

1           **SECTION 76.** 8.20 (8) (am) of the statutes is amended to read:

2           8.20 **(8)** (am) Nomination papers for independent candidates for president and  
3 vice president, and the presidential electors designated to represent them, may be  
4 circulated no sooner than ~~August~~ July 1 and may be filed not later than 5 p.m. on the  
5 first Tuesday in ~~September~~ August preceding a presidential election.

6           ~~**SECTION 77.** 8.20 (9) of the statutes is amended to read:~~ ✓

7           8.20 **(9)** Persons nominated by nomination papers without a recognized  
8 political party designation shall be placed on the official ballot at the general election  
9 and at any partisan election to the right or below the recognized political party  
10 candidates in their own column or row designated "Independent". At the ~~September~~  
11 partisan primary, persons nominated for state office by nomination papers without  
12 a recognized political party designation shall be placed on a separate ballot or, if a  
13 consolidated paper ballot under s. 5.655 (2), an electronic voting system or voting  
14 machines are used, in a column or row designated "Independent". ~~If the candidate's~~  
15 ~~name already appears under a recognized political party it may not be listed on the~~  
16 independent ballot, column or row.

17           **SECTION 78.** 8.37 of the statutes is amended to read:

18           **8.37 Filing of referenda petitions or questions.** Unless otherwise required  
19 by law, all proposed constitutional amendments and any other measure or question  
20 that is to be submitted to a vote of the people, or any petitions requesting that a  
21 measure or question be submitted to a vote of the people, if applicable, shall be filed  
22 with the official or agency responsible for preparing the ballots for the election no  
23 later than ~~42~~ 70 days prior to the election at which the amendment, measure or  
24 question will appear on the ballot. No later than the end of the next business day  
25 after a proposed measure is filed with a school district clerk under this section, the

1 clerk shall file a copy of the measure or question with the clerk of each county having  
2 territory within the school district.

3 SECTION 79. 8.50 (intro.) of the statutes is amended to read:

4 8.50 Special elections. (intro.) Unless otherwise provided, this section  
5 applies to filling vacancies in the U.S. senate and house of representatives, executive  
6 state offices except the offices of governor, lieutenant governor, and district attorney,  
7 judicial and legislative state offices, county, city, village, and town offices, and the  
8 offices of municipal judge and member of the board of school directors in school  
9 districts organized under ch. 119. State legislative offices may be filled in  
10 anticipation of the occurrence of a vacancy whenever authorized in sub. (4) (e). No  
11 special election may be held after February 1 preceding the spring election unless it  
12 is held on the same day as the spring election, nor after September ~~August~~ 1  
13 ~~preceding~~ <sup>April 10</sup> the general election unless it is held on the same day as the general  
14 election, until the day after that election. If the special election is held on the day  
15 of the general election, the primary for the special election, if any, shall be held on  
16 the day of the ~~September~~ partisan primary. If the special election is held on the day  
17 of the spring election, the primary for the special election, if any, shall be held on the  
18 day of the spring primary.

19 SECTION 80. 8.50 (1) (d) of the statutes is amended to read:

20 8.50 (1) (d) When the election concerns a national ~~or state office~~ office or a  
21 special election for state office is held concurrently with the general election, the  
22 board shall transmit to each county clerk a certified list of all persons for whom  
23 nomination papers have been filed in its office at least 62 days before the special  
24 primary, and in other cases the board shall transmit the list to each county clerk at  
25 least 22 days before the special primary, ~~a certified list of all persons for whom~~

1 ~~nomination papers have been filed in its office.~~ If no primary is required, the list shall  
2 be transmitted at least 42 days prior to the day of the special election unless the  
3 special election concerns a national office or is held concurrently with the general  
4 election, in which case the list shall be transmitted at least 62 days prior to the day  
5 of the special election. Immediately upon receipt of the certified list, the county clerk  
6 shall prepare his or her ballots. For a county special election, the county clerk shall  
7 certify the candidates and prepare the ballots. If there is a primary, the county clerk  
8 shall publish one type B notice in a newspaper under ch. 10. When a primary is held,  
9 as soon as possible after the primary, the county clerk shall certify the candidates and  
10 prepare the ballots for the following special election. The clerk shall publish one type  
11 B notice in a newspaper under ch. 10 for the election.

12 **SECTION 81.** 8.50 (2) of the statutes is amended to read:

13 8.50 (2) DATE OF SPECIAL ELECTION. (a) The date for the special election shall  
14 be not less than 62 nor more than 77 days from the date of the order except when the  
15 special election is held to fill a vacancy in a national office or the special election is  
16 held on the day of the general election or spring election. If a special election is held  
17 concurrently with the spring ~~or general~~ election, the special election may be ordered  
18 not earlier than 92 days prior to the spring primary ~~or September primary,~~  
19 ~~respectively,~~ and not later than 49 days prior to that primary. If a special election  
20 is held concurrently with the general election or a special election is held to fill a  
21 national office, the special election may be ordered not earlier than 122 days prior  
22 to the partisan primary or special primary, respectively, and not later than 92 days  
23 prior to that primary.

24 (b) If a primary is required, the primary shall be on the day 4 weeks before the  
25 day of the special election except when the special election is held on the same day

1 as the general election the special primary shall be held on the same day as the  
2 ~~September partisan~~ primary or if the special election is held concurrently with the  
3 spring election, the primary shall be held concurrently with the spring primary, and  
4 except when the special election is held on the Tuesday after the first Monday in  
5 November of an odd-numbered year, the primary shall be held on the 2nd Tuesday  
6 of ~~September~~ August in that year.

7 SECTION 82. 8.50 (3) (a) of the statutes is amended to read:

8 8.50 (3) (a) Nomination papers may be circulated no sooner than the day the  
9 order for the special election is filed and shall be filed not later than 5 p.m. 28 days  
10 before the day that the special primary will or would be held, if required, except when  
11 a special election is held concurrently with the spring election or general election, the  
12 deadline for filing nomination papers shall be specified in the order and the date shall  
13 be no earlier than the date provided in s. 8.10 (2) (a) or 8.15 (1), respectively, and no  
14 later than 35 days prior to the date of the spring primary or ~~September~~ no later than  
15 June 1 preceding the partisan primary. Nomination papers may be filed in the  
16 manner specified in s. 8.10, 8.15, or 8.20. Each candidate shall file a declaration of  
17 candidacy in the manner provided in s. 8.21 no later than the latest time provided  
18 in the order for filing nomination papers. If a candidate for state or local office has  
19 not filed a registration statement under s. 11.05 at the time he or she files nomination  
20 papers, the candidate shall file the statement with the papers. A candidate for state  
21 office shall also file a statement of economic interests with the board no later than  
22 the end of the 3rd day following the last day for filing nomination papers specified  
23 in the order.

24

SECTION 83. 8.50 (3) (b) of the statutes is amended to read:

*), as affected by  
2011 Wisconsin  
Act 32*

1           8.50 (3) (b) Except as otherwise provided in this section, the provisions for  
2 ~~September primaries~~ the partisan primary under s. 8.15 are applicable to all  
3 partisan primaries held under this section, and the provisions for spring primaries  
4 under s. 8.10 are applicable to all nonpartisan primaries held under this section. In  
5 a special partisan primary or election, the order of the parties on the ballot shall be  
6 the same as provided under s. 5.62 (1) or 5.64 (1) (b). ~~Independent candidates for~~  
7 ~~state office at a special partisan election shall not appear on the primary ballot.~~ No  
8 primary is required for a nonpartisan election in which not more than 2 candidates  
9 for an office appear on the ballot or for a partisan election in which not more than one  
10 candidate for an office appears on the ballot of each recognized political party. In  
11 every special election except a special election for nonpartisan state office where no  
12 candidate is certified to appear on the ballot, a space for write-in votes shall be  
13 provided on the ballot, regardless of whether a special primary is held.

14           **SECTION 84.** 8.50 (3) (c) of the statutes is amended to read:

15           8.50 (3) (c) Notwithstanding ss. 5.37 (4), 5.91 (6) and 6.80 (2) (f), whenever a  
16 special partisan primary is held concurrently with the presidential preference  
17 primary, an elector may choose the party column or ballot in which the elector will  
18 cast his or her vote separately for each of the 2 primaries. Whenever 2 or more special  
19 partisan primaries or one or more special partisan primaries and a ~~September~~  
20 partisan primary are held concurrently, the procedure prescribed in ss. 5.37 (4), 5.91  
21 (6) and 6.80 (2) (f) applies.

22           **SECTION 85.** 8.50 (4) (b) of the statutes is amended to read:

23           8.50 (4) (b) A vacancy in the office of U.S. senator or representative in congress  
24 occurring prior to the 2nd Tuesday in ~~May~~ April in the year of the general election  
25 shall be filled at a special primary and election. A vacancy in that office occurring

1 between the 2nd Tuesday in ~~May~~ April and the 2nd Tuesday in ~~July~~ May in the year  
2 of the general election shall be filled at the ~~September~~ partisan primary and general  
3 election.

4 **SECTION 86.** 8.50 (4) (fm) of the statutes is amended to read:

5 8.50 (4) (fm) A permanent vacancy in the office of municipal judge may be filled  
6 by temporary appointment of the municipal governing body, or, if the judge is elected  
7 under s. 755.01 (4), jointly by the governing bodies of all municipalities served by the  
8 judge. The office shall then be permanently filled by special election, which shall be  
9 held concurrently with the next spring election following the occurrence of the  
10 vacancy, except that a vacancy occurring during the period after December 1 and on  
11 or before the date of the spring election shall be filled at the 2nd succeeding spring  
12 election, and except that the governing body of a city or village or, if the judge is  
13 elected under s. 755.01 (4), the governing bodies of the participating cities or villages  
14 may, if the vacancy occurs before June ~~May~~ April 15 in the year preceding expiration of the  
15 term of office, order a special election to be held on the Tuesday after the first Monday  
16 in November following the date of the order. A person so elected shall serve for the  
17 residue of the unexpired term.

18 **SECTION 87.** 9.01 (1) (a) 1. of the statutes is amended to read:

19 9.01 (1) (a) 1. Any candidate voted for at any election or any elector who voted  
20 upon any referendum question at any election may petition for a recount. The  
21 petitioner shall file a verified petition or petitions with the proper clerk or body under  
22 par. (ar) not earlier than the time of completion of the canvass and not later than 5  
23 p.m. on the 3rd business day following the last meeting day of the municipal or  
24 county board of canvassers determining the election for that office or on that  
25 referendum question prior to issuance of any amended return under s. ~~6-221~~ 7.515

1 (6) (b) or, if more than one board of canvassers makes the determination, not later  
2 than 5 p.m. on the 3rd business day following the last meeting day of the last board  
3 of canvassers which makes a determination prior to issuance of any amended return  
4 under s. ~~6.221~~ 7.515 (6) (b). If the chairperson of the board or chairperson's designee  
5 makes the determination for the office or the referendum question, the petitioner  
6 shall file the petition not earlier than the last meeting day of the last county board  
7 of canvassers to make a statement in the election or referendum and not later than  
8 5 p.m. on the 3rd business day following the day on which the government  
9 accountability board receives the last statement from a county board of canvassers  
10 for the election or referendum.

11 **SECTION 88.** 9.01 (1) (ag) 1. of the statutes is amended to read:

12 9.01 (1) (ag) 1. If the difference between the votes cast for the leading candidate  
13 and those cast for the petitioner or the difference between the affirmative and  
14 negative votes cast upon any referendum question is less than 10 if 1,000 or less votes  
15 are cast or not more than 0.5% of the total votes cast for the office or on the question  
16 if more than 1,000 votes are cast prior to issuance of any amended return under s.  
17 ~~6.221~~ 7.515 (6) (b), the petitioner is not required to pay a fee.

18 **SECTION 89.** 9.01 (1) (ag) 1m. of the statutes is amended to read:

19 9.01 (1) (ag) 1m. If the difference between the votes cast for the leading  
20 candidate and those cast for the petitioner or the difference between the affirmative  
21 and negative votes cast upon any referendum question is at least 10 if 1,000 or less  
22 votes are cast or is more than 0.5% but not more than 2% if more than 1,000 votes  
23 are cast prior to issuance of any amended return under s. ~~6.221~~ 7.515 (6) (b), the  
24 petitioner shall pay a fee of \$5 for each ward for which the petition requests a ballot

1 recount, or \$5 for each municipality for which the petition requests a recount where  
2 no wards exist.

3 **SECTION 90.** 9.01 (1) (ag) 2. of the statutes is amended to read:

4 9.01 (1) (ag) 2. If the difference between the votes cast for the leading candidate  
5 and those cast for the petitioner or the difference between the affirmative and  
6 negative votes cast upon any referendum question is more than 2% if more than  
7 1,000 votes are cast prior to issuance of any amended return under s. ~~6.221~~ 7.515 (6)  
8 (b), the petitioner shall pay a fee equal to the actual cost of performing the recount  
9 in each ward for which the petition requests a recount, or in each municipality for  
10 which the petition request a recount where no wards exist.

11 **SECTION 91.** 9.01 (1) (b) (intro.) of the statutes is amended to read:

12 9.01 (1) (b) (intro.) The proper board of canvassers shall reconvene no earlier  
13 than 9 a.m. on the day following delivery of notice to all candidates under sub. (2) and  
14 no later than 9 a.m. on the day following the last day for filing of a petition, or if the  
15 original canvass is subject to correction under s. ~~6.221~~ 7.515 (6) (b), immediately after  
16 issuance of the amended statement and determination in the original canvass,  
17 whichever is later. The board of canvassers shall then proceed to recount the ballots  
18 in the wards or municipalities specified and to review the allegations of fact  
19 contained in the petition or petitions. The recount shall proceed for each ward or  
20 municipality as follows:

21 **SECTION 92.** 10.01 (2) (d) of the statutes is amended to read:

22 10.01 (2) (d) Type D—The type D notice shall state the hours the polls will be  
23 open and the polling places to be utilized at the election or shall include a concise  
24 statement of how polling place information may be obtained. In cities over 500,000  
25 population, the board of election commissioners shall determine the form of the



1 notice. In other municipalities and special purpose districts, the clerk of the  
2 municipality or special purpose district shall give the polling place information in the  
3 manner the governing body of the municipality or special purpose district decides  
4 will most effectively inform the electors. The type D notice shall be published by the  
5 municipal clerk or board of election commissioners of each municipality once on the  
6 day before each spring primary and election, each special national, state, county or  
7 municipal election at which the electors of that municipality are entitled to vote and  
8 each ~~September~~ partisan primary and general election. The clerk of each special  
9 purpose district which calls a special election shall publish a type D notice on the day  
10 before the election, and the day before the special primary, if any, except as  
11 authorized in s. 8.55 (3).

12 **SECTION 93.** 10.01 (2) (e) of the statutes is amended to read:

13 10.01 (2) (e) Type E—The type E notice shall state the qualifications for  
14 absentee voting, the procedures for obtaining an absentee ballot in the case of  
15 registered and unregistered voters, the places and the deadlines for application and  
16 return of application, including any alternate site under s. 6.855, and the office hours  
17 during which an elector may cast an absentee ballot in the municipal clerk's office  
18 or at an alternate site under s. 6.855. The municipal clerk shall publish a type E  
19 notice on the 4th Tuesday preceding each spring primary and election, on the 4th  
20 Tuesday preceding each ~~September~~ partisan primary and general election, on the  
21 4th Tuesday preceding the primary for each special national, state, county or  
22 municipal election if any, on the 4th Tuesday preceding a special county or municipal  
23 referendum, and on the 3rd Tuesday preceding each special national, state, county  
24 or municipal election to fill an office which is not held concurrently with the spring  
25 or general election. The clerk of each special purpose district which calls a special

1 election shall publish a type E notice on the 4th Tuesday preceding the primary for  
2 the special election, if any, on the 4th Tuesday preceding a special referendum, and  
3 on the 3rd Tuesday preceding a special election for an office which is not held  
4 concurrently with the spring or general election except as authorized in s. 8.55 (3).

5 **SECTION 94.** ~~10.02 (3) (b) 2m. of the statutes is amended to read:~~

6 10.02 (3) (b) 2m. At the ~~September~~ partisan primary, the elector shall select the  
7 party ballot of his or her choice or the ballot containing the names of the independent  
8 candidates for state office, and make a cross (X) next to or depress the lever or button  
9 next to the candidate's name for each office for whom the elector intends to vote or  
10 insert or write in the name of the elector's choice for a party candidate, if any. In order  
11 to qualify for participation in the Wisconsin election campaign fund, a candidate for  
12 state office at the ~~September~~ partisan primary, other than a candidate for district  
13 attorney, must receive at least 6% of all votes cast on all ballots for the office for which  
14 he or she is a candidate, ~~in addition to other requirements.~~

15 **SECTION 95.** 10.06 (1) (f) of the statutes is amended to read:

16 10.06 (1) (f) On or before the <sup>↓ 3rd</sup> ~~2nd~~ Tuesday in May <sup>March</sup> ~~April~~ preceding a September  
17 partisan primary and general election the board shall send a type A notice to each  
18 county clerk.

19 **SECTION 96.** 10.06 (1) (h) of the statutes is amended to read:

20 10.06 (1) (h) As soon as possible after the deadline for determining ballot  
21 arrangement for the ~~September~~ partisan primary on the ~~3rd Tuesday in July~~ June  
22 10, the board shall send a type B notice to each county clerk certifying the list of  
23 candidates for the ~~September~~ partisan primary.

24 **SECTION 97.** 10.06 (1) (i) of the statutes is amended to read:

*as affected by 2011 Wisconsin Act 32,*

1           10.06 (1) (i) As soon as possible after the state canvass, but no later than the  
2           4th Tuesday in ~~September~~ August, the board shall send a type B notice certifying the  
3           list of candidates and type A and C notices certifying each question for any  
4           referendum to each county clerk for the general election ~~and a certified list of~~  
5           ~~candidates under s. 11.50 to the state treasurer pursuant to s. 7.08 (2) (c).~~

6           **SECTION 98.** 10.06 (2) (gm) of the statutes is amended to read:

7           10.06 (2) (gm) On the ~~last~~ <sup>first</sup> Tuesday in ~~May~~ April the county clerk shall send  
8           notice of the coming ~~September~~ partisan primary and general election to each  
9           municipal clerk.

10          **SECTION 99.** 10.06 (2) (h) of the statutes is amended to read:

11          10.06 (2) (h) On the ~~last~~ <sup>2nd</sup> Tuesday in ~~May~~ April preceding a ~~September~~ partisan  
12          primary and general election, the county clerk shall publish a type A notice based on  
13          the notice received from the board for all national and state offices to be filled at the  
14          election by any electors voting in the county and incorporating county offices.

15          **SECTION 100.** 10.06 (2) (j) of the statutes is amended to read:

16          10.06 (2) (j) On the Monday preceding the ~~September~~ partisan primary the  
17          county clerk shall publish a type B notice.

18          **SECTION 101.** 10.06 (3) (cm) of the statutes is amended to read:

19          10.06 (3) (cm) On the 4th Tuesday preceding the ~~September~~ partisan primary  
20          and general election, when held, the municipal clerk shall publish a type E notice.  
21          If there are municipal referenda, the municipal clerk shall publish a type A notice  
22          of the referenda at the same time.

23          **SECTION 102.** 11.06 (12) (a) 1. of the statutes is amended to read:

24          11.06 (12) (a) 1. "Election period" means the period between December 1 and  
25          the date of the spring election, the period between ~~June~~ May 1 and the day of the

1 general election in any even-numbered year or the period between the first day for  
2 circulation of nomination papers and the day of a special election for any state office.

3 **SECTION 103.** 11.26 (17) (d) of the statutes is amended to read:

4 11.26 (17) (d) In the case of any candidate at the spring primary or election or  
5 the ~~September~~ partisan primary or general election, the “campaign” of the candidate  
6 ends on June 30 or December 31 following the date on which the election or primary  
7 is held in which the candidate is elected or defeated, or the date on which the  
8 candidate receives sufficient contributions to retire any obligations incurred in  
9 connection with that contest, whichever is later. In the case of any candidate at a  
10 special primary or election, the “campaign” of the candidate ends on the last day of  
11 the month following the month in which the primary or election is held in which the  
12 candidate is elected or defeated, or the date on which the candidate receives  
13 sufficient contributions to retire any obligations incurred in connection with that  
14 contest, whichever is later.

15 **SECTION 104.** ~~11.31~~ (3m) of the statutes is amended to read:

16 11.31 (3m) UNOPPOSED CANDIDATES; EXCEPTION. Notwithstanding subs. (1) and  
17 (2), if all candidates for state senator or representative to the assembly in a  
18 legislative district who are certified under s. 7.08 (2) (a) to appear on the ~~September~~  
19 partisan primary ballot of all parties recognized under s. 5.62 (1) (b) or (2) have no  
20 opponent who is certified to appear on the same primary ballot, or if no primary is  
21 required for all candidates of parties recognized under s. 5.62 (1) (b) or (2) for state  
22 senator or representative to the assembly in a legislative district who are certified  
23 under s. 8.50 (1) (d) to appear on a special partisan election ballot, then the separate  
24 limitation specified in sub. (1) for disbursements during the primary and election  
25 period does not apply to candidates for that office in that primary and election, and

1 the candidates are bound only by the total limitations specified for the primary and  
2 election.

3 **SECTION 105.** 11.31 (7) (a) of the statutes is amended to read:

4 11.31 (7) (a) For purposes of this section, the “campaign” of a candidate extends  
5 from July 1 preceding the date on which the spring primary or election occurs or  
6 January 1 preceding the date on which the September partisan primary or general  
7 election occurs for the office which the candidate seeks, or from the date of the  
8 candidate’s public announcement, whichever is earlier, through the last day of the  
9 month following the month in which the election or primary is held.

10 **SECTION 106.** 11.50 (1) (a) 1. of the statutes is amended to read:

11 11.50 (1) (a) 1. With respect to a spring or general election, any individual who  
12 is certified under s. 7.08 (2) (a) as a candidate in the spring election for state  
13 superintendent, or an individual who receives at least 6% of the vote cast for all  
14 candidates on all ballots for any state office, except district attorney, for which the  
15 individual is a candidate at the September partisan primary and who is certified  
16 under s. 7.08 (2) (a) as a candidate for that office in the general election, or an  
17 individual who has been lawfully appointed and certified to replace either such  
18 individual on the ballot at the spring or general election; and who has qualified for  
19 a grant under sub. (2).

20 **SECTION 107.** 11.50 (2) (b) 4. of the statutes is amended to read:

21 11.50 (2) (b) 4. The financial reports filed by or on behalf of the candidate as  
22 of the date of the spring or September partisan primary, or the date that the special  
23 primary is or would be held, if required, indicate that his or her statement filed with  
24 the application under par. (a) is true; and

25 **SECTION 108.** 11.50 (2) (b) 5. of the statutes is amended to read:

1       ~~11.50 (2) (b) 5.~~ The financial reports filed by or on behalf of the candidate as  
2 of the date of the spring or ~~September~~ partisan primary, or the date that the special  
3 primary is or would be held, if required, indicate that the candidate has received at  
4 least the amount provided in this subdivision, from contributions of money, other  
5 than loans, made by individuals, which have been received during the period ending  
6 on the date of the spring primary and July 1 preceding such date in the case of  
7 candidates at the spring election, or the date of the ~~September~~ partisan primary and  
8 January 1 preceding such date in the case of candidates at the general election, or  
9 the date that a special primary will or would be held, if required, and 90 days  
10 preceding such date or the date a special election is ordered, whichever is earlier, in  
11 the case of special election candidates, which contributions are in the aggregate  
12 amount of \$100 or less, and which are fully identified and itemized as to the exact  
13 source thereof. A contribution received from a conduit which is identified by the  
14 conduit as originating from an individual shall be considered a contribution made by  
15 the individual. Only the first \$100 of an aggregate contribution of more than \$100  
16 may be counted toward the required percentage. For a candidate at the spring or  
17 general election for an office identified in s. 11.26 (1) (a) or a candidate at a special  
18 election, the required amount to qualify for a grant is 5 percent of the candidate's  
19 authorized disbursement limitation under s. 11.31. For any other candidate at the  
20 general election, the required amount to qualify for a grant is 10 percent of the  
21 candidate's authorized disbursement limitation under s. 11.31.

22       **SECTION 109.** 11.50 (2) (c) of the statutes is amended to read:

23       11.50 (2) (c) If a candidate has not filed financial reports as of the date of the  
24 spring primary, ~~September~~ partisan primary, special primary, or date that the  
25 ~~special primary would be held, if required, which indicate that he or she has met the~~

1 qualification under par. (b) 5, the candidate may file a special report with the board.  
2 Such report shall be filed not later than the 7th day after the primary, or 7th day after  
3 the date the primary would be held, if required, and shall include such  
4 supplementary information as to sources of contributions which may be necessary  
5 to complete the candidate's qualification. The special report shall cover the period  
6 from the day after the last date covered on the candidate's most recent report, or from  
7 the date on which the first contribution was received or the first disbursement was  
8 made, whichever is earlier, if the candidate has not previously filed a report, to the  
9 date of such report. All information included on the special report shall also be  
10 included in the candidate's next report under s. 11.20.

11 **SECTION 110.** 11.50 (2) (f) of the statutes is amended to read:

12 11.50 (2) (f) The board shall inform each candidate in writing of the approval  
13 or disapproval of the candidate's application, as promptly as possible after the date  
14 of the spring primary, ~~September~~ partisan primary, special primary, or date that the  
15 primary would be held, if required. With respect to a candidate at a special election  
16 who applies for a postelection grant under sub. (1) (a) 2., the board shall inform the  
17 candidate in writing of the conditional approval or disapproval of the candidate's  
18 application at the same time.

19 **SECTION 111.** 11.50 (2) (i) of the statutes is amended to read:

20 11.50 (2) (i) Notwithstanding par. (g), if an eligible candidate at the spring  
21 election or a special nonpartisan election who accepts a grant is opposed by one or  
22 more candidates in the election, or if an eligible candidate at the general election or  
23 a special partisan election who accepts a grant is opposed by one or more candidates  
24 in the election who receive at least 6 percent of the vote cast for all candidates for the  
25 same office on all ballots at the ~~September~~ partisan primary or a special partisan

1 primary if a primary was held, and in either case if any such opponent of the eligible  
2 candidate does not accept a grant under this section in whole or in part, the eligible  
3 candidate is not bound by the pledge made in his or her application to adhere to the  
4 contribution limitations prescribed in s. 11.26 and the disbursement limitation  
5 prescribed under s. 11.31, unless each such opponent files an affidavit of voluntary  
6 compliance under s. 11.31 (2m).

7 **SECTION 112.** 13.123 (3) (b) 1. a. of the statutes is amended to read:

8 13.123 (3) (b) 1. a. After the day of the September partisan primary, that the  
9 member either has not filed nomination papers for reelection or election to another  
10 legislative seat or has sought a party nomination for a legislative seat but it is  
11 generally acknowledged that the member has not won nomination.

12 **SECTION 113.** 59.08 (7) (b) of the statutes is amended to read:

13 59.08 (7) (b) The question of the consolidation of the counties shall be submitted  
14 to the voters at the next election to be held on the first Tuesday in April, or the next  
15 regular election, or at a special election to be held on the day fixed in the order issued  
16 under par. (a), which day shall be the same in each of the counties proposing to  
17 consolidate. A copy of the order shall be filed with the county clerk of each of the  
18 counties as provided in s. 8.37. If the question of consolidation is submitted at a  
19 special election, it shall be held not less than ~~42~~ 70 days nor more than ~~60~~ 88 days  
20 from the completion of the consolidation agreement, but not within 60 days of any  
21 spring or general election.

22 **SECTION 114.** 59.10 (3) (cm) 2. of the statutes is amended to read:

23 59.10 (3) (cm) 2. 'Petition and referendum.' Except as provided in subd. 3., the  
24 electors of a county may, by petition and referendum, decrease the number of  
25 supervisors at any time after the first election is held following enactment of a



1 decennial supervisory district plan under par. (b). A petition for a change in the  
2 number of supervisors may be filed with the county clerk. Prior to circulating a  
3 petition to decrease the number of supervisors in any county, a petitioner shall  
4 register with the county clerk, giving the petitioner's name and address and  
5 indicating the petitioner's intent to file such a petition. No signature on a petition  
6 is valid unless the signature is obtained within the 60-day period following such  
7 registration. The petition shall specify the proposed number of supervisors to be  
8 elected. Within 14 days after the last day for filing an original petition, any other  
9 petitioner may file an alternative petition with the county clerk proposing a different  
10 number of supervisors to be elected, and, if the petition is valid, the alternative  
11 proposed in the petition shall be submitted for approval at the same referendum. An  
12 alternative petition is subject to the same registration and signature requirements  
13 as an original petition. Each petition shall be in the form specified in s. 8.40 and shall  
14 contain a number of signatures of electors of the county equal to at least 25 percent  
15 of the total votes cast in the county for the office of supervisor at the most recent  
16 spring election preceding the date of filing. The county clerk shall promptly  
17 determine the sufficiency of a petition filed under this subdivision. Upon  
18 determination that a petition is sufficient, or if one or more valid alternative  
19 petitions are filed, upon determination that the petitions are sufficient, the county  
20 clerk shall call a referendum concurrently with the next spring or general election  
21 in the county that is held not earlier than 42 70 days after the determination is made.  
22 The question proposed at the referendum shall be: "Shall the board of supervisors  
23 of .... County be decreased from .... members to .... members?". If one or more  
24 alternative valid petitions are filed within 14 days after the last day that an original  
25 petition may be filed, the question relating to the number of supervisors shall appear

1 separately. The first question shall be: “Shall the size of the county board of  
2 supervisors of .... County be decreased from its current membership of .... members?”.  
3 Any subsequent question shall be: “If so, shall the size of the board be decreased to  
4 .... members?”. Each elector may vote in the affirmative or negative on the first  
5 question and may then vote in the affirmative on one of the remaining questions. If  
6 the first question is not approved by a majority of the electors voting on the question,  
7 any subsequent question is of no effect. If the question is approved by a majority of  
8 the electors voting on the question, or, if more than one question is submitted, if the  
9 first question is approved by a majority of the electors voting on the question, the  
10 board shall enact an ordinance prescribing revised boundaries for the supervisory  
11 districts in the county. The ordinance shall be enacted in accordance with the  
12 approved question or, if more than one question is submitted, in accordance with the  
13 choice receiving a plurality of the votes cast. The districts are subject to the same  
14 requirements that apply to districts in any plan enacted by the board under subd. 1.  
15 If the board has determined under sub. (1) (b) to adopt staggered terms for the office  
16 of supervisor, the board may change the expiration date of the term of any supervisor  
17 to an earlier date than the date provided under current ordinance if required to  
18 implement the redistricting or to maintain classes of members. The county clerk  
19 shall file a certified copy of any redistricting plan enacted under this subdivision with  
20 the secretary of state.

21 **SECTION 115.** 59.605 (3) (a) 1. of the statutes is amended to read:

22 59.605 (3) (a) 1. If the governing body of a county wishes to exceed the operating  
23 levy rate limit otherwise applicable to the county under this section, it shall adopt  
24 a resolution to that effect. The resolution shall specify either the operating levy rate  
25 or the operating levy that the governing body wishes to impose for either a specified

1 number of years or an indefinite period. The governing body shall call a special  
2 referendum for the purpose of submitting the resolution to the electors of the county  
3 for approval or rejection. In lieu of a special referendum, the governing body may  
4 specify that the referendum be held at the next succeeding spring primary or election  
5 or ~~September~~ partisan primary or general election to be held not earlier than ~~42~~ 70  
6 days after the adoption of the resolution of the governing body. The governing body  
7 shall file the resolution to be submitted to the electors as provided in s. 8.37.

8 **SECTION 116.** 60.30 (1e) (b) of the statutes is amended to read:

9 60.30 (1e) (b) An ordinance enacted under par. (a) may not take effect until it  
10 is approved in a referendum called by the town board for that purpose at the next  
11 spring or general election, to be held not sooner than ~~45~~70 days after the referendum  
12 is called by the town board. The referendum question shall be: “Shall the person  
13 holding the office of ... [town clerk or town treasurer, or both; or the combined office  
14 of town clerk and town treasurer] in the town of ... be appointed by the town board?”.

15 **SECTION 117.** 62.13 (6) (b) of the statutes is amended to read:

16 62.13 (6) (b) The provisions of this subsection shall apply only if adopted by the  
17 electors. Whenever not less than ~~42~~ 70 days prior to a regular city election a petition  
18 therefor, conforming to the requirements of s. 8.40 and signed by electors equal in  
19 number to not less than 20% of the total vote cast in the city for governor at the last  
20 general election, shall be filed with the clerk as provided in s. 8.37, the clerk shall give  
21 notice in the manner of notice of the regular city election of a referendum on the  
22 adoption of this subsection. Such referendum election shall be held with the regular  
23 city election, and the ballots shall conform with the provisions of ss. 5.64 (2) and  
24 10.02, and the question shall be “Shall s. 62.13 (6) of the statutes be adopted?”

25 **SECTION 118.** 66.0217 (7) (a) 3. of the statutes is amended to read:

1           66.0217 (7) (a) 3. If the notice indicates that the petition is for a referendum  
2 on the question of annexation, the clerk of the city or village shall file the notice as  
3 provided in s. 8.37. If the notice indicates that the petition is for a referendum on the  
4 question of annexation, the town clerk shall give notice as provided in par. (c) of a  
5 referendum of the electors residing in the area proposed for annexation to be held not  
6 less than ~~42~~ 70 days nor more than ~~72~~ 100 days after the date of personal service or  
7 mailing of the notice required under this paragraph. If the notice indicates that the  
8 petition is for direct annexation, no referendum shall be held unless within 30 days  
9 after the date of personal service or mailing of the notice required under this  
10 paragraph, a petition conforming to the requirements of s. 8.40 requesting a  
11 referendum is filed with the town clerk as provided in s. 8.37, signed by at least 20%  
12 of the electors residing in the area proposed to be annexed. If a petition requesting  
13 a referendum is filed, the clerk shall give notice as provided in par. (c) of a referendum  
14 of the electors residing in the area proposed for annexation to be held not less than  
15 ~~42~~ 70 days nor more than ~~72~~ 100 days after the receipt of the petition and shall mail  
16 a copy of the notice to the clerk of the city or village to which the annexation is  
17 proposed. The referendum shall be held at a convenient place within the town to be  
18 specified in the notice.

19           **SECTION 119.** 66.0219 (4) (b) of the statutes is amended to read:

20           66.0219 (4) (b) The referendum election shall be held not less than ~~42~~ 70 days  
21 nor more than ~~72~~ 100 days after the filing of the order as provided in s. 8.37, in the  
22 territory proposed for annexation, by the electors of that territory as provided in s.  
23 66.0217 (7), so far as applicable. The ballots shall contain the words “For  
24 Annexation” and “Against Annexation”. The certification of the election inspectors

1 shall be filed with the clerk of the court, and the clerk of any municipality involved,  
2 but need not be filed or recorded with the register of deeds.

3 **SECTION 120.** 66.0227 (3) of the statutes is amended to read:

4 66.0227 (3) The governing body of a city, village or town involved may, or if a  
5 petition conforming to the requirements of s. 8.40 signed by a number of qualified  
6 electors equal to at least 5% of the votes cast for governor in the city, village or town  
7 at the last gubernatorial election, demanding a referendum, is presented to it within  
8 30 days after the passage of either of the ordinances under sub. (2) shall, submit the  
9 question to the electors of the city, village or town whose electors petitioned for  
10 detachment, at a referendum election called for that purpose not less than ~~42~~ 70 days  
11 nor more than ~~72~~ 100 days after the filing of the petition, or after the enactment of  
12 either ordinance. The petition shall be filed as provided in s. 8.37. If a number of  
13 electors cannot be determined on the basis of reported election statistics, the number  
14 shall be determined in accordance with s. 60.74 (6). The governing body of the  
15 municipality shall appoint 3 election inspectors who are resident electors to  
16 supervise the referendum. The ballots shall contain the words “For Detachment”  
17 and “Against Detachment”. The inspectors shall certify the results of the election by  
18 their attached affidavits and file a copy with the clerk of each town, village or city  
19 involved, and none of the ordinances may take effect nor be in force unless a majority  
20 of the electors approve the question. The referendum election shall be conducted in  
21 accordance with chs. 6 and 7 to the extent applicable.

22 **SECTION 121.** 66.0305 (6) (b) of the statutes is amended to read:

23 66.0305 (6) (b) The advisory referendum shall be held not less than ~~42~~ 70 days  
24 nor more than ~~72~~ 100 days after adoption of the resolution under par. (a) calling for  
25 the referendum or not less than ~~42~~ 70 days nor more than ~~72~~ 100 days after receipt

1 of the petition under par. (a) by the municipal or county clerk. The municipal or  
2 county clerk shall give notice of the referendum by publishing a notice in a  
3 newspaper of general circulation in the political subdivision, both on the publication  
4 day next preceding the advisory referendum election and one week prior to that  
5 publication date.

6 **SECTION 122.** 66.0307 (4) (e) 2. of the statutes is amended to read:

7 66.0307 **(4)** (e) 2. The advisory referendum shall be held not less than ~~42~~ 70  
8 days nor more than ~~72~~ 100 days after adoption of the resolution under subd. 1. calling  
9 for the referendum or not less than ~~42~~ 70 days nor more than ~~72~~ 100 days after receipt  
10 of the petition by the municipal clerk. The municipal clerk shall give notice of the  
11 referendum by publishing a notice in a newspaper of general circulation in the  
12 municipality, both on the publication day next preceding the advisory referendum  
13 election and one week prior to that publication date.

14 **SECTION 123.** 66.0602 (4) (a) of the statutes is amended to read:

15 66.0602 **(4)** (a) A political subdivision may exceed the levy increase limit under  
16 sub. (2) if its governing body adopts a resolution to that effect and if the resolution  
17 is approved in a referendum. The resolution shall specify the proposed amount of  
18 increase in the levy beyond the amount that is allowed under sub. (2), and shall  
19 specify whether the proposed amount of increase is for the next fiscal year only or if  
20 it will apply on an ongoing basis. With regard to a referendum relating to the 2005  
21 levy, or any levy in an odd-numbered year thereafter, the political subdivision may  
22 call a special referendum for the purpose of submitting the resolution to the electors  
23 of the political subdivision for approval or rejection. With regard to a referendum  
24 relating to the 2006 levy, or any levy in an even-numbered year thereafter, the

1 referendum shall be held at the next succeeding spring primary or election or  
2 ~~September~~ partisan primary or general election.

3 **SECTION 124.** 66.0619 (2m) (b) of the statutes is amended to read:

4 66.0619 **(2m)** (b) If a referendum is to be held on a resolution, the municipal  
5 governing body shall file the resolution as provided in s. 8.37 and shall direct the  
6 municipal clerk to call a special election for the purpose of submitting the resolution  
7 to the electors for a referendum on approval or rejection. In lieu of a special election,  
8 the municipal governing body may specify that the election be held at the next  
9 succeeding spring primary or election or ~~September~~ partisan primary or general  
10 election.

11 **SECTION 125.** 66.0921 (2) of the statutes is amended to read:

12 66.0921 **(2)** FACILITIES AUTHORIZED. A municipality may enter into a joint  
13 contract with a nonprofit corporation organized for civic purposes and located in the  
14 municipality to construct or otherwise acquire, equip, furnish, operate and maintain  
15 a facility to be used for municipal and civic activities if a majority of the voters voting  
16 in a referendum at a special election or at a spring primary or election or ~~September~~  
17 partisan primary or general election approve the question of entering into the joint  
18 contract.

19 **SECTION 126.** 66.1113 (2) (g) of the statutes is amended to read:

20 66.1113 **(2)** (g) The village of Sister Bay may enact an ordinance or adopt a  
21 resolution declaring itself to be a premier resort area under par. (a) even if less than  
22 40 percent of the equalized assessed value of the taxable property within Sister Bay  
23 is used by tourism-related retailers. The village may not impose the tax authorized  
24 under par. (b) unless the village board adopts a resolution proclaiming its intent to  
25 impose the tax and the resolution is approved by a majority of the electors in the

1 village voting on the resolution at a referendum, to be held at the first spring primary  
2 or election or ~~September~~ partisan primary or general election following by at least  
3 45 days the date of adoption of the resolution.

4 **SECTION 127.** 66.1113 (2) (h) of the statutes is amended to read:

5 66.1113 (2) (h) The village of Ephraim may enact an ordinance or adopt a  
6 resolution declaring itself to be a premier resort area under par. (a) even if less than  
7 40 percent of the equalized assessed value of the taxable property within Ephraim  
8 is used by tourism–related retailers. The village may not impose the tax authorized  
9 under par. (b) unless the village board adopts a resolution proclaiming its intent to  
10 impose the tax and the resolution is approved by a majority of the electors in the  
11 village voting on the resolution at a referendum, to be held at the first spring primary  
12 or election or ~~September~~ partisan primary or general election following by at least  
13 45 days the date of adoption of the resolution.

14 **SECTION 128.** 67.05 (6m) (b) of the statutes is amended to read:

15 67.05 (6m) (b) If a referendum is to be held on an initial resolution, the district  
16 board shall direct the technical college district secretary to call a special election for  
17 the purpose of submitting the initial resolution to the electors for a referendum on  
18 approval or rejection. In lieu of a special election, the district board may specify that  
19 the election be held at the next succeeding spring primary or election or ~~September~~  
20 partisan primary or general election.

21 **SECTION 129.** 67.12 (12) (e) 5. of the statutes is amended to read:

22 67.12 (12) (e) 5. Within 10 days of the adoption by a technical college district  
23 board of a resolution under subd. 1. to issue a promissory note for a purpose under  
24 s. 38.16 (2), the secretary of the district board shall publish a notice of such adoption  
25 as a class 1 notice, under ch. 985. The notice need not set forth the full contents of



1 the resolution, but shall state the amount proposed to be borrowed, the method of  
2 borrowing, the purpose thereof, that the resolution was adopted under this  
3 subsection and the place where and the hours during which the resolution is  
4 available for public inspection. If the amount proposed to be borrowed is for building  
5 remodeling or improvement and does not exceed \$1,500,000 or is for movable  
6 equipment, the district board need not submit the resolution to the electors for  
7 approval unless, within 30 days after the publication or posting, a petition  
8 conforming to the requirements of s. 8.40 is filed with the secretary of the district  
9 board requesting a referendum at a special election to be called for that purpose.  
10 Such petition shall be signed by electors from each county lying wholly or partially  
11 within the district. The number of electors from each county shall equal at least 1.5%  
12 of the population of the county as determined under s. 16.96 (2) (c). If a county lies  
13 in more than one district, the technical college system board shall apportion the  
14 county's population as determined under s. 16.96 (2) (c) to the districts involved and  
15 the petition shall be signed by electors equal to the appropriate percentage of the  
16 apportioned population. In lieu of a special election, the district board may specify  
17 that the referendum shall be held at the next succeeding spring primary or election  
18 or ~~September~~ partisan primary or general election. Any resolution to borrow  
19 amounts of money in excess of \$1,500,000 for building remodeling or improvement  
20 shall be submitted to the electors of the district for approval. If a referendum is held  
21 or required under this subdivision, no promissory note may be issued until the  
22 issuance is approved by a majority of the district electors voting at such referendum.  
23 The referendum shall be noticed, called and conducted under s. 67.05 (6a) insofar as  
24 applicable, except that the notice of special election and ballot need not embody a  
25 copy of the resolution and the question which shall appear on the ballot shall be

1 “Shall .... (name of district) be authorized to borrow the sum of \$.... for (state purpose)  
2 by issuing its general obligation promissory note (or notes) under section 67.12 (12)  
3 of the Wisconsin Statutes?”

4 **SECTION 130.** 86.21 (2) (a) of the statutes is amended to read:

5 86.21 (2) (a) Before any such toll bridge is constructed or acquired under this  
6 section, a resolution authorizing the construction or acquisition thereof, and  
7 specifying the method of payment therefor, shall be adopted by a majority of the  
8 members of the governing body of such county, town, village or city at a regular  
9 meeting, after publication of said resolution, as a class 2 notice, under ch. 985. The  
10 resolution shall include a general description of the property it is proposed to acquire  
11 or construct. Any county, town, village or city constructing or acquiring a toll bridge  
12 under this section may provide for the payment of the same or any part thereof from  
13 the general fund, from taxation, or from the proceeds of either municipal bonds,  
14 revenue bonds or as otherwise provided by law. Such resolution shall not be effective  
15 until 15 days after its passage and publication. If within said 15 days a petition  
16 conforming to the requirements of s. 8.40 is filed with the clerk of such municipality,  
17 and filed as provided in s. 8.37, signed by at least 20% of the electors thereof  
18 requesting that the question of acquiring such toll bridge be submitted to the said  
19 electors, such question shall be submitted at the next general or regular municipal  
20 election that is held not sooner than ~~42~~ 70 days from the date of filing such petition.  
21 The question submitted to the electors shall specify the method of payment for such  
22 toll bridge as provided in the resolution for the acquisition thereof. If no such petition  
23 is filed, or if the majority of votes cast at such referendum election are in favor of the  
24 acquisition of such toll bridge, then the resolution of the governing body for the  
25 acquisition of such toll bridge shall be in effect.

1           **SECTION 131.** 92.11 (4) (c) of the statutes is amended to read:

2           92.11 **(4)** (c) *Wording of ballot question; procedure.* The county board shall  
3 include the wording of the question to be placed before the electors in the referendum  
4 as a part of the ordinance adopted under this section or the revision to an ordinance  
5 adopted under this section. Upon the adoption of the ordinance or revision the county  
6 board shall forward a copy of the ordinance or revision to the county clerk who shall  
7 cause the question to be placed before the voters of the affected area in the next  
8 spring or general election occurring not less than ~~45~~ 70 days after the adoption of the  
9 ordinance or revision. The form of the ballot shall correspond substantially to the  
10 form prescribed under s. 5.64 (2).

11           **SECTION 132.** 117.22 (2) (e) of the statutes is amended to read:

12           117.22 **(2)** (e) If a primary election for the school board positions is required  
13 under s. 120.06 (7) (b), it shall be held on the day which is 4 weeks before the election,  
14 except that if the school board election is held on the day of the general election, the  
15 primary shall be held on the day of the ~~September~~ partisan primary, and if the school  
16 board election is held on the day of the spring election, the primary shall be held on  
17 the day of the spring primary. The school district clerk shall notify the clerk of each  
18 city, village or town, any part of which is contained within an affected school district,  
19 of the primary election. The school district clerk shall give the notices under s. 120.06  
20 (8) (c) on the Monday before the primary election, if one is held, and on the Monday  
21 before the school board election.

22           **SECTION 133.** 120.02 (1) of the statutes is amended to read:

23           120.02 **(1)** CHANGE IN NUMBER OF SCHOOL BOARD MEMBERS. If, at least 30 days  
24 prior to the day of the annual school district meeting, in a common or union high  
25 school district, or at least ~~45~~ 70 days prior to the day of the election of school board

1 members in a unified school district, a petition conforming to the requirements of s.  
2 8.40 requesting a change in the number of school board members is filed with the  
3 school district clerk the clerk shall incorporate in the notice of the annual meeting  
4 or election a statement that at the meeting or election the question of changing the  
5 number of school board members to the number requested in the petition will be  
6 voted upon. The petition shall be signed by not less than 100 electors residing in the  
7 school district, except that in school districts which contain, in whole or in part, a city  
8 of the 2nd or 3rd class in which one or more electors of the school district reside, the  
9 petition shall be signed by not less than 500 electors residing in the school district.  
10 If, at the meeting or election of school board members, a resolution based on a petition  
11 requesting a change in the number of school board members is adopted by a majority  
12 vote, school board members shall be elected at the next school board election and  
13 thereafter in accordance with sub. (3).

14 **SECTION 134.** 120.02 (2) (a) of the statutes is amended to read:

15 120.02 (2) (a) If, at least 30 days prior to the day of the annual meeting, in a  
16 common or union high school district, or at least ~~45~~ 70 days prior to the day of the  
17 election of school board members in a unified school district, a petition conforming  
18 to the requirements of s. 8.40 requesting the establishment of a plan of  
19 apportionment of school board members is filed with the school district clerk the  
20 clerk shall incorporate notice of receipt of such petition in the notice of the annual  
21 meeting or election. The petition shall specify the proposed plan of apportionment  
22 of school board members among the cities, towns and villages or parts thereof within  
23 the school district and set the total number of school board members at not more than  
24 11. The petition shall be signed by not less than 100 electors residing in the school  
25 district, except that in school districts which contain, in whole or in part, a city of the

1 2nd or 3rd class in which one or more electors of the school district reside, the petition  
2 shall be signed by not less than 500 electors residing in the school district. If a  
3 majority vote of the annual meeting or election approves the plan set forth in the  
4 petition, the plan shall remain in operation until revised by the same procedure.  
5 School board members elected under this subsection shall be elected by a vote of the  
6 electors of the entire school district in accordance with the plan prepared under sub.  
7 (3).

8 **SECTION 135.** 120.02 (4) of the statutes is amended to read:

9 120.02 (4) ELECTION TO NUMBERED SEATS. If, at least 30 days prior to the day of  
10 the annual meeting, in a common or union high school district, or at least ~~45~~ 70 days  
11 prior to the day of the election of school board members in a unified school district,  
12 a petition conforming to the requirements of s. 8.40 which sets forth a plan for the  
13 assignment of a number to each seat on the school board is filed with the school  
14 district clerk, the school district clerk shall incorporate notice of receipt of such  
15 petition in the notice of the annual meeting or election required under s. 120.06 (8)  
16 (c). The petition shall be signed by not less than 100 electors residing in the school  
17 district, except that in school districts which contain, in whole or in part, a city of the  
18 2nd or 3rd class in which one or more electors of the school district reside, the petition  
19 shall be signed by not less than 500 electors residing in the school district. If a  
20 majority vote of the annual meeting or election approves the plan set forth in the  
21 petition, the plan shall remain in operation until revised by the same procedure.

22 **SECTION 136.** 121.91 (3) (a) of the statutes is amended to read:

23 121.91 (3) (a) If a school board wishes to exceed the limit under sub. (2m)  
24 otherwise applicable to the school district in any school year, it shall promptly adopt  
25 a resolution supporting inclusion in the final school district budget of an amount

1 equal to the proposed excess revenue. The resolution shall specify whether the  
2 proposed excess revenue is for a recurring or nonrecurring purpose, or, if the  
3 proposed excess revenue is for both recurring and nonrecurring purposes, the  
4 amount of the proposed excess revenue for each purpose. The resolution shall be filed  
5 as provided in s. 8.37. Within 10 days after adopting the resolution, the school board  
6 shall notify the department of the scheduled date of the referendum and submit a  
7 copy of the resolution to the department. The school board shall call a special  
8 referendum for the purpose of submitting the resolution to the electors of the school  
9 district for approval or rejection. In lieu of a special referendum, the school board  
10 may specify that the referendum be held at the next succeeding spring primary or  
11 election or ~~September~~ partisan primary or general election, if such election is to be  
12 held not sooner than ~~42~~ 70 days after the filing of the resolution of the school board.  
13 The school district clerk shall certify the results of the referendum to the department  
14 within 10 days after the referendum is held.

15 **SECTION 137.** 125.05 (1) (b) 5. of the statutes is amended to read:

16 125.05 (1) (b) 5. The petition shall be filed with the clerk of the municipality  
17 at least ~~42~~ 70 days prior to the first Tuesday of April.

18 **SECTION 138.** 197.04 (1) (b) of the statutes is amended to read:

19 197.04 (1) (b) If within either of the 90-day periods described in par. (a) a  
20 petition conforming to the requirements of s. 8.40 is filed with the clerk of the  
21 municipality as provided in s. 8.37 and the petition has been signed by 5% of the  
22 electors of a 1st class city or by 10% of the electors of all other municipalities  
23 requesting that the question of discontinuing the proceeding to acquire the plant or  
24 equipment of the public utility be submitted to the electors of the municipality, the  
25 applicable question under par. (c) shall be submitted to the electors at any general

1 or regular municipal election that is held not less than ~~42~~ 70 and not more than ~~47~~  
2 75 days from the date of the filing of the petition. If no general election or regular  
3 municipal election is to be held within the stated periods, the governing body of the  
4 municipality shall order the holding of a special election, to be held not less than ~~42~~  
5 70 days from the date of filing of the petition, for the purpose of submitting the  
6 question to the electors.

7 **SECTION 139.** 229.824 (15) of the statutes is amended to read:

8 229.824 (15) Impose, by the adoption of a resolution, the taxes under subch. V  
9 of ch. 77, except that the taxes imposed by the resolution may not take effect until  
10 the resolution is approved by a majority of the electors in the district's jurisdiction  
11 voting on the resolution at a referendum, to be held at the first spring primary or  
12 ~~September~~ partisan primary following by at least 45 days the date of adoption of the  
13 resolution. Two questions shall appear on the ballot. The first question shall be:  
14 "Shall a sales tax and a use tax be imposed at the rate of 0.5% in .... County for  
15 purposes related to football stadium facilities in the .... Professional Football  
16 Stadium District?" The 2nd question shall be: "Shall excess revenues from the 0.5%  
17 sales tax and use tax be permitted to be used for property tax relief purposes in ....  
18 County?" Approval of the first question constitutes approval of the resolution of the  
19 district board. Approval of the 2nd question is not effective unless the first question  
20 is approved. The clerk of the district shall publish the notices required under s. 10.06  
21 (4) (c), (f) and (i) for any referendum held under this subsection. Notwithstanding  
22 s. 10.06 (4) (c), the type A notice under s. 10.01 (2) (a) relating to the referendum is  
23 valid even if given and published late as long as it is given and published prior to the  
24 election as early as practicable. A district may not levy any taxes that are not  
25 expressly authorized under subch. V of ch. 77. The district may not levy any taxes

1 until the professional football team and the governing body of the municipality in  
2 which the football stadium facilities are located agree on how to fund the  
3 maintenance of the football stadium facilities. The district may not levy any taxes  
4 until the professional football team and the governing body of the municipality in  
5 which the football stadium facilities are located agree on how to distribute the  
6 proceeds, if any, from the sale of naming rights related to the football stadium  
7 facilities. If a district board adopts a resolution that imposes taxes and the resolution  
8 is approved by the electors, the district shall deliver a certified copy of the resolution  
9 to the secretary of revenue at least 120 days before its effective date. If a district  
10 board adopts a resolution that imposes taxes and the resolution is not approved by  
11 the electors, the district is dissolved.

12 **SECTION 140.** 995.20 of the statutes is amended to read:

13 **995.20 Legal holidays.** January 1, January 15, the 3rd Monday in February  
14 (which shall be the day of celebration for February 12 and 22), the last Monday in  
15 May (which shall be the day of celebration for May 30), June 19, which shall be the  
16 day of observation for Juneteenth Day, July 4, the 1st Monday in September which  
17 shall be known as Labor day, the 2nd Monday in October, November 11, the 4th  
18 Thursday in November (which shall be the day of celebration for Thanksgiving),  
19 December 25, the day of holding the ~~September~~ partisan primary election, and the  
20 day of holding the general election in November are legal holidays. On Good Friday  
21 the period from 11 a.m. to 3 p.m. shall uniformly be observed for the purpose of  
22 worship. In every 1st class city the day of holding any municipal election is a legal  
23 holiday, and in every such city the afternoon of each day upon which a primary  
24 election is held for the nomination of candidates for city offices is a half holiday and  
25 in counties having a population of 500,000 or more the county board may by



1 ordinance provide that all county employees shall have a half holiday on the day of  
2 such primary election and a holiday on the day of such municipal election, and that  
3 employees whose duties require that they work on such days be given equivalent  
4 time off on other days. Whenever any legal holiday falls on Sunday, the succeeding  
5 Monday shall be the legal holiday.

6 **SECTION 141. Initial applicability.**

7 (1) The treatment of sections 6.24 (4) (c), 6.86 (1) (a) 3., 6.865 (title), (3), and  
8 (3m) (a), (b), and (c), and 7.15 (1) (j) of the statutes first applies with respect to  
9 requests for absentee ballots made for voting at elections held on or after the effective  
10 date of this subsection.

11 **SECTION 142. Effective dates.** This act takes effect on the day after  
12 publication, except as follows:

13 (1) The treatment of sections 6.24 (4) (c), 6.86 (1) (a) 3., 6.865 (title), (3), and  
14 (3m) (a), (b), and (c), and 7.15 (1) (j) of the statutes and SECTION 141 (1) of this act take  
15 effect on the 90th day beginning after publication.

16 (END)

**2011-2012 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBs0208/1ins  
JTK.....

INS 5-1:

✓

**SECTION 1.** 5.02 (18) of the statutes, as affected by 2011 Wisconsin Act 32, is renumbered 5.02 (12s) and amended to read:

5.02 (12s) “~~September~~ Partisan primary” means the primary held the 2nd Tuesday in ~~September~~ August to nominate candidates to be voted for at the general election.

**History:** 1971 c. 211; 1971 c. 304 ss. 2, 29 (2); 1973 c. 280, 334; 1975 c. 93; 1977 c. 107, 187, 394; 1977 c. 427 ss. 3 to 14; 1977 c. 449; 1979 c. 32, 89, 221; 1979 c. 260 ss. 1m, 73 to 75; 1979 c. 311, 328; 1981 c. 4, 391; 1983 a. 484 ss. 5, 5c, 124m, 128; 1985 a. 303; 1985 a. 304 ss. 1m, 2, 155; 1987 a. 391 ss. 1 to 1r, 66w; 1989 a. 31; 1991 a. 5; 1993 a. 140, 184; 1995 a. 16 s. 2; 1995 a. 27 s. 9145 (1); 1995 a. 219; 1997 a. 35; 2001 a. 16, 109; 2003 a. 24, 265; 2005 a. 177, 451; 2007 a. 1; 2009 a. 397; 2011 a. 23, 32.

INS 6-7:

✓

**SECTION 2.** 5.15 (4) (a) of the statutes, as affected by 2011 Wisconsin Act 39, is amended to read:

5.15 (4) (a) Except as provided in par. (c), the division ordinance or resolution shall number all wards in the municipality with unique whole numbers in consecutive order, beginning with the number one, shall designate the polling place for each ward, and shall describe the boundaries of each ward consistent with the conventions set forth in s. 4.003. The ordinance or resolution shall be accompanied by a list of the block numbers used by the U.S. bureau of the census that are wholly or partly contained within each ward, with any block numbers partly contained within a ward identified, and a map of the municipality which illustrates the revised ward boundaries. If the legislature, in an act redistricting legislative districts under article IV, section 3, of the constitution, or in redistricting congressional districts, establishes a district boundary within a municipality that does not coincide with the boundary of a ward established under the ordinance or resolution of the

✓  
 municipality, the municipal governing body shall, no later than ~~May 15~~ April 1 of the 2nd year following the year of the federal decennial census on which the act is based, amend the ordinance or resolution to the extent required to effect the act. The amended ordinance or resolution shall designate the polling place for any ward that is created to effect the legislative act. Nothing in this paragraph shall be construed to compel a county or city to alter or redraw supervisory or aldermanic districts.

**History:** 1971 c. 304 ss. 3 to 5, 29 (2); 1977 c. 26, 418, 427, 449; 1979 c. 260; 1981 c. 4 ss. 2 to 10, 18; 1981 c. 314; 1983 a. 29, 192, 442; 1983 a. 484 ss. 8e, 174; 1983 a. 538; 1985 a. 304 ss. 8 to 10, 12; 1987 a. 391; 1991 a. 5, 143, 315; 1993 a. 213; 1995 a. 201; 1999 a. 182; 2005 a. 149, 312; 2011 a. 39.

INS 7-17:

✓  
**SECTION 3.** 5.62 (1) (a) of the statutes, as affected by 2011 Wisconsin Act 32, is amended to read:

✓  
 5.62 (1) (a) At ~~September primaries~~ the partisan primary, the following ballot shall be provided for the nomination of candidates of recognized political parties for national, state and county offices and independent candidates for state office in each ward, in the same form as prescribed by the board under s. 7.08 (1) (a), except as authorized in s. 5.655. The ballots shall be made up of the several party tickets with each party entitled to participate in the primary under par. (b) or sub. (2) having its own ballot, except as authorized in s. 5.655. The ballots shall be secured together at the bottom. The party ballot of the party receiving the most votes for president or governor at the last general election shall be on top with the other parties arranged in descending order based on their vote for president or governor at the last general election. The ballots of parties qualifying under sub. (2) shall be placed after the parties qualifying under par. (b), in the same order in which the parties filed petitions with the board. Any ballot required under par. (b) 2. shall be placed next in order. At polling places where voting machines are used, each party shall be represented

in one or more separate columns or rows on the ballot. At polling places where an electronic voting system is used other than an electronic voting machine, each party may be represented in separate columns or rows on the ballot.

History: 1971 c. 304 ss. 12, 29 (2); 1971 c. 336; 1973 c. 334 s. 57; 1975 c. 93; 1977 c. 107, 427; 1979 c. 260, 311, 328; 1981 c. 377; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1991 a. 316; 1993 a. 184; 1999 a. 182; 2005 a. 149; 2007 a. 1; 2011 a. 32; s. 35.17 correction in (1) (a).

**SECTION 4.** 5.62 (1) (b) (1) of the statutes is amended to read:

INS 10-21:

**SECTION 5.** 5.62 (3) of the statutes, as affected by 2011 Wisconsin Act 32, is amended to read:

5.62 (3) The board shall designate the official primary ballot arrangement for statewide offices and district attorney within each prosecutorial district by using the same procedure as provided in s. 5.60 (1) (b). On each ballot and on each separate column or row on the ballot, the candidates for office shall be listed together with the offices which they seek in the following order whenever these offices appear on the September partisan primary ballot: governor, lieutenant governor, attorney general, secretary of state, state treasurer, U.S. senator, U.S. representative in congress, state senator, representative to the assembly, district attorney and the county offices.

History: 1971 c. 304 ss. 12, 29 (2); 1971 c. 336; 1973 c. 334 s. 57; 1975 c. 93; 1977 c. 107, 427; 1979 c. 260, 311, 328; 1981 c. 377; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31, 192; 1991 a. 316; 1993 a. 184; 1999 a. 182; 2005 a. 149; 2007 a. 1; 2011 a. 32; s. 35.17 correction in (1) (a).

INS 28-2:

**SECTION 6.** 7.10 (3) (a) of the statutes, as affected by 2011 Wisconsin Act 45, is amended to read:

7.10 (3) (a) The county clerk shall distribute the ballots to the municipal clerks no later than 31 days before each September partisan primary and general election and no later than 22 days before each other primary and election. Election forms

INSA

7.10 (2) PREPARING BALLOTS. The county clerk shall prepare copy for the official ballots immediately upon receipt of the certified list of candidates' names from the board. Names certified by the board shall be arranged in the order certified. The county clerk shall place the names of all candidates filed in the clerk's office or certified to the clerk by the board on the proper ballot or ballots under the appropriate office and party titles. The county clerk shall prepare a special ballot under s. 5.60 (8) showing only the candidates in the presidential preference primary.

SECTION 8. 7.10 (3) (a) of the statutes is amended to read:

7.10 (3) (a) The county clerk shall distribute the ballots to the municipal clerks no later than 31 days before each September primary and general election and no later than 22 days before each other primary and election, except that the clerk shall distribute the ballots under sub. (2) for the presidential preference primary no later 48 days before the presidential preference primary. Election forms prepared by the board shall be distributed at the same time. If the board transmits an amended certification under s. 7.08 (2) (a) or if the board or a court orders a ballot error to be corrected under s. 5.06 (6) or 5.72 (3) after ballots have been distributed, the county clerk shall distribute corrected ballots to the municipal clerks as soon as possible.

SECTION 9. 7.15 (1) (cm) of the statutes, as affected by 2011 Wisconsin Act 23, is amended to read:

7.15 (1) (cm) Prepare official absentee ballots for delivery to electors requesting them, and except as provided in this paragraph, send or transmit an official absentee ballot to each elector who has requested a ballot by mail, electronic mail, or facsimile transmission no later than the 30th day before each September primary and general election and no later than the 21st day before each other primary and election if the request is made before that day; otherwise, the municipal clerk shall send or transmit an official absentee ballot within one day of the time the elector's request for such a ballot is received. The clerk shall send or transmit an absentee ballot for the presidential preference primary to each elector who has requested that ballot no later than the 47th day before the presidential preference primary if the request is made before that day, or, if the request is not made before that day, within one day of the time the request is received.

SECTION 10. 8.12 (1) and (3) of the statutes are amended to read:

8.12 (1) SELECTION OF NAMES FOR BALLOT. (a) No later than 5 p.m. on the ~~3rd~~ 2nd Tuesday in ~~November~~, December of the year before each year in which electors for president and vice president are to be elected, the state chairperson of each recognized political party listed on the official ballot at the last gubernatorial election whose candidate for governor received at least 10% of the total votes cast for that

office may certify to the board that the party will participate in the presidential preference primary. For each party filing such a certification, the voters of this state shall at the spring primary election be given an opportunity to express their preference for the person to be the presidential candidate of that party.

(b) On the ~~2nd first~~ Tuesday in ~~December~~ of the ~~January~~ of each year before each year, or the next day if Tuesday is a holiday, in which electors for president and vice president are to be elected, there shall be convened in the capitol a committee consisting of, for each party filing a certification under this subsection, the state chairperson of that state party organization or the chairperson's designee, one national committeeman and one national committeewoman designated by the state chairperson; the speaker and the minority leader of the assembly or their designees, and the president and the minority leader of the senate or their designees. All designations shall be made in writing to the board. This committee shall organize by selecting an additional member who shall be the chairperson and shall determine, and certify to the board, no later than on the Friday following the date on which the committee convenes under this paragraph, the names of all candidates of the political parties represented on the committee for the office of president of the United States. The committee shall place the names of all candidates whose candidacy is generally advocated or recognized in the national news media throughout the United States on the ballot and may, in addition, place the names of other candidates on the ballot. The committee shall have sole discretion to determine that a candidacy is generally advocated or recognized in the national news media throughout the United States.

(c) No later than 5 p.m. on the first last Tuesday in January of each presidential election year, any person seeking the nomination by the national convention of a political party filing a certification under this subsection for the office of president of the United States, or any committee organized in this state on behalf of and with the consent of such person, may submit to the board a petition to have the person's name appear on the presidential preference ballot. The petition may be circulated no sooner than the 2nd first Tuesday in ~~December~~ preceding January of such year, or the next day if Tuesday is a holiday, and shall be signed by a number of qualified electors equal in each congressional district to not less than 1,000 signatures nor more than 1,500 signatures. The form of the petition shall conform to the requirements of s. 8.40. All signers on each separate petition paper shall reside in the same congressional district.

(d) The board shall forthwith contact each person whose name has been placed in nomination under par. (b) and notify him or her that his or her name will appear on the Wisconsin presidential preference ballot unless he or she files, no later than 5 p.m. on the first last Tuesday in January of such year, with the board, a disclaimer stating

no scoring  
INS  
A Plain Text

prepared by the board shall be distributed at the same time. If the board transmits an amended certification under s. 7.08 (2) (a) or if the board or a court orders a ballot error to be corrected under s. 5.06 (6) or 5.72 (3) after ballots have been distributed, the county clerk shall distribute corrected ballots to the municipal clerks as soon as possible.

**History:** 1971 c. 304 s. 29 (2); 1973 c. 280; 1973 c. 334 s. 57; 1977 c. 394 s. 53; 1977 c. 427; 1979 c. 221, 260, 311, 355; 1981 c. 377; 1983 a. 484; 1985 a. 89, 304; 1991 a. 316; 1999 a. 150 s. 672; 1999 a. 182; 2001 a. 107; 2003 a. 265; 2005 a. 451.

**SECTION 7.** 7.15 (1) (cm) of the statutes, as affected by 2011 Wisconsin Acts 23 and 45, is amended to read:

7.15 (1) (cm) Prepare official absentee ballots for delivery to electors requesting them, and ~~send or transmit~~ <sup>except as provided in this paragraph, ← plain</sup> an official absentee ballot to each elector who has requested a ballot by mail, and to each military elector, as defined in s. 6.34 (1) (a), and overseas elector, as defined in s. 6.34 (1) (b), who has requested a ballot by mail, electronic mail, or facsimile transmission no later than the 30th ~~30th~~ <sup>47th</sup> day before each September partisan primary and general election and no later than the 21st day before each other primary and election if the request is made before that day; otherwise, the municipal clerk shall send or transmit an official absentee ballot within one day of the time the elector's request for such a ballot is received. <sup>INS A</sup>

**History:** 1971 c. 304 s. 29 (2); 1973 c. 334 s. 57; 1975 c. 85 ss. 50, 65; 1975 c. 275, 422; 1977 c. 283; 1977 c. 394 s. 54; 1977 c. 427, 447; 1979 c. 260, 311; 1981 c. 301; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 192; 1991 a. 316; 1999 a. 182; 2001 a. 16; 2003 a. 265; 2005 a. 451; 2007 a. 1; 2011 a. 23.

INS 35-8:

**SECTION 8.** 8.20 (8) (a) of the statutes, as affected by 2011 Wisconsin Act 32, is amended to read:

8.20 (8) (a) Nomination papers for independent candidates for any office to be voted upon at a general election, except president, vice president and presidential elector, may be circulated no sooner than ~~June 1~~ April 15 preceding the election and

No changes leave as typed

STET

INS A

may be filed no later than 5 p.m. on the ~~2nd Tuesday of July~~ June 1 preceding the ~~September~~ partisan primary, except as authorized in this paragraph. If an incumbent fails to file nomination papers and a declaration of candidacy by 5 p.m. on the ~~2nd Tuesday of July~~ June 1 preceding the ~~September~~ partisan primary, all candidates for the office held by the incumbent, other than the incumbent, may file nomination papers no later than 72 hours after the latest time prescribed in this paragraph. No extension of the time for filing nomination papers applies if the incumbent files written notification with the filing officer or agency with whom nomination papers are filed for the office which the incumbent holds, no later than 5 p.m. on the 2nd Friday preceding the latest time prescribed in this paragraph for filing nomination papers, that the incumbent is not a candidate for reelection to his or her office, and the incumbent does not file nomination papers for that office within the time prescribed in this paragraph.

History: 1971 c. 242, 304; 1973 c. 334 s. 57; 1975 c. 369; 1977 c. 107, 287, 427; 1979 c. 249, 260; 1981 c. 377; 1983 a. 29, 484; 1985 a. 304; 1987 a. 391; 1993 a. 140, 266; 1999 a. 6, 32, 182, 186; 2001 a. 109; 2005 a. 451; 2007 a. 1; 2011 a. 32.

INS 31-11:

**SECTION 9.** 38.16 (3) (br) 1. of the statutes, as created by 2011 Wisconsin Act 32, is amended to read:

38.16 (3) (br) 1. If a district board wishes to exceed the limit under par. (b) otherwise applicable to the district in 2011 or 2012, it shall adopt a resolution supporting inclusion in the final district budget of an amount equal to the proposed excess levy. The resolution shall be filed as provided in s. 8.37. Within 10 days after adopting the resolution, the district board shall notify the board of the scheduled date of the referendum and submit a copy of the resolution to the board. The district board shall call a special referendum for the purpose of submitting the resolution to the

electors of the district for approval or rejection. In lieu of a special referendum, the district board may specify that the referendum be held at the next succeeding spring primary or election or ~~September~~ <sup>✓</sup> partisan primary or general election, if such election is to be held not sooner than 42 days after the filing of the resolution of the district board. The district board shall certify the results of the referendum to the board within 10 days after the referendum is held.

**History:** 1971 c. 154, 211; 1973 c. 61, 90; 1975 c. 39; 1977 c. 29 ss. 493, 1647 (13); 1977 c. 300 ss. 1, 8; 1977 c. 418 s. 918m; 1979 c. 34; 1981 c. 20; 2011 a. 32.



## Kuesel, Jeffery

---

**To:** Arrowood, Craig  
**Subject:** RE: LRBs0208 (ASA to AB-161) (Partisan primary date change and absentee voting)

Craig,

Just to confirm, we will change the date in s. 5.15 (4) (a), stats. from May 15 to April 10 (not April 1 as in the /1 draft) and we will change the date in s. 8.50 (intro.), stats. from September 1 to August 1 (not April 10 as in the /1 draft). Please have a page deliver the jacketed copies of the /1 draft to the LRB main desk to exchange for the revised copies. Thanks.

**Jeffery T. Kuesel**  
**Wisconsin Legislative Reference Bureau**  
**P.O. Box 2037**  
**Madison, WI 53701-2037**  
**(608) 266-6778**  
**Jeffery.Kuesel@legis.wisconsin.gov**

---

**From:** Arrowood, Craig  
**Sent:** Tuesday, October 18, 2011 9:22 AM  
**To:** Kuesel, Jeffery; Karls-Ruplinger, Jessica  
**Cc:** Bott, Eric; Karius, Bob; Tauchen, Gary  
**Subject:** FW: AB-161 and SB-116 (Partisan primary date change and absentee voting)

Jeffery,

Could you make the adjustments that are being recommended by the GAB to the purposed simple amendment. We should have the amendment ready to go for later this month.

Craig Arrowood

---

**From:** Kennedy, Kevin - GAB [<mailto:Kevin.Kennedy@Wisconsin.gov>]  
**Sent:** Monday, October 17, 2011 9:50 PM  
**To:** Arrowood, Craig; Karls-Ruplinger, Jessica; Robinson, Nathaniel E - GAB; Mueller, Kathryn - GAB  
**Cc:** Kuesel, Jeffery  
**Subject:** RE: AB-161 and SB-116 (Partisan primary date change and absentee voting)

Craig and Andrew,

Thank you for bringing the proposed technical changes to AB-161 and SB 115 to our attention. I have attached a short response to each proposed change. The G.A.B. generally agrees with all the changes with two exceptions. The exceptions are highlighted in yellow below and in the attachment. The most significant issue is with the proposed change to §8.50 (intro). It is not necessary. The date in the legislation is consistent with current law. If a special election is held after August 1 in an even-numbered year it must held concurrently with the general election and the primary, if required, must be held concurrently with the partisan primary. Under current law, that cutoff date is September 1. The bill moves the cutoff to August 1.

Kevin J. Kennedy  
Director and General Counsel  
Wisconsin Government Accountability Board  
608-266-8005  
[kevin.kennedy@wi.gov](mailto:kevin.kennedy@wi.gov)  
<< File: Additional technical changes to AB 161 SB 115.doc >>

---

**From:** Arrowood, Craig [<mailto:Craig.Arrowood@legis.wisconsin.gov>]  
**Sent:** Friday, October 14, 2011 1:21 PM

**To:** Karls-Ruplinger, Jessica - LEGIS; Kennedy, Kevin - GAB; Robinson, Nathaniel E - GAB  
**Subject:** FW: AB-161 and SB-116 (Partisan primary date change and absentee voting)

---

**From:** Kuesel, Jeffery  
**Sent:** Wednesday, August 17, 2011 11:32 AM  
**To:** Arrowood, Craig; Hanus, Andrew  
**Subject:** AB-161 and SB-116 (Partisan primary date change and absentee voting)

Craig and Andrew,

As you know, there remains one substantive disagreement between the houses on these bills.

These bills amend a number of statutes relating to public financing that have been repealed or amended by Act 32 (the biennial budget act). The bills should be updated to reflect Act 32.

In addition, I have noted some coordinating dates that should be reviewed in light of other changes in the latest substitute amendments and one new date created by Act 39 that should be reviewed. These dates are:

	<u>Statute</u>	<u>Subject</u>	<u>Date in bill</u>	<u>Suggested</u>
<u>change</u>				
1	5.15 (4) (a)	Ward updates to reflect state redistricting (Act 39)	none (current law May 15)	April
	5.62 (1) (b) 1.	Request for separate party ballot	May 1	April 1
	5.62 (2)	Petition for separate party ballot	May 1	April 1
15	8.17 (1) (b)	Districts for election of party committeemen/women	May 1	April
10	8.50 (intro.)	Last date for scheduling concurrent special election	August 1	April
15	8.50 (4) (fm)	Deadline for filling municipal judge vacancy	May 1	April
Tuesday in March	10.06 (1) (f)	GAB sends out type A notice	2nd Tuesday in April	3rd
Tuesday in April	10.06 (2) (gm)	County clerks send out type A notice	last Tuesday in April	1st
Tuesday in April	10.06 (2) (h)	County clerks publish type A notice	last Tuesday in April	2nd

***Jeffery T. Kuesel***

**Wisconsin Legislative Reference Bureau**

**P.O. Box 2037**

**Madison, WI 53701-2037**

**(608) 266-6778**

**Jeffery.Kuesel@legis.wisconsin.gov**

## Additional technical changes to AB-161/SB-115

§5.15 (4) (a) requires municipalities to make ward updates to reflect state redistricting (Act 39). There is no change in the proposed legislation. Current law requires the change to be made no later than May 15. The drafter proposes changing the date to April 1. The G.A.B. suggests April 10 so it does not interfere with the conduct of the spring election. The last possible date for the spring electing is April 7. April 10 precedes the first day for circulating nomination papers for the partisan primary.

§5.62 (1) (b) 1. establishes the deadline for a political party that qualifies for a separate ballot to submit its request before the partisan primary. The date in the bill is May 1. The drafter proposes changing the date to April 1. The G.A.B. agrees.

§5.62 (2) establishes the deadline for a political party to submit a petition for separate party ballot the partisan primary. The date in the bill is May 1. The drafter proposes changing the date to April 1. The G.A.B. agrees.

§8.17 (1) (b) establishes the deadline for determining the districts for election of party committeemen/women. The date in the bill is May 1. The drafter proposes changing the date to April 15. The G.A.B. agrees, but there is no real reason to change the date since it has no impact on the primary election. Party Committeepersons are selected at a meeting of the county party following the partisan primary.

§8.50 (intro.) provides that a special election may not be held after August 1 and before the general election unless it is held concurrently with the general election and the special primary is held concurrently with the partisan primary. This is not the last date for scheduling concurrent special election. The August 1 date in the legislation is consistent with current law and should not be changed.

§8.50 (4) (fm) permits scheduling a special election for filling municipal judge vacancy on the Tuesday following the first Monday in November if the vacancy occurs in time for the fall election cycle. The drafter proposes changing the date to April 15. The G.A.B. agrees.

§10.06 (1) (f) establishes the deadline for the G.A.B. to send the type A notice to county clerks. The drafter proposes changing the date to the 3rd Tuesday in March. The G.A.B. agrees.

§10.06 (2) (gm) establishes the deadline for County clerks send the type A notice to municipal clerks. The drafter proposes changing the date to the 1st Tuesday in April. The G.A.B. agrees.

10.06 (2) (h)	County clerks publish type A notice	last Tuesday in April	2nd
	Tuesday in April		