

Chapter 666

AN ACT to repeal chapter 11; to renumber 12.59, 12.62, 12.66, 12.68, 12.69 and 60.07; to amend 12.69 (title) and 14.29 (10); to repeal and recreate chapters 5 to 10; and to create 12.01 (5), 12.45, 12.49, 12.59 (2), (3) and (4), 12.62 (2), 12.66 (2), 12.68 (2) and (3), 12.69 (2), (3), (4) and (5), 12.75, 60.07 (2) and 246.15 of the statutes, relating to elections.

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

SECTION 1. Chapters 5 to 10 of the statutes are repealed and recreated to read:

TITLE II  
ELECTIONS.  
CHAPTER 5.

GENERAL PROVISIONS, SCOPE, DEFINITIONS.

- 5.01 Scope.
- 5.02 Definitions.
- 5.03 Presidential Electors.
- 5.15 Division and Consolidation of Election Precincts.
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BALLOT FORM

- 5.51 General Provisions.
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5.01 SCOPE. (1) CONSTRUCTION OF TITLE II. Title II shall give effect to the will of the electors, if that can be ascertained from the proceedings, notwithstanding informality or failure to fully comply with some of its provisions.

(2) GENERAL PROVISIONS OF ELECTION LAWS APPLY. The general provisions of Title II apply to all elections.

(3) PLURALITY SHALL ELECT. In every election to choose any officer, each elector shall have one vote for each office unless clearly indicated

otherwise. The person receiving the greatest number of legal votes for the office shall be declared elected, and the canvassers shall so determine and certify.

(4) TIE VOTE. (a) If 2 or more candidates for the same office receive the greatest, but equal number of votes, the winner shall be chosen by lot in the presence of the election officials then present.

(b) If, in a primary, 2 or more candidates receive an equal but not the greatest number of votes so that only one of those candidates with equal votes may advance to the final election, the choice shall similarly be made by drawing lots.

(c) The candidates may, if all those tied for the same office are present, draw for themselves. Upon refusal or absence of any of the candidates, the election officials shall appoint a competent person to draw, and upon the results declare and certify the winner.

5.02 DEFINITIONS. In Title II, unless the context requires otherwise:

(1) (a) "Election" means all primaries and elections.

(b) "Primary" means a primary election.

(2) "Spring primary" means the nonpartisan primary held the first Tuesday in March to nominate candidates to be voted for at the spring election.

(3) "Spring election" means the election held on the first Tuesday in April to elect judicial, educational and municipal officers, nonpartisan county officers and delegates to each party's national convention required to be elected in that year.

(4) "September primary" means the primary held the 2nd Tuesday in September to nominate candidates to be voted for at the general election.

(5) "General election" means the election held in even-numbered years on the Tuesday after the first Monday in November to elect United States senators, representatives in congress, electors of president and vice president, state senators, members of the assembly, state officers and county officers other than supervisors and county executives required to be elected in that year.

(6) (a) "Special primary" means the primary held 4 weeks before the special election.

(b) "Special election" means any election, other than those described in subs. (2) to (5) to fill vacancies or for other designated purposes.

(7) (a) "Justice" means a justice of the supreme court.

(b) "Judge" means a judge of a circuit or county court.

(c) "State superintendent" means the state superintendent of public instruction.

(d) "Educational officer" means the state superintendent and school board members.

(8) "Precinct" means a town, village, city ward, or subdivisions therein as divided for the convenience of the electors. All electors within a precinct vote at the same polling place.

(9) (a) "Municipality" means city, town or village.

(b) "Governing body" means the city council, town board or village board, and also includes the municipal board of election commissioners insofar as the powers are given to them.

(c) "Municipal clerk" means the city clerk, town clerk, village clerk and the executive secretary of the city election commission and their authorized representatives. Where applicable, "municipal clerk" also includes the clerk of a school district.

(10) "County clerk" includes the executive secretary of the county board of election commissioners and their authorized representatives.

(11) "Polling place" means the actual location wherein the elector receives and marks his ballot. The electors of more than one precinct may vote at the same polling place.

**5.03 PRESIDENTIAL ELECTORS.** Although the names of the electors do not appear on the ballot and no reference is made to them, a vote for the president and vice president named on the ballot is a vote for the electors of the candidates by whose name the mark appears. Under Title II, all references to the presidential election, the marking of the ballot and the canvassing of votes for president, or for president and vice president, mean a vote for them through their pledged presidential electors.

**5.15 DIVISION AND CONSOLIDATION OF ELECTION PRECINCTS.** (1) Towns may be divided into 2 or more precincts when the supervisors determine it necessary for convenience. Division shall be made when 50 or more electors of the town petition the board, in writing, for division. Division shall not be made in towns of less than 50 sections of land unless there were 400 or more votes cast at the last general election.

(2) Precincts shall be divided when 600 or more votes are cast at any election, unless voting machines are used exclusively. Division boundaries shall keep precincts compact and contiguous. The number of electors per precinct shall be kept as near uniform as possible.

(3) Any division shall be made at least 4 months prior to the next general election, except under sub. (7).

(4) (a) The division order or resolution shall list the precincts by number and designate the polling place in each precinct.

(b) The resolution or order shall be filed with the proper municipal clerk, who shall transmit a copy to the county clerk within 5 days.

(5) When a town is divided into precincts, the annual town meeting and special town elections shall be held at the first precinct.

(6) (a) The governing body of a municipality may change the precinct boundaries of their town, village or wards without creating new ones and may consolidate 2 or more wards or precincts within the same municipality by filing a copy of the order or resolution under sub. (4). The change or consolidation must comply with the time and compactness provisions of subs. (2) and (3).

(b) At least 60 days before an election the proper officers of any municipality may unite 2 or more precincts or wards to facilitate using a voting machine. Notice shall be given in the same manner as other changes in precinct boundaries.

(7) When part of a town is annexed to a city or village, the town board, without regard to the time provisions of sub. (3), may redistrict the election precincts subject to the compactness provisions. A copy of the order or resolution shall be filed under sub. (4).

**5.18 COMPULSORY DIVISION INTO PRECINCTS.** (1) When division into precincts becomes imperative under s. 5.15 and the governing body obliged to act fails or refuses to do so, any elector of the municipality may apply to the proper circuit court or its presiding judge for an order compelling division. After reasonable notice to the governing body proceeded against, the court or judge may order division when it appears necessary.

(2) Failure to comply with the order in the specified time, unless stayed or superseded, is criminal contempt.

(3) Until divided, all elections are held in the established precincts.

**5.25 POLLING PLACES.** All elections under Title II shall be held at the polling places provided in this section. So far as practicable, the places chosen shall be public buildings.

(1) In 1st class cities, polling shall be at the places established by the board of election commissioners at any public schools and other public buildings which shall be made available without charge and at any fully or partially tax exempt nonsectarian private buildings offered without charge. In all other cities and villages, polling shall be at the places ordered by the governing body, at least 30 days before the election.

(2) In towns, polling shall be at the place where the last town meeting was held unless changed at that meeting or ordered by the supervisors under s. 60.07. The place for the annual town meeting held on the first Tuesday in April shall be similarly regulated.

**5.35 POLLING PLACE REQUIREMENTS.** (1) **NATIONAL FLAG.** On election days, every polling place shall properly display the national flag during all hours the polls are open.

(2) **VOTING BOOTHS.** There shall be one voting booth for every 100 electors who voted at the last general election. The booths shall be constructed at least 24 inches on a side, have a shelf to write on and be sufficiently enclosed to assure privacy for the elector and anyone lawfully assisting him while marking his ballot. The booths shall be placed apart from other activities in the polling place. Only the proper observers, election officials, and electors receiving, preparing or depositing their ballot shall be in the voting area.

(3) **BALLOT BOXES.** Where the voting procedure makes them necessary, there shall be a separate ballot box for each form of ballot at each polling place. There must be a suitable lock and key for each, and an opening no larger than is sufficient to receive a single folded ballot.

**5.37 VOTING MACHINE REQUIREMENTS.** (1) Voting machines shall give every elector a reasonable opportunity to vote for any person for any office and on any proposition he is entitled to vote on, assure privacy to the elector so no one will know how he is voting or has voted, preclude the electors from voting for persons or propositions upon which they are not entitled to vote and from voting more than once for the same office or on the same proposition. Voting machines shall be constructed to lock so they cannot be manipulated, tampered with, or show the number of votes registered for any candidate or proposition while voting is in progress. The machines shall provide a method for electors to vote a straight party ticket, shall permit voting a split ticket and shall record each vote cast.

(2) When 2 or more precincts or wards are joined to use a voting machine, under s. 5.15 (6) (b), the machine shall be constructed to allow the electors to vote for all nominated candidates and issues for their ward or precinct, but for no other.

(3) For presidential electors one device may be provided to vote for all of one party's electoral candidates at the same time. The device shall be opposite or adjacent to the ballot containing the names of the party's candidates for president and vice president.

(4) Voting machines may be used at primary elections when they comply with subs. (1) and (2) and the following provisions: All candidate's names entitled to appear on the ballots at the primary shall appear on the machine; the elector cannot vote for candidates of more than one party, whenever the restriction applies; the elector may secretly select the party for which he wishes to vote; the elector may vote for as many

candidates for each office as he is lawfully entitled to vote for, but no more.

(5) Polling places may have more than one voting machine. The voting machines shall be apart from other activities in the polling place with their exteriors in full view of the election officials. Only the proper observers, election officials and one elector at a time for each machine shall be in the voting area.

5.40 VOTING MACHINES SHALL BE USED. (1) The common council of every city and the trustees of every village with a population of 10,000 or more shall require the use of voting machines by the September 1966 primary. Any other municipal governing body may adopt and purchase voting machines for use in the various precincts.

(2) Only voting machines complying with s. 5.37 shall be used in any election in this state.

5.51 GENERAL PROVISIONS. (1) All ballots shall be of sufficient width and length to provide space for all matter required to be printed on them.

(2) The paper used for ballots shall be 35 pounds per ream for sheets 24 inches by 36 inches. If a different size sheet is used, the weight per ream shall be proportioned accordingly, but shall meet this standard.

(3) All ballot columns shall be separated by lines at least one-eighth inch in width.

(4) No pasters shall be placed on a ballot by election officials except under s. 7.35 (3). Any other pasters applied by them shall not be counted.

(5) Sample ballots shall be printed on a different color paper than the official ballots, and need not have the indorsement and certificate.

(6) All candidates names for the same office shall be printed on the ballot in the same size and style of type.

5.53 VOTING MACHINE BALLOTS. (1) The ballots shall be placed on or in the machine, under s. 5.64 and may be arranged in either vertical or horizontal rows.

(2) Where the provisions require separate ballots, the names or questions shall be placed in separate rows upon the machines so they are voted on separately.

5.55 BACKS OF BALLOTS. On the back and outside of every paper ballot shall be printed "Official ----- Ballot" or "Official ----- Ballot for -----." followed by the designation of the polling place for which the ballot has been prepared, the date of the election, and the official indorsement and blank certificates in substantially the following form:

OFFICIAL ----- BALLOT  
FOR  
----- Precinct, ----- Ward,  
City (Village or town) of -----  
-----, 19-----  
-----  
-----  
Ballot Clerks

Absent Elector's Ballot issued by

Municipal Clerk

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

\_\_\_\_\_ of Election.

\_\_\_\_\_ of Election.

I certify that the within ballot was marked by me at the request of an absentee elector incapable under the law of marking his own ballot and as directed by him.

\_\_\_\_\_  
Signature of officer authorized  
to administer oaths

\_\_\_\_\_  
Title

**5.58 SPRING PRIMARY BALLOTS.** At spring primary elections the following ballots, when necessary, shall be provided for each precinct. Only nonpartisan candidates nominated for office by nomination papers shall have their names placed on the official spring primary ballot under the proper office designation, but the ballots shall allow room for write-in candidates.

(1) **MUNICIPAL BALLOT.** There shall be a separate ballot for municipal primaries.

(a) For all cities, except 1st class cities, the official spring primary ballot shall be arranged by the city clerk under the applicable provisions of s. 5.60 (1) (b) 2.

(b) In 1st class cities, the arrangement shall be determined by drawing lots by or under the supervision of the executive secretary of the city election commission in his office at 2 p.m. the day after the deadline for filing nomination papers.

(c) Towns and villages holding a primary under s. 8.05 shall arrange the ballot in substantially the same form as provided in s. 5.60 (5) and (6) and annexed ballots 6A, 6B and 8 as appropriate.

(2) **JUDICIARY AND STATE SUPERINTENDENT.** (a) There shall be a separate ballot for state superintendent and judicial officers. In counties over 500,000 population the ballot also shall include those offices under s. 8.11 (2). The arrangement of names for state superintendent and judicial candidates for more than one county shall be determined by the secretary of state under s. 5.60. Arrangement of judicial candidates within a county shall be arranged by the county clerk under s. 5.60 or by the executive secretary of the county election commission with other offices under s. 8.11 (2) by drawing lots at 2 p.m. the day following the deadline for filing nomination papers. The drawing shall be by or under the supervision of the executive secretary or a member of the county election commission. The ballot shall be in substantially the same form as

annexed ballot "E" but titled, "Official Ballot for Judicial and State Superintendent Primary".

(b) The candidates for the offices shall be designated on the ballot as follows:

"For justice of the Supreme Court", "For State Superintendent", "For Circuit Judge Br. -----", "For County Judge Br. -----", and others as the situation requires.

(3) NAMES ON SPRING BALLOT. Only 2 candidates for state superintendent, for any judicial office, and in counties over 500,000 population only 2 candidates for a member of the county board of supervisors in each district, and twice as many candidates as are to be elected members of the board of school directors, the board of education or other elective officers receiving the highest number of votes at the primary shall be nominees for the office at the spring election and only their names shall appear on the official spring ballot.

5.60 SPRING ELECTION BALLOTS. At spring elections the following ballots, when necessary, shall be provided for each precinct.

(1) JUDICIARY AND SCHOOL. There shall be a separate ballot giving the names of all candidates for judicial offices and state superintendent printed in substantially the same form as annexed Ballot "E".

(a) The names of candidates for the same office shall be placed in the same column. No party designation shall appear on the official ballot.

(b) 1. The secretary of state shall certify the candidates' names and designate the official ballot arrangement in each assembly district for candidates for supreme court justice, circuit court judge when the circuit comprises more than one county and state superintendent. For justice and state superintendent, the secretary of state shall number the assembly districts consecutively by population, beginning with the most populous district. For circuit court judge, when the circuit comprises more than one county, the secretary of state shall likewise number the assembly districts or parts of districts within the circuit.

2. The candidates shall be certified within each numbered area. The area numbered "one" shall have all candidates for each office arranged alphabetically. The remaining areas shall then have the names certified through alphabetical rotation of the candidates' names for the office so that the candidate appearing first in the preceding numbered area will appear last and all other candidates names for the same office shall be moved up one position on the ballot. The rotation shall continue and be repeated as necessary until all the numbered areas have had all the candidates for the offices involved certified.

(c) The county clerk or board of election commissioners shall determine the official ballot order for judicial office candidates representing one county or less. The county clerk shall place all cities, villages and towns within the judicial district in alphabetical order, number all precincts within each, and arrange the names of all candidates by use of alphabetical rotation, under s. 5.60 (1) (b) 2. In counties over 500,000 population, the board of election commissioners shall arrange the names of all candidates in the order provided in par. (b).

(d) When 2 or more judges of the same court are to be elected, the official ballot shall contain the names of all candidates, shall state the number of judges to be elected and the number of candidates for whom each elector may vote. Each candidacy shall show the branch being filled.

(2) COUNTY BOARD, MILWAUKEE COUNTY. There shall be a separate ballot listing all county board candidates in counties having a population

of 500,000 or more. There shall be no party designation. Except for vacancies under s. 17.21 (5), the election shall be the same as for judicial officers elected in counties with less than 500,000 population.

(3) CITY. There shall be a separate ballot giving the names of all candidates for city and school offices, except under sub. (4), printed in substantially the same form as annexed ballot "B". City election ballots may vary in form to conform to the law under which an election is held.

(a) No party designation shall appear on the official ballot.

(b) The city clerk or executive secretary of the city election commission shall arrange the official city ballot under s. 5.62 (4).

(4) CITY SCHOOL. There shall be a separate ballot for city school officers when so required. Officers elected under s. 40.803 (1) (b) 1 may be placed on the same ballot as other city officers.

(5) VILLAGE. There shall be a separate ballot giving the names of all candidates for village offices.

(a) The offices to be filled shall be arranged on the official ballot in the order they are named in the statutes creating them. The candidates shall be arranged alphabetically within each office designation. Where there is more than one precinct, candidates shall be arranged by alphabetical rotation under s. 5.60 (1) (b) 2. Sufficient space shall be left under each office for write-in candidates.

(b) Only persons nominated under s. 8.05 shall be placed on the official ballots. If no nominations are made, the spaces for this office shall be left blank.

(6) TOWN. There shall be a separate ballot giving the names of all candidates for town offices, except the superintendent of highways, in substantially the same form as annexed Ballot 6A or 6B. Ballot 6A is for the election of one supervisor and 6B is for the election of the 2 supervisors jointly. On Ballot 6B all supervisor candidates shall be listed together and the voting instructions shall state "Vote for Two". Towns now electing their supervisors jointly shall continue to do so until the method outlined for Ballot 6A is adopted at the annual town meeting. Where there is more than one precinct, candidates shall be arranged by alphabetical rotation under s. 5.60 (1) (b) 2.

(7) TOWN PROPOSALS. There shall be a separate ballot setting forth all propositions requiring a vote in the form and manner provided by s. 5.64.

(8) PARTY NATIONAL CONVENTION. There shall be a separate ballot giving the names of all candidates for delegates to their party national convention, in presidential election years, in substantially the same form as annexed Ballot 9.

(a) The official ballots shall be securely fastened together at the bottom. There shall be as many separate tickets as there are authorized parties participating in the election. The tickets shall be arranged consecutively according to the votes each party received at the last gubernatorial election, with the party receiving the most votes placed on top.

(b) After drawing of lots by or under the supervision of the board of state canvassers, the ballots shall be divided into columns arranged from the left, with the names of uninstructed candidates printed at the right.

(c) The top of each column shall have the name of a candidate for president and the words "Candidate for President". Directly underneath shall be a circle for the elector to mark his preference for that candidate's

presidential electors. The column shall then list the delegate candidates committed to the presidential candidate at the top of the column.

(d) The names of candidates for delegates at large and district delegates favoring a presidential candidate shall be printed in that candidate's column. Candidates not favoring any particular candidate for president shall be printed in the uninstructed column. The order of the delegates' names within each column shall be alphabetical for the delegates at large and the district delegates.

(e) Voting for individual candidates shall not be permitted except for uninstructed delegates and the ballots shall provide squares for voting for individual candidates only after uninstructed delegates' names.

(9) REFERENDA BALLOT. The referenda ballot used at the spring election shall be the same as that used at the general election under s. 5.64 (2).

5.62 SEPTEMBER PRIMARY BALLOTS. At September primaries, where necessary, the following ballot shall be provided for each precinct, in substantially the same form as annexed Ballot 1.

(1) (a) There shall be an Australian ballot made up of the several party tickets with each party entitled to participate in the primary having its own ballot. The several ballots shall be secured together at the bottom. The party ballot of the party receiving the most votes for governor at the last general election shall be on top with the other parties arranged in an order based on their vote for governor at the last general election.

(b) Every political organization listed as independent and every recognized political party listed on the official ballot at the last election that received at least 1 per cent of the total votes cast for any state-wide office for which they had a candidate shall have a separate primary ballot and separate column on the general election ballot. The chairman and secretary of the organization which was "independent" at the last election shall certify to the secretary of state their party name, which shall not duplicate the name of an existing party.

(2) Any political organization may be represented by a separate ballot if, not later than June 1 in the year of a September primary, it files with the secretary of state a petition so requesting, signed either by electors equal to one-sixth of the total vote cast for governor in each of at least 10 counties at the last election or one-sixth of the electors in any senate, assembly or congressional district. When their candidates fulfill the nomination paper requirements, they shall appear on a separate ballot within the district or state.

(3) The secretary of state shall designate the official primary ballot arrangement for state offices by using the same procedure as for supreme court justice candidates under s. 5.60 (1) (b); congressional and state senate candidates by using the same procedure as for circuit court judges under s. 5.60 (1) (b) by numbering the assembly districts and parts of assembly districts within each congressional or senate district; and assembly candidates, when the district comprises more than one county, by similarly numbering and arranging by population the counties within an assembly district. The candidates shall then be listed by alphabetical rotation, under s. 5.60 (1) (b) 2.

(4) The county clerk or county board of election commissioners shall designate the official primary ballot arrangement for all candidates filing nomination papers in that office.

(a) The county clerk shall alphabetically arrange the towns, villages and cities in that order and under each shall list their wards and precincts in numerical order for each assembly district or part thereof. When

there is more than one assembly district, each shall be arranged separately by district and in the order of their number. Precincts in each senate district in the county shall be arranged the same way. Within a county the county clerk shall arrange the names of all candidates filing nomination papers with his office within each precinct within each assembly and senate district or part of a district by alphabetical rotation, under s. 5.60 (1) (b) 2 for each district. When the county comprises one or more state senate districts the same procedure shall be used.

(b) The county board of election commissioners in counties having a population of 500,000 or more shall prepare the official primary ballot as follows. Assembly candidates shall be arranged as under par. (a). State senate and county office candidates shall be arranged by consecutively listing the assembly districts within each senate district by population beginning with the most populous district as number 1. The commissioners shall then arrange the names of all candidates for each office for the first assembly district, and each succeeding district, by alphabetical rotation, under s. 5.60 (1) (b) 2.

5.64 GENERAL ELECTION BALLOTS. At general elections the following ballots, when necessary, shall be provided for each precinct.

(1) OFFICIAL BALLOT. There shall be a separate ballot giving the names of all candidates for state, congressional, legislative and county offices in substantially the same form as annexed Ballot "A".

(a) The ballot shall be labeled "Official Ballot" in lettering at least three-eighths of an inch high. Directly underneath in plain, legible type, shall be the following voting instructions: "If you desire to vote a straight party ticket for all state, congressional, legislative and county offices, place a cross (X) or other mark in the circle under the party designation at the top of the party column. If you desire to vote for individual candidates, place a cross (X) or other mark in the square to the right of each candidate you wish to vote for or write the name of your preference in the space provided."

(b) Below the voting instructions the ballot shall be divided into vertical columns. The regular party tickets nominated by conventions, constituted and authorized committees, or primaries, shall be printed each in a separate column under the party designation. The columns shall be arranged from left to right according to rank, with the party receiving the most votes in the last gubernatorial election placed first. To the right of the party columns shall be the necessary number of columns for independents.

(c) The party designation shall be printed at the top of each column and under it shall appear a circle at least three-eighths of an inch in diameter for electors wishing to vote a straight party ticket. Within each column only candidates nominated by the party designated at the head of the column shall appear.

(d) The offices shall be consecutively arranged vertically beginning at the top with state offices, then congressional offices, legislative offices and ending with county offices.

(e) Within each column, each space shall state the office to be voted for directly above the candidate's first and last name. The candidate's name shall be placed in the party column by which nominated or if independent, in a column designated independent and all candidates for the same office shall appear on or between the same horizontal lines on the ballot. To the right of each candidate's name, in each column, shall be a square for the elector to place his cross (X) or other mark.

(2) **REFERENDUM BALLOT.** There shall be a separate ballot when any proposed constitutional amendment or any other measure or question is submitted to a vote of the people. The ballot shall give a concise statement of each question in accordance with the act or resolution directing submission in substantially the same form as annexed Ballot "D". This ballot form shall be used at all elections when questions are submitted to a vote of the people.

(a) The ballot shall be titled "Official Referendum Ballot" in lettering at least three-eighths of an inch high. Directly underneath in plain, legible type shall be the following voting instructions: "If you desire to vote on any question, place a cross (X) or other mark in the square beneath the question after "yes" if in favor of the question, or place a cross (X) or other mark in the square after "no" if opposed to the question."

(b) Under voting instructions shall be the concise statement of the question submitted. Directly under each question shall appear the words "yes" and "no" with a square to the right of each word.

(c) In addition to the official referendum ballot described in pars. (a) and (b), there shall be the following official referendum ballots, substantially in the forms annexed.

1. Form D1 under ss. 67.05, 67.13 and 67.14.
2. Form D2 under s. 66.054 (5) (c).
3. Form D3 under s. 66.054 (5) (c).
4. Form D4 under s. 176.38 (3).
5. Form D5 under s. 8.05 (3) (f).

(3) **PRESIDENTIAL BALLOTS.** There shall be a separate ballot when the president and vice president of the United States are to be elected containing the names of all candidates for the offices in substantially the same form as annexed Ballot "C".

(a) The ballot shall be titled "Official Presidential Ballot" in lettering at least three-eighths of an inch high. Directly underneath in plain, legible type shall be the following voting instructions: "Place a cross (X) or other mark in the square opposite the name of the candidate for whose electors you desire to vote. Vote in ONE square only." The electors of the candidate need not be listed on the ballot but a vote for the candidates for president and vice president is a vote for them through their named presidential electors.

(b) The party candidates shall be arranged consecutively from top to bottom based on the number of votes received by their party's candidate for governor at the last election beginning with the party that received the most votes. The independent president-vice president candidates shall be listed alphabetically according to the presidential candidates, following under the party candidates.

**5.66 NUMBER OF BALLOTS.** (1) For local elections, where necessary, municipal clerks shall have sufficient ballots printed to assure all electors or voting machines a ballot. For all other elections the municipal clerks shall certify to their county clerk, on the first day of the month preceding the month in which the primary is held, the approximate number of electors in the district. The county clerk shall total these estimates and order a sufficient supply to assure ballots for every elector.

(2) A sufficient number of sample ballots shall be printed. Voting machine sample ballots shall be a reduced size diagram of the face of the voting machine with all candidates, issues and voting instructions as they will appear on the official ballot. The county clerk shall distribute the samples approximately as follows: 45 per cent shall be kept in the office and distributed to electors requesting them; 45 per cent shall be sent to

the municipalities for distribution to the electors; 10 per cent shall be sent to the polling places in proportion to the number certified in sub. (1) and made available to electors at the polls on election day.

5.68 COST OF ELECTIONS. (1) All costs for ballots, supplies, machines and any other material necessary in preparing or conducting any election shall be paid for by the governing body whose officer or commission is responsible under ch. 7 to provide them.

(2) When voting machines are used, the ballots for all county offices and offices higher than county level shall be printed and paid for by the county wherein used. When the voting machine ballot includes a school district ballot, that ballot shall be paid for by the municipality in the school district with the highest equalized valuation. When voting machine ballots include 2 or more levels of government, the cost of printing shall be prorated between the units of government sharing the ballot. Referenda ballots shall be similarly printed and paid for.

5.70 PRINTERS' FEES. (1) The county clerk shall award the printing of ballots to the lowest responsible bidder within the county upon the accepted bidder's filing with the clerk a bond in the penal sum of at least twice the amount of the accepted bid. The bond shall be signed by one or more sureties and conditioned upon the bidder's faithful performance of all conditions imposed on him by the clerk. The clerk shall keep all printing proposals in his office. The county clerk may reject all bids deemed excessive and contract for the printing outside the county.

(2) The city board of election commissioners in counties having a population of 500,000 or more may similarly provide for the printing of registry lists.

5.75 CORRECTING BALLOT ERRORS. Whenever an affidavit is filed by any elector alleging error or omission in the printing of the ballots, the proper circuit court or its presiding judge, by order, may summarily require a county or municipal clerk to correct the error, or show cause why it should not be corrected and, by order, after the hearing have the correction made.

## CHAPTER 6.

### THE ELECTORS.

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#### WHO MAY VOTE

6.02 QUALIFICATIONS, GENERAL. (1) Every United States citizen age 21 or older who has resided in this state for one year preceding any election and who has resided in an election district or precinct for 10 days before any election where he offers to vote is an eligible elector.

(2) Any United States citizen age 21 or older who has resided in this state for one year preceding any election, but who has not resided in the election district or precinct for 10 days preceding any election is entitled to vote in the election in the election district or precinct within this state where he was last a qualified elector.

(3) Any United States citizen age 21 or older who has resided in this state for one year preceding any election, but who moves within this state after registration closes shall vote at his old precinct if otherwise qualified, or he may vote in the new precinct if he can comply with the 10-day residence requirement at the new address and complies with s. 6.55.

6.03 DISQUALIFICATION OF ELECTORS. (1) The following persons shall not be allowed to vote in any election and any attempt to vote shall be rejected.

(a) Any person under guardianship, non compos mentis, or insane;

(b) Any person convicted of treason, felony or bribery, unless his civil rights are restored.

(2) No person shall be allowed to vote in any election in which he has made or become interested directly or indirectly, in any bet or wager depending upon the result of the election.

6.05 ELECTION DAY AGE DETERMINES ELECTOR'S RIGHTS. Any person who will be 21 years old on or before election day is entitled to vote if he complies with ch. 6.

**6.10 ELECTOR RESIDENCE.** Residence as a qualification for voting shall be governed by the following standards.

(1) The residence of a person is the place where his habitation is fixed, without any present intent to move, and to which, when absent, he intends to return.

(2) When a married man's family resides at one place and his business is conducted at another place, the former establishes the residence. If the family place is temporary or for transient purposes, it is not the residence.

(3) When an elector moves from one precinct to another or from one municipality to another within the state after the last registration day but at least 10 days before the election, he may vote in and be considered a resident of the new precinct where he resides upon changing his registration not later than 5 p.m. of the day before the election, under s. 6.55. If he does not change his address or if he moves within 10 days of an election, the elector shall vote in his old precinct if otherwise qualified to vote there.

(4) An unmarried person sleeping in one precinct and boarding in another has residence where he sleeps. An unmarried person in a transient vocation, a teacher or a student who boards at different places for part of the week, month or year, has his residence, if one of the places is with his parents, at the place of his parents unless through registration or similar act he elects to establish a residence elsewhere. If he has no parents and if he has not registered elsewhere, his residence shall be at the place where he considered his residence in preference to any other for at least 10 days before an election. If this place is within the municipality, he is entitled to all the privileges and subject to all the duties of other citizens having their residence there, including voting.

(5) A person shall not lose his residence when he leaves his home and goes into another state or county, town, village or ward of this state for temporary purposes with an intent to return.

(6) As prescribed in the constitution, no person loses his residence in this state while absent from this state on business for the United States or this state; and no member of the armed forces of the United States gains a residence in this state because he is stationed within this state.

(7) A guest at a national or a state soldiers' home in this state, a guest at a home for the aged supported by benevolence, or a patient of any county home or other charitable institution, resides in the municipality where the home is located and within the precinct where he sleeps, unless before becoming a guest at the home he elects to maintain his prior residence as his voting residence.

(8) No person gains a residence in any ward, town or village of this state while there for temporary purposes only.

(9) No person loses the right to vote at his place of residence while receiving public assistance or unemployment compensation even if the legal settlement for assistance is elsewhere.

(10) If a person moves to another state with an intent to make his permanent residence there, or, if while there he exercises his right as a citizen of that state by voting, he loses his Wisconsin residence.

(11) Neither an intent to acquire a new residence without removal, nor a removal without intent, shall affect residence.

**6.15 NEW RESIDENTS. (1) QUALIFICATIONS.** Any person who was or who would have been a qualified elector on the day of the presidential election had he remained in the state from which he moved and who is a qualified elector under ss. 6.02 and 6.03, except he has been a resident of this state for less than one year prior to the date of the presidential

election, is entitled to vote for the president and vice president but for no other offices.

(2) APPLICATION FOR BALLOT. Any person qualifying under sub. (1) need not register to vote, but shall apply for and cast his ballot as follows:

(a) The elector's request for the application form may be made to the proper municipal clerk either in person or in writing any time during the year in which his residence requirement is incomplete. The application form shall be returned to the municipal clerk after the affidavit has been signed in the presence of the clerk or any officer authorized by law to administer oaths. The affidavit shall be in substantially the following form:

STATE OF WISCONSIN }  
County of \_\_\_\_\_ } ss.

I, \_\_\_\_\_, do solemnly swear that I am a citizen of the United States; that prior to establishing Wisconsin residence, my legal residence was in the \_\_\_\_\_ precinct of the \_\_\_\_\_ ward of the (town) (village) (city) of \_\_\_\_\_, state of \_\_\_\_\_, and residing at \_\_\_\_\_ street; that on the day of the next presidential election, I shall be at least 21 years of age and that I have been a legal resident of the state of Wisconsin since \_\_\_\_\_, 19\_\_\_\_, residing at \_\_\_\_\_ street, in the \_\_\_\_\_ precinct of the \_\_\_\_\_ ward of the (town) (village) (city) of \_\_\_\_\_, county of \_\_\_\_\_; that I have resided in the precinct less than one year, and pursuant to section 6.15 of the Wisconsin statutes, that I am qualified to vote for president and vice president at the election to be held November \_\_\_\_\_, 19\_\_\_\_, and that I hereby make application for an official presidential ballot, subject to complying with section 6.15 (2) (b) and (c) of the Wisconsin statutes.

Subscribed and sworn to before me Signed \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_ P.O. Address \_\_\_\_\_

-----  
(Name)

-----  
(Title)

(b) The clerk shall enclose with the application form a card which the elector shall fill in and return with the application to the municipal clerk. The card shall state that he intends to vote for president and vice president in Wisconsin and that his voting privileges should be canceled at his previous residence. The card shall be in substantially the following form:

It is my intent to vote for president and vice president in Wisconsin, under section 6.15, Wisconsin Statutes. I hereby authorize the cancellation of my previous voting privileges at the following address:

-----  
(Street) (Town, village, city) (State)  
Signature \_\_\_\_\_  
Present address \_\_\_\_\_  
-----

(c) The municipal clerk upon receipt of the application form and voting privileges cancellation card shall immediately forward the card and a request for proof to the proper officials of the applicant's prior residence. The certificate of proof shall require the following information and be in substantially the following form:

CERTIFICATE OF PROOF OF MUNICIPAL OFFICIAL OF STATE OF  
FORMER RESIDENCE

State of \_\_\_\_\_ }  
County of \_\_\_\_\_ } ss.

Application No. \_\_\_\_\_

I, \_\_\_\_\_,  
(Name) (Official title)

of the \_\_\_\_\_ of \_\_\_\_\_, State of \_\_\_\_\_,  
(Town, village, city)

do hereby certify that \_\_\_\_\_ would have been qualified  
to vote at the presidential election to be held November \_\_\_\_\_, 19\_\_\_\_, in the  
named municipality, had said elector remained a resident of this state.

Dated \_\_\_\_\_, 19\_\_\_\_ Signed \_\_\_\_\_

(Name)

(Title)

(3) VOTING PROCEDURE. (a) If the certificate of proof required in sub.  
(2) is in order, the municipal clerk shall notify the applicant, in writing,  
of his eligibility and inform him that he may vote for the presidential  
electors not sooner than 15 nor later than one day before the election. The  
applicant, voting in person, shall mark the ballot in the clerk's presence  
in a manner that will not disclose his vote. The applicant shall fold the  
ballot so as to conceal his vote, deposit and seal it in an envelope furnished  
by the clerk, and execute the affidavit appearing thereon. The envelope shall  
on its face have the name and official title of the issuing clerk and on the  
other side an affidavit in substantially the following form:

STATE OF WISCONSIN }  
County of \_\_\_\_\_ } ss.

I, \_\_\_\_\_, do solemnly swear that I am a citizen of the United  
States, that on the day of the next election I shall be at least 21 years of  
age; that I am now a resident of the \_\_\_\_\_ precinct in the (town) (village)  
of \_\_\_\_\_, or of the \_\_\_\_\_ ward in the city of \_\_\_\_\_, residing at  
\_\_\_\_\_ in that municipality, county of \_\_\_\_\_, state of  
Wisconsin; that within one year from this date I shall establish permanent  
residency in Wisconsin; that immediately prior to my moving to this state  
I resided in the state of \_\_\_\_\_, county of \_\_\_\_\_, (city) (town)  
(village) of \_\_\_\_\_, where I was a qualified elector at the time of  
my moving (or) where I would have been qualified to vote in the next  
presidential election had I maintained my residency there.

Subscribed and sworn to before me \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ Signature of elector

\_\_\_\_\_  
Signature of municipal clerk

(b) The clerk shall enclose the envelope containing the ballot in a  
carrier envelope, securely seal it, and indorse it with his name, title and  
the words, "This envelope contains the vote for president and vice presi-  
dent of a new resident and shall be opened only at the polls during polling  
hours on election day." The clerk shall keep the envelope in his office until  
delivered by him to the inspectors, as provided in sub. (4).

(c) The clerk shall keep open to public inspection a list of all new residents who have voted under this section. The list shall give the name, address and application date of each elector.

(4) DELIVERY AND DEPOSIT OF BALLOTS. (a) Clerks holding new resident ballots shall deliver them to the election inspectors in the precincts where the new residents reside, as provided by s. 6.88 for absentee ballots.

(b) During polling hours, the inspectors shall open each carrier envelope so as not to tear the affidavit, announce the elector's name, check the affidavit for proper execution, and check the voting qualifications for the precinct.

(c) The inspector shall open the inner envelope without examination of the ballot other than is necessary to see that the issuing clerk has indorsed it.

(d) Upon satisfactory completion of the procedure under pars. (b) and (c) the inspector shall deposit the ballot in the ballot box, and enter the elector's name on the registry list with a notation that he is a new resident voting only in the presidential election.

(e) If the affidavit is insufficient, the elector is not a qualified elector in the precinct, or if the envelope is open or has been opened and resealed, the inspectors shall reject the vote. Rejected ballots shall be processed the same as rejected absentee ballots, under s. 6.88 (3) (b).

(5) CHALLENGE OF VOTE. Any new resident's vote may be challenged for cause, and the inspectors shall have the authority conferred by ss. 6.92 to 6.95 to inspect and determine the legality of the challenged votes.

(6) DEATH OF ELECTOR. When it appears by due proof to the inspectors that a person voting under this section has died before the date of the election, the inspectors shall return the ballot with defective ballots to the issuing official.

6.18 FORMER RESIDENTS. If ineligible to qualify as an elector in the state to which he has moved, any former qualified Wisconsin elector may vote an absentee ballot in the precinct of his prior residence in any presidential election occurring within 24 months after leaving Wisconsin by requesting an application form and returning it, properly executed, to the municipal clerk of his prior Wisconsin residence. When requesting an application form for an absentee ballot, the applicant shall specify his eligibility for only the presidential ballot. The application form shall require the following information and be in substantially the following form:

This blank shall be returned to the municipal clerk's office. Application must be received in sufficient time for ballots to be mailed and returned prior to any presidential election at which applicant wishes to vote. Complete all statements in full.

APPLICATION FOR PRESIDENTIAL ELECTOR'S  
ABSENT BALLOT

(To be voted at the Presidential Election on November \_\_, 19\_\_)

I, \_\_\_\_\_ hereby swear or affirm that I am a citizen of the United States and had been a legal resident of the State of Wisconsin one year, formerly residing at \_\_\_\_\_ in the \_\_\_\_\_ precinct \_\_\_\_ ward (city, town, village) of \_\_\_\_\_, County of \_\_\_\_\_ for ten days prior to leaving the State of Wisconsin.  
I, \_\_\_\_\_ do solemnly swear or affirm that I do not

qualify to register or vote under the laws of the State of \_\_\_\_\_  
 \_\_\_\_\_ (State you now reside in)  
 where I am presently residing. A citizen must be a resident of: State  
 \_\_\_\_\_ County \_\_\_\_\_ City, Town or Village  
 (Insert time) (Insert time)  
 \_\_\_\_\_, in order to be eligible to register or vote therein.  
 (Insert time)  
 I further swear or affirm that my legal residence was established in the  
 State of \_\_\_\_\_ on \_\_\_\_\_ Month \_\_\_\_\_  
 (the State where you now reside)  
 Day \_\_\_\_\_ Year.

Signed \_\_\_\_\_  
 Address \_\_\_\_\_  
 (Present address)

Subscribed and sworn to before me \_\_\_\_\_  
 this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ City State

Notary Public, or other officer authorized to administer oaths.

My Commission expires \_\_\_\_\_ County

**MAIL BALLOT TO:**

NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

*Penalties for Violations.* Whoever intentionally swears falsely to any absent elector affidavit is guilty of perjury and upon conviction shall be punished as provided by law. Whoever procures an official ballot and intentionally neglects or refuses to cast or return it or intentionally violates any provision of ss. 6.18 or 6.85 to 6.89 may be fined not to exceed \$100 or imprisoned in the county jail not to exceed 30 days or both. If any county or municipal clerk or any election official intentionally refuses or neglects to perform any of the duties prescribed by said sections, or violates any of the provisions, he may be fined not less than \$100 nor more than \$1,000 or imprisoned not to exceed 90 days or both.

\_\_\_\_\_  
 (Municipal Clerk)

\_\_\_\_\_  
 (Municipality)

**6.20 ABSENT ELECTORS.** (1) Any qualified elector of this state who registers where required, or who swears in his vote may vote by absentee ballot, under ss. 6.85 to 6.89.

(2) When by due proof it appears to the inspectors that a person voting under this section has died before the date of the election, they shall return the ballot with defective ballots to the issuing official. The casting of the ballot of a deceased elector does not invalidate the election.

**6.22 ABSENTEE VOTING FOR MILITARY ELECTORS.** (1) **DEFINITION.** In Title II, "military elector" means:

- (a) Members of the armed forces of the United States;
- (b) Members of the merchant marine of the United States;
- (c) Civilian employes of the United States and civilians officially

attached to the military serving outside the territorial limits of the United States;

(d) Spouses and dependents of those listed in the above categories residing with or accompanying them when living outside the territorial limits of the United States.

(2) APPLICATION. Whenever an application, affidavit or other act is required in ss. 6.86 to 6.89 any military elector may fulfill the requirements by subscribing or swearing before any person authorized to administer oaths.

(3) REGISTRATION EXEMPT. Military electors are not required to register as a prerequisite to voting in any election.

(4) The municipal clerk shall mail a ballot, as soon as available, to each military elector by or for whom a request has been made. The secretary of state shall prescribe the instructions for marking and returning ballots and the municipal clerk shall enclose instructions with each ballot and shall also enclose supplemental instructions for local elections. The envelope, return envelope or explanatory note shall not contain the name of any candidate appearing on the enclosed ballots other than that of the municipal clerk affixed in the fulfillment of his duties. The election material shall be printed and mailed to make use of the federal free postage laws.

(5) VOTING PROCEDURE. The ballot shall be marked, returned, deposited and recorded, the same as other absentee ballots. In addition, the affidavit under s. 6.87 (2) shall have a statement of the elector's birth date and that he has not returned another ballot. Failure to return the unused ballots in a primary election shall not invalidate the marked ballot.

(6) MILITARY ELECTOR LIST. Each municipal clerk shall keep an up-to-date list of all eligible local military electors; city clerks shall keep the lists by precincts. The list shall contain the name, latest-known military residence and military mailing address of each military elector. All persons over 21 years of age or who will be 21 years old prior to an election shall be listed and remain on the list for the duration of their tour of duty. The list shall be kept current through all possible means. Each clerk shall exercise reasonable care to avoid duplication of names or listing anyone who is not eligible to vote. Each clerk shall distribute 2 copies of the list to the appropriate precinct in the municipality for use on election day.

(7) EXTENSION OF PRIVILEGE. This section shall apply for 6 months after the date of honorable discharge from the armed forces or termination of services or employment of military electors. The extension shall not apply to spouses or dependents of military electors.

#### REGISTRATION

6.26 REGISTRARS. Where registration is applicable under s. 6.27, the municipal clerk or the board of election commissioners shall have control of elector registration within the municipality for which they are elected or appointed. They shall prepare, continue and revise the registry under this chapter.

6.27 WHERE ELECTOR REGISTRATION REQUIRED. (1) Every municipality over 5,000 population shall keep a registry of electors. Where used, registration applies to all primaries and elections.

(2) By ordinance, the governing body in municipalities with less than 5,000 population may require registration.

(3) Any municipality with less than 5,000 population and any municipality where a federal census has not yet determined the population may have registration by a referendum vote. The vote may be taken at the spring or general election whenever, at least 60 days before the election,

the electors file with the municipal clerk a petition requesting a referendum asking whether registration shall be required. The petition shall be signed by electors equal to 15 per cent of the votes cast for governor in the municipality in the last general election.

(4) (a) When registration is ordered or directed under sub. (2) or (3), it may be abolished by a referendum vote. The vote may be taken at the spring or general election whenever, at least 60 days before the election, the electors file a petition with the clerk requesting a referendum, signed by electors equal to 15 per cent of the votes cast for governor in the municipality in the last general election.

(b) Notice shall be given as for municipal elections.

(5) (a) Whenever registration is established or abolished, under sub. (2), (3) or (4), the municipal clerk shall immediately certify the action to the county clerk and the secretary of state.

(b) The election pamphlet prepared by the secretary of state shall carry a list of all the municipalities that have acted under this section.

**6.28 WHEN TO REGISTER.** (1) Registration for any election shall close at 5 p.m. on the 3rd Wednesday preceding the election in cities having a population of 200,000 or more, and at 5 p.m. on the 2nd Wednesday preceding the election in other municipalities. In 1st class cities, all applications for registry corrections and additions may be made during office hours throughout the year at the office of the city board of election commissioners or other locations provided by the board with common council approval. In other municipalities, all applications for registration may be made to the clerk of the municipality during office hours throughout the year at the office of the clerk or other locations provided.

(2) At the first election held after registration is required or adopted, any qualified elector may register at the polls the day of the election and vote in the election being conducted. Registration shall be by the regular election officials, or, in the discretion of the municipal governing body, by a special registration deputy appointed by the municipal clerk for each precinct.

**6.30 HOW TO REGISTER.** (1) **IN PERSON.** Registration applications shall be made in person, except under subs. (2) and (3). Each elector shall sign an original affidavit and, except in 1st class cities, a duplicate.

(2) **WHEN CONFINED.** Registration affidavits for qualified electors may be completed at the home or institution where an elector is confined because of physical illness or infirmity. The affidavit shall be made in the presence of the municipal clerk.

(3) **WHEN ABSENT.** Any elector more than 50 miles from his legal voting residence may register before the close of registration for any election as follows:

(a) He shall secure the necessary blank registration affidavits and instructions for their completion from the municipal clerk.

(b) He shall appear before any person authorized to administer oaths with the completed and signed original and duplicate registration affidavit and shall swear to the truth of their contents. The person administering the oath shall sign his name on the line for the signature of the registration official.

(c) The original affidavit and one duplicate shall be returned to the clerk of the municipality. To be eligible to vote in that election the affidavit shall be received no later than the close of the clerk's office on the registration deadline date prior to the election.

**6.33 REGISTRATION FORMS.** (1) The municipal clerk shall supply sufficient registration affidavit forms printed on loose-leaf sheets or cards



(3) The information may be recorded by any person, but the elector applicant shall sign his own name or make a mark.

**6.35 FILING REGISTRATION CARDS.** (1) Under the direction of the municipal clerk, the original affidavit cards shall be filed by precincts. Within each precinct the cards shall be filed in a logical order to facilitate their use in preparing the registry lists.

(2) Duplicate affidavits shall be filed in alphabetical order for the entire municipality without regard to precincts.

(3) Registration affidavits shall be kept on file in the office of the municipal clerk. When the original affidavits are used on election day, they shall be returned to the clerk within 2 days after the election.

**6.36 OFFICIAL REGISTRY.** (1) The municipal clerk shall compile a registry for use in each precinct following the precinct arrangement for registration affidavits under s. 6.35 (1).

(2) The registry lists shall contain the full name and address of each registered elector, a blank column for the entry of the serial numbers of the electors when they vote, blank space to enter the names of electors who vote by affidavit, and a form of certificate stating each list is a true and complete combined check and registry list of the respective precincts.

(3) Municipalities shall prepare at least 2 copies of the registry for each precinct and bind them in book form. The original affidavits constitute the official registry and shall be controlling whenever discrepancies occur.

**6.40 TRANSFERRING REGISTRATION.** (1) **ELECTOR INITIATIVE.**

(a) *Within municipality.* Any registered elector shall transfer his registration after a change of residence within the municipality by appearing in person or by mailing to the municipal clerk a signed request stating his present address, that this will be his residence for 10 days prior to the election and the address where last registered. The new address, precinct and ward shall be recorded on the registration cards after striking through the old information. The cards shall be filed in the proper precinct.

(b) *Within state.* Any elector who changes his residence within this state from one municipality to another shall give his previous residence upon application for registration at his new residence and shall sign an authorization to cancel his voting privileges at his former residence on a form substantially as follows:

I hereby give notice of my registering to vote at the following address -----, Wisconsin,  
(Street), (City, town, village)  
and direct that my voting privileges be canceled at -----,  
(Street)  
-----  
(City, town, village), (State).  
Signature -----  
Present address -----

The cancellation authorization forms shall be forwarded to the proper election officials within 3 days after the close of registration.

(2) **CLERK'S INITIATIVE.** Municipal clerks may transfer any elector's registration upon receipt of reliable information that the elector has changed his residence. The clerk shall mail the elector a form notice of the transfer.

(3) **REGISTRATION CARDS.** Each elector voting by affidavit shall fill out a registration card and return it to the clerk before a certificate shall be issued under s. 6.55 (2) (b). If still qualified, the names from the cards shall be added to subsequent registry lists.

**6.45 REGISTRY LISTS PUBLIC.** After the deadline for revision of the registry lists, the municipal clerk shall make copies for election use. All registry lists shall at all times be open to public inspection. Under the regulations prescribed by the municipal clerk, an elector may copy the registry list.

**6.48 CHALLENGING REGISTRATION. (1) MUNICIPALITIES.**

(a) Any elector of the municipality may challenge the registration of any registered elector by submitting to the clerk an affidavit stating the elector is not qualified to vote and the reasons therefor. The clerk, upon receipt of the affidavit, shall mail a notification of the challenge to the challenged elector, at his registered address.

(b) The challenged elector shall appear before the municipal clerk within one week of notification or arrange under sub. (2) in 1st class cities to appear before the full board. He shall make an affidavit answering the pertinent questions under s. 6.92 and any other questions necessary to establish his qualifications. Judgment rests with the municipal clerk and decisions shall be rendered as soon as heard. If the clerk cannot resolve the issue or has reservations as to the answers, he may require the challenged elector to take the oath under s. 6.94. If the clerk determines the person is not qualified, the name shall be stricken from the registry and the proper precinct officials notified.

(c) If the challenged elector fails to appear before the municipal clerk within one week or in 1st class cities fails to appear before the full board under sub. (2) to answer questions and take the oath required of challenged persons, the same as at an election, the clerk shall cancel his registration and make the necessary change in the registry list.

**(2) CITIES OF THE 1ST CLASS.** (a) In 1st class cities objections may be made before the board of election commissioners which shall sit on the last Wednesday before each election from 9 a.m. to 12 noon and from 2 p.m. to 5 p.m. to hear objections then made or deferred under sub. (1). If all the objections cannot then be determined, the commissioners shall sit during the same hours the next day.

(b) Objectors appearing in person may be further examined, under oath, by the commissioners and additional testimony taken. Judgment rests with the board and decisions shall be rendered as soon as heard. All cases are heard and decided summarily. The commissioners shall determine whether the person objected to is qualified. The board may require naturalized applicants to show their naturalization certificates. If they determine a person is not qualified, the name shall be stricken from the registry and the proper precinct officials notified of the change immediately.

**6.50 REVISION OF REGISTRY. (1) CITY OF MILWAUKEE.** In any city over 500,000 population the municipal clerk, prior to each election, shall revise and correct the registry prepared by him by:

(a) Striking the name of any person who has died, moved from the precinct where registered, adopted a new name, or who under s. 6.48 has been found to be ineligible to vote in the precinct at the next election. Whenever a name is stricken from the registry, the reason for striking shall be stated on the registry list next to the stricken name. The registration card, stating the reason for striking the registration, shall be kept for a period of 4 years in a separate index and then may be destroyed.

(b) Entering on the proper precinct list the name of every elector entitled to vote in that precinct at the next election who either files a registration card properly filled in and sworn to before the municipal clerk under s. 6.33 or who qualifies for reinstatement.

(c) Submitting all applications for registration received by the board to the chief of police for verification of the statements contained therein. The police department shall also report to the board the names of registered electors who have died or moved from the precinct.

(2) MUNICIPALITIES. In any municipality of 500,000 or under in population, the municipal clerk shall revise and correct registration records as follows:

(a) Following every presidential election, the clerk shall examine the registration records and cancel the registration of any elector who has not voted within the previous 2 years after mailing a notice to the elector in substantially the following form:

**NOTICE OF SUSPENSION OF REGISTRATION**

You are hereby notified that your registration will be canceled, according to state law, for failure to vote within the previous 2-year period, unless you apply for reinstatement within 30 days. You may reinstate your registration by signing the statement below and returning it to this office or by applying in person.

**APPLICATION FOR REINSTATEMENT OF REGISTRATION**

I hereby certify that I still reside at the address from which I am registered and apply for reinstatement of registration.

Signed \_\_\_\_\_,  
Present address \_\_\_\_\_

(b) The clerk shall cancel the registration of all notified electors who have not applied for reinstatement within 30 days. The registration affidavit of all reinstated electors shall show the date of reinstatement. Any canceled elector may register again by making a new application for registration.

(c) Upon receipt of reliable information that a registered elector has moved from the municipality, the clerk shall notify the elector by mailing a notice to the elector's registration address stating the source of the information. If the elector fails to apply for continuation of registration within 30 days, his registration shall be canceled.

(d) At least once a month the clerk shall secure from the local register of vital statistics a list of all persons over 21 years of age who have died. The list of deceased persons shall be compared with the registration lists and the registration of all deceased electors shall be canceled.

(e) The clerk, upon authorization by the elector, shall cancel the elector's registration.

(f) When an elector's registration is canceled the clerk shall make an entry upon the original and duplicate affidavits of registration, giving the date, cause of cancellation, and the initials of the person making the cancellation. The original canceled affidavit shall be filed in the office of the clerk for 4 years after which it may be destroyed.

(g) The municipal clerk shall enter on the proper precinct list the name of every elector entitled to vote in that precinct at the next election who files a registration card properly filled in and sworn to before him under s. 6.33.

**6.55 FAILURE TO REGISTER; RIGHTS.** (1) Registry lists shall be final and no names shall be added after the close of registration, but

any person whose name is not on the registry but who is otherwise a qualified elector is entitled to vote at the election upon compliance with this section.

(2) (a) Any qualified elector in the precinct where he desires to vote who has not previously filed a registration card or whose name does not appear on the registry list shall be entitled to vote at the election if he delivers to the municipal clerk a properly executed registration card with an affidavit sworn to by him, or if he cannot obtain a registration card, he shall list all the information required on the registration card. The registration card or the listing of required information shall be substantiated by the affidavit of 2 freeholders, electors in the precinct, corroborating all the material statements therein. The signing of the affidavits by the freeholders and the elector's signature shall be done in the presence of the municipal clerk not later than 5 p.m. of the day before an election. All affidavits shall be sworn to before an officer authorized to administer oaths.

(b) Upon the filing of the affidavits and registration card required by this section, the municipal clerk shall issue a certificate addressed to the inspectors of the proper precinct directing that the elector be permitted to cast his ballot. The certificate shall be numbered serially, prepared in duplicate and one copy preserved in the office of the municipal clerk.

(c) The elector, at the time he requests the ballot, shall deliver to the inspectors the certificate issued under par. (b).

(d) The inspectors shall keep a list of the names and residences of the electors voting whose names are not on the registry list, attach the list to the registry and return it, together with all the certificates, to the municipal clerk. These names shall then be added to the registry if they are qualified at the time of revision.

(e) Upon his own initiative the municipal clerk may, or, upon petition of 5 qualified electors, the municipal clerk shall refer any affidavit filed under this section to the local police department for verification.

(f) No affidavit shall be made on the day the polls are open.

(3) No compensation shall be paid or received for taking or certifying any affidavit, under sub. (2). A freeholder may not corroborate more than 5 elector affidavits at any one election.

#### 6.56 REGISTRY LIST FOR SCHOOL AND SPECIAL ELECTIONS.

The registry list used at the last preceding general or municipal election plus a supplementary list may be used for school or special elections. Before issuing the supplementary list the municipal clerk shall add the newly registered electors and strike the names of those electors known to have died or become disqualified since the last preceding registration.

### VOTING

6.76 TIME OFF FOR VOTING. (1) Any person entitled to vote at an election is entitled to absent himself from work while the polls are open for a period not to exceed 3 successive hours to vote. The elector shall notify his employer before election day of his intended absence. The employer may designate the time of day for the absence.

(2) No penalty, other than a deduction for time lost, may be imposed upon him by his employer by reason of the absence.

(3) This section includes all political subdivisions of the state and their employes, but shall not affect the employes' right to holidays presently existing or established in the future.

**6.77 PLACE FOR VOTING.** (1) Electors shall vote only in the polling place provided by the governing body.

(2) Whenever territory is annexed to any municipality, the electors who would have been entitled to vote in the territory had no annexation taken place shall vote under s. 6.28 (2) in the municipality to which the territory is annexed.

**6.78 POLL HOURS.** The polls at any election shall be open:

(1) In 1st, 2nd and 3rd class cities, from 7 a.m. until 8 p.m.

(2) In 4th class cities, villages and towns, from 9 a.m. until 5:30 p.m.; extendable by the governing body to not earlier than 7 a.m. nor later than 8 p.m. Notice of the change of hours shall be given by publication in a newspaper, under ch. 985, once each week for 2 successive weeks, with the first insertion not less than 8 days before the election. The new hours shall take effect only after the notice provisions have been complied with. When the ordinance applies to all future elections, notice need be given only for the first election affected by the change.

(3) Any elector waiting his turn to vote, whether within the polling booth or in the line outside the booth at the time the polls officially close, shall be permitted to vote.

**6.79 RECORDING ELECTORS.** Two election officials at each election precinct shall be in charge of and shall maintain 2 separate lists of all persons voting.

(1) **MUNICIPALITIES WITHOUT REGISTRATION.** Where there is no registration, before receiving his ballot, each person shall state his full name and address which shall be recorded in the same order the votes are cast. If the residence of the elector does not have a number, the clerks shall, in the appropriate space, write "none".

(2) **MUNICIPALITIES WITH REGISTRATION.** Where there is registration, each person, before receiving his voting number, shall state his address and full name. Upon the prepared registry list, after the name of each elector, shall be entered the serial number of his vote as it is polled, beginning with number one. Each elector shall receive a slip bearing the same serial number.

(3) **REFUSAL TO GIVE NAME.** If any elector offering to vote at any poll refuses to give his name and address, he shall not receive a ballot.

(4) **VOTING BY AFFIDAVIT.** When any person offering to vote has taken the oath or presents affidavits under s. 6.55, his name shall be placed on the list and following the person's name shall be added the word "Sworn".

**6.80 MECHANICS OF VOTING.** (1) **VOTING BOOTH USE.** Except when assistance is required to mark a ballot, only one person at a time shall be permitted to occupy a voting booth.

(2) **METHOD OF VOTING.** (a) Upon receiving his ballot and without leaving the polling place, the elector shall enter an unoccupied voting booth alone to mark his ballot. An elector may use or copy an unofficial sample ballot which may be marked in advance of his entering the polling place, but he shall not use or bring into the polling place any ballot printed upon paper of the quality required for official ballots.

(b) After preparing his ballot, the elector shall fold it so its face will be concealed and so the ballot clerk's printed indorsement and initials may be seen.

(c) Any elector who, by accident or mistake, spoils or erroneously prepares his ballot may receive another, by returning the defective ballot, but not to exceed 3 ballots in all.

(d) After folding the completed ballot, the elector shall publicly and in person deliver the official ballot to one of the inspectors at the polling place where he offers to vote. The inspector receiving the ballot, without opening it or permitting it to be opened or examined, shall deposit it in the ballot box in the elector's presence.

(e) In primary elections or for delegates to the national conventions, after the elector prepares his ballot he shall detach the remaining ballots, fold both the completed ballot and the ballots to be discarded, personally deposit the ballots to be discarded in the separate ballot box marked "blank ballot box", and deliver the completed ballot as in par. (d). The inspectors shall keep the blank ballot box locked until the canvass is completed and shall dispose of the blank ballots as prescribed by the municipal clerk.

(3) TIME IN BOOTH. (a) Each elector shall be allowed a reasonable time to vote. Unless otherwise specified for that election, a majority of the inspectors shall determine the time each elector shall have to mark his ballot, taking into consideration the size of the ballot and the number of electors in line waiting to vote. In no case shall the time be less than one minute. If there are electors in line waiting to vote, the time shall not exceed 5 minutes.

(b) If an elector refuses to leave the booth or machine after being notified by one of the inspectors that his time has expired, he shall be removed by the inspectors.

6.82 ASSISTING ELECTORS. (1) RECEIPT OF BALLOT AT DOOR. (a) When any precinct inspectors are informed that an elector is at the door who is unable to enter the polling place without assistance, they may appoint 2 of their number to take an official ballot to the entrance, present it to the physically disabled person and assist in marking the ballot if the elector desires assistance. The 2 persons chosen to assist shall not be of the same political party. When the ballot is marked it shall be folded and immediately taken into the polling place. The inspector shall distinctly announce that he has "a ballot offered by \_\_\_\_\_ (stating person's name), an elector physically disabled from entering the room without assistance." He shall then ask, "Does any one object to the reception of this ballot?" If no objection is made, the ballot shall be deposited in the ballot box and a notation made on the registry book: "Ballot received at the door."

(b) If objection to receiving the ballot is made by any qualified elector present, the inspectors shall decide upon the objection, and if they find the objection has merit shall destroy the ballot. If the objection is overruled, the ballot shall be deposited. If the ballot is destroyed, the inspectors shall immediately notify the elector of such fact.

(2) AID IN MARKING BALLOT. (a) If an elector declares to the presiding election official that he cannot read or write, or that due to physical disability, he is unable to mark his ballot, he shall be informed that he may have assistance. When assistance is requested, 2 election officials shall be selected by the elector to assist him in marking his ballot. The 2 persons chosen to assist shall not be of the same political party. The selected officials shall certify on the back of the ballot that it was marked with their assistance but shall not disclose to anyone how the elector voted.

(b) If the elector is totally blind or his vision is so impaired that he cannot read the ballot, he may be assisted by any qualified elector of his own choice from within the county where the precinct is located. The person chosen shall enter the booth with the elector and shall read to him the names of all candidates on the ballot for each office, and ask him, "For which one do you vote?". The ballot shall be marked according to

his expressed preference. The person selected to assist shall not disclose to anyone how the elector voted.

(c) The presiding official at the election may require the elector to make a declaration of disability under oath, and he may administer the oath. Intoxication shall not be regarded as a physical disability.

(d) An election official shall enter upon the registry list after the name of any elector who had assistance in marking his ballot the word "assisted".

(e) The provisions of this section also apply to referendum ballots.

VOTING ABSENTEE

6.85 ABSENT ELECTOR; DEFINITION. An absent elector is any otherwise qualified elector who is or expects to be absent from the municipality in which he is a qualified elector on election day whether by reason of active service in the United States armed forces or for any other reason, or who because of sickness, physical disability or religious reasons cannot appear at the polling place in his precinct. Any otherwise qualified elector who changes his residence within this state after registration closes but who fails to change his registration may vote an absentee ballot in the precinct where qualified to vote before moving. Any elector qualifying under this section may vote by absentee ballot under ss. 6.86 to 6.89.

6.86 APPLICATION FOR ABSENTEE BALLOT. Any elector, qualifying under ss. 6.20 (1) and 6.85 as an absent elector may apply to the municipal clerk for his official ballot either in writing or in person. If application is made in writing, the application, signed by the elector, shall be received no sooner than the first of the month 3 months before the election nor after 5 p.m. on the Friday immediately preceding the election. If application is made in person the application shall not be made sooner than the first of the month 3 months before the month of the election nor later than 5 p.m. on the day preceding the election.

6.87 ABSENT VOTING PROCEDURE. (1) Upon request, within the time requirements of s. 6.86, the municipal clerk shall write on the official ballot, in the space for official indorsement, his initials and his official title.

(2) The municipal clerk shall place the ballot in an unsealed envelope furnished by him. The envelope shall have the name, official title and post-office address of the clerk upon its face. The other side of the envelope shall have a printed certificate-affidavit in substantially the following form:

STATE OF \_\_\_\_\_ }  
County of \_\_\_\_\_ } ss.

I, \_\_\_\_\_, (certify) (do solemnly swear) subject to the penalties of ch. 12, Wis. Stats. for false statements that I am a resident of the \_\_\_\_\_ precinct of the (town) (village) of \_\_\_\_\_, or of the \_\_\_\_\_ ward in the city of \_\_\_\_\_, residing at \_\_\_\_\_ in said city, the county of \_\_\_\_\_, state of Wisconsin, and am entitled to vote in the precinct at the election to be held on \_\_\_\_\_; that I cannot appear at the polling place in the precinct on election day because I expect to be absent from the municipality or because of sickness, physical disability, religious reasons, or because I have changed my residence within the state within 20 days before the election but have not changed my registration. I (certify) (swear) that I exhibited the enclosed ballot unmarked to the (2 witnesses) (person administering the oath), that I then in (their) (his) presence and in the presence of no other person marked the ballot and enclosed and sealed the same in this envelope in such a

manner that no one but myself and assistance rendered under s. 6.87 (5), Wisconsin Statutes, if I requested assistance, could know how I voted.

Signed -----

The (2 witnesses) (person administering the oath) shall execute either of the following as appropriate:

We the undersigned witnesses, qualified electors of the state of Wisconsin, subject to the penalties of ch. 12, Wis. Stats. for false statements certify that the above statements are true and the voting procedure was executed as there stated. Neither of us is a candidate for any office on the enclosed ballot. The elector was not solicited or advised by us to vote for or against any candidate or measure.

Subscribed and sworn to before me this ----- day of -----, A.D., -----, and I hereby certify that I am not a candidate on the ballot upon which the affiant voted, that the voting procedure above was executed as therein stated, and that the affiant was not solicited or advised by me to vote for or against any candidate or measure.

-----  
(name)

-----  
(name)

-----  
(address)

-----  
(title)

-----  
(name)

-----  
(address)

(3) The municipal clerk shall mail it postage prepaid to the elector's residence unless otherwise directed, or shall deliver it to the elector personally at the clerk's office.

(4) The elector voting absentee shall either make and subscribe to the affidavit before a person authorized to administer oaths or make and subscribe to the certification before 2 witnesses. The absent elector, in the presence of the administrator of the oath or witnesses, shall mark the ballot in a manner that will not disclose how the ballot is marked. The elector shall then, still in the presence of the administrator of the oath or the 2 witnesses, fold the ballots so each is separate and conceals the markings thereon and deposit them in the proper envelope, but may receive assistance under sub. (5). The unused ballots shall be placed in the envelope for unused ballots and deposited with the voted ballot in the return envelope, which shall then be sealed. The witnesses or the official oath administrator shall not be a candidate. The envelope shall be mailed by the elector, postage prepaid, or delivered in person, to the municipal clerk issuing the ballot.

(5) If a person requests assistance, an officer authorized to administer oaths shall assist an absentee elector who is unable to read, or who by reason of physical disability is unable to mark his ballot, and shall then sign his name to a certification on the back of the ballot, substantially as under s. 5.55.

(6) The ballot shall be returned so it is received by the municipal clerk in time for delivery to the polls before the closing hour. Any ballot not mailed or delivered as provided in this section shall not be counted.

(7) Any candidate who administers the oath or serves as a witness shall be penalized by the discounting of a number of votes for his candidacy equal to the number of certificate-affidavit envelopes bearing his signature.

(8) The provisions of this section which prohibit candidates from assisting or administering the oath to absentee electors shall not apply to the municipal clerk in the performance of his official duties.

**6.88 VOTING AND RECORDING THE ABSENTEE BALLOT.**

(1) When an absentee ballot arrives at the office of the municipal clerk, the clerk shall enclose it, unopened, in a carrier envelope which shall be securely sealed and indorsed with the name and official title of the clerk, and the words "This envelope contains an absent, sick or disabled elector's ballot and must be opened at the polls during polling hours on election day." The clerk shall keep the ballot in his office until delivered by him, as required in sub. (2).

(2) When an absentee ballot is received by the municipal clerk prior to the delivery of the official ballots to the election officials of the precinct in which the elector resides, the ballot envelope, sealed in the carrier envelope, shall be enclosed in the package and delivered to the election inspectors of the proper precinct. When the official ballots for the precinct have been delivered to the election officials before the receipt of an absentee ballot, the clerk shall immediately enclose the envelope containing the absentee ballot in a carrier envelope as under sub. (1) and deliver it in person to the proper election officials if the delivery does not create an expense to the municipality or the school district.

(3) (a) Any time between the opening and closing of the polls on election day, the precinct election inspectors shall open the carrier envelope only, and announce the absent elector's name. When the inspectors find that the certification or affidavit has been properly executed, the applicant is a qualified elector of the precinct, and the applicant has not voted in the election, they shall open the envelope containing the ballot in a manner so as not to deface or destroy the affidavit or certification thereon. The inspectors shall take out the ballots without unfolding them or permitting them to be unfolded or examined and, after verification that the ballots have been indorsed by the issuing clerk, deposit them in the proper ballot boxes and enter the absent elector's name or voting number after his name on the registry list the same as if he had been present and voted in person.

(b) When the affidavit or certification is found to be insufficient, the applicant is not a qualified elector in the precinct, the ballot envelope is open or has been opened and resealed, the ballot envelope contains more than one ballot of any one kind, the ballot does not contain the initials of the clerk of the issuing municipality, or if due proof appears to the inspector that an absentee elector has since died, the vote shall not be accepted or counted. Every ballot not counted shall be indorsed on the back, "rejected (giving the reason)." Each rejected ballot shall be reinserted into the affidavit envelope in which it was delivered and the affidavit envelopes and ballots shall be enclosed and securely sealed in an envelope marked for rejected absentee ballots. The inspectors shall indorse the envelope, "defective ballots" with a statement of the precinct and date of the election, signed by the inspectors and returned to the same official in the same manner as official ballots voted at the election.

(c) All absentee certificate-affidavit envelopes which have been opened and the ballots deposited in the ballot boxes shall also be returned in a carrier envelope which is clearly marked "used absentee certificate-affidavit envelopes" and returned to the official who issued the absentee ballots.

**6.89 ABSENT ELECTORS LIST PUBLIC.** The municipal clerk shall keep a list of all electors who make application for an absent elector's

ballot and who have voted under the absent elector provisions giving the name, address and date of application. The list shall be open to public inspection.

#### CHALLENGING ELECTORS

6.92 CHALLENGING THE ELECTOR IN PERSON. Each inspector shall and any elector of the county may challenge for cause any person offering to vote whom he knows or suspects is not a qualified elector. If a person is challenged as unqualified, one of the inspectors shall administer the following oath or affirmation to him: "You do solemnly swear (or affirm) that you will fully and truly answer all questions put to you regarding your place of residence and qualifications as an elector of this election"; and shall then ask those of the following questions which are appropriate to test his qualifications:

(1) If challenged as unqualified on the ground that he is not a citizen: Are you a citizen of the United States?

(2) If challenged as unqualified on the ground that he has not resided in this state for one year immediately preceding the election:

(a) How long have you resided in this state immediately preceding this election?

(b) Have you been absent from this state within the year immediately preceding this election? If yes, then—

(c) When you left, did you leave for a temporary purpose, with the intent of returning, or for the purpose of remaining away?

(d) What state or territory did you regard as your home while absent?

(e) Did you, while absent, vote in any other state or territory?

(3) If challenged as unqualified on the ground that he is not a resident of the precinct where he offers his vote:

(a) When did you last come into this precinct?

(b) Did you come for a temporary purpose only, or for the purpose of making it your home?

(c) Did you come into this precinct for the purpose of voting here?

(d) Have you now and have you had for the last 10 days a voting residence in this precinct? If so, what is the particular description, name and location of your residence?

(e) If the answer to par. (d) is no, then: Have you moved from the precinct after the close of registration?

(f) Have you registered to vote at this election at any other place within or outside this state?

(g) Have you applied for an absentee ballot at any place in this or any other state?

(h) If single, do you board for part of the week, month or year with your parents?

(i) If you have no parents, or are self-supporting, have you registered to vote in this precinct?

(j) Will you file your next income tax return with the assessor of incomes for this county as a resident of this precinct?

(4) If challenged as unqualified on the ground that he is not 21 years of age: Are you 21 years of age to the best of your knowledge and belief?

(5) If challenged as unqualified on the ground that he has made or become directly or indirectly interested in any bet or wager depending upon the result of the election:

(a) Have you made, in any manner, any bet or wager depending upon the result of this election, or on the election of any person for whom votes may be cast at the election?

(b) Are you in any manner, directly or indirectly, interested in any bet or wager depending in any way upon the result of this election?

(6) If challenged as unqualified on the ground that he has been convicted of treason, felony or bribery and not been subsequently restored to civil rights:

(a) Have you ever been tried or convicted in this state of any crime? If yes, then—

(b) Of what crime, when and in what court were you so convicted?

(c) Have you in any manner since the conviction been restored to civil rights, and if yes, how?

(7) If challenged as unqualified on the ground that he has been engaged, directly or indirectly, in a duel, either as principal or accessory:

(a) Have you ever been engaged in any duel, directly or indirectly, either as principal or as a 2nd, or in counseling or aiding either principal or 2nd in a duel? And if yes, then—

(b) When and where, and had you before that time been an inhabitant of this state?

(8) The inspectors, or one of them, shall ask the challenged person any other or further questions to test his qualifications as an elector at the election.

**6.93 CHALLENGING THE ABSENT ELECTOR.** The vote of any absent elector may be challenged for cause and the inspectors of election shall have all the power and authority given them to hear and determine the legality of the ballot the same as if the ballot had been voted in person.

**6.94 CHALLENGED ELECTOR OATH.** If the person challenged refuses to answer fully any relevant questions put to him, the inspectors shall reject his vote. If the challenge is not withdrawn after the person offering to vote has answered the questions, one of the inspectors shall administer to him the following oath or affirmation: "You do solemnly swear (or affirm,) that: you are 21 years of age; you are a citizen of the United States; you have resided in this state one year preceding the election; you are now and for 10 days have been a resident of this precinct except under s. 6.02 (3); you have not voted at this election; you have not made any bet or wager or become directly or indirectly interested in any bet or wager depending upon the result of this election; you are not on any other ground disqualified to vote at this election." If the person challenged refuses to take the oath or affirmation, his vote shall be rejected. If the person takes the oath or affirmation and fulfills the registration requirements, when applicable, his vote shall be received.

**6.95 MARKING CHALLENGED ELECTOR BALLOT.** Whenever the inspectors under ss. 6.92 to 6.94 decide to receive the vote of a person offering to vote who has been challenged, before depositing the ballot they shall write on the back of the ballot the number of the challenged person corresponding to the tally sheet or voting list number kept at the election. When the inspectors similarly decide to receive the vote of a challenged person offering to vote where voting machines are used, his vote shall be received only upon an absentee ballot furnished by the municipal clerk which shall similarly have the corresponding number from the tally sheet or voting list printed on the back of the ballot before the ballot is deposited.

CHAPTER 7.

ELECTION OFFICIALS, BOARDS, OBSERVERS;  
SELECTION AND DUTIES, CANVASSING.

SELECTION AND DUTIES

- 7.03 Compensation of Election Officers.
- 7.08 Secretary of State.
- 7.10 County Clerks.
- 7.11 Menominee County; Town Elections.
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CANVASS OF RETURNS AND CERTIFICATION

- 7.50 Elector Intent.
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- 7.70 State Canvass.
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7.03 COMPENSATION OF ELECTION OFFICIALS. A reasonable compensation of not less than \$5 per day shall be paid to each election clerk, ballot clerk, inspector, voting machine custodian, member of a board of canvassers and messenger employed and performing duties under this title. The amount of compensation shall be fixed by the appropriate governing body. The secretary of state shall fix the amount to be paid any person employed to perform duties for the state and charge the expenditures to the appropriation of the hiring official or board.

7.08 SECRETARY OF STATE. In addition to his duties for ballot arrangement under ch. 5 and date and notice requirements under ch. 10, the secretary of state shall:

(1) ELECTION FORMS, BLANKS, VOTING APPARATUS. (a) Prepare all official ballot forms necessary under this title and revise the official ballot forms to harmonize with legislation and the current official status of the political parties whenever necessary. Samples of the official ballots shall be published with this title for public use and distribution and the prescribed forms shall be substantially followed in all elections under this title.

(b) Prepare and provide the necessary blanks to make the canvass, returns, statements and tally sheet statements for all state, congressional, legislative and county elections whether general, special or judicial, and all materials as he deems necessary. The blanks shall contain the necessary certificates of the inspectors and canvassers with notes explaining

their use and statutory basis. Blanks for use at the September primary shall be forwarded to the county clerks not later than the 2nd Friday in August. Blanks for the general election shall be forwarded to the county clerks not later than the 2nd Friday in October. The secretary of state is required to furnish only the standard form tally sheet statement to any city or county.

(c) With the approval of the attorney general, promulgate rules for the administration of the statutory requirements for voting machines and any other voting apparatus which may be introduced in this state for use at elections. He may obtain assistance from competent persons to check the machines and apparatus and approve for use those meeting the statutory requirements and shall establish reasonable compensation for persons performing duties under this subsection.

(2) **CERTIFIED LISTS.** (a) As soon as possible after the closing date for filing nomination papers or after the canvass of the primary vote, but no later than the deadlines established in s. 10.06 transmit to each county clerk a certified list of all candidates on file in his office for which electors in that county may vote. The list shall designate the order of arrangement and contain each candidate's name in any combination of initials or familiar and common abbreviations for the first and middle names plus the last name, but no nicknames or titles; his residence and post-office address; the office for which he is a candidate; and, the party or principle he represents, if any. Names of candidates nominated under s. 7.38 (3) or 8.35 shall be certified by the secretary of state upon filing of the necessary papers with him.

(b) The certified list of candidates for president and vice president nominated at a national convention by a party entitled to a September primary ballot or for whom electors have been nominated under s. 8.20 shall be sent as soon as possible after the closing date for filing nomination papers, but no later than the deadlines established in s. 10.06.

(3) **ELECTION MANUAL.** Prepare and publish separate from the election laws an election manual explaining the duties of the election officials and the qualifications and privileges of electors, together with notes and references to the statutes as he deems advisable. The manual shall be furnished free to election officials and others in such manner as he deems most likely to promote the public welfare.

(4) **QUESTION REFERRAL.** Refer any questions submitted under s. 7.10 (4) or 7.15 (8) to the attorney general or department of administration for official determination.

**7.10 COUNTY CLERKS.** (1) **ELECTION SUPPLIES AND BALLOTS.** (a) Each county clerk shall provide printed ballots for every election in his county for all offices of county level or above. The official and sample ballots shall be printed in substantially the same form as those annexed to ch. 5.

(b) The county clerk shall supply sufficient registry list blanks for municipalities that do not have elector registration and other election supplies. The registry list blanks shall contain the forms for the official oaths of the election officials. The registry list blanks and other election supplies shall be enclosed in the sealed package containing the official ballots and delivered to the municipal clerk for each precinct.

(c) With county board approval any county clerk may purchase or print the official forms of nomination papers for distribution to any person at cost or free.

(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 secretary of state. Names certified by the secretary of state shall be arranged in the order certified. The county clerk shall place the names of all candidates filed in his office or certified to him by the secretary of state on the proper ballots under the appropriate office and party titles.

(3) **TIME SCHEDULE.** (a) The county clerk shall distribute the ballots to the municipal clerks 3 weeks before any primary or general election. He shall distribute the ballots for the spring election so they are received by the municipal clerks at least 10 days before the election. Election blanks prepared by the secretary of state shall be distributed at the same time.

(b) The county clerk shall distribute an adequate supply of separately wrapped official ballots to each municipal clerk so the municipal clerk may supply ballots to absent elector applicants. The remaining ballots shall be sent in separately sealed packages clearly designating the precinct for which each is intended and the approximate number of ballots of each kind enclosed.

(4) **RESOLVING NOTICE DOUBTS.** When in doubt as to compliance with the statutory requirements for election notices or the correct fees to be paid for them, the county clerk may consult the secretary of state.

**7.11 MENOMINEE COUNTY; TOWN ELECTIONS.** The clerk shall prepare a ballot distinguishing between supervisors elected at large and by precinct in any county having only one town with a part of the board members elected by precincts.

**7.15 MUNICIPAL CLERKS. (1) SUPERVISE REGISTRATION AND ELECTIONS.** Each municipal clerk has charge and supervision of elections and registration in the municipality. He shall perform the following duties and any others which may be necessary to properly conduct elections or registration:

(a) Equip polling places.

(b) Provide for the purchase and maintenance of election equipment.

(c) Provide ballots and other supplies for conducting elections. Materials received from the county clerk shall be delivered with the ballots before the polls open.

(d) Prepare the necessary notices and publications in connection with the conduct of elections or registrations.

(e) Instruct election officials in their duties, calling them together whenever advisable, and inspect systematically and thoroughly the conduct of elections in the municipality so that elections are honestly, efficiently and uniformly conducted.

(f) May discharge an election official for improper conduct or wilful neglect of duties.

(g) Report suspected election frauds, irregularities or violations of which he has knowledge to the district attorney.

(h) Review, examine and certify the sufficiency and validity of petitions and nomination papers.

(i) Direct how and when to destroy the contents of the blank ballot boxes and unused election materials.

**(2) MUNICIPAL ELECTION DUTIES.** (a) In municipal elections, the municipal clerks shall perform the duties prescribed for county clerks by s. 7.10.

(b) Cities over 500,000 population may print their own official and sample ballots. The ballots shall be printed so they are ready at least 2 days before the election.

(c) With the consent of the county clerk, municipalities may print their own ballots whenever voting machines are used in nonpartisan elections where both local and judicial candidates appear on the ballot. This paragraph does not apply to cities under par. (b).

(d) Whenever by ordinance or resolution the governing body of any municipality submits any question, ordinance or proposed recall from office to a vote of the electors, the municipal clerk shall issue a call for the election and prepare and distribute ballots as required in the authorization of submission. The ballot shall conform to s. 5.64 (2). If there is already an official ballot for the election, the question, ordinance or recall may be printed at the bottom of the ballot.

(3) VOTING MACHINE DUTIES. (a) Where voting machines are used, the municipal clerk shall provide at least 2 duplicate sample ballots for each voting precinct in diagram form showing the front of the machine as it will appear in the voting booths on election day.

(b) Machine and sample ballots shall be furnished to the precinct officials at least one day before the election.

(4) RECORDING ELECTORS. After each election where registration other than permanent registration is used, the municipal clerk shall make a record of each elector who has voted at the election by stamping or writing the date of the election in the appropriate space on the original registration affidavit of the elector.

(5) RECORD OF BALLOTS RECEIVED. Each municipal clerk shall keep a record of when and in what condition the packages containing the ballots were received from the county clerk. The municipal clerk shall deliver to the proper officials the unopened packages of ballots the day before the election.

(6) SUBSTITUTE BALLOTS. The municipal clerk shall provide substitute ballots in substantially the form of the original ballots whenever the necessary original ballots are not delivered to the municipality, are destroyed, are lost or stolen after delivery, are not ready for distribution or the supply is exhausted during polling hours. Upon receiving the substitute ballots accompanied by a statement made under oath by the municipal clerk that the ballots have been prepared and furnished by him to replace the original ballots which are not available, the election officials shall use the substitute ballots the same as if originals.

(7) REQUEST CANVASS ASSISTANCE. The municipal clerk may request all election officials to assist the inspectors in canvassing the votes received at the respective polling places.

(8) RESOLVING NOTICE DOUBTS. When in doubt as to compliance with the statutory requirements for election notices or the correct fees to be paid for them, the municipal clerk may consult the secretary of state.

7.20 BOARD OF ELECTION COMMISSIONERS. (1) A municipal board of election commissioners and a county board of election commissioners shall be established in every city and county over 500,000 population.

(2) Each board shall consist of 3 members, each member being chosen from lists of at least 3 names each, selected and approved jointly by each party's county statutory committee and the county voluntary committee of the 2 parties receiving the most votes for governor in the last general election. The county executive for the county election board, and the mayor for the city election board, shall select from the lists 2 persons from the majority party and one person from the next highest party.

(3) The persons chosen shall be qualified electors and residents of the state and county and, for the city election board, of the city.

(4) Before beginning their duties as election commissioners each appointee shall take and file the official oath.

(5) Each board shall choose its own chairman. An act of a majority of the board is an act of the board.

(6) The election commissioners shall not hold any other public office and are ineligible for any appointive or elective public office, except the office of notary public, during their term.

(7) The term of office shall be 4 years, and until successors have been commissioned and qualified, beginning on July 1 each year following a presidential election. Successors shall be appointed the same way.

**7.21 ELECTION COMMISSIONERS, DUTIES AND REGULATIONS.** (1) All duties and provisions of Title II for elections assigned to the municipal or county clerk, the municipal or county board of canvassers, or the municipal or county governing body shall be carried out by the proper election board or its executive secretary, unless specially retained or assigned in this section or s. 7.22.

(2) The board may hire an executive secretary who shall perform whatever duties the board assigns to him. The common council for cities and the county board for counties shall determine the salary. If the same person serves as executive secretary for both a city and county election board, he shall receive only one salary, the city and county each paying half. Appointment and removal shall be subject to civil service standards.

(3) The election board is authorized to employ additional clerical assistants to carry out their necessary duties. Their salaries shall be fixed by the governing body of the municipality or county.

(4) The election board may procure a seal to authenticate official papers and documents.

(5) The city council and county board shall provide office space in the city hall and county courthouse, respectively, pay all the necessary expenses, co-operate with the board, provide storage space for the election equipment and supplies and assist with the moving and conducting of the elections as necessary.

**7.22 MUNICIPAL ELECTION BOARD.** (1) The common council shall determine the salaries of the election commissioners and shall include sufficient funds in its budget to allow the municipal election board to fulfill its duties.

(2) All expenses shall be paid upon order of the election board, signed by the chairman and executive secretary and countersigned by the city comptroller. The orders, made payable to persons in whose favor issued, shall be the vouchers for the city treasurer for the payment of the orders.

(3) The election board shall prepare and furnish copies of all registrations, books, maps, instructions and blanks pertaining to the rules for registration and conducting elections for the use and guidance of the election officials.

(4) The election board shall compile and publish a biennial report, containing election statistics and returns of all primaries and elections held within their city and county. Copies of the same shall be distributed to persons in such quantities as the board deems proper.

(5) The chief of police shall station at least one policeman at each polling place for every election.

**7.23 DESTRUCTION OF ELECTION MATERIALS.** (1) All materials and supplies associated with an election, except as provided in sub. (2), may be destroyed according to the following schedule:

(a) Any unused materials after an election and the contents of the blank ballot box after a primary may be destroyed at a time and in a manner designated by the appropriate clerk.

(b) Voting machine recorders essential for proper operation of the voting machine may be reactivated 14 days after the primary.

(c) Canceled registration cards may be destroyed after 4 years.

(d) Financial statements may be destroyed after 6 years.

(e) All other materials and supplies associated with an election may be destroyed 90 days after the election.

(2) If any contest of the election is pending at the expiration of the time, the relevant material shall not be destroyed until the contest is finally determined. In all contested election cases, the contesting parties shall have the right to have the ballots opened and to have all errors of the inspectors, either in counting or refusing to count any ballot, corrected by the court or body trying the contest. The ballots shall be opened only in open court or in open session of the body and in the presence of the official having custody over them.

**7.25 VOTING MACHINE OFFICIALS DUTIES.** (1) The municipal clerk of each municipality in which voting machines are used is responsible for the proper ballot being placed on each machine, the sample ballots, setting, adjusting, and putting the machine in order to use in voting when delivered to the precinct. For the purpose of labeling, setting, adjusting and putting the voting machines in order, one or more competent voting machine custodians may be employed.

(2) Under the direction of the municipal clerk, the custodian shall label, set, adjust, put in order and deliver the machines with all necessary furniture and appliances to the rooms where the election will be held in each precinct at least one hour before the time set for opening the polls on election day.

(3) In preparing a voting machine for an election according to the directions furnished, the custodian shall arrange the machine and ballot so both will meet all the requirements for voting and counting the election in the manner provided for in machine construction.

(4) When a voting machine is properly prepared for an election and delivered to the election precinct, it shall be locked and sealed against any movement and the officials or governing body shall provide proper protection to prevent tampering with the machines. The custodians preparing the machines shall deliver the keys for the machines to the municipal clerk together with a written report of each machine's condition.

(5) Before an election each election official serving at a polling place where voting machines are used shall be instructed in their use and their duties in connection with them by the municipal clerk who shall call as many meetings to give instructions to the election officials as are necessary. Each election official who is qualified to perform his duties shall receive at least \$1 for each meeting at which he received instructions and shall be paid in the same manner and at the same time as are those who serve on election day. Any person who does not understand the machines shall not be paid nor be allowed to serve.

(6) (a) Where voting machines are used, the election officials for each precinct shall meet at their proper polling place at least 15 minutes before the time set for opening of the polls to arrange the voting machines and furniture to properly conduct the election.

(b) Before opening the polls, they shall compare the ballot labels on the machines with the sample ballots furnished to insure that the names, numbers and letters thereon agree; examine the seal on each machine to see that it has not been broken; and examine the counter on each machine to see that each registers 000. If any counter on any machine does not register 000, the counter number and the number showing on the counter shall be recorded, signed by all the election officials and a copy conspicuously posted at the polling place during polling hours.

(c) After the inspection under par. (b), on the blanks furnished, they shall certify the condition of each voting machine and its counters. Each form shall be signed by each election official. After the election, one copy of each machine's certification shall be delivered with each copy of the election returns.

**7.30 INSPECTORS, CLERKS, TABULATORS. (1) NUMBER.** There shall be 3 inspectors, 2 election clerks, and 2 ballot clerks at each polling place at each election held under Title II. Where voting machines are used, the ballot clerks shall be dispensed with, and, if more than one voting machine is used, additional inspectors may be appointed from the predominant party at the preceding general election. Election clerks are not required in municipalities with an election board in counties over 500,000 population.

**(2) QUALIFICATIONS AND PROCEDURE. (a)** Each inspector and clerk shall be a qualified elector in the precinct, but election officials serving more than one precinct or when necessary to fill a vacancy under par. (b) need not be a resident of the precinct. They shall be able to read and write the English language, be capable, be of good understanding, and shall not be a candidate, other than for ward or precinct committeeman, to be voted for at that election. In 1st class cities they shall hold no public office other than notary public. All officials shall be affiliated with one of the 2 political parties which received the largest number of votes for president, or governor in nonpresidential general election years, in the precinct at the last election. The party which received the largest number of votes shall be entitled to 2 inspectors, one clerk and one ballot clerk for each precinct. The party receiving the next largest number of votes shall be entitled to one inspector, one clerk and one ballot clerk for each precinct.

(b) When a vacancy occurs, the appointment shall be filled by the municipal clerk from the remaining names on the submitted lists or from names submitted by the county party committee. If the vacancy is due to the candidacy, sickness or from any other cause, the appointment shall be a temporary appointment and effective only for that election. The same qualifications shall be required, but vacancies may be filled in cases of emergency or because of time limitations by a person from an adjoining ward so the proper balance of party representation is maintained.

(c) The governing body of any municipality may require all persons named on the party lists for election officials to prove their ability to read and write English and to have a general knowledge of the election laws. Examinations may be given to prove the qualifications can be met.

**(3) TABULATORS. (a)** Not less than 30 days before any election the governing body of any municipality, by resolution, may authorize the municipal clerk to select tabulators at a compensation fixed by the governing body.

(b) The tabulators shall assist and be under the direction of the election inspectors after the close of the polls.

(4) **APPOINTMENTS.** (a) Except in cities where there is a board of election commissioners, the mayor, president or chairman of each municipality shall nominate to the governing body at their first regular meeting in February of each odd-numbered year the necessary election officials for each election precinct. If no regular meeting is scheduled, he shall call a special meeting for the purpose on the last Tuesday in February.

(b) The 2 dominant parties, under sub. (2), are each responsible for submitting a list of names from which the appointees shall be chosen.

1. In cities where there is a board of election commissioners, the elected ward committeemen of each of the 2 dominant parties shall submit a certified list containing the names of at least 5 times as many electors as there are voting precincts in a ward. The board of election commissioners shall appoint, during February of odd-numbered years, three-fifths of the list as inspectors and two-fifths as ballot clerks giving the first choices and alternates for each.

2. In municipalities other than 1st and 2nd class cities the party committees shall submit a list containing at least twice as many names as there are needed appointees from that party. The lists in 2nd class cities need not contain twice the number of names as appointees. The lists shall be submitted through the ward or town chairman of the 2 regular party committees to their county, city, ward or precinct committee to the mayor, president or chairman of the municipality. Only those persons selected by the chairman of each ward or town committee shall act as election officials. The list shall contain the signature of the chairman and secretary of the submitting county, city, town or precinct committee. Upon submission of each nominee's name, the governing body shall approve or disapprove the nomination. If any nominees are disapproved, the mayor, president or chairman of the municipality shall immediately nominate another person from the appropriate lists submitted and continue until the necessary number of election officials from each party is achieved at that meeting.

(c) If the lists are not submitted by December 15 of the year prior to the time for appointment, the board shall appoint, and the mayor, president or chairman of a municipality shall nominate as appears appropriate.

(5) **OATH OF OFFICE.** Within 5 days after appointment of the election officials the municipal clerk shall give each appointee notice. The appointees shall file the official oath with the municipal clerk within 10 days after the mailing of the notice. Appointees to fill vacancies or any other election official who has not filed the oath, before receiving any ballots, shall sign the oath and return it to the municipal clerk. An inspector, after taking the oath, may administer any oath required to conduct an election.

(6) **OFFICE TENURE.** (a) The appointed election officials shall hold office for 2 years and until their successors are appointed and qualified. They shall serve at every election held in their precinct during their term of office.

(b) At the first election following their appointment, the inspectors shall elect one of their number as chairman of the inspectors. The chairman shall hold the position for the remainder of the term. If a vacancy occurs in the chairman position, the inspectors shall elect one of their number to serve as chairman until the vacancy is removed.

(c) If any election official lacks the qualifications set forth in this section, is guilty of neglecting his official duties or commits official misconduct he shall be summarily removed from office and the vacancy shall be filled under sub. (2) (b).

**7.31 COMPULSORY SERVICE.** Service as an election official under this chapter shall be mandatory upon all qualified electors appointed, during the full 2-year term, after which they shall be exempt from further service as an election official, under this chapter, until 3 terms of 2 years each have elapsed. Municipal clerks may grant exemptions from service at any time.

**7.32 JURY DUTY EXEMPTION.** Any person appointed an election official shall be exempt from jury duty only on election days.

**7.33 CHANGE OF ELECTION OFFICIAL NUMBERS AND POWER.** By ordinance or resolution, the governing body of any municipality may reduce the number of election officials, provide a redistribution of duties among the remaining officials, and modify or rescind any similar previous action.

**7.35 BALLOT CLERK DUTIES. (1) GENERAL.** Ballot clerks serve only on election days when paper ballots are used. They shall take charge of the official ballots, write their initials on the back of each ballot, fold it in the proper manner to be deposited and deliver to each elector as he enters the voting booth one ballot properly folded and indorsed by 2 ballot clerks. If asked, ballot clerks may instruct any elector as to the proper manner of marking the ballot, but shall not give advice, suggestions, express any preferences or make any requests as to the person for whom or the ballot on which the elector shall vote.

**(2) IMPROPER CONDUCT.** Any election official who intentionally fails to properly indorse a ballot or who gives an elector a ballot not properly indorsed shall be disqualified from acting as an election official and fined \$5.

**(3)** Whenever a vacancy occurs in a nomination after the ballots have been printed and pasters are provided under s. 7.38 (3) or 8.35, the ballot clerks shall properly paste them on the official ballots before indorsement.

**7.36 ELECTION CLERK DUTIES. (1)** Election clerks, under ch. 6, shall have charge of the registry lists at each election. In 1st class cities, this duty shall be assigned to the inspectors.

**(2)** Except in cities of the 1st class, the election clerks also shall certify to the correctness of the tally sheets, under s. 7.51 (4) when they assist in the canvass.

**7.37 INSPECTORS DUTIES. (1) ADJOURN TO ANOTHER LOCATION.** Whenever it becomes impossible or inconvenient to hold an election at the designated location, the inspectors, after assembling at or as near the designated polling place as practicable and before receiving any votes, may adjourn to the nearest convenient place for holding the election. A proclamation of the move shall be made and a constable or other proper person shall be stationed at or as near as possible to the place where the adjournment was made, to notify all electors of the place to which the election adjourned. At the new location they shall immediately proceed with the election.

**(2) CHECK BALLOT BOXES.** Immediately before the proclamation that the polls are open the election inspectors shall open each ballot box in the presence of the people assembled there, turn the boxes upside down so as to empty them of everything that may be inside and then lock them. The ballot boxes shall remain locked and shall not be reopened until the polls close for the purpose of counting the ballots therein.

(3) **PRESERVE ORDER.** The inspectors shall possess full authority to maintain order and to enforce obedience to their lawful commands during the election and the canvass of the votes. They shall permit only one person in a voting booth at a time and shall prevent any person from taking notice of how another person has voted, except when assistance is given under s. 6.82. If any person refuses to obey the lawful commands, or is disorderly in the presence or hearing of the inspectors, interrupts or disturbs the proceedings, they may order any constable or other proper person to remove him from the premises or take him into custody during the election.

(4) **POSTING SAMPLE BALLOTS.** Where voting machines are used, 2 sample ballots sent by the municipal clerk shall be posted by the inspectors near the entrance to the polling location for public inspection throughout the day.

(5) **CHALLENGED ELECTORS.** If any person is challenged for cause, the inspectors shall ask questions under s. 6.92 and with the aid of other provisions of ch. 6 as appear applicable, shall resolve the challenge.

(6) **SPOILED BALLOTS.** Any spoiled ballot returned to an inspector under s. 6.80 (2) (c) shall be immediately destroyed by one of the inspectors.

(7) **CANVASSERS.** The election inspectors shall constitute the board of canvassers of their respective precinct and in that capacity shall perform the duties under s. 7.51.

**7.38 POLITICAL PARTY ELECTION FUNCTIONS. (1) OBSERVERS.**

(a) For every election precinct each political party may appoint 2 party observers and an alternate for each, as observers of the election proceedings and the canvassing of the ballots. The appointments may be made by the local committee of the party that nominated the candidates. Candidates nominated by nomination papers or candidates for city offices may similarly appoint observers.

(b) Each appointment shall be filed with the proper municipal clerk at least 4 days before the election, and signed by the person making them. The file copy shall specify the name and residence of the appointee, the election precinct to which appointed, and the name of the alternate appointee, in case the original appointee is absent.

(c) Upon filing, the clerk shall issue permits to the appointees giving authority to be present during the election and counting of the ballots. Upon request, the clerk shall issue a permit to the alternate appointee when an original appointee fails to serve for all or a part of the day.

(2) **SAMPLE BALLOTS.** Any committee or candidate, at their own expense, may print a supply of sample ballots, provided they bear on their face the authorization required by s. 12.16.

(3) **VACANCIES AFTER NOMINATION.** (a) Whenever a vacancy occurs after a primary due to declination, death, or any other cause, the vacancy may be filled by the nominee's party committee. The committee's chairman and secretary shall file with the proper official a certificate signed, certified and sworn to, the same as an original certificate. The certificate shall state the cause of the vacancy, the name of the new nominee and the office for which nominated.

(b) The certificate shall be filed within 4 days of the date of the vacancy and shall have the same effect as an original certificate.

(c) If the vacancy occurs after the ballots have been printed, the chairman of the committee filling the vacancy shall supply the ballot clerks with pasters containing the name of the new nominee only.

(d) There can be no vacancy in nomination prior to a party primary.

#### CANVASS OF RETURNS AND CERTIFICATION

7.50 ELECTOR INTENT. (1) REQUIREMENTS AND RESTRICTIONS. (a) Except as provided in s. 7.15 (6), only ballots provided by the person authorized to have them printed shall be cast and counted in any election.

(b) When an elector casts more votes for any office or measure than he is entitled to cast at any election, all his votes for that office or measure shall be rejected and he shall be deemed to have voted for none of them.

(2) ASCERTAINMENT OF INTENT. All ballots cast at an election shall be counted for the person or referendum question for whom or for which they were intended, so far as the electors intent can be ascertained from the ballots notwithstanding informality or failure to fully comply with the provisions of Title II. To determine intent:

(a) At a general election, if the elector places a mark or symbol under a party designation at the head of a column in or near the space indicated for that purpose, it is a vote for all the candidates whose names appear in the marked column except as otherwise provided in this paragraph. If a name is stricken, it shall not be a vote for that candidate. If a name is written in, it shall be a vote for the write-in candidate. If a sticker is attached it shall be a vote for the candidate on the sticker. If in some other column there is a mark in the square to the right of a specific candidate's name for the same office, it shall be a vote for that specific candidate and no vote shall be counted for the candidate for the same office in the column marked for a straight party vote.

(b) A ballot cast without any marks shall not be counted. A ballot without a mark at the top of a party column shall be counted only for persons for whom marks are applicable.

(c) If an elector marks his ballot with a cross (X), or any other marks, as |, A, V, O. /, √, +, within the square to the right of a candidate's name, or any place within the space in which the name appears, indicating an intent to vote for that candidate, it is a vote for the candidate whose name it is opposite.

(d) When an elector writes a person's name in the proper space for write-ins for that office, it is a vote for the person written in, even if the elector fails to strike the name printed in the same column for the same office, or makes a mark by the same or any other name for the same office, or omits the mark to the right of the name written in.

(e) No ballot shall be regarded as defective due to misspelling a candidate's name, or by abbreviation, addition, omission or use of a wrong initial in the name. Every ballot shall be counted for the candidate for whom it was intended, if the elector's intent can be ascertained from the ballot itself.

(f) If a sticker is applied it is a vote for the name appearing on the sticker even if the elector omits the mark to the right of the name, or makes a mark in another column for a candidate for the same office, but pasting of names over the space for voting a straight party ballot or over any name printed on the ballot shall not be allowed and any name so pasted shall not be counted. If the sticker on its face lists the office, the candidate's name for that office and has a box with a cross (X) to the right of the candidate's name, it shall be a vote for that named person for that named office even if the sticker is pasted somewhere else on the face of the ballot or the elector makes a mark for another candidate for the same

office. The sticker shall be no larger than the space provided for the office for which it is intended. If the sticker does not contain a box with a cross (X), it shall be counted, but only stickers appearing on the face of the ballot are valid and counted.

(g) In partisan primaries, if an elector writes in the name of a person who is a candidate for the same office on a ballot other than the one on which the elector writes the name, the vote shall not be counted for that person for either party. Only those votes for a candidate of the party upon whose ballot his name is written or write-ins not appearing on another ballot shall be counted for the person as a candidate of that party.

(h) Where voting machines are used, write-in votes shall not be counted for any person for any party, if the person's name appears on the printed ballot labels of that party. To vote for any person as the candidate of any party when that person's name does not appear on the printed ballot label of that party, the elector shall write the name of the person in the irregular ballot device designating the party for which he desires such person to be the nominee.

**7.51 LOCAL BOARD OF CANVASSERS. (1) CANVASSING.** Immediately after the polls close the inspectors shall proceed to canvass publicly all votes received at that polling place. The canvass shall continue, without adjournment, until the canvass is completed and the return statements are made. The inspectors shall first compare the registry lists, correcting any mistakes until the registry lists agree and verify their correctness by each signing their name thereto.

(a) Where paper ballots are used, they shall then open the ballot box and remove and count the number of ballots therein without examination except as is necessary to ascertain that each is a single ballot. If 2 or more ballots are folded together so as to appear as a single ballot, they shall be laid aside until the count is completed; and if, after a comparison of the count and the appearance of the ballots it appears to a majority of the inspectors that the ballots folded together were voted by the same person they shall be destroyed. If, after any ballots folded together have been destroyed, the number of ballots exceeds the total number of electors recorded on the registry lists the ballots shall be placed in the ballot box and one of the inspectors shall publicly draw therefrom by chance, and without examination, destroy the number of ballots equal to the excess number. When the number of ballots and total shown on the registry lists agree, the inspectors shall open, count and record the number of votes.

(b) Immediately after the polls close, where voting machines are used, they shall open the registering or recording compartments and canvass, record, announce and return on the provided return sheets and certificates furnished. In recording the votes registered on any counter which, before the opening of the polls, did not register 000, the inspectors shall upon the return sheets subtract the number registered before the polls opened from the number registered when the polls closed. The difference between the 2 numbers shall be the correct vote for the candidate whose name was represented by the counter, except if the number registered on the counter when the polls closed is smaller than the number registered thereon when the polls opened, the number 1,000 shall be added to the number registered when the polls closed, before the subtraction is made.

**(2) DEFECTIVE AND IRREGULAR BALLOTS.** When, during the counting of the ballots cast at an election, the inspectors find a ballot which is so defective that it cannot be determined with reasonable certainty for whom it was cast, a majority of the inspectors shall determine whether the ballot

is defective, and if so, it shall be marked and not counted. During the count the inspectors shall place those ballots cast by challenged electors and marked "Objected to" apart from the other ballots and shall keep a written statement, in duplicate, of the number of defective and objected to ballots. The officials shall certify that the statement is correct, sign it, and attach it to the canvass statements.

(3) SECURING THE BALLOTS. (a) The inspectors shall place together all ballots counted by them, except those marked "Objected to", and secure them together so that they cannot be untied or tampered with without breaking the seal. The secured ballots together with any ballots marked "Defective" or "Objected to", shall then be secured by the inspectors in the container provided in such a manner that the containers cannot be opened without breaking the seals or locks. The ballots returned to the county clerk shall be delivered in the canvas bag provided at the same time as the other election materials under sub. (1).

(b) For municipal elections the inspectors, in lieu of par. (a), after counting the ballots shall return them to the proper ballot boxes, lock the boxes, paste paper over the slots, sign their names to the paper and deliver them and the keys therefor to the municipal clerk.

(c) Where voting machines are used, as soon as the count is complete and fully recorded, the inspectors shall seal, close and lock the machine, or remove the record so it cannot be voted on or tampered with. They shall then proceed to separately canvass and return as for paper ballots, any write-in votes, absentee ballots or challenged ballots which shall be designated irregular ballots. Upon completion of the canvass, the inspectors shall return them in a properly sealed container indorsed "Irregular Ballots" indicating the precinct and county. The irregular ballots along with any tally sheets taken from the machines shall be returned to the proper clerk.

(4) ANNOUNCE AND REPORT. (a) When the canvass is complete, the inspectors shall publicly announce the results from the tally sheets. They shall state the total number of votes cast for each office and for each person receiving votes for that office and shall state the vote for and against each proposition voted on. They shall immediately complete the inspectors' statements in duplicate, which shall be combined with the tally sheet setting forth in written words as well as figures, the total number of votes for each office, the names of all persons receiving votes, the number of votes each person received, and the number of votes for and against any proposition at the election. They shall state the number of the last elector as shown by the registry lists. The inspectors shall then certify to the correctness of the statements and sign their names. All other election officials assisting with the canvass shall also certify to the correctness of the tally sheets.

(b) The inspectors' chairman, or one of the inspectors appointed by him, immediately after the votes are tabulated or counted at each election, shall report the returns of the election to the proper clerk who shall then make it public.

(5) RETURNS. The inspectors shall make full and accurate return of the votes cast for each candidate and proposition on blanks provided for the purpose. After recording the votes, one tally sheet statement and registry list shall be properly sealed for delivery to the county clerk and one tally sheet statement and registry list shall be properly sealed for the municipal clerk. The envelopes and all ballots and materials shall be delivered immediately to the municipal clerk. The municipal clerk shall deliver the appropriate election materials for his municipality to the county

clerk by 2 p.m. the day following each election. The person delivering the returns shall be paid out of the municipal treasury as each governing body determines.

**7.53 MUNICIPAL CANVASS. (1) MUNICIPALITIES WITH ONE PRECINCT.** Where the municipality constitutes one precinct, the canvass shall be conducted publicly under s. 7.51. Upon completion of the canvass and ascertainment of the results by the inspectors, the clerk shall publicly read to the meeting the names of the persons voted for, the number of votes for each person for each office, and the persons' names declared to be duly elected by the inspectors to each office. The public reading shall be sufficient notice to every person elected of his election.

**(2) MUNICIPALITIES WITH 2 OR MORE PRECINCTS.** The governing body in every municipality comprised of 2 or more election precincts, shall canvass publicly the returns of every local election. The canvass shall begin within 24 hours after the polls close. When annual elections are held, the results shall be declared on or before the 2nd Tuesday of April in each year. In cities of the 1st class, the board of election commissioners shall perform these duties.

**(3)** The canvass of returns for other than municipal offices shall be made under ss. 7.60 and 7.70. The municipal clerk shall deliver the appropriate election materials for his municipality by 2 p.m. the day following each election.

**(4)** The municipal clerk shall issue promptly, a certificate of election to each person elected to any office.

**7.60 COUNTY CANVASS. (1) KEEP OFFICE OPEN.** On election night the county clerk shall keep his office open to receive reports from the precinct inspectors and shall post all returns.

**(2) COUNTY BOARD OF CANVASSERS.** The county clerk and 2 reputable citizens previously chosen by him shall constitute the county board of canvassers. One member of the board shall belong to a political party other than the clerk's. If the county clerk's office is vacant, or if the clerk cannot perform his duties, the county judge or a reputable citizen appointed by him shall perform the county clerk's duties, and shall be subject to the same punishments for violations. No person shall serve on the county board of canvassers when he is a candidate for an office to be canvassed by the board. If lists of candidates for the county board of canvassers are submitted to the county clerk by political party county committees, the lists shall consist of at least 3 names and the clerk shall choose the board members from the lists. Where there is a county board of election commissioners, it shall perform these duties.

**(3) CANVASSING.** Not later than 9 a.m. on the Thursday after each election the county board of canvassers shall open and publicly examine the returns. If returns have not been received from any election district or precinct in the county, they shall dispatch a messenger and the person having them shall deliver the returns to the messenger. If, on examination, any of the returns received are so informal or incomplete that the board cannot intelligently canvass them, they shall dispatch a messenger to deliver the returns back to the inspectors with written specifications of the informalities and defects and command them to immediately complete the forms in the manner required and deliver them to the messenger. Every messenger shall safely keep all returns, show them to no one but the inspectors and deliver them to the county clerk with all possible dispatch. To acquire the necessary full returns the board may adjourn not longer than one day at a time nor more than 2 days in all.

(4) **STATEMENTS AND DETERMINATIONS.** (a) The board shall make separate duplicate statements for the president; the state officials; the United States senators and representatives in congress; the state legislators when the district consists of more than one county; and judicial offices when the district or circuit consists of more than one county. Each statement shall state in numbers written out the total number of votes cast in the county for each office; the names of all persons for whom the votes were cast, as returned; and the number of votes cast for each. One statement shall be used to report to the secretary of state under sub. (5) and the other statement shall be filed in the office of the county clerk.

(b) The board shall then prepare a written determination, in duplicate where necessary, giving those persons receiving the highest number of votes and therefore elected, to any county office, to the state legislature when the county consists of one or more districts, and to any judicial office when the county consists of one or more circuits.

(c) In preparing the statements and determinations, persons not regularly nominated and receiving a comparatively small number of votes may be omitted and their votes designated as scattering votes. Appended to each statement and determination shall be a tabulation of the votes cast at each polling place in the county for each office and person entering into the canvass and listed in the statement, whether canvassed or not, as well as the total votes cast for each person and each office. If any votes were rejected, the reasons shall be specified.

(d) Each statement and determination issued under pars. (a) and (b) shall be certified as correct and attested to by each canvasser's signature. For state legislators, the statement or determination shall include the post-office address and party designation.

(5) **REPORTING.** Immediately following the canvass the county clerk shall send the secretary of state, by registered mail, a list of the names of persons elected in the county as members of the senate, assembly and county officers as required by sub. (4) (b). A certified copy of each statement of the county board of canvassers for president, state officials, senators and representatives in congress, and candidates for the state legislature when the district includes more than one county as required by sub. (4) (a), shall also be enclosed. Following primaries the county clerk shall enclose on blanks furnished by the secretary of state, the names, party designation, if any, and number of votes received by each candidate by voting precincts.

(6) **CERTIFICATE OF ELECTION.** Immediately after expiration of the time allowed to file a recount the county clerk, shall issue a certificate of election to each person having the largest number of votes for any county office, for the state legislature when the county constitutes one or more than one district or for the judicial offices when the county consists of one or more than one judicial circuit. The certificate notice shall state the amount of the required official bond, if any. Personal service of the notice for all statutory and legal purposes is official notification to a person of his election to the office. When a petition for a recount is filed, the county clerk shall not issue the certificate of election for the office in question until the recount has been completed.

(7) **PUBLICATION.** After the certificates of election have been prepared under sub. (6), the county clerk shall publish the results for those offices in one or more newspapers in the county. The papers designated shall be paid by the county.

(8) **REFERENDA.** Whenever a question is submitted to the people by the state legislature, the vote for and against shall be canvassed, certified

and recorded and statements certified and delivered the same as for state officials.

**7.70 STATE CANVASS. (1) RECORDING AND PRESERVING RETURNS.**

(a) Upon receipt of the certified statements from the county clerks, the secretary of state shall record the election results by counties and file and carefully preserve the statements.

(b) If any county clerk fails or neglects to forward any statements, the secretary of state may require him to do so immediately and if not received within 8 days after a spring or special primary, or within 15 days after any other election, the secretary of state may dispatch a special messenger to obtain them. Whenever it appears upon the face of any statement that an error has been made in reporting or computing, the secretary of state may return it to the county clerk for correction.

(2) MEMBERS. (a) The secretary of state, treasurer and attorney general shall constitute the state board of canvassers. Two members constitute a quorum. If only one member attends the meeting, the clerk of the supreme court shall attend without delay upon notification by the attending member and shall form the board.

(b) When a member of the state board is also a candidate for an office to be canvassed by the state board, upon the request of any opposing candidate, the chief justice shall designate some other state officer or circuit court judge, who shall serve at the board session when votes for the regular member are canvassed.

(3) CANVASSING. (a) The state board of canvassers shall meet publicly at the office of the secretary of state on or before the 2nd Thursday following a spring primary, the 15th day of May following a spring election, the 3rd Thursday following a September primary, the first day of December following a general election, the 2nd Thursday following a special primary, or within 25 days after any special election to canvass the returns and determine the election results.

(b) The board shall examine the certified statements of the county canvassers. If it appears any material mistake has been made in the computation of votes for any person, or any county canvassers failed to canvass the votes or omitted votes from any precinct in the county, the board may dispatch a messenger to that county clerk with their written requirement to the county clerk to certify the facts concerning the mistake or the reason why the votes were not canvassed. A clerk to whom the written requirement is delivered shall immediately make a true and full answer, sign it, affix the county seal and deliver it to the messenger. The messenger shall deliver it with all possible dispatch to the secretary of state.

(c) The state board of canvassers may adjourn as necessary but not more than 10 days in all.

(d) When the certified statements and returns are received, the state board of canvassers shall proceed to examine and make a statement of the total number of votes cast at any election for the offices involved in the election for president; a statement for each of the offices of governor, lieutenant governor, secretary of state, treasurer, attorney general, state superintendent or any other state office; for United States senator; for representative in congress for each congressional district; for any office for the state legislature when the district includes more than one county; justice; circuit judge and county judge when the circuit or district consists of more than one county; and any referenda questions submitted by the legislature.

(e) The statements shall show the persons' names receiving votes, and any referenda questions; the whole number of votes given to each; and, an individual listing by the districts or counties in which they were given. The names of persons not regularly nominated who received only a comparatively small number of votes may be omitted and their votes designated as scattering votes.

(f) The board shall certify the statements to be correct and shall determine what persons, by the largest number of votes, have been elected to the various offices. They shall likewise determine the outcome of any referenda questions. Each statement shall have the certificate of determination attached to it and shall be delivered to the secretary of state.

(g) Whenever a referendum question submitted to a vote of the people is approved, the secretary of state shall record it and have the record bound in the volume containing the original enrolled laws passed at the next succeeding session of the legislature and have the record published with the laws thereof. Whenever a constitutional amendment does not expressly state the date of effectiveness, it shall become effective the day the certificate of the board of state canvassers shows the result of the vote cast for the constitutional amendment.

(h) The board shall canvass only regular returns made by the county board of canvassers and shall not count or canvass any additional or supplemental returns or statements made by the county board or any other board or person. The state board shall not count or canvass any statement or return which has been made by the county board of canvassers at any other time than that provided in s. 7.60. This provision does not apply to any return made subsequent to a recount under s. 9.01, when the return is accepted in lieu of any prior return from the same county for the same office; or to a statement given to the state board or a messenger sent by them to obtain a correction.

(5) CERTIFICATES OF ELECTION. (a) The secretary of state shall record in his office each certified statement and determination made by the state board. He shall make and transmit to each person declared elected, a certificate of his election under the lesser seal and cause a copy of the certified statements and determinations to be published once in a newspaper under ch. 985. He shall also prepare similar certificates, attested by him as secretary of state, addressed to the respective United States senate and house of representatives, stating the names of those persons elected to the congress from this state and the house to which elected. If a person elected was elected to fill a vacancy, the certificate shall so state.

(b) For presidential electors, the secretary of state shall prepare 3 lists of the names of the presidential electors, have the governor sign, affix the great seal of the state and deliver the signed certificates to one of the presidential electors on or before the first Monday after the 2nd Wednesday in December.

7.75 PRESIDENTIAL ELECTORS MEETING. The electors for president and vice president shall meet at the state capitol following the presidential election at 12:00 noon the first Monday after the 2nd Wednesday in December. If there is a vacancy in the office of an elector due to death, refusal to act, failure to attend or other cause, the electors present shall immediately proceed to fill by ballot, by a plurality of votes, the electoral college vacancy. When all electors are present, or the vacancies filled, they shall perform their required duties under the constitution and laws of the United States.

**CHAPTER 8.**

**NOMINATIONS, PRIMARIES, ELECTIONS.**

- 8.01 Method of Nomination.
- 8.02 Nomination Paper Circulation Date.
- 8.03 Multiple Nominations.
- 8.05 Nominations in Towns and Villages.
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- 8.15 Nominations for September Primary.
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- 8.17 Political Party Committees.
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- 8.20 Nomination of Independent Candidates.
- 8.25 General Elections.
- 8.30 Refusal to Accept Nomination Papers.
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- 8.50 Special Elections.

8.01 **METHOD OF NOMINATION.** Candidates for elective office shall be nominated according to this chapter.

8.02 **NOMINATION PAPER CIRCULATION DATE.** Whenever a specific date is not given to begin circulation of nomination papers, the first day for circulation shall be the first day of the month one month prior to the month in which the filing deadline is scheduled. Signatures shall not be counted if signed and dated prior to the first day for circulation.

8.03 **MULTIPLE NOMINATIONS.** The name of any person nominated to the same office by more than one party or primary or nominated for more than one office shall appear under the party first nominating him or under the office to which he was first nominated. If the double nomination is simultaneous, the person nominated, before the deadline for filing the certificate of nomination shall file a written statement with the same person with whom he files his certificate stating his party or office preference. If the candidate fails to select his party or office, his name shall be placed under either party or office, but cannot appear more than once. When a candidate is nominated on a ballot where his name appears and is also nominated on some other ballot by write-in, he shall not have a choice, but shall be a nominee of the party which printed his name on their ballot.

8.04 **NOMINATION PAPER SIGNATURES.** If any person signs nomination papers for 2 candidates for the same office in the same election at different times, the earlier signature is valid and the later signature shall be stricken. Any person who signs or circulates nomination papers for one candidate may later circulate nomination papers for another candidate for the same office in the same election if he changes his mind and intends to support the latter candidate.

8.05 **NOMINATION IN TOWNS AND VILLAGES.** Every candidate for an elective office in a town or village shall be nominated under this section.

(1) **CAUCUS.** (a) When nomination papers are not used, there shall be a caucus to nominate candidates. The governing body shall decide the date

of the caucus during the first week in February. The date of the caucus may be established between the last Tuesday in February and the first Tuesday in March. When possible, preference should be given to having the caucus on the first Tuesday in March. If a primary is held on the day of the caucus, the caucus shall be held after the polls close.

(b) Whenever a caucus is held, the municipal clerk shall give notice of the time and date for the caucus by posting in his office and by one publication in a newspaper under ch. 985, at least 5 days before the date of the caucus.

(c) The town chairman or village president together with the municipal clerk shall serve as caucus officials. If the chairman or president is a candidate, he shall call for the election of officials to conduct the caucus. The officials shall be elected by acclamation or ballot as the meeting directs. The electors attending the meeting shall select 2 tellers to canvass the vote for each office at the caucus.

(d) Names of candidates shall be placed in nomination either by motion made and seconded from the floor or by writing the candidate's name on a slip of paper distributed by the tellers to those electors attending the caucus. Only persons placed in nomination shall be voted on.

(e) Nominations shall be made for one office at a time. Candidates for the office of town supervisor when elected jointly and of village trustee shall be considered one office for purposes of nomination and election.

(f) Before balloting the caucus chairman shall announce the names of all candidates placed in nomination.

(g) The voting for each office shall be by ballot, but the caucus chairman may dispense with voting when only one or 2 persons are nominated for the same office.

(h) The 2 candidates receiving the highest number of votes cast for each office shall be nominated and certified by the caucus chairman and tellers to the municipal clerk. The certified names of the candidates shall be placed on the official ballots. If a town under s. 5.60 (6) elects its supervisors jointly, candidates equal to twice the number of positions to be filled, who receive the most votes, shall be nominated and certified.

(i) Village trustees, excluding the office of village president, shall be nominated together and at large. Candidates, equal to twice the number of positions to be filled, who receive the most votes, shall be nominated and certified.

(j) Any candidate nominated at a caucus who, files a written declination of nomination within 5 days shall not be included on the official ballot.

(3) TOWN NONPARTISAN PRIMARY. (a) In lieu of sub. (1), the electors either by referendum or at the town meeting may provide for nomination of elective town office candidates at a nonpartisan primary conducted as provided in sub. (5). The nomination papers shall be signed by not less than 20 nor more than 100 electors of the town. The nomination papers shall be circulated not sooner than the first day of January preceding the election and shall be filed with the town clerk not later than 5 p.m. the last Tuesday in January.

(b) Notice shall be given under ss. 10.01 (2) (a) and 10.06 (2) (a).

(c) When this subsection is used, no additional candidates may be nominated under sub. (1).

(d) The question of adoption of the nonpartisan primary under this subsection, may be submitted to the electors at any regular election held in the town or at a special election called for the purpose. When a petition signed by 20 electors of the town is filed with the town clerk so requesting, the question shall be submitted to a vote.

(e) Petitions requesting a vote on the question at a regular town election shall be filed no later than 5 p.m. the 2nd Tuesday in March. When the petition is filed, the clerk shall check its sufficiency. Whether at a regular or special election, the clerk shall give separate notice by one publication in a newspaper at least 5 days before the election.

(f) The ballot used for the referendum question shall be arranged under s. 5.60 (7) and shall ask: "Shall all candidates in the town of \_\_\_\_\_ for elective town offices be nominated at a nonpartisan primary?"

(g) If a majority of the votes cast are in the affirmative, a nonpartisan primary, under sub. (5), shall thereafter be held to obtain candidates for elective town offices.

(4) VILLAGE NONPARTISAN PRIMARY. (a) A majority of the governing body of any village may provide under s. 8.11 (1) (a) and (b) that candidates for elective village office shall be nominated by a nonpartisan primary, under sub. (5).

(b) Nomination papers shall be signed by not less than 20 nor more than 100 electors of the village. The papers shall be circulated not sooner than the first day of January preceding the election and shall be filed with the village clerk not later than 5 p.m. the last Tuesday in January.

(c) Notice shall be given, under ss. 10.01 (2) (a) and 10.06 (2) (a).

(d) When this subsection is used, no additional candidates may be nominated under sub. (1).

(5) WHEN PRIMARY IS HELD. Towns and villages adopting the nonpartisan primary to nominate candidates, under subs. (3) and (4), shall hold a primary only when the number of candidates for an elective office in the municipality exceeds twice the number to be elected to the office. Those offices for which a primary has been held shall have only the names of candidates nominated at the primary appear on the official spring election ballot. When the number of candidates for an office does not exceed twice the number to be elected, their names shall be printed on the official ballot for the regular election without a primary.

(6) MENOMINEE COUNTY. In counties containing only one town candidates shall be nominated for the office of supervisors at large and by precincts, and all applicable provisions of this section shall apply to their selection. In selecting the candidates for precinct supervisor by caucus, the candidates for each precinct shall be selected separately, and only those electors shall participate in each as are residents of that precinct. Any precinct candidate seeking nomination by the circulation of nomination papers shall incorporate in his nomination papers a statement that the signers are qualified electors of that precinct.

8.06 SPECIAL TOWN ELECTIONS. Special town elections may be called to enable the electors to vote on any question submitted to them for determination in the same manner as special town meetings are called.

8.10 NOMINATIONS FOR SPRING ELECTION. (1) Candidates for office to be filled at the spring election shall be nominated by nomination papers, or by nomination papers and selection at the primary if a primary is held, except as provided for towns and villages under s. 8.05. Unless designated in this section or s. 8.05, the general provisions pertaining to nomination at the September primary apply.

(2) Nomination papers for offices to be filled at the spring election shall be circulated not sooner than the first day of January preceding the election and shall be filed not later than 5 p.m. on the last Tuesday in January.

(3) The nomination papers shall conform to the requirements for nomination papers for independent candidates for the general election, except that the number of required signatures shall be:

- (a) For state offices, not less than 2,000 nor more than 4,000 electors;
- (b) For judicial offices, not less than 200 nor more than 400 electors; except as provided in par. (c);
- (c) For judicial offices and county executives in counties over 500,000 population, not less than 2,000 nor more than 4,000 electors;
- (d) For supervisors in counties over 500,000 population, not less than 200 nor more than 400 electors;
- (e) For supervisors in counties between 100,000 and 500,000 population, not less than 100 nor more than 200 electors;
- (f) For supervisors in counties under 100,000 population, not less than 20 nor more than 100 electors;
- (g) For city offices in 1st class cities, not less than 1,500 nor more than 3,000 electors for city-wide offices and not less than 200 nor more than 400 electors for aldermen elected from wards.
- (h) For city offices in 2nd and 3rd class cities, not less than 200 nor more than 400 electors for city-wide offices and not less than 20 nor more than 100 electors for aldermen elected from wards.
- (i) For city offices in 4th class cities, not less than 50 nor more than 100 for city-wide offices and not less than 20 nor more than 100 electors for aldermen elected from wards.
- (j) For other offices, not less than 20 nor more than 100 electors.

(4) All the signers on one sheet shall be from the same county when a candidate is to be elected by the electors of more than one county.

(5) Each candidate shall file with his nomination papers a sworn declaration that he will qualify for the office if he is elected.

(6) Nomination papers shall be filed:

- (a) For state or judicial offices when the district comprises more than one county, in the office of the secretary of state.
- (b) For offices to be voted for wholly within one county and for county supervisor, in the office of the county clerk.
- (c) For city offices and other officers voted for exclusively within the municipality, except precinct committeemen under s. 8.17 and county supervisors under par. (b), in the office of the municipal clerk.
- (d) For school district offices to be voted for within more than one municipality, with the person designated by the school board as the filing official for their school district.

8.11 SPRING PRIMARY. (1) CITY. (a) A primary may be held in any city for the nomination of candidates for city office. When a majority of all the members of the governing body of a city decide upon a spring primary for any specific election, they shall so provide not later than 3 days after the deadline for filing nomination papers.

(b) Any city may provide by charter ordinance, under s. 66.01, that whenever 3 or more candidates file nomination papers for a city office, a primary to nominate candidates for the office shall be held.

(c) Whenever electors, equal to at least 10 per cent of the vote for governor in the city at the last general election, file petitions requesting a primary within 3 days after the deadline for filing nomination papers, there shall be a primary for any specific election.

(d) When the number of candidates for any city office does not exceed twice the number to be elected to the office, no primary shall be held for the office and the candidates' names shall be printed on the ballot for the ensuing election.

(2) **MILWAUKEE COUNTY.** A primary shall be held in counties over 500,000 population whenever there are more than twice the number of candidates to be elected to any judicial office within the county or to the county board of supervisors from any one district. A primary shall be held in municipalities in counties over 500,000 population whenever there are more than twice the number of candidates to be elected to the board of school directors or board of education from any given area.

(3) **STATE.** A primary shall be held when there are 3 or more candidates for state superintendent, supreme court justice or for judge of the same branch of circuit or county court.

(4) **PRIMARY EXCLUSIVE.** Those offices for which a primary has been held shall have only the names of candidates nominated at the primary appear on the official spring election ballot.

**8.12 NATIONAL CONVENTION DELEGATE NOMINATION AND ELECTION.** (1) (a) In presidential election years, delegates for the purpose of nominating the party's candidates for president and vice president at each party's national convention shall be chosen at the election held the first Tuesday in April.

(b) Nomination of candidates for delegate shall be by nomination papers, under s. 8.15. The nomination papers shall specify the election held on the first Tuesday in April. All candidates for delegates at large favoring the same candidate for president may be placed on one nomination paper. All candidates for district delegates for the same district favoring the same candidate for president may be placed on one nomination paper.

(2) (a) The form of the official ballot shall be prescribed by the secretary of state under s. 5.60 (8).

(b) When favoring a specific candidate, the statement of principles at the top of the column shall be limited to the candidate's name, which shall appear only once.

(c) The number of delegates for each party shall be specified by the party's national committee. When the number of certified delegates or delegates filing nomination papers for a single candidate equals the number to be elected, no additional names for delegate candidates shall be accepted for a place on the ballot. Whenever 2 or more candidates favoring the same presidential candidate file at the same time, creating an excess number of delegates, the excess shall be eliminated by drawing lots under the supervision of the state board of canvassers.

(d) Delegate candidates not favoring any specific presidential candidate may have principles expressed in 5 words or less. The principles shall be printed under their names in the uninstructed column.

(e) Any proposed presidential candidate who certifies and files a full list of delegates with the secretary of state after January 1 but not later than 5 p.m. on March 1 shall have the delegates' names printed on the ballot the same as candidates filing nomination papers. The certification takes preference over any other candidates.

(f) When a proposed presidential candidate does not file a certified list of candidates for delegates under par. (e), but there are delegate candidates who have filed nomination papers pledged to him, their names shall not appear on the delegate election ballot unless on or before the last day for filing nomination papers, the proposed presidential candidate files a certificate of consent permitting the use of his name on the ballot. The certificate shall be on a form prescribed by the secretary of state.

(3) Candidates for delegates at large shall have not less than 2,000 nor more than 4,000 signatures circulated by counties. Candidates for district delegates shall have not less than 1,000 nor more than 2,000 sig-

natures circulated by counties. The papers shall not be circulated before January 1 and shall be filed with the secretary of state not later than 5 p.m. on March 1.

(4) Whether a delegate candidate is certified or files nomination papers, each shall file in the secretary of state's office a declaration of acceptance, signed by himself, not later than 5 p.m. on March 1. The acceptance form shall be an affidavit prescribed by the secretary of state which shall contain all the following information and be in substantially the following form:

"I, \_\_\_\_\_, residing at \_\_\_\_\_,  
(name) (number and street)  
\_\_\_\_\_ pledge that I am affiliated with the party  
(city, town, village)  
hereafter named, that I am a qualified elector of the state of Wisconsin; that I will not withdraw my support for the hereafter named presidential candidate before the presidential delegates election; that if elected as a delegate to the \_\_\_\_\_ national party convention as a pledged delegate for the candidacy of \_\_\_\_\_ (insert presidential candidate's name to whom pledged) as the party's nominee for president I will, unless released by the candidate, vote for his nomination on the first and all ensuing ballots at the party convention. If, after the first ballot at the convention, a two-thirds majority of the delegates vote to withdraw and be released from their pledge, or, if on any ballot the candidate to whom I am pledged receives less than 10 per cent of the total vote cast on that ballot, I shall be released from this pledge and shall thereafter have the right to cast my ballot according to my own judgment."

(5) Vacancies caused by death or declination of a delegate shall be filled by a majority of the presidential candidate's delegates at large or the appropriate district delegates, under s. 7.38 (3). Any declination shall be filed with the secretary of state within one week following March 1.

(6) Election procedure shall be that for the judicial election so far as applicable.

(7) The state central committee of each party, after the election, but at least 15 days before the national convention, shall meet and elect an alternate for each delegate. The party's state central committee chairman shall call the meeting with at least 10 days' notice.

**8.13 COMMISSION CITY PRIMARY.** At the first primary after adoption of the commission form of government the 2 candidates for mayor and the 4 candidates for councilmen receiving the highest number of votes shall be nominated. At subsequent primaries the 2 candidates receiving the most votes for either office shall be nominated. Only the names of the nominees shall appear on the spring election ballot.

**8.15 NOMINATIONS FOR SEPTEMBER PRIMARY.** (1) Nomination papers shall be circulated not sooner than June 1 preceding the election and shall be filed not later than 5 p.m. on the 2nd Tuesday of July in those years when a September primary is held. Only those candidates for whom nomination papers containing the necessary signatures acquired within the allotted time and filed before the deadline shall have their names printed on the official September primary ballot.

(2) The signer of a nomination paper declares his intent to support the candidate named therein. Only one signature per person for the same office is valid. In addition to his signature, each signer shall list his residence, including the street and number, if any, and the date of signing.

(3) All signers on each separate nomination paper for all state offices, United States senators, congressmen, county offices, state legislators and

national convention delegates shall reside in the same county and in the district which the candidate named therein will represent, if elected.

(4) (a) The affidavit of a qualified elector stating his residence with street and number, if any, shall appear at the bottom of each nomination paper, stating he is personally acquainted with all the signers; he knows they are electors of the precinct, ward, municipality or county, as the nomination papers require; he knows they signed the paper with full knowledge of its content; he knows their respective residences given; he knows each signer signed on the date stated opposite his name; and, that he, the affiant, resides within the district which the candidate named therein will represent, if elected, and that he intends to support the candidate. The affidavit may be made by the candidate or any qualified elector.

(b) Each candidate shall file with his nomination papers a declaration, sworn to before any officer authorized to administer oaths, that he will qualify for office if nominated and elected. The nomination papers and the candidate's sworn declaration are valid with or without the seal impression of the authorized officer who administered the oath.

(5) Each nomination paper shall have substantially the following words printed at the top:

I, the undersigned, a qualified elector of the ----- Precinct, -----  
Town  
Ward, City } of -----, County of -----, State of Wisconsin,  
Village }  
representing the principles of the ----- party, do hereby nominate -----, (include first and last name plus middle initial, or initial, middle and last name; the use of an initial for a first or middle name is optional, but no nicknames or titles), who resides at ----- Street,  
Town  
City } of -----, in the County of -----, and whose post-office  
Village }  
address is -----, Wisconsin, as a candidate for the office of -----, to be voted for at the primary to be held on the ---- day of -----, 19--, as representing the principles of the above named party, and I declare that I intend to support the candidate named herein.

(6) The number of required signatures on nomination papers shall be as follows:

(a) For state-wide offices, not less than 2,000 nor more than 4,000 electors.

(b) For representatives in congress, not less than 1,000 nor more than 2,000 electors.

(c) For state senators, not less than 400 nor more than 800 electors.

(d) For state assemblymen, not less than 200 nor more than 400 electors.

(e) For offices representing less than a congressional district in area and for county offices, not less than 500 nor more than 1,000 electors in counties over 100,000 population and not less than 200 nor more than 400 electors in counties of 100,000 population or less.

(7) A candidate may not run in more than one party primary at the same time. No filing official shall accept nomination papers for the same person in the same election for more than one party.

(8) Nomination papers shall be filed:

(a) For state offices, United States senators, representatives in congress, and those members of the senate and assembly whose districts comprise more than one county, in the office of the secretary of state.

(b) For offices to be voted for wholly within one county, except representatives in congress, in the office of the county clerk. Within 5 days

after the deadline for filing nomination papers, the county clerk shall send to the secretary of state the name, address and political party of each legislative candidate.

**8.16 PARTY CANDIDATES.** (1) The person who receives the greatest number of votes for an office on any party ballot at a primary shall be the party's candidate for the office, and his name shall so appear on the official ballot at the next election. A person who receives only write-in votes shall not be the party's candidate unless he receives 5% of the vote cast in the district for the party's gubernatorial candidate at the last general election and files a declaration that he will qualify as such, if elected, within 2 days after he receives notification of his nomination.

(2) Nominees chosen at a national convention and under s. 8.18 (2) (c) by each party entitled to a September primary ballot shall be the party's candidates for president, vice president and presidential electors.

**8.17 POLITICAL PARTY COMMITTEES.** (1) At the September primary the party committeemen shall be elected. Counties over 500,000 population shall elect one committeeman for each political party from each ward and village. All other counties shall elect one committeeman for each political party from each precinct.

(2) Nomination papers shall be in substantially the same form as those required under s. 8.15. Nomination papers shall be circulated no sooner than June 1 preceding the election and shall be filed in the office of the county clerk not later than 5 p.m. on the 2nd Tuesday of July in those years when a September primary is held. The number of required signatures shall be:

(a) For party committeeman from each ward and village in counties over 500,000 population, not less than 60 nor more than 100 electors.

(b) For party committeeman from each precinct in 2nd, 3rd and 4th class cities, not less than 20 nor more than 40 electors.

(c) For committeeman in all other precincts, not less than 20 nor more than 40 electors.

(3) (a) Only the names of persons filing nomination papers shall have their names printed on the ballots. There shall be no space provided for write-ins. When no candidate files nomination papers for party committeeman, the office shall not appear on the ballot for that party in that precinct, ward or village and the vacancy shall be filled by the party statutory committee under ss. 7.38 (3) and 8.35.

(b) The county clerk shall arrange the names of candidates for committeemen in the proper party column for each precinct, ward and village under s. 5.62.

(4) (a) Each elector may vote for his party committeeman by voting for one of the names on the ballot. No write-in vote or sticker applied for the office of party committeeman shall be counted.

(b) The results shall be returned as are other results of the September primary, but no write-in votes or stickers shall be counted. In counties over 500,000 population, whenever 2 or more candidates for party committeeman receive an equal number of votes, the precinct official shall return the results and the county board of election commissioners shall break the tie during its canvass of the votes. Other ties for precinct committeeman shall be determined by drawing lots at the precinct where the tie occurs.

(c) The term of office of each committeeman elected shall be for 2 years.

(5) (a) The county committee of each political party shall consist of the duly elected or appointed committeemen residing in the county.

(b) Within 2 days after completion of the official September primary county canvass the chairman of each party committee shall call the first meeting of the county committee. The date for the meeting shall be set not less than 5 nor more than 15 days thereafter by giving at least 5 days' written notice to each member.

(c) At the first meeting, the county committee shall elect a chairman, secretary, treasurer and other officers or subcommittees deemed necessary.

1. In counties containing one or more assembly districts, the county committee shall also elect 2 persons from each assembly district as members of the congressional district committee.

2. In counties comprising an assembly district consisting of more than one county, each county shall elect one person as a member of the congressional district committee.

(d) The county committee chairman elected at the first meeting shall certify to the state central committee chairman the name and post-office address of each person elected to the congressional district committee.

(e) Additional county committee meetings may be called by the county chairman or upon written demand signed by a majority of the committee members. If the chairman fails to call a meeting of the committee within 3 days of the written demand, demanding members may designate one of their number to call a meeting and preside. Any business transacted at the meeting shall have the same effect as a meeting called by the county chairman.

(f) Any county committee officer may be removed from office at any meeting of the committee called under par. (e) by a majority vote of those present and voting. Two-thirds of the members of the county committee constitute a quorum at a meeting for the removal of the officers.

(g) Any vacancy in any committee office shall be filled by the county committee, except that the county chairman may temporarily fill any vacancy.

(h) The county committee may appoint a committeeman for any precinct, ward or village in which none was elected.

(i) Each committee and its officers shall have the powers usually exercised by committees and their officers.

(6) (a) Committees may be organized for any political subdivision, or legislative district as under sub. (5). The first meeting shall be called within 10 days pursuant to a written demand therefor signed by 25% or more of the members by at least 5 days' written notice to each member.

(b) Membership of committees under par. (a) shall consist of all duly elected or appointed committeemen residing in the subdivision or district, except that in congressional districts and legislative districts consisting of more than one county, the membership shall consist of the members of the congressional district committee elected under sub. (5) (c).

**8.18 PLATFORM CONVENTION; STATE CENTRAL COMMITTEE.** (1) Candidates for state offices, senate and assembly nominated by each political party at the primary, and the holdover state senators of each political party shall meet in the state capitol at 10 a.m. on the first Tuesday in October.

- (2) The purpose of the convention is:
- (a) To formulate the state platform of their party and make it public by 6 p.m. the following day.
  - (b) To elect by ballot a state central committee of at least 2 members from each congressional district and a chairman thereof.
  - (c) In presidential election years, to nominate one presidential elector from each congressional district and 2 electors from the state at large. The names of the nominees shall be certified immediately by the platform convention chairman and secretary of each party to the secretary of state.
  - (d) To perform any other business as may properly be brought before the meeting.
- (3) Within 10 days after the platform convention, the convention chairman and secretary of each party shall file a certified copy of the proceedings and of the platform adopted, with the secretary of state.

8.19 PARTY NAME. (1) The state central committee of any party polling less than 75,000 presidential votes in this state in the last election may change the name of the party. The new name may not duplicate that of an existing national party. A certificate of approval by the party's national committee which has been certified by the national committee secretary, the state committee chairman and the state committee secretary shall be filed with the secretary of state.

- (2) The new name shall take effect upon certification.
- (3) Every political party entitled, under s. 5.62, to have its candidates on the September primary and general election ballots has exclusive right to the use of the name designating it at any election involving political parties. The secretary of state shall not certify nor the county clerk print the name of any person whose nomination papers indicate a party name comprising a combination of existing party names, qualifying words, phrases, prefixes or suffixes in connection with any existing party name.

8.20 NOMINATION OF INDEPENDENT CANDIDATES. (1) Independent nominations may be made for any office to be voted for at any general or partisan special election.

- (2) (a) Nomination is by nomination papers. The nomination paper forms shall contain the candidate's name in any combination of initials or familiar and common abbreviations for the first and middle names plus the last name, but no nicknames or titles; the office for which he is nominated; his residence and post-office address; and, the party or principle he represents, if any, in 5 words or less.
- (b) Nomination papers for presidential electors shall list one presidential elector from each congressional district and 2 electors from the state at large for electors and the candidates for president and vice president for whom they intend to vote, if elected.
- (3) The affidavit of an elector under s. 8.15 (4) shall be appended to each nomination paper.
- (4) The number of required signatures on nomination papers for independent candidates shall be:
  - (a) For state-wide offices, not less than 3,000 nor more than 5,000 electors.
  - (b) For representatives in congress, not less than 2,000 nor more than 3,000.
  - (c) For state senators, not less than 500 nor more than 1,000 electors.
  - (d) For state assemblymen, not less than 300 nor more than 500 electors.
  - (e) For offices representing less than a congressional district in area and for county offices, not less than 1,000 nor more than 2,000 electors in

counties over 100,000 population and not less than 300 nor more than 500 electors in counties of 100,000 population or less.

(f) For presidential electors intending to vote for the same candidates for president and vice president, not less than 3,000 nor more than 5,000 electors.

(5) Only one signature per person for the same office is valid. In addition to his signature, each signer shall list his residence, including the street and number, if any, and the date of signing. Signers of each separate nomination paper shall reside in the same county and in the district which the candidate named therein will represent, if elected.

(6) Each candidate shall file with his nomination papers a declaration that he will qualify for the office, if elected.

(7) Nomination papers shall be filed in the office of the secretary of state for all state-wide offices, representatives in congress and any districts or divisions including more than one county; or, in the office of county clerk for all offices for only one county.

(8) Nomination papers for independent candidates shall be circulated no sooner than August 1 preceding the election and shall be filed not later than 5 p.m. on the 3rd Tuesday in September.

(9) Persons nominated by nomination papers without party designation shall be placed on the official ballot to the right or below the party candidates in their own column designated "Independent". If the candidate's name already appears under a party it shall not be listed again.

**8.25 GENERAL ELECTIONS. (1) PRESIDENTIAL ELECTORS.** By general ballot at the general election for choosing the president and vice president of the United States there shall be elected as many electors of president and vice president as this state is entitled to elect senators and representatives in congress. A vote for the president and vice president nominations of any party is a vote for the electors of the nominees.

(2) **UNITED STATES SENATOR.** One senator to serve in the United States congress shall be chosen at the general election in 1962 and every 6 years thereafter and another in 1964 and every 6 years thereafter.

(3) **REPRESENTATIVE IN CONGRESS.** One representative to serve in the United States congress shall be chosen from each congressional district at the general election held in each even-numbered year.

**8.30 REFUSAL TO ACCEPT NOMINATION PAPERS.** The official with whom nomination papers are required to be filed may refuse either to accept the nomination papers for filing or to place the candidate's name on the ballot:

(1) If the nomination papers are not prepared, signed and executed, as required under this chapter;

(2) If it conclusively appears, either on the face of the nomination papers offered for filing, or by admission of the candidate or otherwise, that the candidate is ineligible to be nominated or elected;

(3) If elected the candidate could not qualify for the office sought within the time allowed by law for qualification because of age, residence or other impediment.

**8.35 DECLINING NOMINATION, VACANCIES AFTER NOMINATION.** (1) Any person nominated to office may decline the nomination by delivering to his filing official a written, signed and acknowledged declination. The declination paper shall be filed for any municipal or county office not later than 5 p.m. 2 days after the canvass is complete, whether or not there is a primary for that office; or, not later than 5 p.m. one week after

the primary or the deadline for filing nomination papers for districts of more than one county and state offices.

(2) If a vacancy occurs after nomination due to declination, death, or any other cause, the vacancy may be filled by the proper political party or committee for all partisan offices. Similar vacancies for municipal and nonpartisan county offices may be filled within 2 days by the personal campaign committee or, if the candidate had none, by the governing body of the municipality or county.

(2m) Notwithstanding sub. (2), if a vacancy occurs after nomination in the office of state assemblyman in counties having a population of 500,000 or more, it shall be filled by the senatorial district committee.

(3) Whenever a nominee dies after the ballots are printed, and no nomination is made under this section, the votes cast for the deceased shall be counted and returned. If he receives a majority, the vacancy shall be filled as in the case of a vacancy occurring by death after election.

**8.50 SPECIAL ELECTIONS.** Unless otherwise provided, this section applies to filling vacancies in the United States senate and house of representatives, executive and legislative state offices and county offices. In addition to filling vacancies in public office by appointment, vacancies may be filled by election under this section, but no special election shall be held after September 1 preceding a general election.

(1) **SPECIAL ELECTION ORDER AND NOTICES.** (a) When there is to be a special election, the special election for governor shall be ordered by the attorney general; the special election for county clerk shall be ordered by the sheriff; the special election for any other county office shall be ordered by the county clerk; all other special elections shall be ordered by the governor. When the governor or attorney general issue the order, it shall be filed and recorded in the office of the secretary of state. When the county clerk or sheriff issue the order, it shall be filed and recorded in the office of the county clerk.

(b) Notice of any special election shall be given upon the filing of the order under par. (a) by publication in a newspaper under ch. 985. If the special election includes more than one county, the secretary of state shall give notice as soon as possible to the county clerks and publish one notice. Upon receipt of notice from the secretary of state, or when the special election is for a county office, the county clerk shall give notice as soon as possible to all municipal clerks and publish 2 notices. The notices shall include the provisions of par. (c) and be a type A notice under ch. 10 in substantially the form prescribed by the secretary of state.

(c) The order and notice shall specify the office to be filled, the name of the officer before the vacancy, how the vacancy occurred, the expiration date of the remaining term of office, the date of the election, the earliest date for circulating and deadline for filing nomination papers, and the area involved in the election.

(d) When the primary includes more than one county, the secretary of state shall transmit to each county clerk at least 15 days before the special primary a certified list of all persons for whom nomination papers have been filed in his office. Immediately upon receipt of the certified list, the county clerk shall prepare his ballots. For a county special election, the county clerk shall certify the candidates and prepare the ballots. The county clerk shall publish 2 type B notices in a newspaper under ch. 10. As soon as possible after the primary, the county clerk shall certify the candidates and prepare the ballots for the following special election, and shall publish 2 type B notices in a newspaper under ch. 10.

(2) **DATE OF SPECIAL ELECTION.** (a) The date for the special election shall be not less than 55 nor more than 70 days from the date of the order.

(b) The primary shall be on the day 4 weeks before the day of the special election.

(3) **NOMINATION AND PRIMARY.** (a) Nomination papers shall be circulated no sooner than the day the order for the special election is filed and shall be filed not later than 5 p.m. 18 days before the day of the special primary.

(b) The provisions for September primaries under s. 8.15 are applicable to all primaries held under this section.

(4) **REGULATIONS ON SPECIAL ELECTIONS.** (a) A vacancy in the office of United States senator shall be filled under s. 17.18 (2).

(b) A vacancy in the office of representative in congress occurring after July 1 but before the 3rd Tuesday in September preceding a general election shall be filled at the general election. Any vacancy occurring before July 1 or after the 3rd Tuesday in September before a general election may be filled at a special election. If no special election is held the vacancy shall be filled at the next general election.

(c) Whenever a vacancy occurs in the governor's office while the lieutenant governor is filling the office after July 1, but before September 1 preceding a general election, both offices shall be filled at the general election. Whenever a vacancy occurs in the governor's office while the lieutenant governor is filling the office before July 1, the vacancy in both offices may be filled by special election within 65 days after the vacancy occurs in the office of lieutenant governor. Whenever a vacancy occurs in the governor's office while the lieutenant governor is filling the office after September 1, the vacancy in both offices may be filled at a special election.

(d) A vacancy in any other elective state office, except under par. (c), occurring more than 6 months before the expiration of the current term, may be filled at a special election held not later than September 1 preceding the next general election.

(e) Any vacancy in the office of state senator may be filled by election as a vacancy in the office of United States senator is filled, except as provided by this subsection. Any vacancy in the office of state senator or assemblyman occurring before February 1 the first year of his term shall be filled as promptly as possible by special election. Any vacancy in the office of state senator or assemblyman occurring after the close of the last regular session of the legislature held during his term shall be filled only if a special session of the legislature is called during the remainder of the term. The special election to fill the vacancy shall be ordered, if possible, so the new member may participate in the special session.

(f) A vacancy in the office of judge or justice occurring on or before December 31 shall be filled, if a judge, at the succeeding spring election; or, if a justice, at the first judicial election when no other justice is to be elected. A vacancy in the office of judge occurring after December 31 shall be filled at the judicial election the next year. A vacancy in the office of justice shall be filled at the next judicial election if no other justice is to be elected.

(g) Whenever through neglect or failure to choose either a member of the congress or legislature at a general election or any county officer who should have been chosen at the election, a special election may be held to fill the vacancy but no special election shall be held for any school or county officer after the time when his term would have commenced had he been elected at the proper April or November election.

(h) Whenever the right to office of any person listed in par. (g) ceases before the commencement of the term of office to which elected, a special election may be held to fill the vacancy.

(i) When the governor so directs, a special election shall be held to fill any vacancy not provided for in this section. This paragraph does not apply to judicial offices.

## CHAPTER 9.

### POST ELECTION ACTIONS; DIRECT LEGISLATION.

- 9.01 Recount
- 9.10 Recall
- 9.20 Direct Legislation

9.01 RECOUNT. (1) (a) Any candidate voted for at any election or any elector who voted upon any referendum question at any election may request a recount. A verified petition and \$2 for each precinct for which the petition requests a ballot recount shall be filed with the proper clerk not later than 5 p.m. on the 3rd day following the last meeting day of the board of canvassers that determined the election for that office or on that referendum question. The verified petition shall state that at the election he was a candidate for the office in question or that he voted on the referendum question in issue; that he is informed and believes a mistake or fraud has been committed in specified precincts in the counting and return of the votes cast for the office or upon the question; or shall specify any other defect, irregularity or illegality in the conduct of the election.

(b) The proper board of canvassers shall reconvene at 9 a.m. on the day following the filing of a petition and proceed to recount the ballots in all precincts specified and otherwise check the fact allegations of the petition. The recount shall proceed for each precinct as follows:

1. The board shall first compare the registry lists and determine the number of voting electors.

2. They shall then examine the container or bag containing the ballots to be certain it has not been tampered with, opened, or opened and resealed. Any irregularities or possible tampering with the container or bag shall be noted.

3. When the container or bag has been checked, it shall be opened and the contents removed. The board shall, without examination other than is necessary to determine that each is a single ballot, count the number of ballots therein. If the number of ballots and the totals recorded under subd. 1 do not agree, this fact shall be noted. When the number of ballots exceeds the number of electors, all the ballots shall be returned to the container or bag and a number of ballots equal to the excess number of ballots shall be drawn by chance and without inspection from the container or bag. These ballots shall be specially marked as having been removed by the canvassers on recount due to an excess number of ballots and carefully preserved.

4. When the number of ballots and electors agree, or after noting that there are fewer ballots than electors, the board shall proceed to place all ballots face down to check the ballot clerks' initials. Any ballots not properly initialed by 2 ballot clerks shall be laid aside, properly marked and carefully preserved. After ascertaining that all the remaining ballots have been properly indorsed, the canvass shall begin.

5. All steps of the recount shall be performed publicly and all materials and ballots may be viewed and identified by the candidates, the person demanding the recount and their authorized representatives and counsel, but only members of the official board of canvassers shall be

allowed to touch any of the materials or ballots. Any errors shall be corrected.

(2) When the recount concerns a candidate, notification of the intent to file a petition shall first be sent by registered mail or served as is a summons in circuit court on each opposing candidate addressed to the address given on the nomination papers. In recount proceedings for a partisan primary the notice to the candidates shall be served only on opposing candidates for the same party nomination. The petition and the sender's receipt for each registered letter or the affidavit of service upon each opposing candidate shall be filed with the proper clerk.

(3) (a) The petitioner, all opposing candidates and interested persons shall be entitled to be present in person and by counsel to observe the proceedings.

(b) When a recount proceeding affects candidates in districts of more than one county, the county clerk shall immediately notify the secretary of state.

(4) Whenever a recount petition for part of the precincts within an election district is filed under the above provisions, the opposing candidate, or any elector or other interested party including a municipality if on a referendum question, may similarly file a petition for recount in any or all of the remaining precincts. The petition shall be filed not later than 5 p.m. 2 days after the board of canvassers completes the first recount. The proper board of canvassers shall reconvene at 9 a.m. on the day following the filing of the petition and proceed to recount the ballots in all precincts specified and otherwise check the fact allegations of the petition. Any errors shall be corrected.

(5) Any member of the board of canvassers may administer oaths, certify official acts and issue subpoenas for purposes of this section. Witness fees shall be paid by the county.

(6) Within 5 days after completion of the recount determination by the board of canvassers in all counties concerned, any candidate, or any elector when for a referendum, aggrieved by the recount may appeal to circuit court. The appeal shall commence by serving a written notice of appeal on the other candidates or persons who filed a written notice of appearance before the board. The appellant shall file the notice with the clerk of circuit court together with an undertaking and surety in the amount approved by the clerk of court or the judge, conditioned upon the payment of all costs taxed against the appellant.

(7) The circuit judge shall forthwith issue an order directing the proper county or municipal clerk to transmit immediately all ballots, papers and records affecting the appeal to the clerk of court. The order shall fix a place and a time for the hearing within 5 days of the order either in open court, at chambers or before a referee. The order shall be served upon the proper county or municipal clerk and all other candidates or persons who filed a written notice of appearance before the board. A reference may be ordered upon any and all questions. At the assigned time and place, the matter shall be summarily heard and determined and costs taxed as in other civil actions.

(8) Nothing in this section shall be construed to abrogate any right or remedy that any candidate may now have affecting the trying of title to office.

9.10 RECALL. (1) The qualified electors of the state, county, congressional, judicial or legislative district, or city may petition for the recall of any elective official after the first year of the term for which he is elected by filing a petition with the same official with whom the petition for nomination to the office was filed demanding the recall of the officeholder.

The petition shall be signed by electors equal to at least 25% of the vote cast for the office of governor at the last election within the same district or territory as that of the officeholder being recalled. In cities, if at the last election any group of candidates were voted for in common to fill 2 or more offices of the same designation, the required number of petition signers shall be equal to 25% of the number computed by dividing the total vote for that office by the number of offices filled jointly.

(2) (a) The preparation and form of the recall petition shall be governed by s. 8.15. In addition, a recall petition for a city office shall contain a specific statement of good and sufficient reason upon which removal is sought.

(b) After the recall petition has been offered for filing, no name shall be erased or removed. No signature shall be valid or counted unless the date is less than 60 days before the date offered for filing.

(3) (a) The provisions of this subsection apply for the recall of all elective officials other than city officials. City officials are recalled under sub. (4).

(b) Within 3 days after the petition is offered for filing, the official with whom the petition is left shall determine by careful examination whether the petition is sufficient and so state in a certificate attached to the petition. If the petition is found to be insufficient, the certificate shall state the particulars creating the insufficiency. The petition may be amended to correct any insufficiency within 5 days following the affixing of the original certificate. Within 2 days after the offering of the amended petition for filing, it shall again be carefully examined to determine sufficiency and a certificate stating the findings shall be attached. Immediately upon finding an original or amended petition sufficient, the official shall file the petition and call a special election to be held not less than 40 nor more than 45 days from the filing date.

(c) The official against whom the recall petition is filed shall be a candidate at the special election without nomination unless he resigns within 10 days after the original filing of the petition. There shall be no primary. Candidates for the office may be nominated under the usual procedure of nomination for a primary election by filing nomination papers not later than 5 p.m. 4 weeks preceding the election and have their names placed on the ballot at the special election.

(4) (a) For the recall of any city official, the municipal clerk shall verify the eligibility of the respective signers and circulators, shall certify thereto and shall transmit the petition to the clerk of circuit court within 10 days of the filing date. The circuit court within 10 days after receipt of the petition shall determine by hearing whether the petition states good and sufficient reason for the recall. The clerk of circuit court shall notify the incumbent of the hearing date. The person subject to recall and the petition circulators may appear by counsel and the court may take testimony with respect to the recall petition. If the circuit court judge determines the grounds stated in the petition and proof offered at the hearing show good and sufficient reasons for recall, the judge shall issue a certificate directing the common council to hold an election under this section. If the reasons are found insufficient or do not show good cause, issuance of the certificate shall be denied. Any party aggrieved by the circuit court determination may appeal to the supreme court within 10 days following the circuit court determination by filing a notice of appeal with the clerk of the supreme court. An appeal under this section shall have preference on the supreme court calendar. The appeal shall stay enforcement of a cer-

tificate issued by the circuit court until the supreme court determines the appeal.

(b) The common council upon receiving the certificate from the circuit court shall call a special election not less than 50 nor more than 60 days from the date of the certificate. The special election for recall of more than one official may be held on the same day.

(c) The official against whom the recall petition is filed shall be a candidate at the special election without nomination unless he resigns before the deadline for filing nomination papers. Other qualified persons may become candidates by filing their nomination papers not later than 5 p.m. of the day 6 weeks before the day of the election. If the number of candidates including the incumbent, when he is a candidate, is more than twice the number of offices of that designation to be filled, a special primary shall be held. The incumbent's name shall not appear on the primary ballot. When a primary is held, the name of the person receiving the highest number of votes shall be placed on the special election ballot with the incumbent. When the incumbent is not a candidate, the 2 persons receiving the highest number of votes shall be placed on the special election ballot. When an election to recall more than one official of the same designation is held at the same time, the names of all candidates nominated shall be grouped together on the ballot with instructions to vote for the number of offices to be filled.

(5) The official against whom a recall petition has been filed shall continue to perform the duties of his office until the result of the special election is officially declared. The person receiving the highest number of votes at the special election shall be declared elected for the remainder of the term. If the incumbent receives the highest number of votes he shall continue in office. If another receives the highest number of votes he shall succeed the incumbent if he qualifies within 10 days after receiving notification.

(6) After one recall petition and special election, no further recall petition shall be filed against the same official during the term for which he was elected.

(7) The purpose of this section is to facilitate the operation of article XIII, section 12, of the constitution and to extend similar rights to city electors.

9.20 DIRECT LEGISLATION. (1) A number of electors equal to at least 15% of the votes cast for governor at the last general election in their city may sign and file a petition with the city clerk requesting that an attached proposed ordinance or resolution, without alteration, either be adopted by the common council or referred to a vote of the electors. The person filing the petition shall designate in writing a person or organization to be notified of any insufficiency or improper form under sub. (3).

(2) The preparation and form of the direct legislation petition shall be governed by s. 8.15.

(3) Within 15 days after the petition is filed, the city clerk shall determine by careful examination whether the petition is sufficient and whether the proposed ordinance or resolution is in proper form. He shall state his findings in a signed and dated certificate attached to the petition. If the petition is found to be insufficient or the proposed ordinance or resolution is not in proper form, the certificate shall give the particulars, stating the insufficiency or improper form. The petition may be amended to correct any insufficiency or the proposed ordinance or resolution may be put in proper form within 10 days following the affixing of the original certificate and notification of the person designated under sub. (1). When the original or amended petition is found to be sufficient and the original

or amended ordinance or resolution is in proper form, the city clerk shall so state on the attached certificate and forward it to the common council immediately.

(4) The common council shall, without alteration, either pass the ordinance or resolution within 30 days following the date of the clerk's final certificate, or submit it to the electors at the next election, if the election is more than 6 weeks after the date the order is given. If 6 weeks or less before election the ordinance or resolution shall be voted on at the next election thereafter. The council by a three-fourths vote of the members-elect may order a special election for the purpose at any time prior to the next election, but not more than one special election for direct legislation shall be called in any 6-month period.

(5) Not more than 3 nor less than one week before the election, the city clerk shall cause the ordinance or resolution that is being submitted to a vote to be published once in a newspaper as are city ordinances.

(6) The ordinance or resolution need not be printed in its entirety on the ballot, but a concise statement of its nature shall be printed together with a question permitting the elector to indicate approval or disapproval of its adoption.

(7) If a majority vote in favor of adoption, the proposed ordinance or resolution shall take effect upon publication under sub. (5). Publication shall be made within 10 days after the election.

(8) City ordinances or resolutions adopted under this section shall not be subject to the veto power of the mayor and shall not be repealed or amended within 2 years of adoption except by a vote of the electors. The common council may submit a proposition to repeal or amend the ordinance or resolution at any election.

## CHAPTER 10.

### DATES AND NOTICES.

10.01 Election Notice Form.

10.02 Type B Notice Content.

10.03 Cross References Required.

10.04 Newspaper Selection and Fees.

10.05 Posting.

10.06 Basic Election Notices.

10.08 Date and Notice Chart; Explanation.

10.10 Date and Notice Chart; Spring Primary and Election.

10.12 Date and Notice Chart; September Primary and General Election.

10.14 Date and Notice Chart; Special Primary and Election.

10.01 ELECTION NOTICE FORM. (1) The form of the various election notices shall be prescribed by the secretary of state to standardize election notices. To accomplish this purpose, the secretary of state shall make rules and draft whatever forms he considers necessary. Notification or certification lists of candidates or referenda questions sent to the county clerks shall prescribe the form in which the county clerks shall publish the relevant portions of the notice and any additional county offices and referenda questions. The secretary of state shall also prescribe the provisions for municipal notices which shall be sent to each county clerk who shall immediately forward them to each municipal clerk.

(2) For election purposes there shall be 4 basic types of notices, modified as necessary to apply to the various elections, which shall be published in substantially the same form as prescribed by the secretary of state. The 4 types of notices are:

(a) Type A—The type A notice shall list the date of the election; the offices to be filled and the incumbent for each; the length of the term of office and the expiration date; and the beginning date for circulating and the deadline for filing nomination papers for the offices listed. This notice shall be published once by the secretary of state, twice by the county clerks, and, for municipal elections, once by the municipal clerks at the times designated in s. 10.06.

(b) Type B—The type B notice shall give the relevant facsimile ballots and the relevant portions of voting instructions to electors under s. 10.02 and the date of the appropriate primary or election. This notice shall be published twice by the county clerks, and for municipal elections, twice by the municipal clerks on the 2nd Monday and the Monday preceding an election.

(c) Type C—The type C notice shall be given whenever referenda questions are submitted to a vote of the people. The notice shall contain the entire text of the referenda questions and an explanatory statement of the effect of either a “yes” or “no” vote. For state questions, the statement shall be prepared by the attorney general. The secretary of state shall publish one notice under s. 10.06. County clerks and, for local referenda questions, municipal clerks shall publish the notice twice at the same times as the facsimile ballots are published. The type C notice shall be printed in the newspaper as close as possible to the facsimile ballot containing the referenda questions.

(d) Type D—The type D notice shall state the hours the polls will be open and the polling locations or a concise statement of how polling location information may be obtained. Municipal clerks shall give the polling location information as each determines or the municipal governing body decides will most effectively inform the electors. The type D notice shall be published by the municipal clerks once when the last facsimile ballots for a municipal election are published or in the last publication of the selected newspaper preceding any other election at which the electors of that municipality are entitled to vote.

10.02 TYPE B NOTICE CONTENT. (1) Before any election an appropriate type B notice shall be published in substantially the form prescribed by the secretary of state at the times prescribed in s. 10.06. The type B notice shall include the following relevant sections and be within the guidelines established in this section.

(2) (a) The headline or caption, the introductory paragraph and the voting instructions shall be printed once at the beginning of the notice followed by a facsimile of each ballot to be used at the election. The headline or caption shall be conspicuously displayed, but the caption together with the necessary spacing above and below shall not exceed  $1\frac{1}{4}$  inches in depth. The introductory paragraph and voting instructions shall be set solid in the type of the regular reading matter of the newspaper but no smaller than  $5\frac{1}{2}$ -point nor larger than 10-point type.

(b) Following the introductory paragraph, but preceding the facsimile ballot notice, the county clerk shall publish a statement of information to electors in the form prescribed in sub. (3). When the county clerk is not required to publish the instructions, the municipal clerk may do so.

(c) The facsimile ballots shall follow the voting instructions. The size and style of type and the general display of the facsimile ballots shall be prescribed by the secretary of state and shall conform substantially to the sample ballots annexed to the statutes. The party columns shall not exceed  $2\frac{1}{6}$  inches in width and the ballot size may be reduced. Voting machine facsimile ballots shall show a reduced diagram of the front of

the voting machine and instructions to electors on how to vote on the machine.

(3) The statement of information to electors shall contain the following relevant sections:

**FACSIMILE BALLOT NOTICE OF ----- ELECTION**

Office of ----- [County] [Municipal] Clerk

To the Electors of ----- [County] [Municipality]:

Notice is hereby given of a ----- election to be held in the several precincts in the [county] [municipality] of -----, on the ---- day of -----, 19----, at which the officers named below shall be chosen. The names of the candidates for each office to be voted for, whose nominations have been certified to or filed in this office, are given under the title of the office and under the appropriate party or other designation, each in its proper column, together with the questions submitted to a vote, in the sample ballot below.

**INFORMATION TO ELECTORS**

Voting instructions shall be given substantially as follows:

(a) Upon entering the polling place, an elector shall give his name and address before receiving the ballot from the ballot clerk. The initials of 2 ballot clerks must appear on the ballot. Upon receiving the ballot, the elector shall retire alone to a voting booth and mark his ballot. A ballot clerk may inform the elector of the proper manner for marking a ballot, but he shall not in any manner advise or indicate for whom to vote.

(b) 1. If an elector wishes to vote for all candidates nominated by any party, he shall make a cross or other mark in the circle under the party designation printed at the top of the ballot. Unless a name has been erased or crossed out, another name written in, a mark placed to the right of a candidate for the same office in another column or a sticker applied, a mark in the circle at the top of the column is a vote for all the party's candidates listed in the column. If an elector does not wish to vote for all the candidates nominated by one party, he shall make a cross or mark in the square at the right of each candidate's name for whom he intends to vote, or by inserting or writing in the name of a candidate.

2. At a partisan primary, the elector shall select the party ballot of his choice and make a cross or other mark in the square at the right of the candidate's name for each office for whom he intends to vote or insert or write in the name of his choice for a candidate.

3. At an election for delegates to the national conventions, the elector shall select the party ballot of his choice and make a cross or other mark in the circle under the name of the presidential candidate of his choice printed at the head of the column. If the elector desires to vote for uninstructed delegates, he shall make a cross or other mark in the square at the right of each uninstructed delegate's name for whom he intends to vote.

4. At a nonpartisan primary, the elector shall place a cross or other mark in the square at the right of the candidate's name for each office for whom he intends to vote, or insert or write in the name of his choice for a candidate.

(c) In presidential elections, the elector shall place a cross or other mark in the square at the right of the set of candidates for president and vice president for whom he intends to vote. The vote shall be counted for all the candidates for presidential electors of those candidates.

(d) On referenda questions, the elector shall make a cross or other mark in the square at the right of the answer which he intends to give.

(e) The ballot should not be marked in any other manner. If the elector spoils a ballot, he shall return it to an election official who shall issue another in its place, but not more than 3 ballots shall be issued to any one elector. Not more than 5 minutes' time shall be allowed to mark the ballot. Unofficial ballots or a memorandum to assist the elector in marking his ballot may be taken into the booth and copied. The sample ballot shall not be shown to anyone so as to reveal how the ballot is marked.

(f) After the official ballot is marked, it shall be folded so the inside marks do not show but so the printed indorsements and ballot clerks' initials on the outside do show. After folding the ballot, the elector shall leave the booth, give his name to the inspector in charge of the ballot box, hand him the ballot to be placed in the ballot box, and leave the polling place promptly.

(g) An elector may be assisted by 2 election officials of different political parties in marking the ballot if he declares to the presiding official that he is unable to read or that due to physical disability he is unable to mark his ballot. If an elector declares that he is visually handicapped, he may have anyone assist him in marking his ballot or operating a voting machine. The presiding official may administer an oath as to a person's disability.

(h) The following is a facsimile of the official ballot: (insert facsimile of ballot)

-----, [County Clerk] [Municipal Clerk]

(4) No further publication of notice provided for by this section or by a type B notice shall be required by the county or municipal clerk.

**10.03 CROSS REFERENCES REQUIRED.** Whenever possible the complete election notice shall appear on a single page of the newspaper. If this is impracticable, a footnote in 12-point caps shall indicate the page where the notice is continued. At the top of each succeeding page, or column of the notice, shall appear in 12-point caps and figures the notation, "For information to Electors and other facsimile ballots, see page -----."

**10.04 NEWSPAPER SELECTION AND FEES.** (1) All election notices or certificates of election required by statutes to be published shall be published in one or more newspapers qualified under ch. 985.

(2) (a) County clerks shall publish election notices in all newspapers published within the county that qualify under ch. 985 unless the county board provides otherwise by resolution.

(b) The governing body of a municipality may authorize by resolution the publication of election notices in more than one newspaper. The resolution may name the newspapers in which all election notices shall appear.

(3) (a) Whenever, in title II, provision is made for the publication of a notice on a specific date and a weekly newspaper is chosen, the notice shall appear in that newspaper's closest preceding issue.

(b) Whenever, in title II, provision is made for publication of an election notice by more than one insertion, this may be done in counties over 200,000 population by publication in one or more newspapers on the dates prescribed or in different newspapers at least equal in number to the number of insertions required. When different newspapers are used, the publications shall always be in each newspaper's latest issue preceding the last given date for publishing that notice.

(4) Compensation for publishing all notices and certificates of elections shall not exceed that for legal notices under s. 985.08.

(5) When a voting machine ballot includes 2 or more levels of government, the cost of giving the type B notice shall be prorated under s. 5.68 (2).

10.05 POSTING OF NOTICE. Unless specifically designated elsewhere, this section applies to villages, towns and school districts. Whenever a notice is required to be published, they may post 3 notices in lieu of publication under ch. 985 whenever there is not a newspaper of general circulation in the area or whenever the governing body chooses to post in lieu of or to supplement notice in a newspaper. Whenever the manner of giving notice is changed by the governing body, notice of the change shall be given in the manner used before the change. Whenever posting is used, the notices shall be posted at least one week before the event for which the posting intends to serve notice. All notices given for the same election shall be given in the same manner.

10.06 BASIC ELECTION NOTICES. (1) SECRETARY OF STATE. (a) On or before the 2nd Tuesday in December preceding a spring election the secretary of state shall send a type A notice to each county clerk.

(b) On the last Tuesday in December the secretary of state shall publish one type A notice of the coming spring election. Publication shall be on the next day if Tuesday is a holiday.

(c) As soon as possible after the deadline for filing nomination papers for the spring election on the last Tuesday in January, but no later than the first Tuesday in February, the secretary of state shall send a type B notice certifying the list of candidates to each county clerk if a primary is required.

(d) On the 3rd Tuesday preceding the spring primary the secretary of state shall publish one notice of all candidates for each office in the spring primary, when held.

(e) As soon as possible following the state canvass of the spring primary vote, but no later than the 3rd Tuesday in March, the secretary of state shall send a type B notice certifying to each county clerk the list of candidates for the spring election. When no primary is held, this notice shall be sent under par. (c). When there are referenda questions, he shall send a type C notice certifying the questions to the county clerks as soon as possible, but no later than the 3rd Tuesday in March. On the 3rd Tuesday in March the secretary of state shall publish one notice of all candidates and offices which he has certified. Also on the 3rd Tuesday in March the secretary of state shall publish one type C notice for any referenda questions which he has certified.

(f) On or before the 2nd Tuesday in May preceding a September primary and general election the secretary of state shall send a type A notice to each county clerk.

(g) On the last Tuesday in May preceding a September primary and general election the secretary of state shall publish one type A notice of the coming September primary and general election.

(h) As soon as possible after the deadline for filing nomination papers for the September primary on the 2nd Tuesday in July but no later than the 3rd Tuesday in July, the secretary of state shall send a type B notice to each county clerk certifying the list of candidates for the September primary.

(i) As soon as possible after the state canvass and the deadline for filing nomination papers for independents, but no later than the 4th Tuesday in September, the secretary of state shall send a type B notice certifying the list of candidates and a type C notice certifying any referenda questions to each county clerk for the general election.

(j) On the 3rd Tuesday preceding the general election the secretary of state shall publish one notice of the candidates and offices which he has certified. The form of notice shall be as he prescribes. Whenever referenda questions are to be voted on, the secretary of state also shall publish one type C notice on this date.

(2) COUNTY CLERKS. (a) On the last Tuesday in December and the first Tuesday in January preceding a spring election each county clerk shall publish a type A notice based on the relevant portions of the notice received from the secretary of state and incorporating any county offices. Publication shall be on the next day if Tuesday is a holiday.

(b) Upon receipt of the type B notice from the secretary of state preceding the spring election each county clerk shall add any county offices, prepare the ballots and send notice to each municipal clerk of the coming spring primary. When there is no state spring primary within the county, but there is to be a county spring primary, the county clerk shall prepare the ballots and send notice to each municipal clerk.

(c) On the 2nd Monday and the Monday preceding the spring primary, when held, a type B notice shall be published.

(d) Upon receipt of the type B notice from the secretary of state each county clerk shall add any county offices, prepare the ballots and send notice to each municipal clerk of the coming spring election.

(e) On the 2nd Monday and the Monday preceding the spring election, a type B notice shall be published. A type C notice also shall be published on these dates whenever there are referenda questions.

(f) On the last Tuesday in May and the first Tuesday in June preceding a September primary and general election, each county clerk shall publish a type A notice based on the relevant portions of the notice received from the secretary of state and incorporating county offices. On the last Tuesday in May the county clerk shall send notice of the coming elections to each municipal clerk.

(g) On the 2nd Monday and the Monday preceding the September primary a type B notice shall be published.

(h) Upon receipt of the type B notice from the secretary of state preceding the general election, the county clerk shall send notice to each municipal clerk of the coming general election and prepare the ballots.

(i) On the 2nd Monday and the Monday preceding the general election, a type B notice shall be published. When there are referenda questions, a type C notice shall be published at the same time.

(3) MUNICIPAL CLERKS. (a) On the last Tuesday in December preceding a spring municipal election the municipal clerk shall publish one type A notice for municipal offices. Publication shall be on the following day if Tuesday is a holiday.

(b) If there is to be a municipal primary, the municipal clerk shall publish type B notices on the 2nd Monday and the Monday before the primary election. In cities, any direct legislation questions to be voted on at the primary shall be included in the municipal type B notice.

(c) On the 2nd Monday and the Monday before the municipal spring election, the municipal clerk shall publish type B notices. If there are any municipal referenda questions, a type C notice shall be published at the same time. In cities, any direct legislation questions to be voted on at the election shall be included with the type B notice.

(d) A type D notice shall be published preceding any election. When other municipal election notices are published, the type D notice shall be published at the time of the last insertion. When there are no municipal election notices, the type D notice shall be published on the day preceding the election.

(e) When voting machines are used in a municipality, the municipal clerk shall publish a type B notice on the 2nd Monday and the Monday before every election. The notice shall include all offices and questions to be voted on at the election.

**10.08 DATE AND NOTICE CHART; EXPLANATION.** Sections 10.10 to 10.14 list the dates upon which specific acts or notices shall be performed or given.

(1) Each section begins with a 5-column chart. Within each column an individual cross reference is made, first to a section of the statutes wherein the specific act or notice is established, and 2nd to a subsection within the section which presents the date and a brief description of what is required.

(2) Following the chart within each section are the subsections referred to in the chart. These subsections are arranged in the order of occurrence. A brief description of what act or notice is required is followed by a cross reference to the statutory provision which establishes the act or notice and which gives the statutory procedure for fulfilling the requirements of that act or notice.

(3) Each section is arranged in chronological order with each provision listed within the chart as near as possible to the approximate time of occurrence. Due to calendar fluctuations from year to year there will be instances when provisions do not occur precisely in the order listed. It is necessary, especially in instances where provisions are very close in sequence, to check one or 2 subsections preceding and following each specific provision to prevent possible omission of an act or notice.

**10.10 DATE AND NOTICE CHART; SPRING PRIMARY AND ELECTION.** The following date and notice chart provides the chronological dates for the spring primary and spring election. Whenever a spring primary is not held, the provisions therefor may be disregarded.

Secretary of State	County Clerk	Municipal Clerk and Governing Body	Candidates	Public and General Provisions
December 10.06(1)(a)— see (3)	10.06(2)(a)— see (5)(b)	6.86—see (1)		6.86—Absentee ballots—see (1)
10.06(1)(b)— see (5)(a)		10.06(3)(a)— see (5)(c)		
January 8.10(2)—see (7)(b) and (11)(a)	8.10(2)—see (7)(b)	5.15(6)(b)—see (7)(d)	8.05(3)(a), (4)(b); 8.10(2) Spring election candidates —see (7)(b) and (11)(a)	6.86—Absentee ballots—see (7)(c)
	10.06(2)(a)— see (9)	8.05(3)(a), (4) (b); 8.10(2)— see (7)(b) and (11)(a)		
	8.10(2)—see (11)(a)	5.58(1)(b),(2)— see (11)(b)		
		8.11(1)(a),(c)— see (11)(c)		

Secretary of State	County Clerk	Municipal Clerk and Governing Body	Candidates	Public and General Provisions
February				
10.06(1)(c)—see (21)(a)	10.06(2)(b)—see (21)(b)	5.66(1)—see (13)(a)	8.35(1)—Declination of nomination. See (21)(c) 1.	6.27(3), (4)—Petition to require or abolish registration. See (13)(b)
8.35(1), (2)—see (21)(c)	8.35(1),(2)—see (21)(c)	6.27(3), (4)—see (13)(b)	8.35(2) Filling vacancies—see (21)(c) 2.	6.28(1), 6.30(3)(c)—Registration deadline—see (23)(a)
10.06(1)(d)—see (25)(b)	7.10(3)—see (25)(a)	5.15(6)(b)—see (13)(c)	12.09(1), (5)(b)—Financial statements—see (31)	
12.09(4)(b)—see (27)	12.09(4)(b)—see (27)	7.30(3)—see (13)(d)	8.05(1)(j)—Declination of nomination after caucus—see (33)(b) 3.	
12.09(1), (5)(b)—see (31)	10.06(2)(c)—see (29)(b)	5.25(1)—see (13)(e)		
	12.09(1), (5)(b)—see (31)	8.05(1)(a)—see (15)		
		7.30—see (17) and (19)		
		6.28(1); 6.30(3)(c); 6.40(1)(b)—see (23)		
		12.09(4)(b)—see (27)		
		6.78(2)—see (29)(a)		
		10.06(3)(b)—see (29)(b)		
		12.09(1), (5)(b)—see (31)		
		7.30(4)(a)—see (33)(a)		
		8.05(1)—see (33)(b)		
<b>March (Earliest)*</b>				
12.09(4)(b); 12.10—see (37)(a)	12.09(4)(b); 12.10—see (37)(a)	6.48(2)—see (35)	7.38—Filing list of observers—see (39)(b)	6.48(2)—Board of election commissioners hears registration objections—see (35)
8.12(2)(e), (3) 1.—see (41)(a)	10.06(2)(c)—see (45)(a)	12.09(4)(b); 12.10—see (37)(a)	8.12(2)(e), (3)—Presidential candidates and delegates—see (41)(a) 1.	6.86—Absentee ballots—see (39)(a) and (45)(d)
8.12(5)—see (41)(a) 2.		10.05—see (33)(c)	8.12(5)—Filling delegate vacancies—see (41)(a) 2.	6.55—Registration with freeholders—see (45)(e)
		6.86—see (39)(a)		
		7.30(3)—see (41)(b)		
		5.25(1)—see (41)(c)		
		7.15(2)(b)—see (43)		
		10.06(3)(b), (d)—see (45)(a)		

Secretary of State	County Clerk	Municipal Clerk and Governing Body	Candidates	Public and General Provisions
		6.78(2)—see (45)(b)		
		7.15(3)(b), (5)—see (45)(c)		
		6.86—see (45)(d)		
		6.55—see (45)(e)		
<b>March (Latest)*</b>				
5.02(2)—see (47)(b)	5.02(2)—see (47)(b)	8.05(1)—see (47)(a)	8.05(1)(j)—Declination of nomination after caucus—see (47)(a) 3.	5.02(2)—SPRING PRIMARY—see (47)(b)
12.09(1), (4)(b); 12.10—see (59)(c) and (d)	7.60(3)—see (55)	5.02(2)—see (47)(b)	5.02(2)—SPRING PRIMARY—see (47)(b)	9.01—Recount—see (53), (57), (65)
7.70(3)(a)—see (63)	9.01—see (57)	7.23(1)(a)—see (47)(c)		7.60(3)—County canvass—see (55)(a)
9.01—see (65)	12.09(1), (4)(b); 12.10—see (59)(c) and (d)	7.51(5); 7.53(2), (3)—see (49)	8.35(2)—Deadline to decline municipal nomination—see (51)(a)	8.05(3)(e)—Petition to abolish caucus in towns—see (59)(a)
10.06(1)(e)—see (69)(a) and (b)	7.70(1)(b)—see (61)	8.35—see (51)	8.35(2)—Filling municipal nominee vacancies—see (51)(b)	7.70(3)(a)—State canvass—see (63)
12.09(5)(b)—see (69)(d) and (e)	10.06(2)(d)—see (69)(c)	9.01—see (53)	9.01—Recount—see (53), (57), (65)	12.08—Submitting political bills—see (67)
12.09(4)(b)—see (75)	12.09(5)(b)—see (69)(d) and (e)	8.05(3)(e)—see (59)(a)	8.35(1)—Declination of county office nomination. See (55)(b)	12.09(5)(b)—Financial statements—see (69)(e)
12.09; 12.10—see (79)(b) and (c)	7.10(3)—see (73)	8.35—see (59)(b)	8.35(2)—Filling vacancy—see (55)(b) 2.	6.28(1), 6.30(3)(c)—Registration deadline—see (71)(a)
	12.09(4)(b)—see (75)	12.09(1), (4)(b); 12.10—see (59)(c) and (d)	8.35(1)—Declination of nomination for office including more than one county—see (59)(b) 1.	12.09—Financial statements—see (79)(b)
	10.06(2)(e)—see (77)(a)	12.09(5)(b)—see (69)(d) and (e)	3.35(2)—Filling vacancy—see (59)(b) 2.	
	12.09; 12.10—see (79)(b) and (c)	7.23(1)(b)—see (69)(f)	12.09(1)—Financial statements—see (59)(c)	
		6.28(1); 6.30(3)(c); 6.40(1)(b)—see (71)	12.08—Submitting political bills—see (67)	
		12.09(4)(b)—see (75)	12.09(5)(b)—Financial statements—see (69)(c)	
		10.06(3)(c)—see (77)(b)	12.09—Financial statements—see (79)(b)	
		6.78(2)—see (77)(c)		
		12.09; 12.10—see (79)(b) and (c)		
		10.05—see (83)(b)		
			12.09—Financial statements—see (79)(b)	

Secretary of State	County Clerk	Municipal Clerk and Governing Body	Candidates	Public and General Provisions
<b>April (Earliest)*</b>				
	12.58(3)(a)—see (89)	8.05(3)(e)—see (83)(a)	7.38(1)(b)—Filing list of observers—see(85)(a) 1.	8:48(2)—Board of election commissioners hears registration objections—see (81)
	10.06(2)(c)—see (91)(a)	10.05—see (83)(b)	7.38(3)—Filling vacancies—see (85)(a) 2.	6.86—Absentee ballot—see (85)(b), (91)(e)
		7.38—see (85)(a)	12.58(3)(a)—Financial statements—see (89)	6.55—Registration with freeholders—see (91)(f)
		6.86—see (85)(b)		
		10.06(3)(b), (d)—see (91)(a), (b)		
		7.15(3)(b), (5)—see (91)(c)		
		6.78(2)—see (91)(d)		
		6.86—see (91)(e)		
		6.55—see (91)(f)		
<b>April (Latest)*</b>				
5.02(3)—see (93)(a)	5.02(3)—see (93)(a)	5.02(3)—see (93)(a)	5.02(3)—SPRING ELECTION—see (93)(a)	5.02(3)—SPRING ELECTION—see (93)(a)
12.09; 12.10—see (105)(b) and (c)	9.01—see (99)	7.51(4)(b), (5); 7.53(1)—see (93)(b)	7.53(2)—Municipal canvass—see (95)(b)	7.53(2)—Municipal canvass—see (95)(b)
	7.60(6), (7)—see (103)	7.23(1)(a)—see (93)(c)	9.01—Recount—see (97), (101), (113)	9.01—Recount—see (97), (101), (113)
	12.09; 12.10—see (105)(b) and (c)	7.51(5); 7.53(3)—see (95)(a)	7.60(3)—County canvass—see (99)	7.60(3)—County canvass—see (99)
	7.70(1)(b)—see (107)	7.53(2)—see (95)(b)	12.09(1)—Financial statements—see (105)(b)	12.09(1)—Financial statements—see (105)(b)
		9.01—see (97)		
		7.53(2)—see (105)(a)		
		12.09; 12.10—see (105)(b) and (c)		
* Due to calendar fluctuations the 2 extremes are noted. Therefore, the first of the month may occur on or between these 2 points.				
<b>May</b>				
7.70(3)(a)—see (111)	12.58(3)(a)—see (109)		12.58(3)(a)—Financial statements—see (109)	12.58(3)(a)—Financial statements—see (109)
9.01—see (113)				7.70(3)(a)—State canvass—see (111)
7.70(5)(a)—see (115)				
<b>June</b>				
7.23—see (117)	7.23—see (117)	7.23—see (117)		
<b>July</b>				
7.23—see (119) and (121)	7.23—see (119) and (121)	7.23—see (119) and (121)		

**DECEMBER**

(1) *December 1.* Earliest application may be made for absentee ballots for the spring primary—6.86.

(3) *2nd Tuesday in December.* (On or before) Secretary of state sends type A notice of the spring election to county clerks—10.06 (1) (a).

(5) *Last Tuesday in December.* (The next day if Tuesday is a holiday). (a) The secretary of state publishes one type A notice for the spring election—10.06 (1) (b).

(b) The county clerk uses the relevant parts of the notice received from the secretary of state, adds county offices and publishes the 1st of 2 type A notices—10.06 (2) (a).

(c) The municipal clerk publishes one type A notice of the municipal spring election—10.06 (3) (a).

**JANUARY**

(7) (a) *January 1.* Earliest candidates for delegates to party national conventions circulate nomination papers or proposed presidential candidates file list of delegates—8.12 (2) (e), (3).

(b) *January 1.* Earliest nomination papers are circulated for candidates running for office in the spring election (Deadline is last Tuesday in January)—8.05 (3) (a), (4) (b), 8.10 (2).

(c) *January 1.* Earliest application may be made for absentee ballots for the spring election—6.86.

(d) *60 days before spring primary.* Precincts or wards may be united to facilitate using voting machines—5.15 (6) (b).

(9) *1st Tuesday in January.* (The following day if Tuesday is a holiday). The county clerk publishes 2nd of 2 type A notices—10.06 (2) (a).

(11) (a) *Last Tuesday in January.* 5 p.m. deadline for candidates running for office in the spring election to file nomination papers—8.05 (3) (a), (4) (b), 8.10 (2).

(b) *Day after last Tuesday in January.* 2 p.m., the ballot arrangement in 1st class cities, and counties over 500,000 population, determined by drawing lots—5.58 (1) (b), (2).

(c) *3 days after last Tuesday in January.* Deadline for city to decide to hold a spring primary or for petition requesting a spring primary—8.11 (1) (a), (c).

**FEBRUARY**

(13) (a) *February 1.* Preceding a primary, the municipal clerks certify the number of electors in the district—5.66 (1).

(b) *60 days before spring election.* Deadline for petition requesting submission of question to require or abolish registration in municipalities under 5,000 population—6.27 (3), (4).

(c) *60 days before spring election.* Precincts or wards may be united to facilitate using voting machines—5.15 (6) (b).

(d) *30 days before spring primary.* Deadline for selecting tabulators to assist with the spring primary canvass—7.30 (3).

(e) *30 days before spring primary.* Deadline for establishing polling places—5.25 (1).

(15) *1st week in February.* Towns and villages having a caucus establish date between last Tuesday in February and 1st Tuesday in March—8.05 (1) (a).

(17) (a) *1st February meeting.* In odd-numbered years the election officials are chosen for 2-year terms—7.30 (4).

(b) *Within 5 days.* Municipal clerk notifies each election official appointee of his appointment—7.30 (5).

(c) *Within 10 days of mailed notice.* Election official appointees file official oath with municipal clerk—7.30 (5).

(19) (a) *February.* (Odd-numbered years) (a) In 1st class cities the board of election commissioners appoint the election officials for a 2-year term—7.30 (4) (b) 1.

(b) *Within 5 days.* Municipal clerk notifies each election official appointee of his appointment—7.30 (5).

(c) *Within 10 days of mailed notice.* Election official appointees file official oath with municipal clerk—7.30 (5).

(21) *1st Tuesday in February.* (a) (As soon as possible after sub. (11) (a), but no later than this date). Secretary of state sends county clerks notice of required primary and includes the certified list of candidates—10.06 (1) (c).

(b) The county clerks upon receipt of the notice prepare the ballots and give notice to all municipal clerks that there will be a primary—10.06 (2) (b).

(c) 1. 5 p.m. deadline for all persons filing nomination papers on the last Tuesday in January as a candidate for office which includes more than one county to decline nomination—8.35 (1); 2. Vacancies may be filled within 2 days—8.35 (2).

(23) (a) *3rd Wednesday before spring primary.* 5 p.m. deadline for registration—6.28 (1), 6.30 (3) (c).

(b) *3 days after registration closes.* Latest municipal clerk shall mail voting privilege cancellation cards—6.40 (1) (b).

25) *3rd Tuesday before spring primary.* (a) Latest county clerks shall distribute spring primary ballots and election blanks to municipal clerks—7.10 (3).

(b) Secretary of state publishes one notice of all candidates for each office in the spring primary, when held—10.06 (1) (d).

(27) *2nd Friday before primary.* (Approximate) Secretary of state, county clerk or other filing official sends notice and forms to all committees and candidates for financial accounting—12.09 (4) (b).

(29) *2nd Monday before spring primary.* (a) Latest 4th class cities, villages and towns can publish 1st of 2 notices of a change in the polling hours for a spring primary—6.78 (2).

(b) When a primary is held, county clerk publishes the 1st of 2 type B notices. The municipal clerk, where a primary for municipal offices is scheduled, publishes 1st of 2 type B notices—10.06 (2) (c), (3) (b).

(31) *Tuesday before primary.* (a) Every corporation and association indorsing, helping or opposing a political party shall file an expense account—12.09 (5) (b).

(b) Every candidate and secretary of every committee shall file verified financial statement—12.09 (1).

(33) *Last Tuesday in February.* (a) In odd-numbered years, whenever there is no regular meeting of the governing body of the municipality scheduled during February, the municipal clerk shall call a special meeting on this date—7.30 (4) (a).

(b) 1. Earliest town or village caucus may be held—8.05 (1) (a); 2. 5 days' notice shall be given—8.05 (1) (b); 3. Declination of nomination may be filed within 5 days after the caucus—8.05 (1) (j).

(c) Latest posting may be substituted for newspaper publication in villages, towns and school districts taking part in the spring primary—10.05.

**MARCH (earliest)**

(35) *Wednesday before spring primary.* First class city board of election commissioners sits to hear registration objections—6.48 (2).

(37) *Thursday before primary.* (a) Candidates and personal committees for whom no financial account has been filed by the Tuesday before the primary shall be notified and an affidavit and order of the court sent to them—12.09 (4) (b), 12.10.

(39) *Friday before spring primary.* (a) 5 p.m. deadline for application by mail for absentee ballots for spring primary—6.86.

(b) 1. Deadline for filing observer appointments—7.38 (1) (b); 2. Vacancies may be filled in 4 days—7.38 (3).

(41) (a) *March 1.* 1. 5 p.m. deadline for candidates for delegates to party national conventions to file nomination papers and declaration of acceptance or a statement of withdrawal or for proposed presidential candidates to consent to the use of their names by delegates filing nomination papers or to file list of delegates—8.12 (2) (e), (f), (3); 2. Within one week, vacancies in the presidential candidate's lists shall be filled by a majority of the delegation and the names filed with the secretary of state—8.12 (5).

(b) *30 days before spring election.* Deadline for selecting tabulators to assist with the spring election canvass—7.30 (3).

(c) *30 days before spring election.* Deadline for establishing polling places—5.25 (1).

(43) *2 days before spring primary.* Latest ballots in 1st class cities shall be ready when they print their own ballots—7.15 (2) (b).

(45) *Monday before primary.* (a) The 2nd of 2 type B notices is published by the county clerks and municipal clerks as under sub. (29) (b). If there is a primary, municipal clerks shall also give a type D notice on this date—10.06 (2) (c), (3) (b), (d).

(b) Latest 4th class cities, villages and towns publish 2nd of 2 notices of a change in the polling hours—6.78 (2).

(c) Latest election materials shall be delivered to precincts—7.15 (3) (b), (5).

(d) 5 p.m. deadline for application in person for absentee ballots for spring primary—6.86.

(e) 5 p.m. deadline for registration with freeholders—6.55.

**MARCH (latest)**

(47) (a) *1st Tuesday in March.* 1. Latest town or village caucus may be held—8.05 (1) (a); 2. 5 days' notice shall be given—8.05 (1) (b); 3. Declination of nomination may be filed within 5 days after the caucus—8.05 (1) (j).

(b) *1st Tuesday in March.* 1. Spring primary—5.02 (2).

2. Upon completion of the precinct canvass, the results shall be announced, the results telephoned to the proper clerks and all materials returned to the municipal clerk immediately—7.51 (4) (b), (5), 7.53 (1).

(c) *After primary.* Following spring primary any unused election materials shall be destroyed as municipal clerk directs—7.23 (1) (a).

(49) *Day after spring primary.* (a) 2 p.m. deadline for municipal clerks to deliver election materials to the county clerk—7.51 (5), 7.53 (3).

(b) Within 24 hours after the polls close, municipalities with more than one precinct shall begin municipal canvass—7.53 (2).

(51) *2 days after spring primary municipal canvass.* (a) 5 p.m. deadline for declination of nomination to office—8.35 (1).

(b) Vacancy may be filled within 2 days—8.35 (2).

(53) (a) *3 days after last day of municipal canvass.* 5 p.m. deadline to demand 1st recount—9.01 (1) (a).

(b) *Day following filing of recount petition.* 9 a.m., board of canvassers reconvenes to begin recount procedure—9.01 (1) (b).

(c) *2 days after completion of 1st recount.* 5 p.m. deadline to demand recount in any remaining precincts—9.01 (4).

(d) *5 days after recount determination.* Latest any aggrieved parties may appeal to circuit court—9.01 (6).

(55) *Thursday after spring primary.* (a) 9 a.m., latest county canvass shall begin—7.60 (3).

(b) *2 days after spring primary county canvass.* 1. 5 p.m. deadline for declination of nomination to office—8.35 (1); 2. Vacancy may be filled within 2 days—8.35 (2).

(57) (a) *3 days after last day of county canvass.* 5 p.m. deadline to demand 1st recount—9.01 (1) (a).

(b) *Day following filing of recount petition.* 9 a.m., board of canvassers reconvenes to begin recount procedure—9.01 (1) (b).

(c) *2 days after completion of 1st recount.* 5 p.m. deadline to demand recount in any remaining precincts—9.01 (4).

(d) *5 days after recount determination.* Latest any aggrieved parties may appeal to circuit court—9.01 (6).

(59) *2nd Tuesday in March.* (a) 1. 5 p.m. deadline for filing petition in towns requesting submission of question whether to require nomination papers and a nonpartisan primary in lieu of the caucus—8.05 (3) (e); 2. Separate notice 5 days before the election shall be given—8.05 (3) (e).

(b) 1. 5 p.m. deadline for all persons nominated to office which includes more than one county to decline nomination—8.35 (1); 2. Vacancies may be filled within 2 days—8.35 (2).

(c) Candidates and personal campaign committees verified financial statements shall be mailed—12.09 (1).

(d) If the statements under par. (c) are not received within 2 days after the deadline, the violators shall be notified by affidavit and an order of the court—12.09 (4) (b), 12.10.

(61) *2nd Wednesday after spring primary.* Absolute deadline for county clerk to make returns to secretary of state—7.70 (1) (b).

(63) *2nd Thursday after spring primary.* Latest state board of canvassers shall meet—7.70 (3) (a).

(65) (a) *3 days after last day of canvass.* 5 p.m. deadline to demand 1st recount—9.01 (1) (a).

(b) *Day following filing of recount petition.* 9 a.m., board of canvassers reconvenes to begin recount procedure—9.01 (1) (b).

(c) *2 days after completion of 1st recount.* 5 p.m. deadline to demand recount in any remaining precincts—9.01 (4).

(d) *5 days after recount determination.* Latest any aggrieved parties may appeal to circuit court—9.01 (6).

(67) *10 days after primary.* Deadline for submitting campaign bills for payment—12.08.

(69) *3rd Tuesday in March.* (a) (As soon as possible after the state canvass, but no later than this date). The secretary of state sends the county clerks a type B notice and a type C notice, when necessary, of the spring election—10.06 (1) (e).

(b) The secretary of state publishes one notice—10.06 (1) (e).

(c) The county clerk upon receipt of notice prepares the ballots and gives notice to all the municipal clerks—10.06 (2) (d).

(d) Approximate deadline for notice sent to political organizations to file expense accounts of their contributions to help or hinder any political organization—12.09 (5) (b).

(e) Deadline for political organization to file expense statements of their efforts to help or hinder any political organization or candidate—12.09 (5) (b).

(f) Voting machines used in the spring primary may be reactivated—7.23 (1) (b).

(71) *3rd Wednesday before spring election.* (a) 5 p.m. deadline for registration—6.28 (1), 6.30 (3) (c).

(b) 3 days after registration closes. Latest municipal clerk shall mail voting privilege cancellation cards—6.40 (1) (b).

(73) *2nd Thursday before spring election.* Latest county clerks shall distribute spring election ballots and election blanks to municipal clerks so they will arrive at least 10 days before the election—7.10 (3).

(75) *10 days before spring election.* Latest filing official shall send notice and forms for financial accounting to all committees and candidates—12.09 (4) (b).

(77) *2nd Monday before election.* (a) County clerks publish the 1st of 2 type B notices and 1st of 2 type C notices, when necessary—10.06 (2) (e).

(b) Municipal clerks publish 1st of 2 type B notices for local offices and 1st of 2 type C notices for local referenda—10.06 (3) (c).

(c) Latest 4th class cities, villages and towns can publish 1st of 2 notices of a change in the polling hours—6.78 (2).

(79) *Tuesday before spring election.* (a) Latest posting may be substituted for newspaper publication in villages, towns and school districts taking part in the spring election—10.05.

(b) Candidates, campaign committees, corporations, associations, etc. making contributions to help or hinder any political action must mail a verified financial statement—12.09 (1), (5) (b).

(c) If the statements under par. (b) are not received within 2 days after the deadline, the violators shall be notified by affidavit and an order of the court—12.09 (4) (b), 12.10.

**APRIL (earliest)**

(81) *Wednesday before spring election.* First class city board of election commissioners sits to hear registration objections—6.48 (2).

(83) *Thursday before spring election.* Latest town clerk shall give separate notice of question requiring nomination papers and nonpartisan primary in lieu of the caucus—8.05 (3) (e).

(85) *Friday before spring election.* (a) 1. Deadline for filing observer appointments—7.38 (1) (b); 2. Vacancies may be filled in 4 days—7.38 (3).

(b) 5 p.m. deadline for application by mail for absentee ballots for spring election—6.86.

(87) *2 days before spring election.* Latest ballots in 1st class cities shall be ready when they print their own ballots—7.15 (2) (b).

(89) *30 days after spring primary.* Treasurer of each political committee shall file with the county register of deeds a sworn statement of all moneys received and disbursed for 90 days before election through the date of filing—12.58 (3) (a).

(91) *Monday before spring election.* (a) County clerks and municipal clerks publish 2nd of 2 type B and C notices under sub. (77) (a) and (b)—10.06 (2) (c), (3) (b).

(b) Municipal clerks publish a type D notice on this date—10.06 (3) (d).

(c) Latest election materials delivered to precincts—7.15 (3) (b), (5).

(d) Latest 4th class cities, villages and towns publish 2nd of 2 notices of a change in the polling hours—6.78 (2).

(e) 5 p.m. deadline for application, in person, for absentee ballots for spring election—6.86.

(f) 5 p.m. deadline for registration with freeholders—6.55.

APRIL (latest)

(93) *1st Tuesday in April.* (a) Spring election—5.02 (3).

(b) Upon completion of the precinct canvass, the results shall be announced, the results telephoned to the proper clerks and all materials returned to the municipal clerk immediately—7.51 (4) (b), (5), 7.53 (1).

(c) Following spring election any unused election materials and contents of blank ballot box destroyed as municipal clerk directs—7.23 (1) (a).

(95) *Day after spring election.* (a) 2 p.m. deadline for municipal clerks to deliver election materials to the county clerk—7.51 (5), 7.53 (3).

(b) Within 24 hours after the polls close, municipalities with more than one precinct begin municipal canvass—7.53 (2).

(97) (a) *3 days after last day of municipal canvass.* 5 p.m. deadline to demand 1st recount—9.01 (1) (a).

(b) *Day following filing of recount petition.* 9 a.m., board of canvassers reconvenes to begin recount procedure—9.01 (1) (b).

(c) *2 days after completion of 1st recount.* 5 p.m. deadline to demand recount in any remaining precincts—9.01 (4).

(d) *5 days after recount determination.* Latest any aggrieved parties may appeal to circuit court—9.01 (6).

(99) *Thursday after spring election.* 9 a.m., latest county canvass shall begin—7.60 (3).

(101) (a) *3 days after last day of county canvass.* 5 p.m. deadline to demand 1st recount—9.01 (1) (a).

(b) *Day following filing of recount petition.* 9 a.m., board of canvassers reconvenes to begin recount procedure—9.01 (1) (b).

(c) *2 days after completion of 1st recount.* 5 p.m. deadline to demand recount in any remaining precincts—9.01 (4).

(d) *5 days after recount determination.* Latest any aggrieved parties may appeal to circuit court—9.01 (6).

(103) *Following recount period.* Immediately after expiration of recount period, the county clerk shall issue certificate of election to persons elected in the county and publish results in a newspaper—7.60 (6), (7).

(105) *2nd Tuesday in April.* (a) Latest municipalities holding annual election can declare results of spring election—7.53 (2).

(b) Candidates and personal campaign committees verified financial statements shall be mailed—12.09 (1).

(c) If the statements under par. (b), are not received within 2 days after the deadline, the violators shall be notified by affidavit and an order of the court—12.09 (4) (b), 12.10.

(107) *3rd Wednesday after spring election.* Absolute deadline for county clerk to make returns to secretary of state—7.70 (1) (b).

**MAY**

(109) *30 days after spring election.* Treasurer of each political committee shall file with county register of deeds a sworn statement of all money received and disbursed for 90 days before election through the date of filing—12.58 (3) (a).

(111) *May 15.* Latest state board of canvassers shall meet to canvass spring election—7.70 (3) (a).

(113) (a) *3 days after last day of state canvass.* 5 p.m. deadline to demand 1st recount—9.01 (1) (a).

(b) *Day following filing of recount petition.* 9 a.m., board of canvassers reconvenes to begin recount procedure—9.01 (1) (b).

(c) *2 days after completion of 1st recount.* 5 p.m. deadline to demand recount in any remaining precincts—9.01 (4).

(d) *5 days after recount determination.* Latest any aggrieved parties may appeal to circuit court—9.01 (6).

(115) *After state canvass.* Following the canvass, the secretary of state shall issue the certificates of election and publish one notice of the canvass results—7.70 (5) (a).

**JUNE**

(117) *90 days after spring primary.* Most spring primary election materials may be destroyed—7.23.

**JULY**

(119) *90 days after spring election.* Most spring election materials may be destroyed—7.23.

(121) *6 years after any election.* Financial statements may be destroyed—7.23 (1) (d).

**10.12 DATE AND NOTICE CHART; SEPTEMBER PRIMARY AND GENERAL ELECTION.** The following date and notice chart provides the chronological dates for the September primary and the general election.

Secretary of State	County Clerk	Municipal Clerk and Governing Body	Candidates	Public and General Provisions
<p>May</p> <p>10.06(1)(f)—see (1)</p> <p>10.06(1)(g)—see (3)(a)</p>	<p>10.06(2)(f)—see (3)(b)</p>			
<p>June</p> <p>8.15(1)—see (5)(b)</p>	<p>8.15(1); 8.17(2)—see (5)(b)</p> <p>10.06(2)(f)—see (7)</p>	<p>6.86—see (5)(a)</p>	<p>8.15(1); 8.17(2)—Nomination papers for candidates seeking party indorsement and precinct committeemen—see (5)(b)</p>	<p>6.86—Absentee ballots—see (5)(a)</p>

Secretary of State	County Clerk	Municipal Clerk and Governing Body	Candidates	Public and General Provisions
<b>July</b>				
8.15(1)—see (11)(a)	8.15(1); 8.17(2)—see (11)(a)	5.15(3)—see (9)(b)	8.12(7)—State central committee meeting—see (9)(a)	12.09(5)(b)—Financial statements—see (11)(b)
12.09; 12.10—see (11)(b) and (c)	12.09; 12.10—see (11)(b) and (c)	5.15(6)(b)—see (9)(c)	8.15(1); 8.17(2)—Filing date for candidates seeking party indorsement and precinct committeemen—see (11)(a)	
10.06(1)(h)—see (15)(a)	8.15(8)(b)—see (13)		12.09(5)(b)—Financial statements—see (11)(b)	
			8.35(1)—Declination of nomination—see (15)(b) 1.	
			8.35(2)—Filling vacancies—see (15)(b) 2.	
<b>August</b>				
8.20(3)—see (17)(c)	8.20(8)—see (17)(c)	5.66(1)—see (17)(a)	8.20(8)—Nomination papers for independents—see (17)(c)	6.86—Absentee ballots—see (17)(b)
7.08(1)(b)—see (19)	7.10(3)—see (23)	6.86—see (17)(b)		6.28(1); 6.30(3)(c)—Registration deadline—see (21)(a)
		5.25(1)—see (17)(d)		
		7.30(3)—see (17)(e)		
		6.28(1); 6.30(3)(c); 6.40(1)(b)—see (21)(a),(b)		
<b>September</b>				
8.50—see (25)(a)	8.50—see (25)(a)	5.15(6)(b)—see (25)(b)	12.09(1), (5)(b)—Financial statements—see (31)(a)	6.27(3), (4)—Petition to require or abolish registration—see (25)(c)
12.09(4)(b)—see (27)	12.09(4)(b)—see (27)	6.27(3), (4)—see (25)(c)	7.38(1)(b)—Filing observers list—see (35)(b) 1.	12.09(1), (5)(b)—Financial statements—see (31)(a)
12.09; 12.10—see (31)	10.06(2)(g)—see (29)(a)	6.78(2)—see (29)(b)	7.38(3)—Filling vacancies—see (35)(b) 2.	6.48(2)—Board of election commissioners hears registration objections—see (33)
5.02(4)—see (39)(a)	12.09; 12.10—see (31)	6.48(2)—see (33)	5.02(4)—SEPTEMBER PRIMARY—see (39)(a)	6.86—Absentee ballots—see (35)(a) and (37)(f)
8.20(8)—see (47)(a)	10.06(2)(g)—see (37)(c)	6.86—see (35)(a)	7.51(4)(b); 7.53(1)—Precinct canvass—see (39)(b)	6.55—Registration with freeholders—see (37)(e)
8.35—see (47)(b)	5.02(4)—see (39)(a)	7.38(1)(b), (3)—see (35)(b)	7.60(3)—County canvass—see (43)(a)	
10.06(1)(i)—see (51)(b)	7.60(3)—see (43)(a)	7.15(3)(b), (5)—see (37)(a)		
12.09—see (51)(c)	8.35—see (43)(b)	6.78(2)—see (37)(b)		

Secretary of State	County Clerk	Municipal Clerk and Governing Body	Candidates	Public and General Provisions
7.70(3)(a)—see (55)	9.01—see (45)	10.06(3)(d)—see (37)(d)	8.35(1)—Declination of nomination—see (43)(b) 1.	5.02(4)—SEPTEMBER PRIMARY—see (39)(a)
9.01—see (57)	8.20(8)—see (47)(a)	6.55—see (37)(e)	8.35(2)—Filling vacancies—see (43)(b) 2.	7.51(4)(b); 7.53(1)—Precinct canvass—see (39)(b)
	8.35—see (47)(b)	6.86—see (37)(f)	8.17(5)(a)—County statutory committee—see (43)(c)	7.60(3)—County canvass—see (43)(a)
	2.09—see (51)(c)	5.02(4)—see (39)(a)	9.01—Recount—see (45)	12.08—Campaign bills—see (49)
	7.70(1)(b)—see (53)	7.51(4)(b); 7.53(1)—see (39)(b)	8.20(8)—Independent nomination papers—see (47)(a)	7.70(3)(a)—State canvass—see (55)
		7.23(1)(a)—see (39)(c)	8.35(1)—Decline nomination—see (47)(b) 1.	9.01—Recount—see (57)
		7.51(5); 7.53(3)—see (41)	8.35(2)—Filling vacancies—see (47)(b) 2.	
			12.09(1)—Financial statements—see (47)(c)	
			12.08—Campaign bills—see (49)	
			8.35(1)—Independents declination of nomination—see (51)(a) 1.	
			8.35(2)—Filling vacancies—see (51)(a) 2.	
			12.09(5)(b)—Financial statements—see (51)(c)	
			7.70(3)(a)—State canvass—see (55)	
			9.01—Recount—see (57)	
<b>October</b>				
8.18(3)—see (61)(b)	12.58(3)(a)—see (63)	7.30(3)—see (59)(a)	8.18—State central committee platform convention—see (61)(a)	12.58(3)(a)—Financial statements—see (63)
7.08(1)(b)—see (65)	7.10(3)—see (69)(b)	5.25(1)—see (59)(b)	8.18(3)—Filing platform—see (61)(b)	6.28(1); 6.30(3)(c)—Registration deadline—see (67)(a)
10.06(1)(j)—see (69)(a)	12.09; 12.10—see (71)	6.28(1); 6.30(3)(c); 6.40(1)(b)—see (67)	12.58(3)(a)—Financial statements—see (63)	
12.09; 12.10—see (71)	10.06(2)(i)—see (73)(b)	6.78(2)—see (73)(a)		

Secretary of State	County Clerk	Municipal Clerk and Governing Body	Candidates	Public and General Provisions
November (Earliest)* 12.09; 12.10— see (75)	12.09; 12.10— see (75)	6.48(2)—see (77)  7.38—see (79) (a)	12.09(1), (5)(b)— Financial state- ments—see (75)(a)  7.38(1)(b)—Filing observers list—see (79)(a) 1.  7.38(3)—Filling vacancies—see (79)(a) 2.	12.09(1), (5)(b)— Financial state- ments—see (75)(a)  6.48(2)—Board of election commis- sioners hears regis- tration objections —see (77)
November (Latest)* 5.02(5)—see (83)(a)	10.06(2)(i)— see (81)(c)	6.86—see (79) (b) and (81)(d)	5.02(5)—GENER- AL ELECTION— see (83)(a)	6.86—Absentee ballots—see (79) (b) and (81)(d)
12.09; 12.10— see (97)	5.02(5)—see (83)(a)  7.60(3)—see (89)  9.01—see (91)  7.60(6), (7)— see (93)  12.09; 12.10— see (97)  7.70(1)(b)— see (99)	6.78(2)—see (81)(a)  7.15(3)(b), (5) see (81)(b)  6.55—see (81) (e)  5.02(5)—see (83)(a)  7.51(4)(b), (5); 7.53(1)—see (83)(b)  7.23(1)(a)— see (83)(c)  6.50—see (85)  7.51(5); 7.53(3) —see (87)	7.51(4)(b), (5); 7.53(1)—Precinct canvass—see (83) (b)  7.60(3)—County canvass—see (89)  9.01—County re- count—see (91)  12.08—Campaign bills—see (95)  12.09(1), (5)(b); 12.10—Financial statements—see (97)(a), (b)	6.55—Registration with freeholders— see (81)(e)  5.02(5)—GENER- AL ELECTION— see (83)(a)  7.51(4)(b), (5); 7.53(1)—Precinct canvass—see (83) (b)  6.50(2)—Registra- tion cancellation— see (85)(a)  7.60(3)—County canvass—see (89)  9.01—County re- count—see (91)  12.08—Campaign bills—see (95)  12.09(1), (5)(b); 12.10—Financial statements—see (97)(a), (b)
*Due to calendar fluctuations the 2 extremes are noted. Therefore, the first of the month may occur on or between these 2 points.				
December 7.70(3)(a), (5)(a)—see (101)	7.23—see (105)  12.58(3)(a)—see (109)	7.23—see (105)  7.30(4)(c)—see (111)	7.70(3)(a)—State canvass—see (101) (a)  9.01—State re- count—see (103)  7.75—Presidential electors—see (107) (b)  12.58(3)(a)—Fi- nancial statements —see (109)  7.30(4)(c)—Nomi- nees for election officials—see (111)	7.70(3)(a)—State canvass—see (101) (a)  9.01—State re- count—see (103)  7.75—Presidential electors—see (107) (b)  12.58(3)(a)—Fi- nancial statements —see (109)

**MAY**

(1) *2nd Tuesday in May.* (On or before) Secretary of state sends type A notice of the September primary and general election to the county clerks—10.06 (1) (f).

(3) *Last Tuesday in May.* (a) Secretary of state publishes one type A notice—10.06 (1) (g).

(b) County clerks give notice to municipal clerks and publish the 1st of 2 type A notices—10.06 (2) (f).

**JUNE**

(5) *June 1.* (a) Earliest application may be made for absentee ballots for the September primary—6.86.

(b) Earliest nomination papers shall be circulated for candidates seeking party indorsement at the September primary for offices to be filled at the general election and for party committeemen (Deadline is 2nd Tuesday in July)—8.15 (1), 8.17 (2).

(7) *1st Tuesday in June.* County clerks publish the 2nd of 2 type A notices—10.06 (2) (f).

**JULY**

(9) (a) *State central committee meeting.* A meeting to elect alternates for the national convention shall be called by giving at least 10 days' notice of the meeting which shall be scheduled at least 15 days before the national convention—8.12 (7).

(b) *4 months before general election.* Latest precincts can be divided—5.15 (3).

(c) *60 days before September primary.* Precincts or wards may be united to facilitate using voting machines—5.15 (6) (b).

(11) *2nd Tuesday in July.* (a) 5 p.m. deadline for candidates seeking party indorsement in the September primary and candidates for party committeemen to file nomination papers—8.15 (1), 8.17 (2).

(b) Any corporation, association, etc. contributing to the support or hindrance of any political organization or candidate shall file an account on this date covering period from last report filed—12.09 (5) (b).

(c) If the statements under par. (b) are not received within 2 days after the deadline, the violators shall be notified by affidavit and an order of the court—12.09 (4) (b), 12.10.

(13) *3rd Monday in July.* Latest county clerk shall send to secretary of state list of all legislative candidates when the district is within the county—8.15 (8) (b).

(15) *3rd Tuesday in July.* (a) (Immediately after registration closes but no later than this date). Secretary of state certifies candidates for offices for the September primary and mails notice to county clerks—10.06 (1) (h).

(b) 1. 5 p.m. deadline for all persons filing nomination papers on the 2nd Tuesday in July as a candidate for office seeking party indorsement which includes more than one county—8.35 (1); 2. Vacancies may be filled within 2 days—8.35 (2).

**AUGUST**

(17) *August 1.* (a) Preceding the September primary, the municipal clerks certify the number of electors in the district—5.66 (1).

(b) Earliest application may be made for absentee ballots for the general election—6.86.

(c) Earliest independent candidates seeking office in the general election shall circulate nomination papers (deadline is 3rd Tuesday in September)—8.20 (8).

(d) Deadline for establishing polling places is 30 days before September primary—5.25 (1).

(e) Deadline for selecting tabulators to assist with the September primary canvass is 30 days before September primary—7.30 (3).

(19) *2nd Friday in August*. Latest secretary of state shall send blanks for use at the September primary—7.08 (1) (b).

(21) (a) *3rd Wednesday before September primary*. 5 p.m. deadline for registration—6.28 (1), 6.30 (3) (c).

(b) *3 days after registration closes*. Latest municipal clerk shall mail voting privilege cancellation cards—6.40 (1) (b).

(23) *3rd Tuesday before September primary*. Latest county clerks shall distribute spring primary ballots and election blanks to municipal clerks—7.10 (3).

SEPTEMBER

(25) (a) *September 1*. In year of general election, no special election shall be scheduled between this date and the general election—8.50 (intro. par.).

(b) *60 days before general election*. Precincts or wards may be united to facilitate using voting machines—5.15 (6) (b).

(c) *60 days before general election*. Deadline for petition requesting submission of question to require or abolish registration in municipalities under 5,000 population—6.27 (3), (4).

(27) *10 days before primary*. Secretary of state, county clerk or other filing officer sends notice and forms to all committees and candidates for financial accounting—12.09 (4) (b).

(29) *2nd Monday before September primary*. (a) County clerks publish 1st of 2 type B notices—10.06 (2) (g).

(b) Latest 4th class cities, villages and towns can publish 1st of 2 notices of a change in the polling hours—6.78 (2).

(31) *Tuesday before primary*. (a) Candidates, campaign committees, corporations, associations, etc. making contributions to help or hinder any political action shall mail a verified financial statement—12.09 (1), (5) (b).

(b) If the statements under par. (a) are not received within 2 days after the deadline, the violators shall be notified by affidavit and an order of the court—12.09 (4) (b), 12.10.

(33) *Wednesday before September primary*. First class city board of election commissioners sits to hear registration objections—6.48 (2).

(35) *Friday before September primary*. (a) 5 p.m. deadline for application by mail for absentee ballots for September primary—6.86.

(b) 1. Deadline for filing observer appointments—7.38 (1) (b); 2. Vacancies may be filled in 4 days—7.38 (3).

(37) *Monday before September primary*. (a) Latest election materials shall be delivered to precincts—7.15 (3) (b), (5).

(b) Latest 4th class cities, villages and towns shall publish 2nd of 2 notices of a change in the polling hours—6.78 (2).

(c) County clerks publish 2nd of 2 type B notices—10.06 (2) (g).

(d) Municipal clerks publish one type D notice—10.06 (3) (d).

(e) 5 p.m. deadline for registration with freeholders—6.55.

(f) 5 p.m. deadline for application, in person, for absentee ballots for September primary—6.86.

(39) *2nd Tuesday in September*. (a) September primary—5.02 (4).

(b) Upon completion of the precinct canvass, the results shall be announced, the results telephoned to the proper clerks and all materials returned to the municipal clerk immediately—7.51 (4) (b), (5), 7.53 (1).

(c) Following September primary any unused election materials and contents of blank ballot box shall be destroyed as municipal clerk directs—7.23 (1) (a).

(41) *Day after September primary.* 2 p.m. deadline for municipal clerks to deliver election materials to the county clerk—7.51 (5), 7.53 (3).

(43) (a) *Thursday after September primary.* 9 a.m., latest county canvass shall begin—7.60 (3).

(b) *2 days after September primary county canvass.* 1. 5 p.m. deadline for declination of nomination to office—8.35 (1); 2. Vacancy may be filled within 2 days—8.35 (2).

(c) *2 days after completion of county canvass.* Chairman of each party committee calls county committee meeting by giving 5 days' notice of the meeting scheduled not more than 15 days after the date of calling it—8.17 (5) (a).

(45) (a) *3 days after last day of county canvass.* 5 p.m. deadline to demand 1st recount—9.01 (1) (a).

(b) *Day following filing of recount petition.* 9 a.m., board of canvassers reconvenes to begin recount procedure—9.01 (1) (b).

(c) *2 days after completion of 1st recount.* 5 p.m. deadline to demand recount in any remaining precincts—9.01 (4).

(d) *5 days after recount determination.* Latest any aggrieved parties may appeal to circuit court—9.01 (6).

(47) *3rd Tuesday in September.* (a) 5 p.m. deadline for independent candidates seeking office in the general election to file nomination papers—8.20 (8).

(b) 1. 5 p.m. deadline for all persons nominated at the September primary to decline nomination—8.35 (1); 2. Vacancies may be filled within 2 days—8.35 (2).

(c) Candidates and personal campaign committees verified financial statements shall be mailed—12.09 (1).

(49) *10 days after primary.* Deadline for submitting campaign bills for payment—12.08.

(51) *4th Tuesday in September.* (a) 1. 5 p.m. deadline for all persons filing nomination papers on the 3rd Tuesday in September as an independent candidate for office which includes more than one county to decline nomination—8.35 (1); 2. Vacancies may be filled within 2 days—8.35 (2).

(b) (Immediately after deadline for independents filing but no later than this date). Secretary of state certifies candidates and referenda questions for the general election—10.06 (1) (i).

(c) Corporations, associations, etc. making contributions to support or hinder any political organization or candidate shall file a financial report—12.09 (5) (b).

(53) *3rd Wednesday after September primary.* Absolute deadline for county clerk to make returns to secretary of state—7.70 (1) (b).

(55) *3rd Thursday after September primary.* Latest state board of canvassers shall meet to canvass September primary—7.70 (3) (a).

(57) (a) *3 days after last day of state canvass.* 5 p.m. deadline to demand 1st recount—9.01 (1) (a).

(b) *Day following filing of recount petition.* 9 a.m., board of canvassers reconvenes to begin recount procedure—9.01 (1) (b).

(c) *2 days after completion of 1st recount.* 5 p.m. deadline to demand recount in any remaining precincts—9.01 (4).

(d) *5 days after recount determination.* Latest any aggrieved parties may appeal to circuit court—9.01 (6).

OCTOBER

(59) *30 days before general election.* (a) Deadline for selecting tabulators to assist with the general election canvass—7.30 (3).

(b) Deadline for establishing polling places—5.25 (1).

(61) *1st Tuesday in October.* (a) 10 a.m., state central committee platform convention in state capitol—8.18.

(b) Within 10 days after the convention a certified copy of proceedings and platform shall be filed with secretary of state—8.18 (3).

(63) *30 days after primary.* Treasurer of each political committee files with the county register of deeds a sworn statement of all money received and disbursed for 90 days before election through the date of filing—12.58 (3) (a).

(65) *2nd Friday in October.* Latest secretary of state sends blanks for use at the general election—7.08 (1) (b).

(67) (a) *3rd Wednesday before general election.* 5 p.m. deadline for registration—6.28 (1), 6.30 (3) (c).

(b) *3 days after registration closes.* Latest municipal clerk shall mail voting privilege cancellation cards—6.40 (1) (b).

(69) *3rd Tuesday before general election.* (a) Secretary of state publishes one notice of all candidates for each office plus the full text and explanation of any amendments—10.06 (1) (j).

(b) Latest county clerks distribute ballots and election blanks to municipal clerks—7.10 (3).

(71) *10 days before election.* Latest filing official sends notice and forms for financial accounting to all committees and candidates—12.09 (4) (b), 12.10.

(73) *2nd Monday before general election.* (a) Latest 4th class cities, villages and towns can publish 1st of 2 notices of a change in the polling hours—6.78 (2).

(b) County clerks publish 1st of 2 type B notices including county offices and 1st of 2 type C notices including county referenda questions, when necessary—10.06 (2) (i).

NOVEMBER (earliest)

(75) *Tuesday before election.* (a) Candidates, campaign committees, corporations, associations, etc. making contributions to help or hinder any political action shall mail a verified financial statement—12.09 (1), (5) (b).

(b) If the statements under par. (a) are not received within 2 days after the deadline, the violators shall be notified by affidavit and an order of the court—12.09 (4) (b), 12.10.

(77) *Wednesday before general election.* First class city board of election commissioners sits to hear registration objections—6.48 (2).

(79) *Friday before general election.* (a) 1. Deadline for filing observer appointments—7.38 (1) (b); 2. Vacancies may be filled in 4 days—7.38 (3).

(b) 5 p.m. deadline for application by mail for absentee ballots for general election—6.86.

## NOVEMBER (latest)

(81) *Monday before general election.* (a) Latest 4th class cities, villages and towns can publish 2nd of 2 notices of a change in the polling hours—6.78 (2).

(b) Latest election materials can be delivered to precincts—7.15 (3) (b), (5).

(c) County clerks publish 2nd of 2 type B notices and 2nd of 2 type C notices when necessary—10.06 (2) (i).

(d) 5 p.m. deadline for application, in person, for absentee ballots for general election—6.86.

(e) 5 p.m. deadline for registration with freeholders—6.55.

(83) *Tuesday after 1st Monday in November.* (a) General election—5.02 (5).

(b) Upon completion of the precinct canvass, the results shall be announced, the results telephoned to the proper clerks and all materials returned to the municipal clerk immediately—7.51 (4) (b), (5), 7.53 (1).

(c) Following general election any unused election materials shall be destroyed as municipal clerk directs—7.23 (1) (a).

(85) *Following presidential election.* (a) Municipal clerks shall cancel registration of persons who haven't voted for 2 years—6.50 (2).

(b) Four years after registration cancellation the cards may be destroyed—6.50 (1) (a), (2) (f).

(87) *Day after general election.* 2 p.m. deadline for municipal clerks to deliver election materials to the county clerk—7.51 (5), 7.53 (3).

(89) *Thursday after general election.* 9 a.m., latest county canvass shall begin—7.60 (3).

(91) (a) *3 days after last day of county canvass.* 5 p.m. deadline to demand 1st recount—9.01 (1) (a).

(b) *Day following filing of recount petition.* 9 a.m., board of canvassers reconvenes to begin recount procedure—9.01 (1) (b).

(c) *2 days after completion of 1st recount.* 5 p.m. deadline to demand recount in any remaining precincts—9.01 (4).

(d) *5 days after recount determination.* Latest any aggrieved parties may appeal to circuit court—9.01 (6).

(93) *After expiration of recount period.* Immediately after expiration of recount period, the county clerk shall issue certificate of election to persons elected in the county and publish results in a newspaper—7.60 (6), (7).

(95) *10 days after election.* Deadline for submitting campaign bills for payment—12.08.

(97) *2nd Tuesday after election.* (a) Corporations, associations, etc. making contributions to support or hinder any political organization or candidate shall file a financial report—12.09 (5) (b).

(b) Candidates and personal campaign committees verified financial statements shall be mailed—12.09 (1).

(c) If the statements under par. (b) are not received within 2 days after the deadline, the violators shall be notified by affidavit and an order of the court—12.09 (4) (b), 12.10.

(99) *3rd Wednesday after general election.* Absolute deadline for county clerk to make returns to secretary of state—7.70 (1) (b).

## DECEMBER

(101) *December 1.* (a) Latest state board of canvassers shall meet to canvass general election—7.70 (3) (a).

(b) Following the canvass, the secretary of state shall issue the certificates of election and publish one notice of the canvass results—7.70 (5) (a).

(103) (a) *3 days after last day of state canvass.* 5 p.m. deadline to demand 1st recount—9.01 (1) (a).

(b) *Day following filing of recount petition.* 9 a.m., board of canvassers reconvenes to begin recount procedure—9.01 (1) (b).

(c) *2 days after completion of 1st recount.* 5 p.m. deadline to demand recount in any remaining precincts—9.01 (4).

(d) *5 days after recount determination.* Latest any aggrieved parties may appeal to circuit court—9.01 (6).

(105) *90 days after September primary.* Most September primary election materials may be destroyed—7.23.

(107) *1st Monday after 2nd Wednesday in December.* (a) Latest secretary of state shall deliver to one of the presidential electors in presidential election years 3 lists of the electors—7.70 (5) (b).

(b) 12 noon, in presidential election years, the presidential electors meet at the state capitol—7.75.

(109) *30 days after election.* Treasurer of each political committee shall file with the county register of deeds a sworn statement of all money received and disbursed for 90 days before election through the date of filing—12.58 (3) (a).

(111) *December 15.* On this date in the year prior to the time for appointment of new election officials, the political parties shall submit their nominees for election officials—7.30 (4) (c).

(113) *90 days after general election.* Most general election materials may be destroyed—7.23.

(115) *6 years after any election.* Financial statements may be destroyed—7.23 (1) (d).

**10.14 DATE AND NOTICE CHART; SPECIAL PRIMARY AND ELECTION.** The following date and notice chart provides the special chronological dates for a special primary and election.

Secretary of State	County Clerk	Municipal Clerk and Governing Body	Candidates	Public and General Provisions
See (1)	See (1)	See (1)	See (1)	See (1)
8.50(3)—see (3)	8.50(3)—see (3)	8.50(3)—see (3)	8.50(3)—Special dates—see (3)	8.50(2)(b)—Special primary—see (5)
8.50(2)—see (5) and (7)	8.50(2)—see (5) and (7)	8.50(2)(b)—see (5) and (7)	8.50(2)(b)—Special Primary—see (3)	8.50(2)—Special Election—see (7)
8.50(3)—see (9)	8.50(3)—see (9)	5.02(6)(a); 8.50—see (21)	8.50(2)—Special Election—see (7)	8.50(3)—Nomination papers—see (9) and (13)
8.50(1)(b)—see (11)	8.50(1)(b), (c)—see (11)	8.50—see (27)	8.50(3)—Nomination papers—see (9) and (13)	5.02(6)(a); 8.50—SPECIAL PRIMARY—See (21)
8.50(3)—see (13)	8.50(3)—see (13)		5.02(6)(a); 8.50—SPECIAL PRIMARY—see (21)	8.50—SPECIAL ELECTION—see (27)
8.50(1)(d)—see (15)	8.50(1)(d)—see (17) and (19)		8.50—SPECIAL ELECTION—see (27)	
5.02(6)(a); 8.50—see (21)	7.70(1)(b)—see (23)			

Secretary of State	County Clerk	Municipal Clerk and Governing Body	Candidates	Public and General Provisions
	8.50 --see (27)			
7.70(3)(a)--- see (25)	7.70(1)(b)--- see (29)			
8.50---see (27)				
7.70(3)(a)--- see (31)				

**SPECIAL ELECTION**

(1) The provisions for financial statements, recount, registration, absentee voting and other general provisions apply to special elections.

(3) *Special dates affecting filling vacancies by special election.* 8.50 (3).

(5) *Date for special primary.* 4 weeks before the day of the special election—5.02 (6) (a), 8.50 (2) (b).

(7) *Date for special election.* Not less than 55 nor more than 70 days from date of order—8.50 (2).

(9) *Date special election ordered.* Earliest nomination papers shall be circulated for special election—8.50 (3).

(11) *Special election notice.* Notice shall be given upon filing of the order calling the election—8.50 (1) (b). If the special election includes the secretary of state, he shall give one notice—8.50 (1) (b). The county clerk shall give 2 notices—8.50 (1) (b), (c).

(13) *18 days before special primary.* 5 p.m. deadline for filing nomination papers for special election—8.50 (3).

(15) *15 days before special primary.* Secretary of state sends certified list of candidates to county clerk—8.50 (1) (d).

(17) *2nd Monday before special primary and election.* Proper clerk publishes 1st of 2 type B notices—8.50 (1) (d), 10.01.

(19) *Monday before special primary and election.* Proper clerk publishes 2nd of 2 type B notices—8.50 (1) (d), 10.01.

(21) *4 weeks before special election.* Special primary—5.02 (6) (a), 8.50.

(23) *2nd Wednesday after special primary.* Absolute deadline for county clerk to make returns to secretary of state—7.70 (1) (b).

(25) *2nd Thursday after special primary.* Latest state board of canvassers shall meet—7.70 (3) (a).

(27) *Special election.* 5.02 (6) (b) ; 8.50.

(29) *3rd Wednesday after special election.* Absolute deadline for county clerk to make returns to secretary of state—7.70 (1) (b).

(31) *25 days after special election.* Latest state board of canvassers shall meet to canvass general election—7.70 (3) (a).

SECTION 2. Chapter 11 of the statutes is repealed.

SECTION 3. 12.01 (5) of the statutes is created to read:

12.01 (5) Any act concerning or affecting caucuses or elections which has been declared by Title II to be an "offense" shall also be an offense when the act concerns or relates to primaries, and shall be punished in the same form and manner and to the same extent.

SECTION 4. 12.45 of the statutes is created to read:

**12.45 POLITICAL PARTY RECOGNITION AND QUALIFICATION.** (1) Notwithstanding any other provisions of this title, no party shall be recognized or qualified to participate in any election which is directly or indirectly affiliated, by any means whatsoever, with the communist party of the United States, the third communist international, or any other foreign agency, political party, organization or government which either directly or indirectly carries on, advocates, teaches, justifies, aids or abets the overthrow by any unlawful means of, or which directly or indirectly carries on, advocates, teaches, justifies, aids or abets a program of sabotage, force and violence, sedition or treason against, the government of the United States or of this state.

(2) The secretary of state shall, with the advice and consent of the attorney general, determine which parties are qualified to participate in any election. Such determination shall be subject to review under ch. 227.

(3) This section is declared to be enacted in the exercise of the police power of this state for the protection of the public peace, safety and general welfare of the residents of this state.

SECTION 5. 12.49 of the statutes is created to read:

**12.49 ELECTION RESTRICTIONS ON EMPLOYERS.** (1) Any person who refuses an employe the privilege of time off for voting under s. 6.76, or who subjects an employe to a penalty therefor, or who directly or indirectly violates the provisions of s. 6.76, is guilty of a misdemeanor.

(2) No employer of labor in any city of the 1st class shall require his employes to work during the afternoon of any day on which a primary election is held in the city for the nomination of candidates for city offices, except works of necessity or charity. Any person violating this section or knowingly contributing to such violation may be fined not exceeding \$25.

(3) Any employer of labor who refuses to allow an employe to serve as an election official, or makes any threats or offers any inducements of any kind to such employe for the purpose of preventing such employe from serving, may be fined not more than \$500 or imprisoned not exceeding 9 months.

SECTION 6. 12.59 of the statutes is renumbered 12.59 (1).

SECTION 7. 12.59 (2), (3) and (4) of the statutes are created to read:

12.59 (2) Any person who knowingly deposits a ballot in the ballot box upon which ballot the names or initials of the ballot clerks, or those of the issuing municipal or county clerk, do not appear shall be punished as provided in s. 939.61. In the canvass of the votes any ballot which is not indorsed by the clerks shall be void, not counted and treated and preserved as a defective ballot.

(3) Any person intentionally swearing falsely to any affidavit shall be punished pursuant to s. 946.32. If any county or municipal clerk or any election official refuses or neglects to perform any of the duties prescribed by s. 6.15 or violates any of its provisions, he may be fined not less than \$100 nor more than \$1,000 or imprisoned not to exceed 90 days.

(4) Whoever intentionally swears falsely to any absent elector affidavit is guilty of perjury and upon conviction shall be punished as provided by law. Whoever procures an official ballot and intentionally neglects or refuses to cast or return it or intentionally violates any provision of ss. 6.85 to 6.89 may be fined not to exceed \$100 or imprisoned not to exceed 30 days or both. Any county or municipal clerk or any election official

who intentionally refuses or neglects to perform any of the duties prescribed by or violates any of the provisions of ss. 6.85 to 6.89, may be fined not less than \$100 nor more than \$1,000 or imprisoned not to exceed 90 days or both.

SECTION 8. 12.62 of the statutes is renumbered 12.62 (1).

SECTION 9. 12.62 (2) of the statutes is created to read:

12.62 (2) Any person who, being in possession of nomination papers entitled by law to be filed, wrongfully either suppresses, neglects or fails to cause the same to be filed at the proper time in the proper office may be fined not to exceed \$500 or imprisoned not to exceed 6 months or both.

SECTION 10. 12.66 of the statutes is renumbered 12.66 (1).

SECTION 11. 12.66 (2) of the statutes is created to read:

12.66 (2) Whoever violates any of the provisions of s. 6.55, or falsifies any affidavit filed pursuant to s. 6.55, may be fined not less than \$25 nor more than \$200 or imprisoned not more than 6 months or both. Each violation of this section shall constitute a separate offense.

SECTION 12. 12.68 and 12.69 of the statutes are renumbered 12.68 (1) and 12.69 (1), respectively.

SECTION 13. 12.68 (2) and (3) of the statutes are created to read:

12.68 (2) Any person other than an election official who, during or before any election, tampers with machines readied for voting, disarranges, defaces, injures or impairs the same in any manner, or mutilates, injures or destroys any ballot placed thereon or to be placed thereon or any other appliance used in connection with the machine, may be fined not more than \$1,000 or imprisoned not more than 10 years or both.

(3) Whenever an inspector of election intentionally permits or causes any voting machine to fail to correctly register or record any vote cast thereon, tampers with or disarranges the machine in any way, or any part or appliance thereof, or who causes or consents to the machine being used for voting at any election with knowledge of the fact that the same is not in order, or not perfectly set and adjusted so that it will correctly register or record all votes cast thereon or who, for the purpose of defrauding or deceiving any elector or of causing it to be doubtful for what ticket, candidate or proposition any vote is cast, or of causing it to appear upon the machine that votes cast for one ticket, candidate or proposition were cast for another ticket, candidate or proposition, or removes, changes or mutilates any ballot on the machine, or any part thereof, or does any other like thing may be fined not to exceed \$1,000 or imprisoned not more than 10 years or both.

SECTION 14. 12.69 (title) of the statutes is amended to read:

12.69 FRAUD OR NEGLECT IN CANVASS OR RETURN OF VOTES.

SECTION 15. 12.69 (2), (3), (4) and (5) of the statutes are created to read:

12.69 (2) If the person to whom the returns specified in ss. 7.51 and 7.53 are delivered fails or neglects to send or deliver them to the county clerk within the time specified therein, he shall be liable for all expenses incurred in procuring the returns, and may be fined not to exceed \$100 or imprisoned not more than 20 days or both.

(3) Whoever accepts from any board of election inspectors the statement of the canvass of the votes prepared by them for delivery to the proper municipal clerk as required by law, but who fails to deliver it or fails to cause its delivery to be made to the proper clerk within 48 hours after accepting it for that purpose without sufficient excuse for the failure, may be fined not less than \$25 nor more than \$100 or imprisoned not less than 10 nor more than 30 days or both.

(4) Any chairman of any board of election inspectors or any inspector appointed by him to deliver to any municipal clerk any statement of the result of the canvass of any votes made by the board who fails or neglects to deliver such statement to the proper municipal clerk forthwith; any messenger sent by any board of canvassers for election returns or with the returns for the correction thereof, who wilfully fails to perform that duty or who unlawfully keeps back or fails to deliver any returns so entrusted to him, may, in addition to any other punishment provided by law for withholding, suppressing, destroying or failing to deliver the returns, be fined not less than \$25 nor more than \$50 or imprisoned not more than 30 days nor less than 10 days or both.

(5) Any inspector or clerk of an election who intentionally causes the vote registered or recorded on or in a voting machine to be incorrectly recorded as to any candidate or proposition voted on, or who knowingly causes any false statement, certificate or return of any kind, of such vote to be made or signed, or who knowingly consents to such things being done, may be fined not to exceed \$1,000 or imprisoned not more than 10 years or both.

SECTION 16. 12.75 of the statutes is created to read:

12.75 CIVIL PROCESS NOT TO BE SERVED ON ELECTION DAY. During the day on which any election is held no civil process shall be served on any elector entitled to vote at the election in the precinct in which he is entitled to vote or while going to or returning therefrom.

SECTION 17. 14.29 (10) of the statutes is amended to read:

14.29 (10) Publish the laws as provided by s. 985.04 (2) and to publish in the official state paper ~~once a week for~~ *on the first Tuesday of each of the 3 months immediately preceding any general election, such proposed constitutional amendments as were approved for the first time by the legislature preceding such the election.*

SECTION 18. 60.07 of the statutes is renumbered 60.07 (1).

SECTION 19. 60.07 (2) of the statutes is created to read:

60.07 (2) The location of the annual town meeting and all elections shall be held at the same place as the last town meeting unless changed at that meeting or as designated by the supervisors when more than one precinct is established. Newly organized towns shall have their first meeting at the place designated in the documents which established the town. The meeting place designated need not be within the town, but shall be convenient to the town within an incorporated city or village within the county. Not more than 6 nor less than 4 weeks before the meeting date the town board, by recorded resolution, or 12 electors of the town, by a filed petition, may have the question of whether to change the meeting place submitted to a vote at the regular town meeting. The resolution or petition shall designate a qualified alternative place with reasonable certainty. Notice of the proposed question shall be given at the same time

as the notice of the town meeting. The change shall be made if a majority vote in favor of the change.

SECTION 20. 246.15 of the statutes is created to read:

246.15 WOMEN TO HAVE EQUAL RIGHTS. Women shall have the same rights and privileges under the law as men in the exercise of suffrage, freedom of contract, choice of residence for voting purposes, jury service, holding office, holding and conveying property, care and custody of children, and in all other respects. The various courts, executive and administrative officers shall construe the statutes where the masculine gender is used to include the feminine gender unless such construction will deny to females the special protection and privileges which they now enjoy for the general welfare. The courts, executive and administrative officers shall make all necessary rules and provisions to carry out the intent and purpose of this section.

SECTION 21. The rights and privileges of persons now serving under the titles of municipal clerk and county clerk under section 5.02 (9) (c) and (10) of the statutes shall not be impaired because of any title or duty changes made by this act.

SECTION 22. (1) Where the reference to chapter "5" appears in sections 59.997 (11) and 66.019 (4) of the statutes, the reference "6" is substituted.

(2) Where the reference to "chapter 5" appears in section 60.81 (9) of the statutes, the reference "Title II" is substituted.

(3) Where the reference to section "5.05" appears in sections 38.16 (1) (c), 66.054 (5) (c) and 176.38 (1) of the statutes, the reference "8.15" is substituted.

(4) Where the reference to section "5.05 (6)" appears in section 12.54 of the statutes, the reference "8.15 (6)" is substituted.

(5) Where the reference to "chs. 6 and 10" appears in section 17.29 of the statutes, the reference "ch. 7" is substituted.

(6) Where the reference to "ch. 6" appears in sections 40.03 (6) (c), 66.021 (5) (d) and 66.022 (3) of the statutes, the reference "chs. 6 and 7" is substituted.

(7) Where the reference to section "6.047" appears in section 16.275 (6) (b) of the statutes, the reference "6.76" is substituted.

(8) Where the reference to sections "6.22 and 6.23" appears in sections 61.187 (1) and 62.13 (6) (b) of the statutes, the reference "5.64 (2) and 10.02" is substituted.

(9) Where the reference to section "6.23" appears in sections 40.03 (6) (d) and 67.05 (6), (6a) (d) and (6b) (b) of the statutes, the reference "5.64 (2)" is substituted.

(10) Where the reference to section "6.23 (8)" appears in sections 66.021 (5) (d) and 66.054 (5) (c) of the statutes, the reference "5.64 (2)" is substituted.

(11) Where the reference to "subsections (8) and (17) of section 6.23" appears in section 67.05 (4) and (5) (a) of the statutes, the reference "s. 5.64 (2)" is substituted.

(12) Where the reference to "subsection (8) of section 6.23" appears in section 176.38 (3) of the statutes, the reference "s. 5.64 (2)" is substituted.

(13) Where the reference to "paragraphs (a) and (b) of subsection (17) of section 6.23" appears in section 198.06 (2) of the statutes, the reference "ss. 5.51 and 5.64" is substituted.

- (14) Where the reference to section "6.325" appears in section 40.27
- (2) (g) of the statutes, the reference "7.03" is substituted.
- (15) Where the reference to section "6.50" appears in section 40.27
- (4) (k) of the statutes, the reference "6.92" is substituted.
- (16) Where the reference to sections "6.57 to 6.64" appears in section 66.202 (9) (b) of the statutes, the reference "7.23 and 7.51 to 7.60" is substituted.
- (17) Where the reference to section "6.80" appears in section 67.05
- (4) and (5) (a) of the statutes, the reference "5.01 (2)" is substituted.
- (18) Where the reference to section "6.81" appears in section 20.730
- (2) of the statutes, the reference "7.08 (3)" is substituted.
- (19) Where the reference to section "7.01" appears in sections 17.18
- (1) and 17.19 (1) and (4) of the statutes, the reference "8.50" is substituted.
- (20) Where the reference to section "7.06" appears in section 60.305
- (1) (a) of the statutes, the reference "8.50" is substituted.
- (21) Where the reference to section "8.02" appears in sections 17.19
- (2) (intro. par.) and 17.21 (2) (a) of the statutes, the reference "8.50" is substituted.
- (22) Where the reference to section "9.06" appears in section 17.19
- (3) of the statutes, the reference "7.75" is substituted.
- (23) Where the reference to section "10.01" appears in section 40.03
- (7) of the statutes, the reference "7.20" is substituted.
- (24) Where the reference to section "10.35" appears in section 67.05
- (5) (a) of the statutes, the reference "5.01 (2)" is substituted.
- (25) Where the reference to section "10.40" appears in sections 41.05
- (2) (c), 67.05 (5) (a) and 60.305 (1) (a) of the statutes, the reference "7.15 (2) (d)" is substituted.
- (26) Where the reference to section "10.43" appears in sections 40.095 (1), 40.803 (1) (b) (intro. par.), 43.28 (5), 59.083 (1), (2) and (3), 64.10 (3), 64.36 (2) and (4), 66.01 (9), 66.19 (3), 66.40 (25) (a) and 67.05 (2) (b) and (5) (a) of the statutes, the reference "9.20" is substituted.
- (27) Where the reference to "subsections (1) to (5) of section 10.43" appears in section 66.01 (6) of the statutes, the reference "s. 9.20 (1) to (6)" is substituted.
- (28) Where the reference to section "10.43 (2) to (5)" appears in sections 64.01 (1) and (3) and 64.25 of the statutes, the reference "9.20 (1) to (6)" is substituted.
- (29) Where the reference to "subsections (2) to (5) of section 10.43" appears in section 66.01 (5) of the statutes, the reference "s. 9.20 (2) to (6)" is substituted.
- (30) Where the reference to "subsections (4) and (5) of section 10.43" appears in section 66.01 (7), (9) and (11) of the statutes, the reference "s. 9.20 (4) to (6)" is substituted.
- (31) Where the reference to section "10.43 (4)" appears in section 66.01 (8) of the statutes, the reference "9.20 (4)" is substituted.
- (32) Where the reference to section "10.43 (5)" appears in section 66.01 (3a) of the statutes, the reference "10.43 (5) and (6)" is substituted.
- (33) Where the reference to section "10.44" appears in sections 17.12
- (1) (a) and (2) (a), 17.23 (1) (a) and (b), 17.23 (2) (a) and 64.06 of the statutes, the reference "9.10" is substituted.
- (34) Where the reference to section "10.45" appears in section 67.05
- (5) (a) of the statutes, the reference "5.02 (3)" is substituted.
- (35) Where the reference to section "10.51" appears in sections

60.305 (1) (a) and 67.05 (5) (a) of the statutes, the reference "7.15 (2) (d)" is substituted.

(36) Where the reference to section "10.52" appears in sections 40.27 (2) (f) and 60.305 (1) (a) of the statutes, the reference "5.60" is substituted.

(37) Where the reference to section "10.54" appears in sections 41.05 (2) (d) and 67.05 (a) of the statutes, the reference "8.06" is substituted.

(38) Where the reference to section "10.55" appears in section 60.305 (1) (a) of the statutes, the reference "5.01 (2)" is substituted.

(39) Where the reference to sections "11.54 to 11.68" appears in section 40.27 (4) (c) of the statutes, the reference "6.85 to 6.89" is substituted.

(40) Wherever the term "4 weeks prior to the general election in April" appears in section 40.27 (3) (f) of the statutes, the term "on the 1st Tuesday in March" is substituted.

This act shall take effect on July 1, 1967.

SECTION 23. There shall be appointed a committee of 6 members, consisting of 3 Senators and 3 Assemblymen, 2 from the majority party and 1 from the minority party in each house, to be appointed as are the standing committees; that this committee be directed to study the subject matter of Amendment 23, A. and all relative material relating to straight party voting, and that the committee be directed to report its findings and recommendations to the 1967 legislature when it convenes; that the committee shall be attached to the Legislative Council for administrative purposes, and all expenses in connection with its assignment shall be paid from funds appropriated to the Legislative Council. The provisions of this section of the bill shall take effect immediately upon passage and publication.

### CROSS REFERENCE TABLE

This table is designed to assist in tracing the various provisions of chs. 5 to 11 into the sections of the new election code. It covers all sections repealed or renumbered by this bill. It does not show (except for the repeals noted) what specifically happened to a particular section of chs. 5 to 11, i.e., whether it was substantially changed or restated without change. To find that information, turn to the new section and the note attached thereto. The notes also will show what sections of chs. 5 to 11 are covered by a particular section of the new election code.

Old Section	New Section	Old Section	New Section
Chapter 5		(3).....	10.06 (2)(f)
5.01 (intro. par.).....	5.02 (intro. par.)	(4).....	10.06 (3)(a), (b)
(1).....	5.02 (1)(b)	5.05 (1) (1st part).....	8.15 (1)
(2).....	5.02 (4)	(last part).....	8.15 (5)
(3).....	5.02 (2)	(3) (1st sentence) ..	8.15 (2)
(4).....	5.02 (5)	(3) (last sentence) ..	Repealed <sup>1</sup>
(5).....	5.02 (3)	(4).....	8.02
(6).....	5.02 (6)	(5)(a).....	8.15 (3)
(7).....	5.02 (8)	(b) (1st 2 sen-	
5.011.....	5.01 (1)	tences .....	8.15 (4)(a)
5.012 (1).....	5.01 (2)	(last 2 sentences) ..	8.15 (4)(b)
(2).....	9.01 (2) (in part)	(6).....	8.15 (6)
(3).....	12.01 (5)	(7).....	8.15 (7)
5.02.....	8.01	(8)(intro. par.)..	8.15 (8)(intro. par.)
5.03.....	5.02 (4)	(a).....	8.15 (8)(a)
5.04 (1)(1st sentence) ..	10.01 (2)(a) and	(b).....	8.15 (8)(b)
	10.06 (1)(f)	(c).....	8.15 (8)(c)
(2nd sentence).....	10.06 (1)(g)	(8m).....	12.62 (2)
(2).....	10.01 (2)(a) and	(9).....	7.23 (1)(e), (2)
	10.06 (2)(f)		

Old Section	New Section	Old Section	New Section
(10)-----	8.15 (6)	(near end)-----	8.11 (3)
5.08 (1) (except date)-----	7.08 (2)(a)	(end)-----	8.11 (4)
(date)-----	10.06 (1)(h)	5.245-----	8.13
(2) and (3)-----	5.62 (3)	5.25 (1)-----	5.58 (intro. par.)
5.11 (1)-----	7.10 (2)	(2)(a)-----	5.58 (1)(a)
(2) and (3)-----	5.62 (4)(a)	(b)-----	5.58 (1)(b)
(4)-----	5.62 (4)(b)	(c) (1st sen- tence)-----	5.58 (2)(a)
(5) (1st sentence)-----	7.10 (1)(a)	(last sentence)-----	5.58 (3)
5.11 (5) (2nd sentence)-----	5.51 (5)	(3) (1st sentence)-----	5.58 (2)(a)
(3rd sentence)-----	5.66 (1)	(2nd sentence)-----	5.58 (2)(b)
(last sentence)-----	7.10 (3)(a)	(last sentence)-----	5.58 (3)
5.13 (1)-----	5.62 (1)(a)	(4) (1st part)-----	10.06 (1)(c)
(2)-----	5.62 (1)(b)	(last part)-----	7.08 (2)(a)
(3)-----	5.62 (2)	5.26 (1)-----	7.51 (5)
(4)-----	8.19 (3)	(2)-----	7.53 (2)
5.14 (1)-----	7.50 (2)(g)	(3)-----	7.53 (3)
(2)-----	8.03	(4)-----	Repealed <sup>5</sup>
(3)-----	5.60 (3)(intro. par.)	5.265 (1st part)-----	8.35 (1)
(4)-----	6.80	(last part)-----	8.35 (2)
(5), (6), (7)-----	6.80 (2)(e)	5.27 (intro. par.)-----	8.05 (intro. par.)
5.15 (1)-----	7.51 (1)(intro. par.)	(1)(a) (1st and 2nd sentences)-----	8.05 (1)(a)
(2)-----	7.53 (1), (2)	(3rd and 4th sen- tences)-----	8.05 (1)(b)
(3)-----	7.60 (3)	(5th to 8th sen- tences)-----	8.05 (1)(c)
(4) (1st sentence)-----	7.60 (3)	(9th sentence)-----	8.05 (1)(d)
(last 2 sentences)-----	7.60 (5)	(10th and 11th sentences)-----	8.05 (1)(e)
(5), (6)-----	7.60 (5)	(12th sentence)-----	8.05 (1)(f)
5.16-----	7.70 (3)(a)	(13th sentence)-----	8.05 (1)(g)
5.17 (1) (1st sentence)-----	Repealed <sup>2</sup>	(14th and 15th sentences)-----	8.05 (1)(h)
(last sentence)-----	8.16 (1)	(16th and 17th sentences)-----	8.05 (1)(i)
(2)-----	Repealed <sup>3</sup>	(18th sentence)-----	8.05 (1)(j)
(3)-----	8.16 (1)	(19th sentence)-----	5.60 (5)(a)
5.18 (1st sentence)-----	7.38 (3)	(last sentence)-----	5.01 (4)
(2nd and 3rd sen- tences and 4th sen- tence, 1st part)-----	7.38 (3)	(2)-----	Repealed <sup>6</sup>
(4th sentence, last part)-----	7.35 (3)	(3)-----	Repealed <sup>7</sup>
(next to last sen- tence)-----	8.35 (3)	(4)(a) (1st and 2nd sentences, in part)-----	8.05 (3)(a)
(last sentence)-----	7.38 (3)(d)	(2nd sentence, last part)-----	8.05 (3)(b)
5.19 (1)-----	8.20 (1)	(3rd sentence)-----	8.05 (3)(a)
(2)-----	8.20 (2)(a)	(last sentence)-----	8.05 (3)(c)
(3)-----	8.20 (3)	(b) (intro. par.)-----	5.58 (1)(c)
(4) (1st 2 sentences)-----	8.20 (4)	form-----	Annexed to ch. 5 as Ballot 8
(last sentence)-----	8.20 (6)	(c)-----	Annexed to ch. 5 as Ballot 8
(5)-----	8.20 (5)	(d)-----	8.05 (3)(d)
(6) (1st sentence)-----	8.20 (7)	(e)-----	8.05 (3)(f)
(last sentence)-----	8.20 (8)	(f)-----	8.05 (3)(g)
5.21-----	5.01 (4)	(g)-----	8.05 (3)(e)
5.22-----	8.10 (1)	(5)-----	8.05 (6)
5.23 (1st sentence)-----	8.10 (2)	(6) (1st sentence, 1st part)-----	8.05 (4)(a)
(2nd sentence)-----	8.10 (3)	(1st sentence, in part)-----	8.05 (4)(c)
(next to last sen- tence)-----	8.10 (5)	(1st sentence, last part)-----	8.05 (4)(b)
(last sentence)-----	8.10 (4)	(last sentence)-----	8.05 (4)(d)
5.24 (1)(a) (1st sen- tence, 1st part)-----	8.11 (1)(a)	(7)-----	8.05 (5)
(1st sentence, last part)-----	8.11 (1)(c)	5.29 (1) (1st sentence)-----	5.02 (6) and 8.50 (2)(b)
(2nd sentence)-----	8.11 (1)(d)	(last sentence)-----	8.50 (intro. par.)
(last sentence)-----	8.11 (4)	(2)-----	8.50 (1)(b)
(b) and (c)-----	8.11 (1)(b)		
(2) (1st part, in part)-----	8.11 (2)		
(1st part, in part)-----	Repealed <sup>4</sup>		

Old Section		New Section		Old Section		New Section	
	(3).....	8.50	(3)(a)	(3) (1st sentence) .	5.60	(8)(d)	
	(4).....	8.50	(1)(d)	(last sentence)....	10.16	(2)(b)	
	(5).....	8.50	(3)(b)	(4), (5).....	6.80	(2)(e)	
5.30	.....	8.30		(6).....	7.50	(1)(b)	
5.35	(1)(a) (1st sen- tence).....	8.17	(4)(a)	5.40	.....	7.08	(1)(a)
	(b).....	8.17	(4)(b)	Chapter 6			
	(2) (1st sentence) .	8.17	(1)	6.01 (1).....	6.02	(1), (2)	
	(2)(2nd and 3rd sentences).....	8.17	(2)	(2).....	6.03	(2)	
	(last sentence)....	8.17	(3)(b)	(3).....	6.03	(1) (intro. par.), (b)	
	(3).....	5.01	(4) and 8.17 (4)(b)	6.015	.....	246.15	
	(4).....	8.17	(4)(c)	6.017	.....	5.02	(8)
	(5).....	8.17	(6)	6.02 (1) (1st part)....	6.77	(1)	
	(6).....	8.17	(5)(a)	(last part).....	Repealed <sup>9</sup>		
	(7).....	8.17	(5)(b)	(2).....	Repealed <sup>10</sup>		
	(8) (1st sentence, 1st part).....	8.17	(5)(c) (intro. par.)	6.03 (1).....	5.02	(5)	
	(1st sentence, last part).....	8.17	(5)(c) 1 and 2	(2).....	5.02	(3)	
	(last sentence) and (9)(1st 2 sentences)	8.17	(6)	6.04 (intro. par.)....	5.25	(intro. par.)	
	(9) (3rd sentence, 1st part).....	8.17	(5)(d)	(1), (2).....	5.25	(1)	
	(3rd sentence, last part).....	Repealed <sup>8</sup>		(3) (1st part).....	5.25	(2)	
	(10).....	8.17	(5)(i)	(last part).....	60.07	(2)	
	(11).....	8.17	(5)(g)	(4) (1st and 2nd sentences, in part)	5.15	(2)	
	(12).....	8.17	(5)(e)	(2nd sentence, last part and 3rd sen- tence, in part)....	5.25	(intro. par.)	
	(13).....	8.17	(5)(f)	(3rd sentence, in part).....	5.25	(1)	
5.36	(1) (1st sentence) .	8.18	(1)	6.045 (1).....	5.25	(1)	
	(2nd sentence)....	8.18	(2)(a)	(2) (1st part).....	5.35	(3)	
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8.05 (1st sentence).....	5.01 (2)	10.13.....	6.45
(2nd sentence).....	5.68 (1)	10.14.....	5.70 (2)
(3rd sentence).....	5.35 (3)	10.15 (1)(a) (1st sen-	
(4th sentence).....	5.01 (2)	tence, 1st part).....	6.50 (1)(a)
(5th sentence, 1st		(1st sentence, 2nd	
part).....	7.60 (3), (4)(a)	part).....	6.48 (1)(b)
(last part).....	7.60 (4)(b), (6)	(1st sentence, 3rd	
(last sentence).....	7.70 (3)(a), (d)	part).....	6.50 (1)(b)
		(1st sentence, last	
<b>Chapter 9</b>		part).....	6.28 (1)
9.01.....	8.25 (3)	(2nd sentence).....	6.50 (1)(a)
9.02 (1).....	8.25 (2)	(3rd sentence).....	6.28 (1)
(2) (1st sentence).....	5.64 (1)(intro. par.)	(4th sentence).....	6.36
(2nd sentence).....	5.01 (2)	(last sentence).....	6.50 (1)(c)
9.04.....	8.25 (1)	(b).....	6.30 (2)
9.045.....	6.15 (1)	(2).....	6.40 (1)(a)
9.046 (intro. par.).....	6.15 (2)(intro. par.)	(3) (intro. sen-	
(1)(a).....	6.15 (2)(a)	tence).....	6.30 (3)(intro. par.)
(b).....	6.15 (2)(c)		
(2)(a), (b).....	6.15 (3)(a)		

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Old Section	New Section	Old Section	New Section
(2nd sentence, 1st part)-----	6.30 (3)(a)	10.35 (6)-----	7.15 (1)(h)
(2nd sentence, last part to next to last sentence)-----	6.30 (3)(b)	10.36 (1)-----	5.01 (2)
(last sentence)-----	6.30 (3)(c)	(2)-----	5.02 (3)
10.16 (1)-----	6.05	(3)-----	6.78
(2)-----	6.35 (3)	10.37 (4)-----	10.06 (3)
10.17 (1)(1st sentence)-----	6.55 (1)	(1st sentence)-----	5.60 (3)(b)
(2nd and 3rd sentences)-----	6.55 (2)(a)	(2nd sentence)-----	5.01 (3)
(4th and 5th sentences)-----	6.55 (3)	(last sentence)-----	5.01 (4)
(last sentence)-----	6.55 (2)(a)	10.38 -----	7.53 (4)
(1a)-----	6.55 (2)(f)		5.68 (1) and 7.15 (2)(a)
(2)-----	6.55 (2)(d)	10.385-----	7.23 (1)
(3)-----	6.56	10.40 (1)-----	5.01 (2)
10.18 (1)-----	6.45	(2)-----	7.15 (2)(d)
(2)(1st sentence)-----	6.36 (3)	10.41 -----	5.60 (4)
(2nd sentence, 1st part)-----	6.79 (intro. par.)	10.42 -----	7.53 (2)
(2nd sentence, last part)-----	6.79 (2)(a)	10.43 (1)-----	9.20 (1)
(last sentence, 1st part)-----	6.36 (2)	(2)-----	9.20 (2)
(last sentence, last part)-----	7.51 (1)(intro. par.)	(3)-----	9.20 (3)
10.19 -----	6.55 (1)	(4)-----	9.20 (4)
10.20 (1st sentence)-----	6.48 (1)(a)	(5) (1st sentence)-----	9.20 (5)
(2nd sentence)-----	6.48 (2)(a)	(last sentence)-----	9.20 (6)
(3rd to last sentences)-----	6.48 (2)(b)	(6) (1st sentence, 1st part)-----	9.20 (7)
10.21 (1st part)-----	6.45	(1st sentence, last part)-----	9.20 (8)
(2nd part)-----	6.48 (1)(a)	(2nd sentence)-----	9.20 (8)
(last part)-----	6.48 (2)(b)	(3rd sentence)-----	9.20 (7)
10.22 -----	7.32	(last sentence)-----	9.20 (8)
10.23 (1st sentence, 1st part)-----	7.21 (1)	10.44 (1) (1st sentence)-----	9.10 (1, (2)(a)
(1st sentence, 2nd part)-----	5.25 (1)	(2nd and 3rd sentences)-----	9.10 (4)(a)
(1st sentence, 3rd part)-----	7.21 (1)	(4th sentence)-----	9.10 (1)
(1st sentence, 4th part)-----	7.21 (5)	(last sentence)-----	Repealed <sup>41</sup>
(1st sentence, last part)-----	5.25 (1)	(2) (1st sentence)-----	9.10 (2)(a)
(2nd sentence)-----	5.25 (1)	(last sentence)-----	9.10 (2)(b)
(3rd sentence)-----	7.22 (5)	(3)-----	9.10 (4)(a)
(last sentence)-----	7.21 (1)	(4)-----	9.10 (4)(b)
10.24 (1st part)-----	Repealed <sup>39</sup>	(5), (6)-----	9.10 (4)(c)
(last part)-----	5.53 (2)	(7)-----	9.10 (5)
10.25 (1)-----	7.21 (1) and 7.53 (2)	10.45 (1st sentence)-----	5.02 (3)
(2)-----	7.21 (1)	(2nd to last sentence)-----	10.06 (3)
10.26 -----	7.22 (1)	10.46 (1st sentence)-----	5.25 (1)
10.27 -----	Repealed <sup>39</sup>	(last sentence)-----	6.78
10.28 -----	7.20 (5)	10.47 (1st sentence, in part)-----	5.60 (5)(intro. par.)
10.29 (1st part)-----	Repealed <sup>40</sup>	(1st sentence, last part)-----	5.35 (3)
(2nd part)-----	7.15 (1)(intro. par.)	(2nd sentence, 1st part)-----	5.01 (3)
(3rd part)-----	7.15 (1)(h)	(2nd sentence, 2nd part)-----	5.01 (4)
(last part)-----	7.15 (1)(g)	(last sentence)-----	Repealed <sup>42</sup>
10.31 -----	7.21 (5)	10.48 (1) (1st sentence)-----	5.63 and 7.15 (1)(c)
10.33 (intro. par.)-----	7.15 (1)(intro. par.)	(2nd sentence)-----	5.51
(1)-----	7.15 (1)(a)	(3rd and 4th sentences)-----	5.60 (5)(a)
(2)-----	7.15 (1)(b)	(last sentence)-----	Repealed <sup>43</sup>
(3)-----	7.15 (1)(d)	(2)-----	5.60 (5)(b)
(4)-----	7.15 (1)(e)	10.49 (1st sentence)-----	5.01 (2)
(4a)-----	7.15 (1)(f)	(last sentence)-----	7.51 (5)
(5)-----	7.15 (1)(g)	10.50 -----	5.02 (8)
		10.51 -----	7.15 (2)(d) and 8.50
		10.52 (1) (1st sentence)-----	5.60 (6)
		(2nd sentence)-----	10.06 (3)
		(last sentence)-----	5.60 (6)
		form-----	Annexed at 5.60 (6) as Ballot 6A

Old Section	New Section	Old Section	New Section
(2) (intro. par.)	5.60 (6)	(last sentence)	7.15 (3)(b)
form	Annexed at 5.60 (6) as Ballot 6B	(6)	7.15 (1)
10.525	7.11	11.10 (1) (1st part)	7.25 (1)
10.53 (1) (1st sentence,		(last part)	7.03
1st part)	5.25 (2)	(2)	7.25 (2)
(remainder)	60.07 (2)	(3)	7.25 (3)
(2), (3)	60.07 (2)	(4)	7.25 (4)
(4)	5.68 (1)	11.11 (1)	7.25 (5)
(5)	60.07 (2)	(2)	7.25 (6)(a)
(6) (1st part)	60.07 (2)	(3)	7.25 (2)(b)
(last part)	Repealed <sup>44</sup>	(4)	7.25 (2)(c)
10.54	8.06	11.12 (1)	Repealed <sup>47</sup>
10.55	5.01 (2)	(2)	7.51 (1)(b)
10.56 (1), (3)	7.15 (1)(c)	11.13 (1st sentence, 1st	
10.57	7.51 (1)(intro. par.)	part)	7.51 (3)(c)
10.58	7.53 (1)	(1st sentence, last	
10.59	7.51 (5)	part)	7.23 (1)
10.60 (1st part)	5.01 (3)	(2nd sentence)	7.51 (3)(c)
(last part)	5.01 (4)	(3rd sentence)	7.23 (1)
10.61	5.60 (7)	(last sentence)	7.51 (3)(c)
10.62	7.53 (2)	11.14	Repealed <sup>48</sup>
10.63	7.20	11.15	5.37 (4)
10.64 (1st sentence)	7.21 (1)	11.16	7.50 (2)(h)
(2nd sentence)	7.21 (2)	11.17 (1)	5.01 (2)
(last sentence)	8.30	(2)	7.23 (1)
10.65	7.21 (2)	11.18	12.68 (2)
10.66 (1st sentence, 1st		11.19	12.68 (3)
part)	7.21 (4)	11.20	12.69 (5)
(1st sentence, last		11.54 (1) (1st sentence,	
part)	7.21 (3)	1st part)	6.20 (1)
(2nd sentence)	7.21 (5)	(last part)	6.85
(3rd sentence)	7.20 (5)	(2)	6.22 (2)
(last sentence)	7.21 (1)	11.55	6.86
10.68	7.21 (5)	11.56	6.86
10.69	Repealed <sup>45</sup>	11.57 (1st part)	6.87 (1)
10.70	Repealed <sup>46</sup>	(2nd part)	6.87 (3)
		(last sentence)	6.87 (6)
Chapter 11		11.58 (1)	6.87 (2)
11.03 (1), (2)	5.37 (1)	(2)	6.87 (5)
(3) (1st part)	5.37 (3)	11.59	6.87 (4)
(last part)	5.03	11.60	6.88 (1)
(4)	5.37 (1)	11.605	6.89
11.04 (1st sentence)	5.40	11.61	6.88 (2)
(2nd sentence)	5.15 (6)(b)	11.62 (1st to 3rd sen-	
(last sentence, 1st		tences)	6.88 (3)(a)
part)	5.37 (2)	(4th to 5th sen-	
(last sentence, last		tences)	6.88 (3)(b)
part)	5.15 (6)(b)	(last sentence)	6.88 (3)(c)
11.06 (1)	5.37 (5)	11.63	6.93
(2), (3)	7.30 (1)	11.64	6.20 (2) and 6.88 (3)(b)
(4) (1st part)	5.37 (5)	11.65 (1st part)	5.01 (2)
(last sentence)	5.37 (1)	(last sentence)	7.51 (3)(c)
(5) (1st sentence)	6.80 (3)(a)	11.66	7.21
(2nd sentence)	6.80 (3)(b)	11.67	12.59 (4)
11.08	5.01 (2)	11.68	Repealed <sup>49</sup>
11.09 (1)(a)	7.10 (1)(a) and 7.15 (1)(c)	11.70 (1)	6.22 (1)
(b) (1st sen-		(2)	6.22 (3)
tence)	5.68 (2)	(3)	6.22 (6)
(last sentence)	7.15 (2)(c)	(4)	6.22 (4)
(2)	5.53 (1), (2)	(5) (1st sentence)	6.22 (5)
(3) (1st sentence)	7.15 (3)(a)	(2nd sentence)	6.22 (2)
(last sentence)	7.37 (4)	(3rd sentence)	6.22 (5)
(4)	5.66 (2)	(last sentence)	6.22 (4)
(5) (1st sentence)	10.06	(6)	6.22 (7)

FOOTNOTES

- <sup>1</sup>Section 8.02 in this bill covers this.
- <sup>2</sup>When a candidate has party endorsement, he represents the party without regard to the number of votes so the requirement that all candidates for an office receive 5% of the vote for governor at the last 2 elections is repealed.
- <sup>3</sup>This subsection provides how party candidates who do not aggregate enough votes are printed on the ballot. (See footnote 2)
- <sup>4</sup>The provision for towns in counties over 500,000 population is repealed since it applies only to Milwaukee county, which has no towns.
- <sup>5</sup>Section 5.58 (3) in this bill adequately provides for those candidates in a primary who take part in the following election.
- <sup>6</sup>The provision for filing nomination papers after the caucus and up to 18 days before the spring election is repealed to allow sufficient time to prepare ballots and other preparations for the spring election.
- <sup>7</sup>This subsection pertains only to Milwaukee county which does not have towns.
- <sup>8</sup>The time requirement for the calling of a congressional district committee is repealed since the committee is no longer required.
- <sup>9</sup>This provision, pertaining to unorganized Indian lands, is repealed as obsolete.
- <sup>10</sup>This provision, pertaining to residing, is in conflict and creates ambiguity with the provisions of s. 6.10 in this bill pertaining to the same provisions and therefore this subsection is repealed.
- <sup>11</sup>Repealed as unnecessary and ambiguous.
- <sup>12</sup>The breakdown by percentages when dividing into wards is unnecessary since the requirement states they be as nearly uniform as possible.
- <sup>13</sup>Posting is repealed in specific sections and s. 10.05 provides for posting in general.
- <sup>14</sup>Repealed as unnecessary.
- <sup>15</sup>No other municipality is required to list its election officials and therefore is repealed for uniformity.
- <sup>16</sup>Repealed as unnecessary.
- <sup>17</sup> and <sup>18</sup>The provisions for unorganized election districts in Indian lands is repealed as obsolete.
- <sup>19</sup>The restrictions on what sections of the constitution can be submitted to the people for amendment at specific elections is repealed since it has not been used and appears to be unconstitutional.
- <sup>20</sup>The requirement that the statement contain no arguments is unnecessary since the statement is limited to an explanation of the effect of a "yes" or "no" vote.
- <sup>21</sup>This section, pertaining to registration provisions that do not apply to Milwaukee, is no longer necessary since the registration provisions for all the state appear in sections 6.26 to 6.56 in this bill and any exceptions are specifically noted.
- <sup>22</sup>The special provision that inmates of penal institutions and mental hospital patients not be included in population in specific instances is repealed for uniform use of the regularly prepared federal census.
- <sup>23</sup>Repealed since sections 6.28 and 6.30 in this bill adequately so provide.
- <sup>24</sup>Obsolete.
- <sup>25</sup>Obsolete.
- <sup>26</sup>Repealed for uniformity with other municipalities in the state. Bids may still be used, however, in any municipality and may still be required by the governing body.
- <sup>27</sup>Obsolete.
- <sup>28</sup>Section 5.55 in this bill applies to all ballots making this unnecessary.
- <sup>29</sup>The provision that a statement such as "a nonpartisan judiciary," "a partisan superintendency," or "a nonpartisan administration" and so on is allowed is unnecessary since this is strictly a nonpartisan election.
- <sup>30</sup>The requirement that receipts be given for ballots received is repealed to reflect general present practice but does not prevent any election official from requiring or giving a receipt.
- <sup>31</sup>Repealed for uniformity and to maintain secrecy of the ballot. He has had a right to bring a person of his own choosing making this unnecessary.
- <sup>32</sup>Repealed as in conflict with s. 6.10 (5) in this bill.
- <sup>33</sup>Obsolete and unnecessary as covered by the general terms.
- <sup>34</sup>It is often difficult to identify the political affiliations of a newspaper and therefore the requirement is repealed.
- <sup>35</sup>There is no reason why there must be a requirement that it be a weekly or daily newspaper. Ch. 985 provides the necessary qualifications for a newspaper.
- <sup>36</sup>There will almost always be an employe in the clerk's office who will be more familiar with election procedure.
- <sup>37</sup>Repealed since s. 7.21 in this bill adequately provides for the executive secretary to handle all duties.
- <sup>38</sup>Obsolete.
- <sup>39</sup>Section 7.03 adequately provides for election officials compensation.
- <sup>40</sup>Repealed for uniformity. The repeal does not forbid the continued printing and using of such a manual.
- <sup>41</sup>Repealed as s. 12.62 of the statutes provides similarly.

- <sup>42</sup>Repealed as unnecessary as s. 6.10 in this bill sets forth detailed provisions.
- <sup>43</sup>Repealed for uniformity and to prevent ambiguity.
- <sup>44</sup>Obsolete as there are no towns in Milwaukee county.
- <sup>45</sup>Repealed as s. 5.01 (2) in this bill adequately provides for this.
- <sup>46</sup>Section 12.66 of the statutes provides similarly.
- <sup>47</sup>Repealed to prevent ambiguity with provisions of s. 7.50 (2) (h) in this bill.
- <sup>48</sup>Obsolete as a bond referendum is no longer necessary to buy or try voting machines.
- <sup>49</sup>Repealed as unnecessary since this is adequately provided for elsewhere in this bill.