ASSEMBLY AMENDMENT 1,

TO 2009 ASSEMBLY BILL 454

November 11, 2009 – Offered by Representative SMITH.

1   At the locations indicated, amend the bill as follows:

2   **1.** Page 1, line 4: before that line insert:

3   "**SECTION 1c.** 5.62 (3) of the statutes is amended to read:

4   5.62 **(3)** The board shall designate the official primary ballot arrangement for

5   statewide offices and district attorney within each prosecutorial district by using the

6   same procedure as provided in s. 5.60 (1) (b). On each ballot and on each separate

7   column or row on the ballot, the candidates for office shall be listed together with the

8   offices which they seek in the following order whenever these offices appear on the

9   September primary ballot: governor, lieutenant governor, attorney general,

10   secretary of state, state treasurer, U.S. senator, U.S. representative in congress,

11   state senator, representative to the assembly, district attorney and the county offices.

12   Below the names of the independent candidates shall appear the party or principle

1   of the candidates, if any, in 5 words 35 characters or less, as shown on their

2   nomination papers.

3   **SECTION 1g.** 5.64 (1) (e) 1. of the statutes is amended to read:

4   5.64 **(1)** (e) 1. Except as provided in subd. 2., each candidate's name shall be

5   placed in the column of the party by which nominated or if independent, in a column

6   designated independent and all candidates for the same office shall appear within

7   the same rows on the ballot. If a separate column is provided to write in the names

8   of any party candidates under subd. 2., the column shall appear before the column

9   designated independent with the spaces provided to write in the names of the

10   candidates for each such party appearing in the same order in which the columns of

11   their parties would appear under par. (b). Along with the names of the independent

12   candidates shall appear the party or principle of the candidates, if any, in 5 words

13   35 characters or less, as shown on their nomination papers. Independent candidates

14   for the same county office shall be listed in the same manner in an order drawn by

15   lot by or under supervision of the county clerk or board of election commissioners.

16   The board shall conduct a redrawing for purposes of determining the arrangement

17   of independent candidates for state office who appeared on the primary ballot in the

18   manner provided in s. 5.60 (1) (b).

19   **SECTION 1n.** 5.64 (1) (es) of the statutes is amended to read:

20   5.64 **(1)** (es) The party candidates shall be arranged consecutively from top to

21   bottom based on the number of votes received by their party's candidate for governor

22   at the last election beginning with the party that received the most votes. The

23   independent president–vice president candidates shall be listed together in an order

24   drawn by lot by or under supervision of the board, following under the party

25   candidates. Along with the names of the independent candidates shall appear the

1   party or principle of the candidates, if any, in ~~5 words~~ 35 characters or less, as shown

2   on their nomination papers. Following under the independent candidates, a space

3   shall be left for writing in the names of a candidate for president and vice president.

4   **SECTION 1r.** 7.08 (2) (a) of the statutes is amended to read:

5   7.08 **(2)** (a) As soon as possible after the closing date for filing nomination

6   papers or after the canvass of the primary vote, but no later than the deadlines

7   established in s. 10.06, transmit to each county clerk a certified list of all candidates

8   on file in its office for which electors in that county may vote. The list shall designate

9   the order of arrangement and contain each candidate's first name, middle initial or

10   initials and last name, unless the candidate on his or her nomination papers or

11   declaration of candidacy specifies that the middle initial be deleted, that a full middle

12   name or former legal surname be substituted for the middle initial, that an initial

13   be substituted for the candidate's first name or that a nickname be substituted for

14   a first or middle name or for a first initial or middle initial or initials, but no other

15   abbreviations or titles are permitted. The list shall also include each candidate's

16   residence and post–office address; the office for which the person is a candidate; and,

17   the party or principle the candidate represents, if any, in ~~5 words~~ 35 characters or

18   less. Names of candidates nominated under s. 7.38 or 8.35 shall be certified by the

19   board upon filing of the necessary papers with it. At any time prior to an election,

20   the board may transmit an amended certification if a candidate dies or is determined

21   not to qualify for ballot placement.".

22   **2.** Page 1, line 4: delete "**SECTION 1**" and substitute "**SECTION 1w**".

23   **3.** Page 2, line 5: delete "5 words" and substitute "35 characters".

24   **4.** Page 2, line 18: delete "5 words" and substitute "35 characters".

1   **5.** Page 3, line 3: delete "<u>5 words</u>" and substitute "<u>35 characters</u>".

2   **6.** Page 3, line 11: delete "5 words" and substitute "~~5 words~~ <u>35 characters</u>".

3   **7.** Page 3, line 16: delete "5 words" and substitute "~~5 words~~ <u>35 characters</u>".

4   **8.** Page 3, line 16: after that line insert:

5   "**SECTION 5m. Initial applicability.**

6   (1) This act first applies with respect to elections for which nomination papers

7   or declarations of candidacy are due to be filed on or after the 60th day beginning

8   after the effective date of this subsection.".

9   **(END)**