

CHAPTER 93.

AN ACT to amend 6.59 and 6.66 (1) of the statutes, relating to compensation for delivering election returns and time for demanding recount.

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

SECTION 1. 6.59 of the statutes is amended to read:

6.59 The chairman of the inspectors or one of them appointed by him shall not later than 2 p.m. of the day following each primary and election, deliver to the clerk of the town, city or village one of said tally sheet statements and poll lists, to be filed and preserved in his office, and shall deliver the other tally sheet statement and one poll list to the county clerk, they having been by the inspectors carefully sealed up, with the oaths of the inspectors and clerks affixed, in an envelope properly directed to such clerk. The person delivering such returns shall receive as compensation therefor such sum * * * as the governing body or the election commission of the town, city or village shall determine, to be paid out of the town, city or village treasury. In towns the person delivering such tally sheet statement and poll list shall also receive mileage for each mile traveled in going to and returning from the county clerk's office by the most usual traveled route at the rate of 6 cents per mile, such mileage to be paid by the town.

SECTION 2. 6.66 (1) of the statutes is amended to read:

6.66 (1) Whenever any candidate, or any elector who voted upon any constitutional amendment or upon any proposition, voted for at any election, within 3 days after the last day of the meeting of the board of county canvassers, or, in the case of an annual, special or referendum election in any city, town or village, within * * * 3 days after the result of such election is declared, shall file with the county clerk or with the city, town or village clerk, as the case may be, a verified petition setting forth that he was a candidate for a specified office or that he voted upon any such constitutional amendment or proposition at said election, and that he is informed and believes that a mistake or fraud has been committed in specified precincts in the counting or return of the votes cast for the office for which he was a candidate, or upon the matter voted upon, or specifying any other defect, irregularity or illegality in the conduct of said election, said board of county, city, town or village canvassers, as the case may be, shall reconvene on the day following the filing of such petition and proceed to ascertain and determine the facts alleged in said petition and make correction accordingly and recount the ballots in every precinct so specified in accordance therewith. Such petition shall first be served, as a summons is served in a court of record, upon all opposing candidates and if such petition pertains to a constitutional amendment or proposition voted upon, the petition need be served upon no one other than the said clerk. Such petition and proof of service thereof shall be filed with the said clerk, together with a fee of \$2 for each precinct in which a recount of the ballots is demanded in such petition. The petitioner and all opposing candidates or persons interested therein shall be entitled to be present in person and by counsel and observe the proceedings. County clerks shall immediately notify the secretary of state upon commencement of recount proceedings affecting candidates in districts comprised of more than one county.

Approved May 10, 1949.
