

CHAPTER 347

AN ACT to amend 10.44 (4), (5) and (6) of the statutes, relating to municipal recall elections.

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

10.44 (4), (5) and (6) of the statutes are amended to read:

10.44 (4) Thereupon the council shall order and fix a date for holding an election not less than * * * 50 nor more than * * * 60 days from the date of the county judge's final certificates attached to the petition. In the event the county judge certifies that petitions are sufficient to require elections to recall more than one official * * * *such elections may be held on the same day.*

(5) Any person qualified for such office other than the incumbent may become a candidate at such election * * * as prescribed by s. 5.23, by filing his nomination papers not less than * * * 40 days before the election. If * * * *the number of candidates, including the incumbent, * * * thus provided is more than 2 times the offices of the same designation to be filled, a primary * * * may be held * * * as provided * * * by * * * ch. 5.*

(6) A request in writing by the incumbent that his name be not placed on the ballot shall constitute a resignation of his office. Unless he shall so request, the name of the incumbent shall be placed upon the official ballot for such election without nomination, and also the name of such person as may be nominated * * * as provided by * * * *sub. (5).* If a primary * * * *is held the name of the person receiving the highest number of votes thereat shall be placed on the ballot with the name of the incumbent when the latter is a candidate; and when the incumbent is not a candidate, the names of the 2 persons receiving the highest number of votes at the primary shall be placed upon the ballot for such election. If elections to recall more than one official of the same designation are held at the same time, the names of all candidates nominated shall be grouped together on the ballot with instructions to vote for the number of offices to be filled.*

Approved July 10, 1957.
