

**CHAPTER 406.**

AN ACT to amend 6.23 (9); to repeal 5.22 (6) and 5.24 (7); to repeal and recreate 5.23 (1) and (2), 5.24 (1) (a) (official ballot), (b), (2) and (3); and to create 5.23 (3) and (4) of the statutes, relating to the nomination and election of delegates to the national party conventions.

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

SECTION 1. 5.22 (6) of the statutes is repealed.

SECTION 2. 5.23 (1) and (2) of the statutes are repealed and recreated to read:  
5.23 NOMINATION PAPERS. (1) (a) Nominations for candidates for delegates shall be made by nomination papers, in the manner provided by sections 5.05 and 5.07, except that the nomination paper shall refer to the election to be held on the first Tuesday of April, in the year in which such candidates are to be voted for. The names of all candidates for delegates at large favoring the same candidate for president, may be included on one nomination paper and the names of all candidates for district delegates, representing the same district and favoring the same candidate for president, may be included on one nomination paper, on such forms as prescribed by the secretary of state. A statement of principles when favoring a specific candidate shall be limited to the candidate's name only and such proposed presidential candidate's name shall be printed but once at the top of the column on the ballot. The number of delegates permitted under a proposed presidential candidate's name, shall be limited to the number of delegates to be elected, as designated by the national party committees. When the number of delegates, which have been certified or which have filed nomination papers, for a single presidential candidate equals the number to be elected, no additional candidate's names shall be accepted for a place on the ballot. Candidates not favoring any specific candidate may have principles expressed in not more than 5 words, and such principles shall be printed underneath their name on the ballot in the uninstructed column. Any proposed presidential candidate, who certifies and files a full list of delegates with the secretary of state not later than the third Tuesday of January in the year in which such election is held, shall have the names of such delegates printed on the ballot in the same manner as candidates filing nomination papers, and no nomination papers shall be filed thereafter in behalf of such presidential candidate.

(b) At the time a proposed presidential candidate files a certified list of delegates as provided in paragraph (a), he shall also file a sworn affidavit stating that he intends to become a candidate for the presidential nomination at the national convention for which the delegates are being selected.

(c) In the event the proposed presidential candidate does not file a certified list of candidates for delegates as provided in paragraph (a), but there are candidates who have filed their nomination papers as delegates pledged to him, their names shall not appear on the ballot for the delegate election unless on or before the last day for filing nomination papers such proposed presidential candidate shall file an affidavit of his intention to be a candidate as provided in paragraph (b).

(2) The number of signers on nomination papers of candidates for delegates at large shall be not less than 3,000 nor more than 5,000 and of candidates for district delegates not less than 1,000 nor more than 2,000. Nomination papers for such candidates shall be circulated by county or district, as the case may be, and shall be filed with the secretary of state not later than 5 p. m., 32 days prior to said April election. Lists of such candidates shall be published in the manner provided by section 5.08 (4).

SECTION 3. 5.23 (3) and (4) of the statutes are created to read:

5.23 (3) Each candidate for delegate, whether he be certified or file nomination papers, shall file with the secretary of state a declaration of acceptance signed by himself, on or before 5 p. m. on the last day for filing nomination papers. Such acceptance shall be in the form of an affidavit, prescribed by the secretary of state, which shall contain the following information:

(a) The residence and post office address of the delegate.

(b) A statement that he is a qualified voter.

(c) A statement that he will not withdraw his name before the presidential delegate election.

(d) A statement that he is affiliated with the political party whose nomination the candidate seeks, and that he intends to vote at the ensuing election for the nominee for president of that political party.

(e) A pledge in the following form:

"I pledge myself that if I am selected at the delegate election as a delegate to the ..... national party convention, as a delegate pledged to the candidacy of ..... (insert here the name of the candidate for whose candidacy the delegate has been filed) as a candidate for the nomination of the said party for president, that I will, until released by said candidate, vote for his candidacy on the first ballot of the said party convention and vote for his candidacy on all ensuing ballots, provided, however, that if on any ballot said candidate shall receive less than 10 per cent of the total vote cast on such ballot, I am released from this pledge and shall thereafter have the right to cast my ballot according to my own judgment."

(4) Any vacancy caused by the death or declination of a candidate shall be filled by a majority of the presidential candidate's delegates at large or district delegates, as the case may be, in accordance with section 5.28, except such declination shall be filed with the secretary of state not less than 32 days before the election and such certificates to fill vacancies 25 days before election.

SECTION 4. 5.24 (1) (a) (official ballot for election of delegates to national party convention) (b) and (3) of the statutes are repealed and recreated to read:

5.24 (1) (a) An official ballot shall be printed and provided for use in each voting precinct in substantially the form provided herein and annexed hereto.

(b) The names of candidates for president for whom delegates are to be elected shall appear at the top of their respective columns on the party ticket with the words "Candidate for President" appearing immediately below their names, and immediately below, and above each candidate column, shall be placed a circle, so that the voter may mark a cross or other mark therein and vote for the entire slate of delegates under such name. The order of such presidential candidates and their respective columns shall be from left to right as determined by lot by or under the supervision of the board of state canvassers. The names of those candidates for delegates at large and district delegates favoring a presidential candidate shall be printed in the column designated for that candidate and the names of candidates not favoring any particular candidate for president shall be printed in the uninstructed column. Voting for individual candidates shall not be permitted except in the case of uninstructed delegates and squares for individual voting shall be placed on the ballot only after the names of the uninstructed delegates.

(3) The order of such names for delegates at large and district delegates shall be respectively arranged alphabetically in the appropriate column and place on the ballot.

SECTION 5. 5.24 (2) of the statutes is repealed and recreated to read:

5.24 (2) The official ballots for the delegates election shall be securely fastened together at the bottom and there shall be as many separate tickets as there are authorized parties participating in said election. The party casting the greatest vote for governor at the preceding election shall have its ticket placed on top and the remaining party tickets arranged in the same manner.

SECTION 6. 5.24 (7) of the statutes is repealed.

SECTION 7. 6.23 (9) of the statutes is amended to read:

6.23 (9) In each year in which there is to be elected a president and vice president of the United States, there shall be printed and provided for use in each precinct at the general election a separate ballot, to be designated "Presidential ballot," which shall be substantially in the form annexed, marked "C", *except the party candidates shall be arranged from top to bottom according to rank in obtaining votes at the last preceding general election for governor, that is, the party receiving the largest vote will be placed first and the others in their corresponding position. The order of names of independent candidates for president and vice president shall be alphabetical according to the candidate for president, and such names shall follow the names of the party candidates for such offices.*

OFFICIAL BALLOT  
ELECTION OF DELEGATES TO NATIONAL CONVENTION

..... Party  
(Designation of party)

Each voter is entitled to vote for ..... delegates at large and for ..... district delegates to the party national convention.

To vote for an entire slate of delegates at large and district delegates committed to the same presidential candidate, make a cross or other mark in the circle (O) at the head of the column under the name of the presidential candidate.

If you desire to vote for uninstructed delegates without regard to the presidential candidate, mark in the square at the right of the name of the uninstructed delegate for whom you desire to vote.

FOR DELEGATES AT LARGE ..... NATIONAL CONVENTION

Vote for .....

JOHN DOE Candidate for President  ○	JOHN DOE Candidate for President  ○	JOHN DOE Candidate for President  ○	JOHN DOE Candidate for President  ○	UNIN- STRUCTED	
JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE .....	<input type="checkbox"/>
JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE .....	<input type="checkbox"/>
JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE .....	<input type="checkbox"/>
JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE .....	<input type="checkbox"/>
JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE .....	<input type="checkbox"/>
JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE .....	<input type="checkbox"/>
JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE .....	<input type="checkbox"/>

FOR ..... CONGRESSIONAL DISTRICT DELEGATES TO .....  
NATIONAL CONVENTION

Vote for .....

JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE .....	<input type="checkbox"/>
JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE	JOHN DOE .....	<input type="checkbox"/>

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OFFICIAL BALLOT  
FOR  
ELECTION OF DELEGATES TO NATIONAL CONVENTION

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..... Precinct, ..... Ward,  
City (Village or Town) of .....

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.....  
.....

Ballot Clerks.

Absent Voter's Ballot issued by

..... {  
County Clerk  
City Clerk  
Village Clerk  
Town Clerk

We certify that the within ballot was marked by us for an elector incapable under the law of marking his own ballot and as directed by him.

.....  
..... of Election

.....  
..... of Election

Approved July 6, 1949.

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