof the words "of the first class" and by inserting in place thereof the words "having more than one hundred thousand inhabitants."

SECTION 12. Section 44—10 of the statutes is renumbered to be section 11.11.

SECTION 13. Section 44—11 of the statutes is renumbered to be section 11.12 and is amended by prefixing to the two paragraphs thereof the subsection designations (1) and (2) respectively and also by striking from the subsection so designated (1) the word "of" immediately preceding the word "candidates" and by inserting in place thereof the word "for".

SECTION 14. Section 44—12 of the statutes is renumbered to be section 11.13 and is amended by striking therefrom the word "files" and by inserting in place thereof the word "file."

SECTION 15. Section 44—14 of the statutes is renumbered to be section 4543r and is amended to read: *Section 4543r.* Any public officer * * * upon whom any duty is imposed by * * * *chapter eleven of these statutes* * * * who shall wilfully neglect or omit to perform such duties, or do any act prohibited * * * *by said chapter* for which punishment is not otherwise provided * * * shall upon conviction be imprisoned in the state prison for not less than one year * * * nor more than three years, or be fined in * * * a sum not exceeding one thousand dollars, or may be punished by both such imprisonment and fine.

SECTION 16. Section 44—15 of the statutes is renumbered to be section 4543s.

SECTION 17. Section 44—16 of the statutes is renumbered to be section 4543t.

SECTION 18. Section 44—17 of the statutes is renumbered to be section 4543u.

SECTION 19. Section 44—18 of the statutes is renumbered to be section 11.14.

SECTION 20. Section 44—19 of the statutes is hereby repealed.

Voting Machines at Primaries.

SECTION 21. Subsections 12, 13 and 14 of sections 11—12 of the statutes are transferred to this chapter and renumbered and amended to read: 11.15 Voting machines may be used at primary elections, subject to the requirements of section * * * 11.03 of the statutes, and to the following provisions: Each machine shall be constructed and arranged so that: (1) The names of all candidates entitled to appear on the ballots at the primary shall appear on the machine; (2) the voter cannot vote for the candidates of more than one party, *whenever the law requires this restriction on the voter*; (3) the voter can secretly select the party for which he wishes to vote; (4) the voter can vote for as many candidates for each office as he is lawfully entitled to vote for, but no more.

11.16 No vote on the irregular ballot device shall be counted for any person for any party, if such person's name appears on the printed ballot labels of that party. * * * To vote for any person as the candidate of any party when the name of such person does not appear upon the printed ballot labels of that party, the voter shall write the name of such person in the proper place in the irregular ballot device, and designate the party for which he desires such person to be the nominee.

11.17 All laws of this state relating to the use of voting machines at elections, and all penalties prescribed for violations of such laws shall apply to the use of voting machines at primary elections insofar as such laws are not in conflict with * * * *the provisions of this section*. Provided, however, that any voting machine used at a primary election, which has been sealed, closed or locked, as prescribed in section * * * 11.13 of * * * *this chapter*, may be opened seven days after such sealing, closing or locking.

The Coupon Ballot.

SECTION 22. Sections 44a—1 to 44a—36 of the statutes are transferred to new chapter 11, and are renumbered to be sections 11.18 to 11.52 respectively.

SECTION 23. This act shall take effect upon passage and publication.

Approved July 8, 1915.