

ASSEMBLY BILL 152 (LRB -0548)

An Act to amend 8.05 (4) (a) and 8.05 (5); to repeal and recreate 8.05 (4) (title); and to create 8.11 (1m) of the statutes; relating to: the method of election of village officers.

2007

- 03-05. A. Introduced by Representatives **Gottlieb, Albers, Mursau and Vos**; cosponsored by Senators **Grothman and Schultz**.
- 03-05. A. Read first time and referred to committee on Elections and Constitutional Law 84
- 03-22. A. Public hearing held.
- 04-19. A. Executive action taken.
- 04-24. A. Report passage recommended by committee on Elections and Constitutional Law, Ayes 7, Noes 0 137
- 04-24. A. Referred to committee on Rules 137
- 05-14. A. Placed on calendar 5-16-2007 by committee on Rules.
- 05-16. A. Read a second time 191
- 05-16. A. Ordered to a third reading 191
- 05-16. A. Rules suspended 191
- 05-16. A. Read a third time and **passed** 191
- 05-16. A. Ordered immediately messaged 191
- 05-17. S. Received from Assembly 227
- 05-21. S. Read first time and referred to committee on Labor, Elections and Urban Affairs 229
- 12-04. S. Public hearing held.
- 12-04. S. Executive action taken.
- 12-04. S. Report concurrence recommended by committee on Labor, Elections and Urban Affairs, Ayes 5, Noes 0 ... 448
- 12-04. S. Available for scheduling.

2008

- 01-09. S. Placed on calendar 1-15-2008 by committee on Senate Organization.
- 01-15. S. Read a second time.
- 01-15. S. Ordered to a third reading.
- 01-15. S. Rules suspended.
- 01-15. S. Read a third time and **concurred in**.
- 01-15. S. Ordered immediately messaged.
- 01-15. A. Received from Senate concurred in.

JP

**2007
ENROLLED BILL**

07en AB-152

ADOPTED DOCUMENTS:

Orig **Engr** **SubAmdt**

07 0548 / 2

Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic Rel

1-16-08 [Signature]
Date **Enrolling Drafter**

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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.

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.

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:

