



## 2007 ASSEMBLY BILL 152

March 5, 2007 - Introduced by Representatives GOTTLIEB, ALBERS, MURSAU and VOS, cosponsored by Senators GROTHMAN and SCHULTZ. Referred to Committee on Elections and Constitutional Law.

1     **AN ACT to amend** 8.05 (4) (a) and 8.05 (5); **to repeal and recreate** 8.05 (4) (title);  
2             **and to create** 8.11 (1m) of the statutes; **relating to:** the method of election of  
3             village officers.

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### *Analysis by the Legislative Reference Bureau*

Currently, candidates for village offices at the spring election are nominated by caucus unless the majority of a governing body of a village provides, no later than December 1 preceding a spring election, for the nomination of candidates at the spring primary. In such case, nomination papers are used to nominate candidates.

This bill permits the majority of a governing body of a village to provide for the nomination of candidates for village offices by nomination papers for a specific election. The bill also provides that whenever the governing body of a village provides by charter ordinance that if three or more candidates file nomination papers for a village office, or whenever electors of a village, equal to at least 10 percent of the vote for governor in the village at the last general election file a petition so requesting, a primary shall be held for the nomination of candidates for village offices. Under the bill, nomination of candidates for village offices continues to be by caucus unless a majority of the governing body of a village makes a timely affirmative decision to nominate candidates by nomination papers or unless a primary is required by charter ordinance or a timely petition is filed requesting a primary.

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

**ASSEMBLY BILL 152****SECTION 1**

1           **SECTION 1.** 8.05 (4) (title) of the statutes is repealed and recreated to read:

2           8.05 (4) (title) NOMINATION IN VILLAGES.

3           **SECTION 2.** 8.05 (4) (a) of the statutes is amended to read:

4           8.05 (4) (a) ~~A~~ If a primary is provided for the nomination of candidates for  
5 elective village offices under s. 8.11 (1m) (b) or (c), candidates for those offices shall  
6 file nomination papers. In any other case, a majority of the governing body of any  
7 village may provide under s. 8.11 (1) (a) and (b) that candidates for elective village  
8 office shall be nominated by a nonpartisan primary, under sub. (5) nomination  
9 papers. Determination of the governing body to provide for such primary under s.  
10 8.11 (1) (a) nomination of candidates by nomination papers shall be made not later  
11 than December 1 preceding the election. If nomination by nomination papers is not  
12 provided for under this paragraph and no primary is provided for under s. 8.11 (1m)  
13 (b) or (c), a village shall nominate candidates by caucus.

14           **SECTION 3.** 8.05 (5) of the statutes is amended to read:

15           8.05 (5) WHEN PRIMARY IS HELD. Towns and villages adopting the nonpartisan  
16 primary to nominate candidates, ~~under subs. (3) and (4),~~ shall hold a primary only  
17 when the number of candidates for an elective office in the municipality exceeds  
18 twice the number to be elected to the office. A primary for the office of municipal  
19 judge under s. 755.01 (4) shall be held whenever there are more than 2 candidates  
20 for that office. Those offices for which a primary has been held shall have only the  
21 names of candidates nominated at the primary appear on the official spring election  
22 ballot. When the number of candidates for an office does not exceed twice the number  
23 to be elected, their names shall appear on the official ballot for the election without  
24 a primary.

25           **SECTION 4.** 8.11 (1m) of the statutes is created to read:

