

No. 544, A.]

[Published June 30, 1921.]

CHAPTER 436.

AN ACT to amend subsection (4) of section 6.22, subsection (16) of section 6.23, sections 8.04, 8.05 and subsection (2) of section 17.21; to repeal sections 8.01, 8.02 and 8.03 and to create sections 8.01, 8.02 and 8.03 of the statutes, relating to judicial and school superintendent elections and to filling vacancies in judicial offices.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Subsection (4) of section 6.22, subsection (16) of section 6.23, sections 8.04, 8.05, and subsection (2) of section 17.21 are amended to read: (6.22) (4) The compensation to be paid for all publications pursuant to sections 6.21 and 6.22 shall be sixty cents per square for weekly papers, and one dollar per square for the first publication, and thirty-five cents per square for each subsequent publication in daily papers, but in cities of the third and fourth classes the total shall in no case exceed the sum hereafter specified, to wit: For a general election in weekly newspapers one hundred dollars, and in daily papers two hundred dollars; for a judicial and school superintendent election in weekly newspapers twenty-five dollars, and in daily newspapers fifty dollars; for municipal election in weekly newspapers fifty dollars; in daily newspapers one hundred dollars, which in each case shall cover all insertions required to be made; provided, that in cities of the first class and in counties containing more than two hundred thousand population the compensation for publishing all said notices shall be at the rate of one dollar per square for the first insertion, and seventy-five cents per square for the subsequent insertions. * * *

(6.23) (16) Ballots for judicial, school and city elections shall be printed upon the quality of white print paper hereinbefore specified, and shall be of sufficient size to afford space for the names of the several candidates for any office in the column under the proper office designation. The names of candidates for judicial offices and school superintendent * * * shall be printed on the same ballot in substantially the annexed form * * * marked "E." * * * Such ballots shall have similar matter printed on the back and outside as other official ballots are required to have.

8.04 When * * * two or more judges of the * * * *same* court are * * * to be elected on the same day * * * the notice * * * shall state the names of the judges whose successors are to be elected and the number of the branch * * * presided over by each. One ballot box shall be used and the official ballot shall contain the names of all candidates for such successions, shall state the number of judges to be elected and the number of candidates for whom each elector may vote, and shall designate each candidacy as "For Circuit Judge to succeed..... (Branch No.....)." Each elector may vote for one candidate for each branch *or judge* of the court required to be filled, and the person receiving the highest number of votes for * * * judge of either of such branches shall be declared elected.

8.05 Elections for justice, * * * judge * * * and *superintendent* shall be * * * *noticed*, held, * * * conducted and the results canvassed and returned in the same manner as * * * general elections. The ballots * * * shall be printed, furnished and distributed by the county clerks, at the expense of the county, as other * * * ballots * * * and so prepared as to indicate the candidates * * * to be voted for and the respective * * * office for which each is intended as a ballot, substantially in the form prescribed in *subsection (16) of section 6.23*. All votes given for any such officer shall be put in a ballot box, separate from that used for any other election on the same day. The polls of election for such officers shall open and close at the same time that the polls are opened and closed for the election of other officers who are voted for at the same time and place, or if no other officers are then being voted for they shall open and close at the same time at which they would be opened and closed, in the locality in which they are located, at any general election. Within a like time as prescribed for the county canvass after a general election, a board of county canvassers shall be convened, who shall canvass the statements received from the several polls in the county and make a statement thereof, and return the same * * * as at a general election, and they shall determine who * * * *are* elected to * * * *such* offices * * * *within the county, except for circuit judge*, and the county clerk shall give *to each such successful candidate* * * * a certificate * * * *of election*. The board of state canvassers shall be convened on or before the fifteenth day of May, to canvass the statements of votes received for justice,

* * * circuit judge, *or state superintendent* in like manner, and shall have the powers and perform the duties in relation thereto, so far as applicable, as prescribed in respect to the canvass for state officers. And all the provisions of law respecting the qualifications of voters, the conduct of elections and the canvass and return of votes at general elections, except as otherwise * * * provided, shall be applicable to elections held under this chapter.

(17.21) (2) In the office of county judge, or judge of a municipal, superior, district, civil or other special court created under the general law or by special act and with jurisdiction throughout the county, by appointment by the governor. Persons so appointed shall hold office until the first Monday of June next succeeding an election held as provided in section * * * 8.02 to fill such vacancy for the residue of the unexpired term. * * * In case an election cannot be held to fill such vacancy, because of the limitations of section * * * 8.02, the appointee shall hold office for the residue of the unexpired term.

“E”

BALLOT FOR JUDICIAL AND SCHOOL SUPERINTENDENT ELECTION

Mark with a cross (X) in the square □ at the right of the name of the candidate for whom you desire to vote, if it be there, or write any name that you wish to vote for in the proper place.

JUDICIAL OFFICERS	SCHOOL SUPERINTENDENT
<p>For Justice of the Supreme Court <i>Vote for One</i></p> <p>JOHN DOE, A Nonpartisan Judiciary.....□</p> <p>JOHN DOE, A Nonpartisan Judiciary.....□</p> <p>.....□</p>	<p>For State Superintendent <i>Vote for One</i></p> <p>JOHN DOE, A Nonpartisan Superintendency.....□</p> <p>JOHN DOE, A Nonpartisan Superintendency.....□</p> <p>.....□</p>
<p>For Circuit Judge..Judicial Circuit <i>Vote for One</i></p> <p>JOHN DOE, A Nonpartisan Judiciary.....□</p> <p>JOHN DOE, A Nonpartisan Judiciary.....□</p> <p>.....□</p>	<p>For County Superintendent <i>Vote for One</i></p> <p>JOHN DOE, A Nonpartisan Superintendency.....□</p> <p>JOHN DOE, A Nonpartisan Superintendency.....□</p> <p>.....□</p>
<p>For County Judge <i>Vote for One</i></p> <p>JOHN DOE, A Nonpartisan Judiciary.....□</p> <p>JOHN DOE, A Nonpartisan Judiciary.....□</p> <p>.....□</p>	
<p>For Judge <i>Vote for One</i></p> <p>JOHN DOE, A Nonpartisan Judiciary.....□</p> <p>JOHN DOE, A Nonpartisan Judiciary.....□</p> <p>.....□</p>	

JUDICIAL AND SCHOOL
SUPERINTENDENT

OFFICIAL BALLOT

For

.....Precinct,Ward.

City (Village or Town) of.....

....., 192....

.....

.....

Ballot Clerks.

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

.....

.....of Election.

.....

.....of Election.

I certify that the within ballot was marked by me
for a blind elector, at his request, and as directed by
him.

.....

SECTION 2. Sections 8.01, 8.02 and 8.03 of the statutes are repealed.

SECTION 3. Three new sections are added to the statutes to read: 8.01 In sections 8.02 to 8.05, inclusive, the word "justice" means a justice of the supreme court, "judge" means a judge of a circuit, county, superior, municipal, district or civil court and "superintendent" means the state superintendent of public instruction and a county or district superintendent of schools.

8.02 All regular elections for justice, judge or superintendent shall be held on the first Tuesday of April next prior to the expiration of the term. Election to fill a vacancy in the office of justice or judge shall not be held at the time of holding the regular election for the same office. In case of judge, such election

shall be held on the first succeeding Tuesday of April, and in case of justice on the first succeeding Tuesday of April when no other justice is elected. In either case, if the vacancy occur within forty days prior to the first Tuesday of April, the said vacancy shall not be filled until the judicial election of the next year.

8.03 The secretary of state shall give to county clerks at least twenty-five days' notice of the election of justice, judge, or superintendent, and the county clerk shall give not less than twenty days' notice of any such election to be held within his county.

SECTION 4. This act shall take effect upon passage and publication.

Approved June 27, 1921.

No. 578, A.]

[Published June 30, 1921.

CHAPTER 437.

AN ACT to submit to the people an amendment to the constitution.

WHEREAS, At the biennial session of the legislature of this state in the year 1919, an amendment to the constitution was proposed and agreed to by a majority of the members elected to each of the two houses; which proposed amendment was in the following language:

*“Resolved by the Assembly, the Senate concurring, That section 4 of article VI of the constitution be amended to read: (Article VI) Section 4. Sheriffs, coroners, registers of deeds, district attorneys, and all other county officers except judicial officers, shall be chosen by the electors of the respective counties once in every two years. Sheriffs shall hold no other office, and * * * may succeed themselves; they may be required by law to renew their security from time to time, and in default of giving such new security their office shall be deemed vacant; but the county shall never be made responsible for the acts of the sheriff. The governor may remove any officer in this section mentioned, giving to such a copy of the charges against him and an opportunity of being heard in his defense. All vacancies shall be filled by appointment, and the person appointed to fill a vacancy shall hold only for the unexpired portion of the term to which he shall be appointed and until his successor shall be elected and qualified.”*