

1983 Assembly Bill 540

Date of enactment: **May 10, 1984**
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1983 Wisconsin Act 484
(Vetoed in Part)

AN ACT *to repeal* 5.05 (8), 5.60 (8) (d) and (e), 6.27 (5) (b), 6.275 (1), 7.08 (3) (c), 7.31 (1), 7.35 (title), 7.36, 7.53 (2) (b), 8.175, 10.06 (1) (b) and (d) and 10.06 (1) (g) and (j); *to renumber* 5.08, 6.22 (1) (d), 6.27 (5) (a), 6.50 (7) and (8), 7.08 (3) (d), 7.23 (1) (h), 7.35 (2) and (3), 7.37 (2) to (7), 7.37 (8), 8.10 (2), 11.01 (12m), 12.01 (1) and 17.03 (10); *to renumber and amend* 5.01 (3), 6.275 (2), 6.48 (4), 6.50 (3) to (6), 7.35 (1), 8.15 (4) (b), 8.15 (5), 8.20 (2) (b), 12.01 (2), 12.66, 120.06 (6) and 120.73 (1) (a); *to amend* 5.01 (4) (a) and (c), 5.02 (13), 5.05 (1) (c), 5.05 (2), 5.15 (6) (b), 5.35 (6) (a) 1, 5.37 (3), 5.40 (1), 5.58 (2) (a) and (3), 5.60 (1) (intro.) and (a) and (8) (a) 1 to 3, 5.62 (1) (b) and (2), 5.64 (1) (a), (b) and (e), (2) (a) and (c) and (3) (a), 5.66 (2), 5.72 (1) and (2), 5.87, 5.91 (2), 6.10 (3), 6.15 (3) (b), 6.22 (2), 6.275 (title), 6.28 (1) (b), 6.30 (3) (a) to (c) and (4), 6.32 (3) and (4), 6.35 (1), (2) and (4), 6.40 (1) (a) and (b), 6.45, 6.50 (9) and (10), 6.55 (2) (c) 1 and (d) and (6), 6.56 (2) to (4), 6.80 (1) and (2) (a), (e) and (f), 6.82 (2), 6.85, 6.86 (1) and (2), 6.87 (2), (4) and (6), 6.88 (1), 6.94, 6.95, 7.03, 7.08 (1) (b) and (c), (2) (a) and (3) (intro.), 7.08 (4), 7.10 (3) (a), 7.15 (2) (d), (3) (a) and (6), 7.23 (1) (b), (e) and (g), 7.30 (1), (2) (a) and (b), (4) (b) 1 and 2, (c) and (d) and (6) (b), 7.32, 7.38 (1) (e) and (3), 7.50 (2) (f), 7.51 (3) (a) to (c) and (4) (b), 7.53 (1) and (2) (a), 7.53 (2) (d) and (4), 7.60 (5) and (7), 7.70 (1) (b) and (3) (a), (g) and (h), 8.05 (1) (h), 8.10 (3) (intro.), 8.11 (2), 8.12 (1) (a) to (c), 8.15 (3) and (4) (a), 8.15 (6) (e) and (8) (b), 8.16 (2) and (7), 8.185 (2), 8.20 (2) (a), 8.20 (5), 8.20 (8) (a), 8.28 (1), 8.30 (1) (intro.) and (2), 8.35 (1) and (2), 8.35 (3), 8.50 (1) (a), (b) and (d) and (3) (title), (a) and (b), 8.50 (4) (f), 9.20 (1), (3), (4) and (5), 10.01 (2) (a) and (c), 10.02 (3) (a) to (d), (f) and (g), 10.06 (1) (e), 10.06 (2) (a), (e), (g), (h), (k) and (m), 11.61 (2), 11.66, 12.03 (1), 12.11 (3), 12.11 (4), 12.13 (1) (b) and (3) (am), (i) and (v), 12.60 (1) (b), 16.79 (2), 17.03 (intro.) and (6), 17.18 (2) (a), 17.23 (1) (b), 17.28, 19.42 (4), 19.43 (4), 20.510 (1) (a), 36.11 (title), 59.03 (3) (b) 1, 59.03 (3) (d), 59.031 (2) (b) and (7), 59.032 (2) (b) and (7), 59.07 (67), 59.11 (2) and (4), 59.125, 60.11, 60.18 (9), 60.22, 60.29 (20) (b), 61.189 (1), 61.21, 61.23 (1), 67.14 (5), 81.01 (3) (b), 117.01 (4) (b) 2 and 3, 119.06 (6), 119.08 (3), 120.06 (3), 120.06 (7) (a), (8) (b), (d) and (f) 1, (9) (a) and (10), 120.43 (3) and (6) and 887.01 (1); *to repeal and recreate* 6.50 (1) and (2), 7.23 (2), 8.05 (1) (j), 8.10 (4) and (5), 8.17 and 8.20 (6); and *to create* 5.01 (3) (b), 5.01 (4) (d), 5.02 (3m), 5.05 (1) (d) to (f), 5.05 (9), 5.06, 5.08, 5.65, 6.22 (1) (d), 6.275 (2), 6.48 (4), 6.56 (6), 7.15 (1) (k), 7.23 (1) (h) and (i), 7.37 (7), 7.38 (3) (e), 7.51 (1) (aw), 7.54, 8.07, 8.10 (2) (b) and (c), 8.10 (3) (km) and (ks), 8.15 (4) (b), 8.15 (5) (b), 8.20 (2) (b), 8.20 (8) (am), 8.30 (4), 8.35 (2) (b) and (e), 8.50 (3) (d) and (e), 10.06 (2) (n), (3) (f) and (4), 11.05 (3m), 12.07 (4), 12.08, 12.11 (3) (e), 17.03 (10), 17.285, 36.11 (1) (cm), 120.06 (6) (a), 120.73 (1) (a) 2 and 227.22 (6) of the statutes, *relating to* special elections, ballots, nominations, canvassing, election officials, referenda, prohibited election practices, registration and voting procedure, qualifications for office, vacan-

cies, notices, forms and administration of elections, granting rule-making authority, providing penalties and making appropriations.

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

SECTION 1. 5.01 (3) of the statutes is renumbered 5.01 (3) (a) and amended to read:

5.01 (3) (a) ~~In~~ Except as provided in par. (b), in every election to choose any officer, each elector shall have has 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.

SECTION 2. 5.01 (3) (b) of the statutes is created to read:

5.01 (3) (b) In an election to fill a nonpartisan state office, if no names are certified to appear on the ballot, no person may be declared elected.

SECTION 3. 5.01 (4) (a) and (c) of the statutes are amended to read:

5.01 (4) (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~~ board of canvassers charged with the responsibility to determine the election, except as provided in s. 8.17 (4) (b).

(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~~ board of canvassers shall appoint a competent person to draw, and upon the results declare and certify the winner.

SECTION 4. 5.01 (4) (d) of the statutes is created to read:

5.01 (4) (d) If a question is submitted to the electors and an equal number of votes are cast for and against adoption, the question fails adoption.

SECTION 5. 5.02 (3m) of the statutes is created to read:

5.02 (3m) "Elected official" means an individual who is elected to a national, state or local office.

SECTION 5c. 5.02 (13) of the statutes is amended to read:

5.02 (13) "Political party" or "party" means a state committee registered under s. 11.05 organized exclusively for political purposes, recognized by the national organization of the party, if any, under whose name candidates appear on a ballot at any election, and all county, congressional, legislative, local and other affiliated committees authorized to operate under the same name, ~~except that the term does not include committees organized under s. 8.17 and assigned responsibilities under s. 7.30, with respect to such activities only.~~ For purposes of ch. 11, the term does not include a legislative campaign committee created under s. 11.265.

SECTION 5g. 5.05 (1) (c) of the statutes is amended to read:

5.05 (1) (c) Bring civil actions to require forfeitures for any violation of ch. 11 under s. 11.60, ~~and sue for injunctive relief under s. 11.66 to compel compliance with ch. 11.~~ Actions. Forfeiture actions brought by the board may concern only violations with respect to reports or statements required by law to be filed with it, and other violations arising under elections for state office or statewide referenda. Pursuant to such authority, the board is authorized to compromise and settle any civil action or potential action brought or authorized to be brought by it under ch. 11 which, in the opinion of the board, constitutes a minor violation, a violation caused by excusable neglect, or which for other good cause shown, should not in the public interest be prosecuted under such chapter. Notwithstanding s. 778.06, an action or proposed action authorized under this paragraph may be settled for such sum as may be agreed between the parties. Actions ~~Forfeiture actions brought~~ by the board shall be brought in the circuit court for the

county wherein the violation is alleged to occur. The board shall file a report of all civil actions brought by it and the disposition of those actions to the appropriate standing committees of each house of the legislature, as determined by the presiding officer, on March 1 and September 1 of each year.

SECTION 5r. 5.05 (1) (d) to (f) of the statutes are created to read:

5.05 (1) (d) Sue for injunctive relief, a writ of mandamus or prohibition, or other such legal or equitable relief as may be appropriate to enforce any law regulating the conduct of elections or election campaigns or ensure its proper administration. No bond is required in such actions. Actions shall be brought in circuit court for the county where a violation occurs or may occur.

(e) Delegate to its executive secretary the authority to issue a subpoena under par. (b), apply for a search warrant under par. (b), commence an action under par. (d), intervene in an action or proceeding under sub. (9) or issue an order under s. 5.06, subject to such limitations as the board deems appropriate.

(f) Promulgate rules under ch. 227 applicable to all jurisdictions for the purpose of interpreting or implementing the laws regulating the conduct of elections or election campaigns or ensuring their proper administration.

SECTION 6. 5.05 (2) of the statutes is amended to read:

5.05 (2) AUDITING. In addition to the facial examination of reports and statements required under s. 11.21 (13), the board shall conduct an audit of reports and statements which are required to be filed with it to determine whether violations of ch. 11 have occurred. The board may examine records relating to matters required to be treated in such reports and statements ~~maintained under s. 11.12 (3)~~. The board shall make official note in the file of a candidate, committee, group or individual under ch. 11 of any error or other discrepancy which the board discovers and shall inform the person submitting the report or statement.

SECTION 7. 5.05 (8) of the statutes is repealed.

SECTION 7e. 5.05 (9) of the statutes is created to read:

5.05 (9) STANDING. The board has standing to commence or intervene in an action or proceeding for the purpose of enforcing the laws regulating the conduct of elections or election campaigns or ensuring their proper administration. If the board delegates authority to the executive secretary under sub. (1) (e) to act in its stead, the executive secretary has standing to commence or intervene in such an action or proceeding.

SECTION 7m. 5.06 of the statutes is created to read:

5.06 Compliance review; appeal. (1) Whenever any elector of a jurisdiction or district served by an election official believes that a decision or action of the official or the failure of the official to act with respect to any matter concerning nominations, qualifications of candidates or ballot preparation is contrary to law, or the official has abused the discretion vested in him or her by law with respect to any such matter, the elector may file a written sworn complaint with the board requesting that the official be required to conform his or her conduct to the law, be restrained from taking any action inconsistent with the law or correct any action or decision inconsistent with the law or any abuse of the discretion vested in him or her by law. The complaint shall set forth such facts as are within the knowledge of the complainant to show probable cause to believe that a violation of law or abuse of discretion has occurred or will occur. The complaint may be accompanied by relevant supporting documents. The board may conduct a hearing on the matter in the manner prescribed for treatment of contested cases under ch. 227 if it believes such action to be appropriate.

(2) No person who is authorized to file a complaint under sub. (1), other than the attorney general or a district attorney, may commence an action or proceeding to test the validity of any decision, action or failure to act on the part of any election official with

respect to any matter specified in sub. (1) without first filing a complaint under sub. (1), nor prior to disposition of the complaint by the board. A complaint is deemed disposed of if the board fails to transmit an acknowledgement of receipt of the complaint within 5 business days from the date of its receipt or if the board concludes its investigation without a formal decision.

(3) A complaint under this section shall be filed promptly so as not to prejudice the rights of any other party but in no case may it be filed later than 10 days after the complainant knew or should have known that a violation of law or abuse of discretion occurred or was proposed to occur.

(4) The board may, on its own motion, investigate and determine whether any election official, with respect to any matter concerning nominations, qualifications of candidates or ballot preparation, has failed to comply with the law or abused the discretion vested in him or her by law or proposes to do so.

(5) Upon receipt of a complaint under sub. (1), or upon its own motion, the board may order any election official to immediately transfer to its possession any original documents in the custody of the official which the board finds to be necessary and relevant to permit review of compliance with the laws concerning nominations, qualifications for office or ballot preparation.

(6) The board may, after such investigation as it deems appropriate, summarily decide the matter before it and, by order, require any election official to conform his or her conduct to the law, restrain an official from taking any action inconsistent with the law or correct any action or decision inconsistent with the law. The board shall immediately transmit a copy of the order to the official. An order issued under this subsection is effective immediately or at such later time as may be specified in the order.

(7) The board may withdraw, modify or correct an order issued under sub. (6) within a timely period if it finds such action to be appropriate.

(8) Any election official or complainant who is aggrieved by an order issued under sub. (6) may appeal the decision of the board to circuit court for the county where the official conducts business or the complainant resides no later than 30 days after issuance of the order. Pendency of an appeal does not stay the effect of an order unless the court so orders.

(9) The court may not conduct a de novo proceeding with respect to any findings of fact or factual matters upon which the board has made a determination, or could have made a determination if the parties had properly presented the disputed matters to the board for its consideration. The court shall summarily hear and determine all contested issues of law and shall affirm, reverse or modify the determination of the board, according due weight to the experience, technical competence and specialized knowledge of the board, pursuant to the applicable standards for review of agency decisions under s. 227.20.

SECTION 7s. 5.08 of the statutes is renumbered 5.085.

SECTION 8. 5.08 of the statutes is created to read:

5.08 Petition for enforcement. Any elector may file a verified petition alleging such facts as are within his or her knowledge to indicate that an election official has failed or is failing to comply with any law regulating the conduct of elections or election campaigns or proposes to act in a manner inconsistent with such a law, and requesting that an action be commenced for injunctive relief, a writ of mandamus or prohibition or other such legal or equitable relief as may be appropriate to compel compliance with the law. The petition shall be filed with the district attorney of the county where the violation or proposed action inconsistent with this chapter occurs or is proposed to occur. The district attorney may then commence the action or dismiss the petition. If the district attorney declines to act upon the petition or if the district attorney fails to act upon the peti-

tion within 15 days of the date of filing, the petitioner may file the same petition with the attorney general, who may then commence the action.

SECTION 8e. 5.15 (6) (b) of the statutes is amended to read:

5.15 (6) (b) No later than 60 days before an election the governing body of any municipality may by resolution combine 2 or more wards for voting purposes to facilitate using a common polling place. Every municipality having a population of 35,000 or more shall maintain ~~separate ballot boxes and ballots or voting machines and separate returns for each ward so combined.~~ In municipalities having a population of less than 35,000, the governing body may provide in the resolution that ~~one or more wards shall use common ballot boxes and ballots or voting machines and that separate returns shall not be maintained for the 2 or more combined wards at any election, but separate ballot boxes and ballots returns shall be maintained for each separate ballot required under ss. 5.58 to 5.64, and separate voting machines shall be maintained for any electors of one or more of the combined wards who are ineligible to vote for any office or referendum for which other electors in the combined wards may vote.~~ A copy of the resolution shall be filed in the same manner as ~~for changes or adjustments in ward boundaries under provided in~~ sub. (4) (b). The resolution shall remain in effect for each election until modified or rescinded, or until a new division is made following the next census under this section.

SECTION 8m. 5.35 (6) (a) 1 of the statutes is amended to read:

5.35 (6) (a) 1. The relevant portions of the voting instructions in the type B notice for the election as specified in s. 10.02 (3) and, for each referendum on the ballot, the text of the type C notice specified in s. 10.01 (2) (c).

SECTION 9. 5.37 (3) of the statutes is amended to read:

5.37 (3) For presidential electors one device ~~may~~ shall 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.

SECTION 10. 5.40 (1) of the statutes is amended to read:

5.40 (1) The Except as permitted in sub. (3) or s. 7.15 (6), the governing body of every municipality with a population of 10,000 or more shall require the use of voting machines or electronic voting systems in every ward in the municipality at every election. Any other governing body may adopt and purchase voting machines or electronic voting systems for use in any ward in the municipality at any election.

SECTION 11. 5.58 (2) (a) and (3) of the statutes are amended to read:

5.58 (2) (a) There shall be one separate ballot for state superintendent, judicial officers, county executive under ss. 59.031 and 59.032 and county supervisor. In counties under 500,00 population, the ballot shall provide for the election of 2 supervisors whenever the districting plan adopted under s. 59.03 (3) (b) so provides, in accordance with the method of election specified in the plan. In counties ~~over~~ having a population of 500,000 population or more, the ballot also shall include those offices under s. 8.11 (2) and (2m). The arrangement of names of candidates for state superintendent, justice, court of appeals judge and circuit court judge shall be determined by the board in the manner specified in s. 5.60 (1) (b). ~~Arrangement~~ The arrangement of names of candidates for county executive and county supervisor shall be determined by the county clerk or by the executive secretary of the county board of election commissioners in the manner specified in s. 5.60 (1) (b). The ballot shall be titled "Official Ballot for Judicial, State Superintendent of Public Instruction, County Executive and County Supervisor Primary", except that in counties having a population of 500,000 or more, it shall be titled "Official Ballot for County Officers, Judicial, State Superintendent of Public Instruction and School Board Primary".

(3) NAMES ON SPRING BALLOT. Only 2 candidates for state superintendent, for any judicial office, for any elected seat on a metropolitan sewerage commission or town sanitary district commission, in counties ~~over 500,000~~ having a population of 500,000 or more only 2 candidates for member of the board of supervisors within each district, in counties having a population of less than 500,000 only 2 candidates for each member of the county board of supervisors from each district or numbered seat or only 4 candidates for each 2 members of the county board of supervisors from each district whenever 2 supervisors are elected to unnumbered seats from the same district, in 1st class cities only 2 candidates for any at-large seat and any combined aldermanic district seat as are to be elected to the board of school directors, in school districts electing school board members to numbered seats, or pursuant to an apportionment plan or district representation plan, only 2 school board candidates for each numbered seat or within each district, and twice as many candidates as are to be elected members of other school boards or other elective officers receiving the highest number of votes at the primary shall be nominees for the office at the spring election. Only their names shall appear on the official spring ballot.

SECTION 12. 5.60 (1) (intro.) and (a) and (8) (a) 1 to 3 of the statutes are amended to read:

5.60 (1) (title) JUDICIARY; STATE SUPERINTENDENT; COUNTY EXECUTIVE AND COUNTY SUPERVISORS. (intro.) There shall be one separate ballot for the county executive under ss. 59.031 and 59.032, county supervisor, judicial officers and state superintendent. For county supervisor, the ballot shall be prepared in accordance with ss. 5.58 (2) and 59.03 (3). Arrangement of the candidates for county executive and county supervisor shall be determined by the county clerk or the executive secretary of the county board of election commissioners in the manner prescribed in par. (b).

(a) The names of candidates for the same office shall be placed in the same column. No party designation may appear on the official ballot. A Unless no candidate is certified to appear on the ballot for a state office, a space shall be provided on the ballot for electors to write in the name of a person for each office, regardless of whether there is a primary for that office.

(8) (a) 1. Form 1, to be used when there are several candidates:

OFFICIAL BALLOT
PRESIDENTIAL PREFERENCE VOTE

.... Party

MARK THIS BALLOT IN ONE SPACE ONLY. You have one of 3 choices—you may either:

Express your preference for one of the persons whose names are printed on this ballot (in that case, make a cross (X) in the square after that person's name); or

Vote against all of the names printed on this ballot, thus in fact expressing your preference for an uninstructed delegation from Wisconsin to the national convention of the party (in that case, make a cross (X) in the square following "None of the names shown"); or

Write in the name of another person to become the presidential candidate of the party (in that case, write that person's name into the space following "Write-in candidate").

- OLE CARLSON ()
- AMOS DUNCAN..... ()
- JAMES UNDERWOOD ()
- None of the names shown ()
- Write-in candidate

2. Form 2, to be used when there is only one candidate:

OFFICIAL BALLOT
PRESIDENTIAL PREFERENCE VOTE

.... Party

MARK THIS BALLOT IN ONE SPACE ONLY. You have one of 3 choices—you may either:

Express your preference for the person whose name is printed on this ballot (in that case, make a cross (X) in the square marked “YES” following that person’s name); or

Vote against the person whose name is printed on this ballot, thus in fact expressing your preference for an uninstructed delegation from Wisconsin to the national convention of the party (in that case, make a cross (X) in the square marked “NO” following that person’s name); or

Write in the name of another person to become the presidential candidate of the party (in that case, write that person’s name into the space following “Write-in candidate”).

JOHN DOE..... YES ... ()
NO ... ()

Write-in candidate

3. Form 3, to be used when there are no candidates who have qualified to appear on the ballot:

OFFICIAL BALLOT
PRESIDENTIAL PREFERENCE VOTE

.... Party

MARK THIS BALLOT IN ONE SPACE ONLY. There are no candidates of the party who have qualified to have their names appear on the printed ballot. You have 2 choices—you may either:

Express your preference for an uninstructed delegation from Wisconsin to the national convention of the party (in that case, make a cross (X) in the square following “Uninstructed delegation”); or

Write in the name of a person to become the presidential candidate of the party (in that case, write that person’s name into the space following “Write-in candidate”).

Uninstructed delegation..... ()

Write-in candidate

SECTION 13. 5.60 (8) (d) and (e) of the statutes are repealed.

SECTION 14. 5.62 (1) (b) and (2) of the statutes are amended to read:

5.62 (1) (b) Every ~~political organization listed as independent and every~~ recognized political party listed on the official ballot at the last general election ~~that whose candidate for a statewide office, including presidential elector, received at least one percent of the total votes cast for any statewide that office, including presidential elector, which was contested at that election~~ shall have a separate primary ballot or one or more separate columns or rows on the primary ballot as prescribed in par. (a) and a separate column on the general election ballot. ~~The chairman and secretary of the~~ in every ward and election district. An organization which was listed as “independent” at the last general election and whose candidate meets the same qualification shall certify receive the same ballot status upon petition of the chairman and secretary of the organization to the board requesting such status and specifying their party name, which may not duplicate the name of an existing party. A petition under this paragraph may be filed no later than 5 p.m. on June 1 in the year of each general election.

(2) Any political organization may be represented on a separate primary ballot or one or more separate columns or rows on the primary ballot as prescribed in sub. (1) (a) and a separate column on the general election ballot in every ward and election district if, not later than June 1 in the year of a September primary, it files with the board a petition so

requesting. To qualify for a separate ballot, the petition shall be signed either by at least 10,000 electors equal to one-sixth of the total vote cast for governor in each of, including at least 10 counties at the last election or one-sixth of the 1,000 electors residing in any senate, assembly or each of at least 3 separate congressional district districts. The petition shall conform to s. 8.15 insofar as applicable. No signature obtained before January 1 in the year of filing is valid. When their the candidates of a political organization filing a valid petition fulfill the nomination paper requirements prescribed by law, they shall appear on a separate ballot or one or more separate columns or rows on the ballot within the district or state for the succeeding 2-year period ending on June 1.

SECTION 15. 5.64 (1) (a), (b) and (e), (2) (a) and (c) and (3) (a) of the statutes are amended to read:

5.64 (1) (a) The ballot shall be labeled "Official Ballot" in lettering at least three-eighths 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 statewide, congressional, legislative and county offices, ~~mark~~ make a cross (X) in the circle under the party designation at the top of the party column. If you desire to vote for individual candidates, ~~mark~~ make a cross (X) in the square at the RIGHT of the name of each candidate for whom you desire to vote. To vote for a person whose name is not printed on the ballot, write the name in the blank space provided for the purpose. When voting for governor and lieutenant governor, you may vote only for the candidates on one ticket jointly or write in the names of persons in both spaces." Under the party designation at the top of each party column shall appear the following words in boldface type: "Make a cross (X) in this circle to vote a straight party ticket."

(b) Below the voting instructions the ballot shall be divided into vertical columns. The names of the candidates on the regular party tickets nominated at the primary or replacements appointed under s. 8.35 (2) shall be printed each in a separate column under the party designation. The columns shall be arranged from left to right according to rank, based on the number of votes received by the party's candidate for president or governor at the last general election beginning with the party that received the most votes. To the right of the party columns shall be the necessary number of columns a column for independent the names of independent candidates for each office, or more than one column if the first column does not provide sufficient space for the names of all such candidates.

(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 within the same rows on the ballot. Below the names of the independent candidates shall appear the party or principle of the candidates, if any, in 5 words or less, as shown on their nomination papers. Independent candidates for the same county office shall be listed in the same manner in an order drawn by lot by or under supervision of the county clerk or board of election commissioners. The board shall conduct a redrawing for purposes of determining the arrangement of independent candidates for state office in the manner provided in s. 5.60 (1) (b). To the right of each candidate's name, in each column, shall be a square for the elector to ~~mark~~ make his or her cross (X).

(2) (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~~ make a cross (X) in the square beneath the question after "yes" if in favor of the question, or ~~place~~ make a cross (X) in the square after "no" if opposed to the question."

(c) The official referendum ballot prescribed under this subsection shall be utilized at every election, except that the format shall be altered to the extent provided or required by other laws establishing or authorizing referenda to be conducted. All referenda shall appear on a separate ballot, but more than one referendum question may appear on the same referendum ballot whenever the questions are numbered and all electors voting the ballot are entitled to vote upon all questions appearing thereon. State and county referenda shall appear on a separate ballot from municipal or special district referenda. The form of all referendum ballots shall be substantially the same as that prescribed by the board under s. 7.08 (1) (a).

(3) (a) The ballot shall be titled "Official Presidential Ballot" in lettering at least three-eighths inch high. Directly underneath in plain, legible type shall be the following voting instructions: "~~Place~~ Make a cross (X) in the square opposite the names of the candidates for whose electors you desire to vote or write in the names of candidates for president and vice president in the space provided for the purpose. Vote in ONE square only." The ~~board shall take administrative notice of the nominations of the parties entitled to a separate ballot under s. 5.62 (1) (b) or (2) names of the candidates for the offices of president and vice president certified under s. 8.16 (7) or filed under s. 8.20 shall appear on the ballot in the form prescribed in s. 7.08 (2) (a).~~ The names of the presidential electors for the candidates supplied under ss. 8.18 (2) and 8.20 (2) ~~(b) (d)~~ are not 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.

SECTION 16. 5.65 of the statutes is created to read:

5.65 Special referendum ballots. Unless otherwise provided, ballots for special referenda shall conform to the format prescribed in s. 5.64 (2), insofar as applicable.

SECTION 17. 5.66 (2) of the statutes is amended to read:

5.66 (2) The county clerk ~~or board of election commissioners~~ shall print a sufficient number of sample ballots. The municipal clerk or board of election commissioners shall print sample ballots whenever the municipality prepares ballots under s. 7.15 (2) (b) or (c). Sample ballots shall be printed on nonwhite colored paper and shall be overprinted "SAMPLE". Voting machine sample ballots shall be a reduced size diagram of the face of the board or screen inside the voting machine with all candidates, issues and voting instructions as they will appear on the official ballot. Sample ballots to be used with an electronic voting system in which ballot labels ~~or~~ and ballot cards are used shall be an actual size copy of the ballot ~~labels~~ label and ballot card. ~~The county clerk or board of election commissioners printing the ballots shall distribute the samples approximately as follows: 45% shall be kept in the clerk's or board's office and distributed to electors requesting them; 45% shall be sent to the municipalities, or, if the municipality prints ballots, 45% shall be sent to the county for distribution to the electors; and 10% shall be reserved to be sent to the polling places by municipalities in proportion to the number certified in sub. (1) and made available to electors at the polls on election day.~~

SECTION 18. 5.72 (1) and (2) of the statutes are amended to read:

5.72 (1) As soon as possible after ballots are delivered to the county clerk or to the municipal clerk if the municipality is ~~printing~~ preparing ballots under s. 7.15 (2), but not later than 3 weeks before any election relating to a state or national office or statewide referendum, the county or municipal clerk ~~printing~~ preparing the ballots shall submit one copy of each ballot to the board for review of possible errors. If the ballot printer contractor preparing the ballots supplies proofs in advance of ballot printing preparation, the clerk shall submit one copy of the proofs in lieu of actual ballots. If a voting machine ballot or other ballot combining local candidates or referenda with state or national candidates or referenda is used, the entire ballot shall be submitted, but if ~~paper~~ ballots intended for distribution to electors are used, only those ballots relating to state

or national offices and statewide referenda need be submitted. This subsection does not require delay of ballot distribution or mailing of absentee ballots.

(2) The board shall review ballots and proof copies submitted under sub. (1) and shall notify the county and municipal clerk of any error as soon as possible but in no event later than 7 days after submission. The clerk is not required to correct a ballot error upon receipt of notice of the error, unless ordered to do so under sub. (3) or s. 5.06 (6).

SECTION 19. 5.87 of the statutes is amended to read:

5.87 Tabulating votes. If a central counting location is not utilized, the procedure for tabulating the votes by the automatic tabulating equipment shall be under the direction of the ~~chairperson of inspectors~~ chief inspector and shall conform to the requirements of the automatic tabulating equipment. If any ballot is not accepted by the automatic tabulating equipment, the election officials shall make a duplicate ballot to replace that ballot in the manner prescribed in s. 5.85 (3). All proceedings at the polling place and at any central counting location shall be open to the public, but no person, except those employed and authorized for the purpose, may touch any ballot, container, envelope, return or equipment.

SECTION 20. 5.91 (2) of the statutes is amended to read:

5.91 (2) ~~It~~ Except at a primary election, it enables an elector to vote a straight party ticket whenever this option is permitted by law, but the automatic tabulating equipment counts the vote of an elector who casts a vote for a candidate for an office outside the straight party ticket for that office only.

SECTION 21. 6.10 (3) of the statutes is amended to read:

6.10 (3) When an elector moves from one ward to another or from one municipality to another within the state after the last registration day but at least 10 days before the election, the elector may vote in and be considered a resident of the new ward or municipality where residing upon transferring registration under s. 6.40 (1) or upon registering at the proper polling place or other registration location in the new ward or municipality under s. 6.55 (2). If the elector moves within 10 days of an election, the elector shall vote in the elector's old ward or municipality if otherwise qualified to vote there.

SECTION 22. 6.15 (3) (b) of the statutes is amended to read:

6.15 (3) (b) (title) *Election day.* An eligible elector may appear at the proper polling place or other location designated under s. 6.55 (2) for the ward or election district where he or she resides and make application for a ballot under sub. (2). In such case, the inspector or special registration deputy shall perform the duties of the municipal clerk. The elector shall provide identification. If the elector is qualified ~~and is at the proper polling place~~, he or she shall be permitted to vote. The elector shall mark, punch or label the ballot and, if it is a paper ballot, the elector shall fold the ballot, and shall give it to the inspector. The inspector shall deposit it directly in the ballot box. Voting machines or ballots utilized with electronic voting systems may only be used by electors voting under this section if they permit voting for president and vice president only.

SECTION 23. 6.22 (1) (d) of the statutes is renumbered 6.22 (1) (e).

SECTION 24. 6.22 (1) (d) of the statutes is created to read:

6.22 (1) (d) Peace corps volunteers.

SECTION 25. 6.22 (2) of the statutes is amended to read:

6.22 (2) (title) **APPLICATION PROCEDURE.** A military elector shall vote in the ward or election district for the address of his or her residence prior to becoming a military elector. 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.

SECTION 26. 6.27 (5) (a) of the statutes is renumbered 6.27 (5).

SECTION 27. 6.27 (5) (b) of the statutes is repealed.

SECTION 28. 6.275 (title) of the statutes is amended to read:

6.275 (title) Registration and voting statistics.

SECTION 29. 6.275 (1) of the statutes is repealed.

SECTION 30. 6.275 (2) of the statutes is renumbered 6.275 (1) and amended to read:

6.275 (1) Within 30 days after each primary and election at which a state or national office is filled or a statewide referendum is held, including any special election, the municipal clerk or board of election commissioners shall make a written statement in duplicate to the board county clerk or board of election commissioners of each county in which the municipality is located specifying:

(a) The total number of electors voting residing in that county who voted in the municipality in that primary or election.

(b) ~~The~~ Where registration applies, the total number of electors of the municipality residing in that county who were preregistered on the deadline specified in s. 6.28 (1) (a), including mail registrations which are postmarked by that day.

(c) ~~The~~ Where registration applies, the total number of electors of the municipality residing in that county who registered after the close of registration and prior to the day of the primary or election under s. 6.29.

(d) ~~The~~ Where registration applies, the total number of electors of the municipality residing in that county who registered on the day of the primary or election under s. 6.55.

SECTION 31. 6.275 (2) of the statutes is created to read:

6.275 (2) Upon receipt of each report filed under this section, the county clerk or board of election commissioners shall forward one copy to the board within 7 days.

SECTION 31m. 6.28 (1) (b) of the statutes is amended to read:

6.28 (1) (b) A municipal clerk or municipal board of election commissioners may appoint any qualified elector of the state as a special registration deputy. Deputies may be appointed by more than one clerk or board of election commissioners to serve more than one municipality, except for deputies appointed under s. 6.55 (6). Appointments may be revoked at any time.

SECTION 32. 6.30 (3) (a) to (c) and (4) of the statutes are amended to read:

6.30 (3) (a) ~~He~~ The elector shall secure the necessary blank registration affidavits forms and instructions for their completion from the municipal clerk.

(b) ~~He~~ The elector shall appear before any person authorized to administer oaths with the completed and signed registration affidavits form and shall swear to the truth of their its contents. The person administering the oath shall sign his or her name on the line for the signature of the registration official.

(c) The elector shall return the original affidavit form and one duplicate shall be returned to the clerk of the municipality where the elector resides, except in any municipality which employs data processing for keeping of voting registration records only the original affidavit form need be returned. The affidavit form shall be prepostpaid for return when mailed at any point within the United States. To be eligible to vote in that an election the affidavit form shall be received no later than by the clerk prior to the close of the clerk's office on the registration deadline date prior to the for that election.

(4) BY MAIL. Any eligible elector may register by mail upon a form prescribed by the board and provided by each municipality. The form shall be designed to obtain the information required in ss. 6.33 (1) and 6.40 (1) (a) and (b). The form shall be prepostpaid for return when mailed at any point within the United States, and shall be substantiated by 2 other electors residing in the same municipality in which the elector

resides, corroborating all material statements therein. Such forms shall be available in the municipal clerk's office and may be distributed by any elector of the municipality. The clerk shall mail a registration form to any elector ~~or person who is eligible to qualify as an elector~~ upon written or oral request.

SECTION 33. 6.32 (3) and (4) of the statutes are amended to read:

6.32 (3) If the form is submitted later than the close of registration, the clerk shall make a good faith effort to notify the elector that he or she may register at the clerk's office under s. 6.29 or at the proper polling place or other location designated under s. ~~6.29~~ ~~or~~ 6.55 (2).

(4) If the form is sufficient to accomplish registration and the clerk has no reliable information to indicate that the proposed elector is not qualified, the clerk shall enter the elector's name shall be entered on the registration list and transmit a 1st class letter or postcard ~~shall be transmitted~~ to the registrant, specifying the elector's ward or aldermanic district, and polling place. If such letter or postcard is returned, or if the clerk is informed of a different address than the one specified by the elector, the clerk shall strike the name shall be stricken of the elector from the list. The letter or postcard shall specify "ADDRESS CORRECTION REQUESTED" or "DO NOT FORWARD", and if a postcard, "RETURN POSTAGE GUARANTEED".

SECTION 34. 6.35 (1), (2) and (4) of the statutes are amended to read:

6.35 (1) Under the direction of the municipal clerk or board of election commissioners, the original registration forms shall be filed by wards in ~~such an orderly and logical way that they are readily available to the clerk~~ one of the following ways:

(a) In alphabetical order of the electors' names.

(b) In alphabetical order according to street names, by number on each street and in alphabetical order of the electors' names at each address on the street.

(2) Duplicate registration forms shall be maintained by municipalities not employing data processing. Duplicates shall be filed in ~~alphabetical~~ the same order, except that duplicates shall be filed for the entire municipality without regard to wards.

(4) In municipalities employing data processing for keeping of ~~election or voter registration~~ records, original registration forms shall be maintained in the clerk's office of the municipal clerk or board of election commissioners at all times. Notwithstanding sub. (1), original forms in such municipalities need not be maintained by ward, but the data processing system employed shall enable ~~the municipal clerk to retrieve~~ retrieval of the registration list in alphabetical order and by ward.

SECTION 35. 6.40 (1) (a) and (b) of the statutes are amended to read:

6.40 (1) (a) *Within municipality.* Any registered elector shall transfer registration after a change of residence within the municipality in which he or she is registered by appearing in person or by mailing to the municipal clerk a signed request stating his or her present address, affirming that this will be the elector's residence for 10 days prior to the election and providing the address where he or she was last registered. Alternatively, the elector may transfer his or her registration at the proper polling place or other registration location under s. 6.02 (2) in accordance with s. 6.55 (2) (a). If an elector is voting at a former ward or election district, the change shall be effective for the next election.

(b) *Within state.* Any elector who changes residence within this state from one municipality to another shall give his or her previous residence upon application for registration at the new residence and shall sign an authorization to cancel voting privileges at the former residence on a form prescribed by the board and furnished by each municipality. The cancellation authorization shall be forwarded to the proper election officials no later than 3 days after the close of registration. Such elector may also transfer his or her

registration at the proper polling place or other registration location as provided in s. 6.55 (2) (a).

SECTION 36. 6.45 of the statutes is amended to read:

6.45 Registration lists public. After the deadline for revision of the registration lists, the municipal clerk shall make copies for election use. All registration lists, including supplemental lists which are prepared at ~~the polling place~~ places or other registration locations under s. 6.55, shall at all times be open to public inspection. Under the regulations prescribed by the municipal clerk, an elector may copy the registration list. The municipal clerk shall furnish upon request to each candidate who has filed nomination papers for an office which represents at least part of the residents of the municipality one copy of the current registration list for those areas for which he or she is a candidate for a fee not to exceed the cost of reproduction.

SECTION 37. 6.48 (4) of the statutes is renumbered 6.325 and amended to read:

6.325 (title) Disqualification of electors. No person may be disqualified ~~on any grounds~~ as an elector ~~under this section~~ unless the municipal clerk, board of election commissioners or a challenging elector under s. 6.48 demonstrates beyond a reasonable doubt that the person does not qualify as an elector or is not properly registered. When a person's registration is canceled, the date and the reason for the cancellation shall be entered by the municipal clerk or board of election commissioners on the person's registration form. If it appears that the elector or proposed elector is registered in another location, the municipal clerk or board of election commissioners may require the challenged elector to sign an authorization to cancel registration under s. 6.40 (1) (b) and shall notify the proper official at that location. ~~Naturalized~~ The municipal clerk or board of election commissioners may require naturalized applicants ~~may be required~~ to show their naturalization certificates.

SECTION 38. 6.48 (4) of the statutes is created to read:

6.48 (4) **DISQUALIFICATION.** The municipal clerk or board of election commissioners may not disqualify an elector under this section except upon the grounds and in accordance with the procedure specified in s. 6.325.

SECTION 39. 6.50 (1) and (2) of the statutes are repealed and recreated to read:

6.50 (1) Within 90 days following each general election, the municipal clerk or board of election commissioners of each municipality in which registration is required shall examine the registration records and identify each elector who has not voted within the previous 4 years if qualified to do so during that entire period and shall mail a notice to the elector in substantially the following form:

"NOTICE OF SUSPENSION OF
REGISTRATION

You are hereby notified that your voter registration will be canceled, according to state law, for failure to vote within the previous 4-year period, unless you apply for continuation of your registration within 30 days. You may continue your registration by signing the statement below and returning it to this office by mail or in person.

APPLICATION FOR CONTINUATION
OF REGISTRATION

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

Signed
Present Address

If you have moved within this municipality or changed your name, please contact this office to complete a change of name or address form.

[Office of clerk or board of election commissioners
Address
Telephone]”.

(2) The municipal clerk or board of election commissioners shall cancel the registration of all notified electors under sub. (1) who have not applied for continuation of registration within 30 days of the date of mailing of the notice of suspension.

SECTION 40. 6.50 (3) to (6) of the statutes are renumbered 6.50 (8) and (3) to (5), respectively, and amended to read:

6.50 (3) Upon receipt of reliable information that a registered elector has moved outside of the municipality, the municipal clerk or board of election commissioners shall notify the elector by mailing a notice by 1st class mail to the elector's registration address stating the source of the information. All municipal departments and agencies receiving information that a registered elector has moved shall notify the clerk or board of election commissioners. If the elector no longer resides in the municipality or fails to apply for continuation of registration within 30 days of the date the notice is mailed, the clerk or board of election commissioners shall cancel the elector's registration. Upon receipt of reliable information that a registered elector has moved within the municipality, the municipal clerk or board of election commissioners shall transfer the elector's registration and mail the elector a notice of the transfer under s. 6.40 (2). This subsection does not restrict the right of an elector to challenge any registration under s. 6.325, 6.48, 6.925 or 6.93.

(4) The municipal clerk or board of election commissioners shall cancel the registration of deceased electors ~~shall be canceled~~ by means of checking vital statistics reports. No notice need be sent of registrations canceled under this subsection.

(5) The registration of any elector whose address is listed at a building which has been condemned for human habitation by the municipality under s. 66.05 (2) shall be investigated by the municipal clerk or board of election commissioners. If the clerk or board of election commissioners can find no reason why the registration of such an elector should not be stricken from the registration list, the elector's registration shall be canceled. If the elector has left a forwarding address with the U.S. postal service, a notice of cancellation shall be mailed by the clerk or board of election commissioners to the forwarding address.

(8) Any municipal governing body may direct the municipal clerk or board of election commissioners to arrange with the U.S. postal service pursuant to applicable federal regulations, to receive change of address information with respect to individuals residing within the municipality for revision of the elector registration list. If required by the U.S. postal service, the governing body may create a registration commission consisting of the municipal clerk or executive secretary of the board of election commissioners and 2 other electors of the municipality appointed by the clerk or executive secretary for the purpose of making application for address changes and processing the information received. The municipal clerk or executive secretary shall act as chairperson of the commission. Any authorization under this subsection shall be for a definite period or until the municipal governing body otherwise determines. The procedure shall apply uniformly to the entire municipality whenever used. The procedure shall provide for receipt of complete change of address information on an automatic basis, or not less often than once every 2 years during the 60 days preceding the close of registration for the September primary. ~~If a municipality adopts the procedure for obtaining address corrections under this subsection, it need not comply with the procedure for mailing address verification cards under subs. (1) and (2).~~

SECTION 41. 6.50 (7) and (8) of the statutes are renumbered 6.50 (6) and (7), respectively.

SECTION 42. 6.50 (9) and (10) of the statutes are amended to read:

6.50 (9) Whenever a name is stricken from the registration list, the municipal clerk or board of election commissioners shall enter the reason for striking shall be stated on the registration list next to the stricken name.

(10) Any ~~canceled~~ elector ~~whose registration is canceled under this section may be~~ have his or her registration reinstated by filing a written request for reinstatement or change of address prior to the close of registration. ~~The registration card of each reinstated elector shall show the date of reinstatement~~ new registration form.

SECTION 43. 6.55 (2) (c) 1 and (d) and (6) of the statutes are amended to read:

6.55 (2) (c) 1. As an alternative to registration at the polling place under pars. (a) and (b), the governing body of any municipality in which registration is required may by resolution require a person who qualifies as an elector and who is not registered and desires to register on the day of an election to do so at ~~the office of the municipal clerk~~ another readily accessible location in the same building as the polling place serving the elector's residence, instead of at the elector's that polling place, if the polling place at which the elector is required to vote is located in the same building as the clerk's office. In such case, the municipal clerk shall prominently post a notice of the registration location at the polling place. The municipal clerk ~~or~~, deputy clerk or special registration deputy at the registration location shall require such person to execute a registration form as prescribed under par. (a) and to provide acceptable proof of residence as provided under sub. (7). If the person cannot supply such proof, the registration form shall be corroborated in the manner provided in par. (b). The signing by the corroborating elector and by the elector executing the affidavit shall be in the presence of the municipal clerk ~~or~~, deputy clerk or special registration deputy. The municipal clerk ~~or~~, deputy clerk or special registration deputy shall upon request administer oaths to any person making an affidavit under this subdivision. Upon proper completion of registration, the municipal clerk, deputy clerk or special registration deputy shall serially number the registration and give one copy to the elector for presentation at the polling place serving the elector's residence.

(d) A registered elector who has changed his or her name but resides at the same address, and has not notified the municipal clerk under s. 6.40 (1) (c), shall notify the inspector of the change before voting. The inspector shall then notify the municipal clerk at the time which materials are returned under s. 6.56 (1). If an elector changes both a name and address, the elector shall ~~comply with~~ complete a registration form at the polling place or other registration location under pars. (a) and (b).

(6) The governing body of any municipality may provide by resolution that any of the registration duties of inspectors under sub. (2) shall be carried out in such municipality by special registration deputies appointed by the municipal clerk at any polling place or other registration location whenever the clerk determines that the registration process provided for in that subsection will be facilitated thereby. Such deputies may administer the oath required for registration. The deputies shall be specially appointed by the clerk for one election only to conduct elector registration only.

SECTION 44. 6.56 (2) to (4) of the statutes are amended to read:

6.56 (2) Upon receipt of the list, the municipal clerk shall make a check to determine whether each person who has been allowed to vote under s. 6.55 (3) is properly registered. If so, the clerk shall correct the registration list. If the address on the registration list is not correct, the clerk shall correct the address. The clerk shall then notify the elector by postcard when he or she is properly registered. If such person is found not to be properly registered, the clerk shall send the person a 1st class letter with that information, containing a mail registration form under s. 6.30 (4). The letter shall be marked "DO NOT FORWARD RETURN POSTAGE GUARANTEED" "ADDRESS CORRECTION REQUESTED". If such letter is returned undelivered, or if the U.S.

postal service notifies the clerk of an improper address which was apparently improper on the day of the election, the clerk shall notify the district attorney.

(3) In the case of persons registering to vote at the polling place or ~~clerk's office~~ other registration location under s. 6.55 (2), an audit of all of such electors shall be made by the municipal clerk upon receipt of the list under sub. (1). The audit shall be made by 1st class postcard. The postcard shall be labeled "ADDRESS CORRECTION REQUESTED" or "DO NOT FORWARD--RETURN POSTAGE GUARANTEED". If any postcard is returned undelivered, or if the clerk is informed of a different address than the one specified by the elector which was apparently improper on the day of the election, the elector's name shall be stricken from the registration list and the name shall be provided by the clerk to the district attorney.

(4) After each election, the municipal clerk shall carefully check to assure that no person has been allowed to vote more than once. Whenever the municipal clerk has good reason to believe that a person has voted more than once in an election, the clerk shall send the person a ~~nonforwardable~~ 1st class letter with return receipt and ~~return postage guaranteed~~ address correction requested, informing him or her that all registrations relating to that person may be canceled within 7 days unless the person contacts the office of the clerk to clarify the matter. A copy of such letter and any subsequent information received from or about the addressee shall be sent to the district attorney.

SECTION 45. 6.56 (6) of the statutes is created to read:

6.56 (6) The municipal clerk may not disqualify an elector under this section except upon the grounds and in accordance with the procedures specified in s. 6.325.

SECTION 45m. 6.80 (1) and (2) (a), (e) and (f) of the statutes are amended to read:

6.80 (1) VOTING BOOTH OR MACHINE USE. ~~Except when assistance is required to cast a vote, only~~ Only one person individual at a time is permitted to occupy a voting booth or machine, except that an elector who is a parent or guardian may be accompanied by the elector's minor child or minor ward, and an elector who qualifies for assistance under s. 6.82 (2) may be assisted as provided in that subsection.

(2) (a) Upon receiving his or her ballot and without leaving the polling place, the elector shall enter an unoccupied voting booth or machine alone to cast his or her vote, except as authorized in sub. (1). An elector may use or copy an unofficial sample ballot which may be marked in advance of entering the polling place, but an elector may not use or bring into the polling place any ballot printed upon paper of the type required or utilized for official ballots at that polling place.

(e) After turning 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 or she 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.~~

(f) In the presidential preference primary and other partisan primary elections at polling places where ballots are distributed to electors, unless the ballots are utilized with an electronic voting system in which all candidates appear on the same ballot, after the elector prepares his or her ballot the elector shall detach the remaining ballots, fold ~~both the completed ballot and the ballots to be discarded,~~ fold the completed ballot unless the ballot is intended for counting with automatic tabulating equipment, personally deposit the ballots to be discarded in the separate ballot box marked "blank ballot box", and deliver deposit the completed ballot ~~as provided in par. (e)~~ in the ballot box indicated by the inspectors. 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.

SECTION 45s. 6.82 (2) of the statutes is amended to read:

6.82 (2) AID IN MARKING BALLOT. (a) If an elector declares to the presiding election official that he or she cannot read or write, or has difficulty in reading, writing or understanding English or that due to ~~physical~~ disability, is unable to mark, ~~or punch or label~~ a ballot or depress a button or lever on a voting machine, the elector shall be informed by the officials that he or she may have assistance. When assistance is requested, the elector may select any ~~other elector or 2 election officials~~ individual to assist in casting his or her vote. ~~An elector who is chosen to assist another elector may be any qualified elector residing within the county where the municipality is located. If an elector chooses 2 election officials to assist, the 2 officials may not be of the same political party. The selected individual rendering assistance may not be the elector's employer or an agent of that employer or an officer or agent of a labor organization which represents the elector.~~ The selected ~~person or persons rendering assistance~~ individual shall certify on the back of the ballot that it was marked, ~~or punched or labeled~~ with ~~their~~ his or her assistance. Where voting machines are used, certification shall be made on the registration list.

(b) ~~The officials or the elector~~ individual chosen shall enter the voting booth or machine with the elector and shall read the names of all candidates on the ballot for each office, and ask, "For which one do you vote?". The ballot shall be marked, ~~or punched or labeled~~ or the lever or button depressed according to the elector's expressed preference. ~~The official or other person~~ individual selected to assist may not disclose to anyone how the elector voted.

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

(d) The election officials shall enter upon the list of ~~persons~~ electors voting after the name of any elector who had assistance in ~~marking a ballot~~ voting the word "assisted". ~~Where a person chooses another elector to assist, the~~ The officials shall also record on the list of ~~persons~~ electors voting the full name and address of the ~~elector~~ individual who renders assistance.

SECTION 46. 6.85 of the statutes is amended to read:

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 the absent elector is a qualified elector on election day whether by reason of active service in the U.S. armed forces or for any other reason, or who because of age, sickness, handicap, physical disability, jury duty, service as an election official or religious reasons cannot appear at the polling place in his or her ward. No person under the age of 70 qualifies as an absent elector solely because of age. Any otherwise qualified elector who changes residence within this state by moving to a different ward or municipality later than 10 days prior to an election may vote an absentee ballot in the ward or municipality where he or she was qualified to vote before moving. An elector qualifying under this section may vote by absentee ballot under ss. 6.86 to 6.89.

SECTION 47. 6.86 (1) and (2) of the statutes are amended to read:

6.86 (1) Any elector, qualifying under ss. 6.20 (1) and 6.85 as an absent elector may apply to the municipal clerk for an official ballot either in writing, in person, by completing an affidavit as provided in sub. (2) or by agent as provided in sub. (3). If Except as provided in sub. (3), 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. If the elector is making written application and the reason for requesting an absentee ballot is that the elector is a sequestered juror, the application shall be received no sooner than 7 days before the election nor after 5 p.m. on election day. If the applica-

tion is received after 5 p.m. on the Friday immediately preceding the election, the municipal clerk or the clerk's agent shall immediately take the ballot to the court in which the elector is serving as a juror and deposit it with the judge. The judge shall recess court, as soon as convenient, and give the elector the ballot. The judge shall then notarize the affidavit as provided in s. 6.87 and shall turn the ballot over to the clerk or agent of the clerk who shall deliver it to the polling place as required in s. 6.88. If application is made by completing an affidavit as provided in sub. (2), the affidavit may be received at any time before 5 p.m. on the Friday immediately preceding the election.

(2) An elector who is indefinitely confined because of age, physical illness or infirmity or is disabled for an indefinite period may by signing an affidavit to that effect require that an absentee ballot be sent to the elector automatically for every election. The affidavit form and instructions shall be prescribed by the board, and furnished upon request to any elector by each municipality. The envelope containing the absentee ballot shall be clearly marked as not forwardable. If any elector is no longer indefinitely confined, the elector shall so notify the municipal clerk. The mailing list established under this subsection shall be kept current through all possible means. The clerk shall remove the name of any elector from the list upon request of the elector or upon receipt of reliable information that an elector no longer qualifies for the service. ~~The elector clerk shall be notified~~ notify the elector of such action not taken at the elector's request within 5 days, if possible. An elector who fails to cast and return an absentee ballot received under this subsection shall be removed from the mailing list, and the instructions shall so indicate.

SECTION 48. 6.87 (2), (4) and (6) of the statutes are amended to read:

6.87 (2) The municipal clerk shall place the ballot in an unsealed envelope furnished by the clerk. 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]

or

[(name of foreign country and city or other jurisdictional unit)]

I,, (certify) (do solemnly swear) subject to the penalties of s. 12.60 (1) (b), Wis. Stats. for false statements that I am a resident of the [.... ward of the] (town) (village) of, or of the aldermanic district in the city of, residing at in said city, the county of, state of Wisconsin, and am entitled to vote in the (ward) (election district) at the election to be held on; that I am not voting at any other location in this election; that I cannot appear at the polling place in the (ward) (election district) on election day because I expect to be absent from the municipality or because of age, sickness, handicap, physical disability, religious reasons, jury duty, service as an election official, or because I have changed my residence within the state from one ward or election district to another within 10 days before the election. I (certify) (swear) that I exhibited the enclosed ballot unmarked to the (2 witnesses) (person administering the oath), that I then in (their) (his) (her) 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 any person rendering assistance 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, subject to the penalties of s. 12.60 (1) (b), 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 (except in the case of an incumbent municipal clerk). The elector was not solicited or advised by us to vote for or against any candidate or measure.

- 1997 -

83 WisACT 484

....(Name)
....(Address)
....(Name)
....(Address)

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 (unless I am an incumbent municipal clerk), 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)
....(Title)
....(State or nation)

(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, ~~or punch or label~~ the ballot in a manner that will not disclose how the elector's vote is cast. The elector shall then, still in the presence of the administrator of the oath or the 2 witnesses, fold the ballots if they are paper ballots so each is separate and conceals the markings, ~~or punches or labels~~ thereon and deposit them in the proper envelope, but may receive assistance under sub. (5). The return envelope shall then be sealed. The witnesses or the official oath administrator may 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. Failure to return ~~the~~ an unused ballot in a primary does not invalidate the ballot on which the elector's votes are cast. Return of more than one marked or punched ballot in a primary or return of a ballot used with an electronic voting system in a primary which is marked or punched for candidates of more than one party invalidates all votes cast by the elector for candidates in the primary.

(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~~ subsection may not be counted.

SECTION 49. 6.88 (1) of the statutes is amended to read:

6.88 (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 endorsed with the name and official title of the clerk, and the words "This envelope contains the ballot of an absent, aged, sick, handicapped or disabled elector's elector or the ballot of an election official and must be opened at the polls during polling hours on election day". The clerk shall keep the ballot in the clerk's office until delivered, as required in sub. (2).

SECTION 50. 6.94 of the statutes is amended to read:

6.94 Challenged elector oath. If the person challenged refuses to answer fully any relevant questions put to him ~~or her~~ by the inspector under s. 6.92, the inspectors shall reject ~~his~~ the elector's 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 person the following oath or affirmation: "You do solemnly swear (or affirm) that: you are 18 years of age; you are a citizen of the United States; you are now and for 10 days have been a resident of this ward except under s. 6.02 (2); 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~~ the person's vote shall be rejected. If the person challenged answers fully all relevant questions put to the elector by the inspector under s. 6.92, takes the oath or affirmation ~~and,~~ fulfills the registration requirements, ~~when where applicable,~~ his and

the answers to the questions given by the person indicate that the person meets the voting qualification requirements, the persons's vote shall be received.

SECTION 51. 6.95 of the statutes is amended to read:

6.95 (title) Voting procedure for challenged electors. 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~~, the inspectors shall write on the back of the ballot the serial number of the challenged person corresponding to the ~~registration or poll list~~ registration or poll list, or other list maintained under s. 6.79. When the inspectors similarly ~~decide to~~ receive the vote of a challenged person offering to vote where voting machines are used, his or her vote ~~shall~~ may be received only upon an absentee ballot furnished by the municipal clerk which shall similarly have the corresponding serial number from the registration or poll list ~~printed or other list maintained under s. 6.79 written~~ printed on the back of the ballot before the ballot is deposited. The inspectors shall indicate on the list the reason for the challenge. The challenged ballots shall be counted under s. 5.85 or 7.51. The municipal board of canvassers may decide any challenge when making its canvass under s. 7.53. If the returns are reported under s. 7.60, a challenge may be reviewed by the county board of canvassers. If the returns are reported under s. 7.70, a challenge may be reviewed by the board of state canvassers. The decision of the canvassers may be appealed under s. 9.01. The standard for disqualification specified in s. 6.325 shall be used to determine the validity of challenged ballots.

SECTION 52. 7.03 of the statutes is amended to read:

7.03 Compensation of election officials and trainees. A reasonable compensation of not less than \$5 per day shall be paid to each ~~election clerk, ballot clerk,~~ inspector, voting machine custodian, automatic tabulating equipment technician, member of a board of canvassers, messenger and tabulator who is employed and performing duties under chs. 5 to 12. Alternatively, such officials may be paid by the hour at a proportionate rate for each hour actually worked. Special registration deputies appointed under s. 6.55 (6) may be paid or unpaid at the option of the municipality. Officials and trainees who attend training sessions under s. 7.15 (1) (e) or 7.25 (5) may also be compensated for such attendance at municipal option. The amount of compensation, when authorized or required, shall be fixed by the appropriate county board of supervisors or municipal governing body. The board shall fix the amount to be paid any person employed to perform duties for the state. If such employment is necessitated to perform duties which are the responsibility of a county or municipality, the board shall charge the expense to such unit of government.

SECTION 53. 7.08 (1) (b) and (c), (2) (a) and (3) (intro.) of the statutes are amended to read:

7.08 (1) (b) Prepare and provide upon request the necessary blanks and ballot bags to make the canvass, returns, statements and tally sheet statements for all elections for national, state, congressional, legislative and county elections whether general, special or judicial offices and statewide referenda, and all other materials as it 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 board is required to furnish only the a standard form tally sheet and canvass sheet statement to any city or county under this paragraph.

(c) Prescribe forms required by ss. 6.24 (3) and (4), 6.30 (3) ~~and (4)~~, 6.33 (1), 6.40 (1) (b), 6.55 (2) and (3), 6.79 (5) and 6.86 (2) and (3). All such forms shall contain a statement of the penalty applicable to false or fraudulent registration or voting through use of the form. Forms are not required to be furnished by the board.

(2) (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 its 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 for the first and middle names, plus the first name, middle initial or initials and last name, unless the candidate on his or her nomination papers or declaration of candidacy specifies that the middle initial be deleted, that a full middle name or former legal surname be substituted for the middle initial or that an initial be substituted for the candidate's first name, but no nicknames, other abbreviations, nicknames or titles; the are permitted.~~ The list shall also include each candidate's residence and post-office address; the office for which the person is a candidate; and, the party or principle the candidate represents, if any, in 5 words or less. Names of candidates nominated under s. 7.38 (3) or 8.35 shall be certified by the board upon filing of the necessary papers with it. ~~Nothing in this paragraph precludes the use by a candidate of a former legal surname as a middle name as well as the candidate's complete first name. At any time prior to an election, the board may transmit an amended certification if a candidate dies or is determined not to qualify for ballot placement.~~

(3) ELECTION MANUAL. (intro.) Prepare and publish separate from the election laws an election manual written so as to be easily understood by the general public explaining the duties of the election officials ~~and the qualifications and privileges of electors, together with notes and references to the statutes as it deems advisable.~~ The manual shall be furnished by the board free to election officials and others in such manner as it deems most likely to promote the public welfare. The election manual shall:

SECTION 54. 7.08 (3) (c) of the statutes is repealed.

SECTION 55. 7.08 (3) (d) of the statutes is renumbered 7.08 (3) (c).

SECTION 56. 7.08 (4) of the statutes is amended to read:

7.08 (4) ELECTION LAWS. Prepare and publish the election laws. The board shall furnish the election laws free to election officials, and to members of the public upon request to the extent that extra copies are available.

SECTION 57. 7.10 (3) (a) of the statutes is amended to read:

7.10 (3) (a) The county clerk shall distribute the ballots to the municipal clerks 3 weeks before any primary or election. Election blanks prepared by the board shall be distributed at the same time. If the board transmits an amended certification under s. 7.08 (2) (a) or a court orders a ballot error to be corrected under s. 5.72 (3) after ballots have been distributed, the county clerk shall distribute corrected ballots to the municipal clerks as soon as possible.

SECTION 58. 7.15 (1) (k) of the statutes is created to read:

7.15 (1) (k) Reassign inspectors appointed to serve at one polling place to another polling place within the municipality whenever necessary to assure adequate staffing at all polling places. No such reassignment may have the effect of eliminating representation at a polling place by one of the political parties entitled to nominate inspectors under s. 7.30 (2) (a).

SECTION 59. 7.15 (2) (d), (3) (a) and (6) of the statutes are amended to read:

7.15 (2) (d) Whenever by ordinance or resolution the governing body of any municipality submits any question or ordinance to a vote of the electors or whenever a proper recall petition and certificate are filed under s. 9.10, the municipal clerk shall issue a call for the election and prepare and distribute ballots as required in the authorization of submission or as provided in s. 9.10. The ballot for any referendum shall conform to s.

5.64 (2). If there is already an official municipal referendum ballot for the election, the question or ordinance may ~~be printed at the bottom of~~ appear on the same ballot.

(3) (a) Where voting machines are used or where electronic voting systems are employed, the municipal clerk shall provide at least 2 duplicate sample ballots for each ward in diagram form showing the board or screen inside each voting machine or the front of each ballot as it will appear in the voting machines or booths on election day.

(6) SUBSTITUTE BALLOTS. (a) The municipal clerk shall provide substitute paper 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. The municipal clerk may also provide substitute paper ballots, together with ballot boxes and voting booths, whenever a voting machine or electronic voting system is rendered inoperable by a malfunction which occurs within 24 hours of the time set for opening of the polls. Paper ballots may be cast only in accordance with the procedures prescribed in ss. 6.80 (2) and 7.37 (4).

(b) Upon receiving the substitute paper ballots accompanied by a statement made under oath by the municipal clerk that the ballots have been prepared and furnished by the clerk to replace the original ballots which are not available, or to substitute for a voting machine or electronic voting system which has been rendered inoperable by a malfunction which occurred within 24 hours of the time set for opening of the polls, the election officials shall use the substitute ballots in the same manner as if they had been original ballots.

SECTION 60. 7.23 (1) (b), (e) and (g) of the statutes are amended to read:

7.23 (1) (b) Voting machine recorders essential for proper operation of voting machines may be cleared and reactivated ~~21~~ 14 days after any primary and ~~30~~ 21 days after any other election ~~unless there is a demand for recount, notice of an election contest or litigation pending with respect to that election.~~

(e) Registration and poll lists may be destroyed 90 days after the 2nd spring or general election ~~next succeeding~~ following the primary or election at which they were created.

(g) Detachable recording units and compartments for use with electronic voting machines may be cleared or erased ~~90~~ 30 days after any election.

SECTION 61. 7.23 (1) (h) of the statutes is renumbered 7.23 (1) (j).

SECTION 62. 7.23 (1) (h) and (i) of the statutes are created to read:

7.23 (1) (h) Ballots may be destroyed 30 days after any election.

(i) Official canvasses may be destroyed 10 years after the election to which they relate.

SECTION 63. 7.23 (2) of the statutes is repealed and recreated to read:

7.23 (2) If there is a demand for a recount, notice of an election contest or any contest or litigation pending with respect to an election, materials may be destroyed and recorders, units or compartments may be cleared or erased only by order of the judge in whose court litigation is pending or if no litigation is pending, by order of any circuit judge for the affected jurisdiction. Upon petition of the attorney general or a district attorney or U.S. attorney for the affected jurisdiction, a circuit judge for the affected jurisdiction may order that specified materials not be destroyed or that specified recorders, units or compartments not be cleared or erased as otherwise authorized under this subsection until the court so permits. The governor may by order permit the clearing of voting machine recorders on machines needed to conduct a special election prior to the time authorized under this subsection, unless there is a demand for recount, notice of an election contest or a contest or litigation pending, or a court of record orders that the recorders not be cleared.

SECTION 64. 7.30 (1), (2) (a) and (b), (4) (b) 1 and 2, (c) and (d) and (6) (b) of the statutes are amended to read:

7.30 (1) NUMBER. There shall be 3 ~~7~~ inspectors, ~~2 election clerks, and 2 ballot clerks~~ for each polling place at each election held under chs. 5 to 12. Where voting machines are used, ~~the ballot clerks shall be dispensed with~~ the number of inspectors may be reduced to 5. Additional inspectors ~~and clerks~~ may be appointed whenever more than one voting machine is used or polling places are combined under s. 5.15 (6) (b). Additional officials shall be appointed in such a manner that the total number of officials is an odd number and the predominant party under sub. (2) is represented by one more official than the other party. ~~Election clerks shall not be appointed in cities over 500,000 population.~~

(2) (a) ~~Each~~ Except as authorized in s. 7.15 (1) (k), each inspector ~~and clerk~~ shall be a qualified elector in the ward for which the polling place is established. Special registration deputies appointed under s. 6.55 (6) and election officials serving more than one ward or when necessary to fill a vacancy under par. (b) need not be a resident of that ward, but shall be a resident of the municipality. Special registration deputies may be appointed to serve more than one polling place. All officials shall be able to read and write the English language, be capable, be of good understanding, and may not be a candidate, other than for party committeeman, to be voted for at an election at which they serve. In 1st class cities, they may hold no public office other than notary public. Except as authorized under sub. (4) (c), all officials other than special registration deputies shall be affiliated with one of the 2 recognized political parties which received the largest number of votes for president, or governor in nonpresidential general election years, in the ward or combination of wards served by the polling place at the last election. The party which received the largest number of votes ~~shall be is~~ entitled to 2 ~~4~~ inspectors, ~~one clerk and one ballot clerk~~ for each polling place. The party receiving the next largest number of votes ~~shall be is~~ entitled to ~~one inspector, one clerk and one ballot clerk~~ 3 inspectors for each polling place. The same election officials may serve the electors of more than one ward where wards are combined under s. 5.15 (6) (b). If a municipality is not divided into wards, the ward requirements in this paragraph apply to the municipality at large.

(2) (b) When a vacancy occurs, the appointment shall be filled by the municipal clerk from the remaining names on the ~~submitted lists~~ submitted under sub. (4) or from additional names submitted by the chairman of the county party committee ~~of the appropriate party~~ under s. 8.17. ~~If appointments in the municipality are made under s. 7.31, the clerk shall fill vacancies from lists and names submitted under s. 7.31 sub. (4).~~ If the vacancy is due to candidacy, sickness or any other temporary 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 another aldermanic district or ward within the ~~election district~~ municipality so the proper balance of party representation is maintained.

(4) (b) 1. In cities where there is a board of election commissioners, the aldermanic district committeemen under s. 8.17 of each of the 2 dominant recognized political parties shall submit a certified list no later than November 30 of each even-numbered year containing the names of at least twice as many electors as there are inspectors from that party for each of the voting wards in the aldermanic district. The board of election commissioners shall appoint, no later than December 31 of even-numbered years, at least 5 inspectors for each ward, and may designate such alternates for each ward as it deems advisable.

2. In municipalities other than ~~1st class cities~~ and villages located in counties having a population of more than 500,000, the party committees organized under s. 8.17 from each of the 2 dominant parties under sub. (2) shall submit a list containing at least twice as many names as there are needed appointees from that party. The list shall be submit-

ted by the chairman of each of the 2 ~~regular party committees under s. 8.17~~ to the mayor, president or chairman of the municipality. If committees are organized in subdivisions of a city, the list shall be submitted through the chairman of the city committee ~~under s. 8.17~~. If there is no municipal committee, the list shall be submitted by the chairman of the county or legislative district committee. Except as provided in par. (c), only those persons submitted by the chairman of each committee under s. 8.17 may act as election officials. The list shall contain the signature of the chairman and secretary of the submitting committee. In cities or villages located in counties having a population of more than 500,000, other than cities where there is a board of election commissioners, the aldermanic district or village committeeman or committeewoman for the ward or wards where each polling place is located, if there is one, shall submit a list containing at least twice as many names as there are needed appointees from the party represented by the committeeman or committeewoman. If there is no aldermanic district or village committeeman or committeewoman, nominations shall proceed in the same manner as in municipalities located in counties having a population of 500,000 or less. The list shall be submitted to the mayor or president. Except as provided in par. (c), only those persons submitted by the aldermanic district or village committeeman or committeewoman, if there is one, may act as election officials. The list shall contain the signature of the aldermanic district or village committeeman or committeewoman. 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) For so long as qualified nominees are made available by the political parties under this section ~~or under s. 7.31~~, appointments may be made only from the lists of submitted nominees. If the lists are not submitted by November 30 of the year in which appointments are to be made, the board of election commissioners shall appoint, or the mayor, president or chairman of a municipality shall nominate qualified persons whose names have not been submitted. If an insufficient number of qualified nominees appears on the lists as of November 30, the board of election commissioners shall similarly appoint, or the mayor, president or chairman shall similarly nominate sufficient qualified persons to fill the remaining vacancies. If an official is appointed whose name was not submitted on the lists, the official shall be affiliated with or designated by the appointing authority to represent one of the 2 parties that are entitled to submit lists. An official who is affiliated with one party may not be designated to represent a different party, unless the municipal clerk first makes a good faith effort to appoint an official who is affiliated with the represented party.

(d) A party committee or aldermanic district or village committeeman or committeewoman under s. 8.17 ~~or a committee submitting nominations under s. 7.31~~ may submit additional names for inclusion in its list of nominations under this section at any time. Whenever there are no available names on any list, the board of election commissioners or the mayor, president or chairman of the municipality shall so notify the chairman of the appropriate party committee or the appropriate aldermanic district or village committeeman or committeewoman under s. ~~7.31~~ 8.17. However, an appointment need at no time be delayed because of the lack of availability of party nominees.

(6) (b) ~~At~~ Prior to the first election following their the appointment of the inspectors, the inspectors at each polling place shall elect one of their number ~~as chairman of the inspectors to act as chief inspector.~~ as chairman of the inspectors shall hold the position for the remainder of the term, ~~except that whenever wards are combined or separated under s. 5.15 (6) (b), the inspectors shall elect a new chief inspector.~~ the chairman If a vacancy occurs in the chairman position of chief inspector, the municipal clerk ~~may~~ shall appoint one of ~~their number~~ the other inspectors to serve as chairman until fill the vacancy ~~is removed.~~

- 2003 -

83 WisACT 484

SECTION 65. 7.31 (1) of the statutes is repealed.

SECTION 66. 7.32 of the statutes is amended to read:

7.32 (title) Change of election official numbers. Notwithstanding s. 7.30 (1), the governing body of any municipality may by ordinance or resolution reduce the number of election officials, ~~provide a redistribution of duties among the remaining officials, and modify or rescind any similar previous action.~~

SECTION 67. 7.35 (title) of the statutes is repealed.

SECTION 68. 7.35 (1) of the statutes is renumbered 7.37 (4) and amended to read:

7.37 (4) ~~Ballot clerks serve only at~~ At polling places which utilize paper ballots or electronic voting systems in which ballots are distributed to electors. ~~They shall, 2 inspectors shall be assigned to take charge of the official ballots. They shall write their initials on the back of each ballot and deliver to each elector as he or she enters the voting booth one ballot properly endorsed by 2 ballot clerks each of them.~~ Where paper ballots are used, the ~~ballot clerks~~ inspectors shall fold each ballot in the proper manner to be deposited before delivering it to the elector. If asked, ~~ballot clerks~~ inspectors may instruct any elector as to the proper manner of marking, punching or labeling the ballot, but they may not give advice, suggestions, express any preferences or make any requests as to the person for whom, the question on which or the ballot on which the elector shall vote.

SECTION 69. 7.35 (2) and (3) of the statutes are renumbered 7.37 (5) and (6), respectively.

SECTION 70. 7.36 of the statutes is repealed.

SECTION 71. 7.37 (2) to (7) of the statutes are renumbered 7.37 (3), (2), (9), (8), (10) and (11), respectively.

SECTION 72. 7.37 (7) of the statutes is created to read:

7.37 (7) **REGISTRATION AND POLL LISTS.** Two inspectors shall be assigned to have charge of the registration or poll lists at each election.

SECTION 73. 7.37 (8) of the statutes is renumbered 7.37 (12).

SECTION 74. 7.38 (1) (e) and (3) of the statutes are amended to read:

7.38 (1) (e) Observers of election proceedings, as a matter of right, shall be so positioned at the polls by the ~~chairman of inspectors~~ chief inspector as to reasonably be enabled to closely observe proceedings and hear instructions given to voters.

(3) **VACANCIES AFTER NOMINATION.** ~~Whenever a vacancy occurs after a primary due to~~ Except as provided in par. (d), after the death of a candidate nominated for a partisan office, either in a primary or when no primary is required under s. 8.50 (3) (b), the vacancy may be filled by the nominee's candidate's political party. In the case of candidates for county offices, the vacancy shall be filled by the chairman of the county party committee. If no county committee exists, the vacancy shall be filled by the chairman of the state committee. For other offices, the vacancy shall be filled by the chairman of the state party, except as provided in s. 8.17 (5) (g). If no county party exists, the vacancy shall be filled by the chairman of the state party committee. The appropriate chairman shall file with the proper official or agency with whom nomination papers are filed for the office a certificate signed, certified and sworn to the same as an original certificate nomination paper. The certificate shall state the cause of the vacancy, the name of the new nominee and the office for which nominated the nomination is made. A political party may not nominate a candidate for an office for which no person representing that party has filed nomination papers and a declaration of acceptance candidacy.

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

(c) If the vacancy occurs after ~~the~~ ballots have been printed in any county or municipality, the chairman of the committee filling the vacancy shall supply the ~~ballot clerks~~ municipal clerk with pasters containing the name of the new nominee only. The pasters may be no larger than the space provided on the ballot for the original candidate's name and office.

(d) There can be no vacancy in nomination prior to a party primary, except when no primary is required under s. 8.50 (3) (b).

SECTION 74m. 7.38 (3) (e) of the statutes is created to read:

7.38 (3) (e) In the event of failure to file the name of a current state chairman, as required under s. 8.17 (12), the board may not recognize the state committee for the purpose of filling vacancies under par. (a).

SECTION 75. 7.50 (2) (f) of the statutes is amended to read:

7.50 (2) (f) If a sticker is applied to the ballot lists a candidate's name and the office which the candidate seeks, it is a vote for the name appearing on the sticker even if the sticker does not contain a box or the elector omits the mark cross to the right of the name, or makes a mark cross in another column for a candidate for the same office, or if a sticker is pasted somewhere else on the face of the ballot than the proper location, but pasting of names if the sticker is pasted over the space for voting a straight party ballot or over any name printed on the ballot shall, it may 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 as a vote. Only stickers appearing on the face of the ballot are valid and may be counted.

SECTION 76. 7.51 (1) (aw) of the statutes is created to read:

7.51 (1) (aw) If corrected ballots are distributed under s. 5.72 (3) or 7.10 (3), only the votes cast on the corrected ballots may be counted for any office or referendum in which the original ballots differ from the corrected ballots.

SECTION 77. 7.51 (3) (a) to (c) and (4) (b) of the statutes are amended to read:

7.51 (3) (a) The inspectors shall place together all ballots counted by them which relate to any national, state or county office or any state, county or vocational district referendum 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" shall then be secured by the inspectors in the container provided in such a manner that the ~~containers~~ container cannot be opened without breaking the seals or locks, or destroying the container. The inspectors shall deliver the ballots to the municipal clerk in the bag or container provided or a bag or container similar to that provided at the same time as the other election materials under s. 7.08 (1) (b).

(b) For ballots which relate only to municipal or school district offices or referenda, 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 or school district clerk. The clerk shall retain the ballots until destruction is authorized under s. 7.23.

(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. Challenged ballots shall be counted the same as other ballots. Upon completion of the canvass, the inspectors shall return ~~them~~ the ballots in a properly sealed container an envelope endorsed "Irregular Ballots" ~~indicating the ward or wards and county.~~ The inspectors shall return the irregular ballots along with any tally sheets taken from the sheet produced by the voting machines shall be returned to the proper clerk under par. (a) or (b). The inspectors shall place the envelope and tally sheet in a properly sealed bag or container, indicating the ward or wards and county.

(4) (b) ~~The inspectors' chairman~~ chief inspector, or one of the inspectors appointed by him or her, immediately after the votes are tabulated or counted at each election, shall report the returns of the election to the municipal clerk or ~~to the school district clerk for school district elections in common, union high and unified districts.~~ The clerk shall then make the returns public.

SECTION 78. 7.53 (1) and (2) (a) of the statutes are amended to read:

7.53 (1) (title) MUNICIPALITIES WITH ONE POLLING PLACE. Where the municipality constitutes one ward or combines all wards to utilize a single polling place under s. 5.15 (6) (b), the canvass shall be conducted publicly under s. 7.51 and the inspectors shall act as the municipal board of canvassers. 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 names of the persons declared by the inspectors to have won nomination or election to each office and the number of votes cast for and against each referendum.~~

(2) (a) ~~Unless the municipality otherwise elects under par. (b) and except~~ Except as provided in par. (c), the municipal board of canvassers ~~is for~~ is for municipal elections in each municipality utilizing more than one polling place shall be composed of the municipal governing body in every municipality comprised of 2 or more wards clerk and 2 other reputable citizens appointed by the clerk prior to the date of the election being canvassed. If the municipal clerk is a candidate at the election being canvassed, the other 2 members shall designate a 3rd member to serve in lieu of the clerk for that election.

SECTION 79. 7.53 (2) (b) of the statutes is repealed.

SECTION 80. 7.53 (2) (d) and (4) of the statutes are amended to read:

7.53 (2) (d) The municipal board of canvassers shall publicly canvass the returns of every ~~local~~ municipal election. The canvass shall begin within 24 hours after the polls close. At the spring election, the board of canvassers shall publicly declare the results on or before the 2nd Tuesday in April. The board of canvassers shall prepare a statement showing the results of each election for any municipal office and each municipal referendum. After each primary for municipal offices, the board of canvassers shall prepare a statement certifying the names of those persons who have won nomination to office. After each other election for a municipal office and each municipal referendum, the board of canvassers shall prepare a determination showing the names of the persons who are elected to each municipal office and the results of each municipal referendum. The board of canvassers shall file each statement and determination in the office of the municipal clerk or board of election commissioners.

(4) CERTIFICATE OF ELECTION. ~~The~~ As soon as the deadline for filing a petition for a recount has passed, the municipal clerk shall issue promptly a certificate of election to each person elected to any office. When a valid petition for a recount is filed, the municipal clerk shall not issue the certificate of election for the office in question until the recount has been completed and the time allowed for filing an appeal has passed.

SECTION 81. 7.54 of the statutes is created to read:

7.54 Contested elections. In all contested election cases, the contesting parties 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 board of canvassers or court deciding the contest. The ballots and related materials may be opened only in open session of the board of canvassers or in open court and in the presence of the official having custody of them.

SECTION 82. 7.60 (5) and (7) of the statutes are amended to read:

7.60 (5) **REPORTING.** Immediately following the canvass the county clerk shall send the elections board, by certified mail with return receipt requested, a certified copy of each statement of the county board of canvassers for president and vice president, state officials, senators and representatives in congress, state legislators, justice, court of appeals judge, circuit judge and metropolitan sewerage commissioners, if the commissioners are elected under s. 66.23 (11) (am). The statement shall record the returns for each office or referendum by ward, unless combined returns are authorized under s. 5.15 (6) (b). Following primaries the county clerk shall enclose on blanks furnished by the elections board the names, party or principle designation, if any, and number of votes received by each candidate recorded in the same manner. The county clerk shall transmit the certified statement to the elections board no later than ~~10~~ 7 days after each primary and no later than ~~14~~ 13 days after any other election. The board of canvassers shall transmit a certified copy of each statement for any vocational district referendum to the secretary of the district board of vocational, technical and adult education.

(7) (title) **OFFICIAL CANVASS RECORD.** After the certificates of election have been prepared under sub. (6), the county clerk shall ~~publish the results~~ retain one copy of the official canvass for those county offices and referenda in one or more newspapers in the county. ~~The papers designated shall be paid by the county~~ his or her office for public inspection.

SECTION 83. 7.70 (1) (b) and (3) (a), (g) and (h) of the statutes are amended to read:

7.70 (1) (b) If any county clerk fails or neglects to forward any statements, the elections board may require the clerk to do so immediately and if not received within ~~8~~ 7 days after a ~~spring or special~~ primary, or within ~~15~~ 14 days after any other election, the elections board 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 elections board may return it to the county clerk for correction.

(3) (a) The board of state canvassers shall meet publicly at the state capitol or at the office of the elections board 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~~ 18 days after any special election to canvass the returns and determine the election results.

(g) The board of state canvassers shall certify the statements to be correct and shall determine which persons, by the largest number of votes, have been elected to the various offices. They shall likewise determine the outcome of any referenda questions. Following each primary election, the board of state canvassers shall prepare a statement certifying the names of those persons who have won nomination to any state or national office. Except for the primary election statements, each statement shall have the certificate of determination attached to it and shall be delivered to the elections board.

(h) Whenever a referendum question submitted to a vote of the people is approved, the elections board shall record it and the secretary of state shall 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 or other statewide validating or ratifying referendum question which is ~~adopted~~ approved by the people does not expressly state the date of effective-

ness, it shall become effective ~~on the day after the last day which is allowed to file a petition for recount. If a recount is made, it shall become effective on the day after the last day which is allowed to file an appeal. If an appeal is filed, it shall become effective at the time the appellate court issues its decision unless the court finds any legal impediment to implementation~~ at the time the board of state canvassers certifies that the amendment or referendum question is approved.

SECTION 84. 8.05 (1) (h) of the statutes is amended to read:

8.05 (1) (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 to unnumbered seats, candidates equal to twice the number of positions to be filled, who receive the most votes, shall be nominated and certified.

SECTION 85. 8.05 (1) (j) of the statutes is repealed and recreated to read:

8.05 (1) (j) The municipal clerk shall notify in writing each candidate whose name is certified as a nominee under par. (h) of his or her nomination. Upon receipt of the notice, each candidate shall file a declaration of candidacy in the manner prescribed by s. 8.21 with the municipal clerk making the notification within 5 days after the notification. If the candidate has not filed a registration statement under s. 11.05 at the time of the notification, the candidate shall file the statement with the declaration. Upon receipt of the declaration of candidacy and registration statement of each qualified candidate, the municipal clerk shall place the name of the candidate on the ballot.

SECTION 85m. 8.07 of the statutes is created to read:

8.07 Validity of nomination papers. The board shall, by rule, prescribe standards consistent with this chapter to be used by all election officials in determining the validity of nomination papers and signatures thereon.

SECTION 86. 8.10 (2) of the statutes is renumbered 8.10 (2) (a).

SECTION 87. 8.10 (2) (b) and (c) of the statutes are created to read:

8.10 (2) (b) Each nomination paper shall have substantially the following words printed at the top:

I, the undersigned, request that the name of (insert candidate's last name plus first name or initial, and middle name, former legal surname or middle initial or initials if desired, but no other abbreviations, nicknames or titles), residing at (insert candidate's street address) be placed on the ballot at the (spring or special) election to be held on (date of election) as a candidate so that voters will have the opportunity to vote for (him or her) for the office of (name of office). I am eligible to vote in the (name of jurisdiction or district in which candidate seeks office). I have not signed the nomination paper of any other candidate for the same office at this election.

(c) Each candidate shall include his or her mailing address on the candidate's nomination papers.

SECTION 88. 8.10 (3) (intro.) of the statutes is amended to read:

8.10 (3) (intro.) The affidavit of a qualified elector under s. 8.15 (4) (a) shall be appended to each nomination paper. The nomination papers shall conform to the requirements for nomination papers for independent candidates for the general election, except that no statement of party or principle may be included and the number of required signatures shall be on nomination papers filed under this section is:

SECTION 89. 8.10 (3) (km) and (ks) of the statutes are created to read:

8.10 (3) (km) For school district officer in any school district which contains territory lying within a 2nd class city, not less than 100 nor more than 200 electors.

(ks) For school district officer in any school district which does not contain territory lying within a 1st or 2nd class city, if nomination papers are required under s. 120.06 (6) (a), not less than 20 nor more than 100 electors.

SECTION 90. 8.10 (4) and (5) of the statutes are repealed and recreated to read:

8.10 (4) All signers on each nomination paper shall reside in the jurisdiction or district which the candidate named on the paper will represent, if elected.

(5) Nomination papers shall be accompanied by a declaration of candidacy under s. 8.21. If a candidate has not filed a registration statement under s. 11.05 at the time he or she files nomination papers, the candidate shall file the statement with the papers. A candidate for state office shall also file a statement of economic interests with the ethics board no later than the end of the 3rd day following the last day for filing nomination papers under sub. (2) (a).

SECTION 91. 8.11 (2) of the statutes is amended to read:

8.11 (2) MILWAUKEE COUNTY. A primary shall be held in counties ~~over~~ having a population of 500,000 population or more 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~~ having a population of 500,000 population or more whenever there are more than twice the number of candidates to be elected to the board of education from any given area except in 1st class cities of the 1st class.

SECTION 92. 8.12 (1) (a) to (c) of the statutes are amended to read:

8.12 (1) (a) On the last Tuesday in January in each year in which electors for president and vice president are to be elected, there shall be convened in the capitol a committee consisting of, for each political party recognized under s. 5.62, the state chairman of that state party organization or the chairman's designee, the one national committeeman and the one national committeewoman designated by the state chairman; the speaker and the minority leader of the assembly or their designees, and the president and minority leader of the senate or their designees. All designations shall be made in writing to the board. This committee shall organize by selecting an additional member who shall be the chairman and shall determine, and certify to the board no later than on the Friday following the ~~first last~~ last Tuesday in ~~February~~ January, the names of all candidates of the political parties recognized under s. 5.62 for the office of president of the United States. The committee shall place the names of all candidates whose candidacy is generally advocated or recognized in the national news media throughout the United States on the ballot, and may, in addition, place the names of other candidates on the ballot. The committee shall have sole discretion to determine that ~~such candidates'~~ a candidacy is generally advocated or recognized in the national news media throughout the United States.

(b) No later than 5 p.m. on the ~~2nd Thursday following the~~ 3rd Tuesday in February of each presidential election year, any person seeking the nomination by the national convention of a political party recognized under s. 5.62 for the office of president of the United States, or any ~~group committee~~ organized in this state on behalf of and with the consent of such person, may submit to the board a petition to have the person's name appear on the presidential preference ballot. Such petition may be circulated no sooner than the last Tuesday in January of such year and shall be signed by a number of qualified electors equal in each congressional district to not less than 1,000 signatures nor more than 1,500 signatures. All signers on each separate petition shall reside in the same county. The form of the petition shall be the same as provided in s. 8.15 insofar as applicable.

- 2009 -

83 WisACT 484

(c) The board shall forthwith contact each person whose name has been placed in nomination under par. (a) and notify him or her that his or her name will appear on the Wisconsin presidential preference ballot unless he or she files, no later than 5 p.m. on the ~~2nd Thursday following the~~ 3rd Tuesday in February of such year, with the board, a disclaimer stating without qualification that he or she is not and does not intend to become a candidate for the office of president of the United States at the forthcoming presidential election. The disclaimer may be filed with the board by certified mail, telegram or in person.

SECTION 93. 8.15 (3) and (4) (a) of the statutes are amended to read:

8.15 (3) All signers on each separate nomination paper for all state offices, county offices, and the offices of U.S. senator and representative in congress shall reside in the ~~same county and in the~~ jurisdiction or district which the candidate named on the paper will represent, if elected.

(4) (a) The affidavit of a qualified elector stating his or her residence with street and number, if any, shall appear at the bottom of each nomination paper, stating he or she personally circulated the nomination paper and personally obtained each of the signatures; ~~he or she is personally acquainted with all the signers;~~ he or she knows they are electors of the ward, aldermanic district, municipality or county, as the nomination papers require; he or she knows they signed the paper with full knowledge of its content; he or she knows their respective residences given; he or she knows each signer signed on the date stated opposite his or her name; and, that he or she, the affiant, resides within the district which the candidate named therein will represent, if elected, ~~and;~~ that he or she intends to support the candidate; and that he or she is aware that falsifying the affidavit is punishable under ss. 12.13 (3) (a) and 946.32 (1) (a), Wis. stats. The affidavit may be made by the candidate or any qualified elector. The nomination papers are valid with or without the seal of the officer who administers the oath.

SECTION 94. 8.15 (4) (b) of the statutes is renumbered 8.21 and amended to read:

8.21 (title) Declaration of candidacy. Each candidate, ~~except a candidate for presidential elector under s. 8.20 (2) (d),~~ shall file with his or her nomination papers, a declaration of candidacy, sworn to before any officer authorized to administer oaths, that ~~the candidate~~ he or she is a candidate for a named office, that he or she meets or will at the time he or she assumes office meet applicable age, citizenship, residency or voting qualification requirements, if any, prescribed by the constitutions and laws of the United States and of this state, and that he or she will otherwise qualify for office if nominated and elected. Each candidate for state and local office shall ~~swear~~ include in the declaration a statement that he or she has not been convicted of any felony for which he or she has not been pardoned. Each candidate for state or local office shall also ~~file a sworn~~ include in the declaration with his or her nomination papers a statement that discloses his or her residence for voting purposes, including street and number, if any. The nomination papers and the candidate's sworn declaration are ~~is~~ valid with or without the seal ~~impression~~ of the ~~authorized~~ officer who ~~administered~~ administers the oath. A candidate for state or local office shall file ~~a subsequent~~ an amended declaration under oath with the officer or agency with whom nomination papers are filed if he or she changes his or her residence for voting purposes to a location outside the jurisdiction or district in which the candidate seeks office at any time after the original declaration is filed and prior to assuming office or being defeated for election or nomination.

SECTION 95. 8.15 (4) (b) of the statutes is created to read:

8.15 (4) (b) Nomination papers shall be accompanied by a declaration of candidacy under s. 8.21. If a candidate for state or local office has not filed a registration statement under s. 11.05 at the time he or she files nomination papers, the candidate shall file the statement with the papers. A candidate for state office shall also file a statement of

economic interests with the ethics board no later than the end of the 3rd day following the last day for filing nomination papers under sub. (1).

SECTION 96. 8.15 (5) of the statutes is renumbered 8.15 (5) (a) and amended to read:

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

I, the undersigned, request that the name of (insert candidate's legal last name and plus first name or initial, and middle name, former legal surname or middle initial or initials if desired, but no other abbreviations, nicknames or titles) residing at (insert candidate's street address) be placed on the ballot at the (general, ~~spring~~ or special) election to be held on (date of election) as a candidate ~~[(representing the (name of party)) or (representing the principle(s) of (statement of principles))]~~ so that voters will have the opportunity to vote for (him or her) for the office of (name of office). I am eligible to vote in the (name of jurisdiction or district in which candidate seeks office). I have not signed the nomination paper of any other candidate for the same office at this election.

SECTION 97. 8.15 (5) (b) of the statutes is created to read:

8.15 (5) (b) Each candidate shall include his or her mailing address on the candidate's nomination papers.

SECTION 98. 8.15 (6) (e) and (8) (b) of the statutes are amended to read:

8.15 (6) (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.

~~(8) (b) For county offices to be voted for wholly within one county, except representatives in congress and members of the senate and assembly, in the office of the county clerk or board of election commissioners.~~

SECTION 99. 8.16 (2) and (7) of the statutes are amended to read:

8.16 (2) A person who receives only write-in votes shall not appear on the ballot as the candidate of a recognized political party for an office unless the person receives at least 5% of the vote cast in the jurisdiction or district for the party's gubernatorial candidate at the last general election or the number of votes equivalent to the minimum number of signatures required on nomination papers for that office under s. 8.15 (6), whichever is greater, and ~~the~~ unless:

(a) The person files a registration statement under s. 11.05 (2g) or (2r) and declaration of acceptance candidacy under s. 8.15 (4) (b) 8.21;

(b) If the person is a candidate for state office, the person files a statement of economic interests under s. 19.43 (4), within 2 3 days after the person receives notification of his or her nomination; and

(c) If the person is a candidate for state or local office, the person files a registration statement under s. 11.05.

(2m) Independent candidates may not be nominated by write-in votes but shall file nomination papers under s. 8.20.

(7) Nominees chosen at a national convention and under s. 8.18 (2) by each party entitled to a September primary ballot shall be the party's candidates for president, vice president and presidential electors. The state or national chairperson of each such party shall certify the names of the party's nominees for president and vice president to the board no later than 5 p.m. on the first Tuesday in September preceding a presidential election. Each name shall be in one of the formats authorized in s. 7.08 (2) (a).

SECTION 100. 8.17 of the statutes is repealed and recreated to read:

8.17 Political party committees. (1) Political parties qualifying for a separate ballot under s. 5.62 (1) (b) or (2) shall elect their party committeemen at the September primary. Each political party shall elect one committeeman from each election district. In this section, each village, each town and each city is an "election district", except that in cities, villages or towns having a population of more than 7,500 the governing body may by ordinance adopted not later than June 1 of an even-numbered year designate election districts composed of wards or groups of wards to be utilized for the succeeding election of committeemen. To be eligible to serve as its committeeman, an individual shall be, at the time of filing nomination papers or at the time of appointment under this section, a resident of the election district which he or she is chosen to represent and shall be at least 18 years of age.

(2) Nomination papers shall be in substantially the same form as those required for candidates for the assembly. The papers shall include a statement signed by the candidate declaring his candidacy and that he meets the eligibility requirements of sub. (1). Nomination papers may be circulated no sooner than June 1 preceding the election and may be filed in the office of the county clerk or board of election commissioners no later than 5 p.m. on the 2nd Tuesday of July in those years when a September primary is held. The signatures of not less than 20 nor more than 40 electors are required.

(3) (a) Only individuals filing nomination papers may have their names appear on the ballot. There shall be no space provided for write-in candidates. When no candidate files nomination papers for party committeeman, the office may not appear on the ballot for that party in that election district and the vacancy shall be filled by the county committee under sub. (5) (g) and (h).

(b) The county clerk or board of election commissioners shall arrange the names of candidates for committeemen in the proper party column under s. 5.62 for each election district.

(4) (a) Each elector may vote for party committeeman by voting for one of the names on the ballot.

(b) The results shall be returned as are other results of the September primary, but no write-in votes or stickers may be counted. Whenever 2 or more candidates for party committeeman receive an equal number of votes, the county board of canvassers shall certify as the winner the one of them who was the first to file proper nomination papers.

(c) The term of office of each elected or appointed committeeman shall end on the date of the meeting held under sub. (5) (b) following each September primary.

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

(b) A meeting of the county committee shall be held within 30 days, but not less than 7 days, of the completion of the official September primary county canvass. The meeting shall be open to all members in good standing of the party in the county. At this meeting, the county committee offices of chairman, vice chairman, secretary, and treasurer shall be filled by election by the committeemen and party members present and voting, each of whom is entitled to one vote. At this meeting, the county committee shall elect the congressional district committee members as provided in sub. (6) (b), (c) and (d). The secretary of the county committee shall give written notice of the meeting to party and committee members at least 7 days in advance of the meeting. Individuals elected may be, but are not required to be, party committeemen. They are required to be party members in good standing.

(c) The secretary of the county committee shall notify the county clerk in writing of the name and address of the elected county committee chairman within 10 days of his or her election.

(d) The chairman of the county committee shall notify the chairman of the state committee of the names and addresses of the individuals elected as congressional district committee members within 10 days of their election.

(e) Additional county committee meetings may be called by the county chairman upon at least 7 days' written notice. A majority of committee members may, upon petition to the chairman signed by all of them, demand that the chairman call a meeting. If after 3 days the chairman has failed to do so, the demanding members may designate one of them to call and preside at a meeting, also upon at least 7 days' written notice to all members. The member so designated shall provide the notice. Meetings called in either manner have equal standing.

(f) Any of the county committee officers named in par. (b) may be removed from office at any meeting of the committee, provided at least two-thirds of the committeemen are present and at least 7 days' advance written notice of the meeting is given to members of the party in the county. Any such removal, and subsequent filling of a vacancy, shall be by vote of the committeemen and party members present and voting, including committeemen and party members, each of whom is entitled to one vote.

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

(h) The county committee may appoint a committeeman for any election district in which no one was elected.

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

(6) (a) The congressional district committee shall consist of members elected by the county committee or committees under pars. (b) and (c).

(b) For each assembly district lying wholly within one county, the county committee shall elect 2 persons from each assembly district as members of the congressional district committee.

(c) For each assembly district lying partially within one county, the county committee shall elect one person as a member of the congressional district committee, except that the county committee may elect additional members so that the county has at least 2 members on the committee of each congressional district in which it lies.

(d) County committees shall elect alternate members to congressional district committees on the same basis and in the same numbers as they are entitled to under pars. (b) and (c).

(e) At least once every year, the chairman of the congressional district committee shall call, with at least 30 days' notice in writing to the chairman of the county committee, or committees lying within the district, for a caucus of members of the party in the district. Committee offices of chairman, vice chairman, secretary, and treasurer shall be filled by a caucus in the time and manner prescribed by the constitution of either the district committee or the state committee. Individuals elected to these offices may be, but are not required to be, members of the congressional district committee. The secretary shall provide notice of all meetings of the congressional district committee.

(7) (a) Duly elected or appointed committeemen residing in any political subdivision or assembly district may organize a committee for their area upon presenting a petition therefor to the congressional district committee, which petition shall be signed by at least 25% of the committeemen who reside in that same area. Upon filing such a petition:

1. The chairman of the congressional district committee shall call the first meeting within 10 days of delivery of the petition.

- 2013 -

83 WisACT 484

2. The secretary of the congressional district committee shall give at least 5 days' advance written notice of the meeting to all committeemen and party members residing in the area of the new committee.

3. Committee offices of chairman, vice chairman, secretary, and treasurer shall be filled by election in the same manner as that provided for the county committee, and may be filled by individuals who are not committeemen.

4. Additional meetings may be called in the same manner as that provided for the county committee under sub. (5) (e).

5. Holders of committee offices may be removed and subsequent vacancies filled in the same manner as that provided for the county committee under sub. (5) (f).

6. Committeemen members of committees organized in any political subdivision or assembly district retain their status as members of the county committee.

(b) Assembly district committees shall also include as members those individuals elected by the county committee under sub. (6) as members of the congressional district committee.

(8) (a) The congressional district committee shall elect at least 2 individuals to become members of the state committee. Those elected may be, but are not required to be, members of the district committee.

(b) The state committee may consist solely of members elected under par. (a) or may consist of those plus as many other members called for and chosen in the manner prescribed in the constitution of the state committee.

(8m) Where committeemen or committeewomen are elected or appointed from aldermanic districts or villages, the committeemen or committeewomen shall act as liaison representatives between their parties and the residents of the aldermanic districts or villages in which they serve. Each committeeman or committeewoman shall appoint a captain for each ward in the aldermanic district or village in which the committeeman or committeewoman serves, and shall coordinate the activities of the ward captains in that aldermanic district or village, including but not limited to voter registration, voter identification, polling and membership activities.

(9) (a) If a county has no committee as provided by sub. (5) (a), residents of that county may voluntarily form a committee, which, upon approval of the state committee and certification by the secretary of the state committee to the board and the county clerk or board of election commissioners, shall then become the county committee with equal standing as if it had been organized under sub. (5) (a). This standing shall remain unless and until a committee is organized under sub. (5) (a).

(b) Members of a committee organized under par. (a) are not, and shall not be known as, committeemen.

(10) Committeemen, by virtue of their office, shall be granted credentials for participation in any caucus or convention called by their congressional district committee or state committee, and those credentials shall be distributed at least 30 days in advance of the meeting by the secretary of the committee calling the caucus or convention.

(11) The names of the committees shall be that of the identifying name followed by Party of, the blank to be filled with the name of the county, congressional district, or other geographic areas.

(12) The secretary of the state committee of each recognized political party under s. 5.62 (1) (b) or (2) shall notify the board in writing of the name and address of the elected state committee chairman within 10 days of his or her election.

SECTION 100m. 8.175 of the statutes is repealed.

SECTION 101. 8.185 (2) of the statutes is amended to read:

8.185 (2) Any candidates for the office of president and vice president of the United States as write-in candidates shall file a list of presidential electors and a declaration ~~that they will qualify for the offices, if elected, of candidacy in the manner prescribed in s. 8.21~~ with the board no later than 4:30 p.m. on the 2nd Tuesday preceding the day of the general election to choose the president and vice president of the United States. The list shall contain one presidential elector from each congressional district and 2 electors from the state at large and the names of the candidates for president and vice president for whom they intend to vote, if elected. ~~Each person who is listed as an elector shall file a declaration of acceptance of his or her nomination as an elector stating that he or she will qualify for the office, if elected. Such declaration shall be filed with the board no later than 4:30 p.m. on the 2nd Tuesday preceding the day of the general election to choose the president and the vice president of the United States.~~ Compliance with this subsection may be waived by the board but only if the results of the general election indicate that a write-in candidate for the office of president is eligible to receive the electoral votes of this state except for noncompliance with this subsection. In such event, the write-in candidate ~~and that person's named presidential electors~~ shall have until 4:30 p.m. on the Friday following the general election to comply with the filing requirements of this subsection.

SECTION 102. 8.20 (2) (a) of the statutes is amended to read:

8.20 (2) (a) Nomination is by nomination papers. ~~The nomination paper forms shall contain the candidate's name in any combination of initials for the first and middle names, plus the last name, but no nicknames, abbreviations or titles; the office for which he or she is nominated; his or her residence and post-office address; and the party or principle he or she represents, if any, in 5 words or less. Each nomination paper shall have substantially the following words printed at the top:~~

I, the undersigned, request that the name of (insert candidate's last name plus first name or initial, and middle name, former legal surname or middle initial or initials if desired, but no other abbreviations, nicknames or titles), residing at (insert candidate's street address) be placed on the ballot at the (general or special) election to be held on (date of election) as a candidate [(representing the (name of party)) or (representing the principle(s) of (statement of principles))] so that voters will have the opportunity to vote for (him or her) for the office of (name of office). I am eligible to vote in the (name of jurisdiction or district in which candidate seeks office). I have not signed the nomination paper of any other candidate for the same office at this election.

(c) In the case of candidates for the offices of president and vice president, the nomination papers shall contain both candidates' names; the office for which each is nominated; the residence and post-office address of each; and the party or principles they represent, if any, in 5 words or less. In the case of candidates for the offices of governor and lieutenant governor, the nomination paper forms papers shall so contain both candidates' names; the office for which each is nominated; the residence and post-office address of each; and the party or principle principles they represent, if any, in 5 words or less.

SECTION 103. 8.20 (2) (b) of the statutes is renumbered 8.20 (2) (d) and amended to read:

8.20 (2) (d) Nomination papers for ~~presidential electors~~ president and vice president shall list one candidate for presidential elector from each congressional district and 2 electors candidates for presidential elector from the state at large ~~for electors and the candidates for president and vice president for whom they intend to~~ who will vote for the candidates for president and vice president, if elected.

SECTION 104. 8.20 (2) (b) of the statutes is created to read:

- 2015 -

83 WisACT 484

8.20 (2) (b) Each candidate shall include his or her mailing address on the candidate's nomination papers.

SECTION 105. 8.20 (5) of the statutes is amended to read:

8.20 (5) Only one signature per person for the same office is valid. In addition to his or her signature, each signer shall list his or her 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~~ jurisdiction or district which the candidate named therein will represent, if elected.

SECTION 106. 8.20 (6) of the statutes is repealed and recreated to read:

8.20 (6) Nomination papers shall be accompanied by a declaration of candidacy under s. 8.21. If a candidate for state or local office has not filed a registration statement under s. 11.05 at the time he or she files nomination papers, the candidate shall file the statement with the papers. A candidate for state office shall also file a statement of economic interests with the ethics board no later than the end of the 3rd day following the last day for filing nomination papers under sub. (8) (a).

SECTION 107. 8.20 (8) (a) of the statutes is amended to read:

8.20 (8) (a) Nomination papers for independent candidates for any office to be voted upon at a general election or September primary and general election, except president, vice president and presidential elector, may be circulated no sooner than June 1 preceding the election and ~~shall~~ may be filed not later than 5 p.m. on the 2nd Tuesday in July.

SECTION 108. 8.20 (8) (am) of the statutes is created to read:

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

SECTION 109. 8.28 (1) of the statutes is amended to read:

8.28 (1) Any person individual who believes that ~~a person an individual~~ holding or elected to public state or local office in this state is not a resident or inhabitant of this state or of the jurisdiction or district in which he or she serves, whenever such qualification is required by the constitution of this state or by any applicable law, may file a verified complaint with the attorney general alleging such facts as may cause him or her to believe that the person individual is not qualified to hold office because of failure to meet a residency requirement.

SECTION 110. 8.30 (1) (intro.) and (2) of the statutes are amended to read:

8.30 (1) (intro.) ~~The~~ Except as otherwise provided in this section, the official or agency with whom nomination papers are required to be filed may refuse to place the candidate's name on the ballot:

(2) If no registration statement has been filed by or on behalf of a candidate for state or local office in accordance with s. 11.05 (2g) or (2r) by the applicable deadline for filing nomination papers by such candidate, or the deadline for filing a declaration of candidacy for an office for which nomination papers are not filed, the name of the candidate may not appear on the ballot. This subsection may not be construed to exempt a candidate from applicable penalties if he or she files a registration statement later than the time prescribed in ss. 11.01 (1) and 11.05 (2g).

SECTION 110m. 8.30 (4) of the statutes is created to read:

8.30 (4) The official or agency with whom nomination papers or declarations of candidacy are required to be filed may not place the name of a candidate for state or local office on the ballot if the candidate has been convicted of a felony in a court within the United States, unless the candidate has been pardoned.

SECTION 111. 8.35 (1) and (2) of the statutes are amended to read:

8.35 (1) Any person who files nomination papers and a ~~declaration of acceptance~~ qualifies to appear on the ballot may not decline nomination. The name of ~~such candidate~~ that person shall appear upon the ballot except in case of death of the person. A ~~candidate~~ person who is appointed to fill a vacancy in nomination or who is nominated by write-in votes is deemed to decline nomination if he or she fails to file a declaration of ~~acceptance~~ candidacy within the time prescribed under sub. (2) (c) or s. 8.16 (2).

(2) (a) If a vacancy occurs after nomination due to the death of a candidate of a recognized political party for a partisan office, other than party committeeman, the vacancy may be filled ~~for partisan offices~~ by the chairman of the committee of the proper political party under s. 7.38 (3), or the personal campaign committee, if any, in the case of independent candidates, ~~except as provided in s. 8.17 (5) (g)~~. Similar vacancies ~~for municipal and in nominations of candidates for nonpartisan county or municipal offices~~ may be filled ~~within 2 days~~ by the candidate's personal campaign committee or, if the candidate had none, by the governing body of the municipality or county. For purposes of this paragraph, the official or agency with whom nomination papers are filed need not recognize members of a personal campaign committee whose names were not filed under s. 11.05 prior to the death of the candidate.

(c) The official or agency with whom a proper certificate is filed under par. (b) shall promptly notify the candidate who is nominated and transmit to the candidate a declaration of candidacy form and, in the case of a candidate for state or local office, a financial registration statement form under s. 11.05. Within 2 3 days after notification of the nomination, the new nominee shall file a declaration of ~~acceptance~~ candidacy and, in the case of a candidate for state or local office, a registration statement under s. 11.05 ~~(2g) or (2r)~~. Upon failure. Within 3 days after notification of the nomination, a new nominee for state office shall file a statement of economic interests under s. 19.43 (4). If the nominee fails to file such the declaration or statement of candidacy, the official or agency with whom such papers are filed may refuse to place the candidate's name on the ballot. If the nominee fails to file the registration statement or statement of economic interests, the official or agency may not place the candidate's name on the ballot.

(d) If the ballots have been prepared, the committees or body filling the vacancy shall supply pasters as provided under s. 7.38 (3) (c). No vacancy in a nomination occurs prior to the time of the primary election for an office, unless no primary is required for the office for which the nomination is made.

SECTION 112. 8.35 (2) (b) and (e) of the statutes are created to read:

8.35 (2) (b) If a vacancy in nomination occurs due to the death of a candidate, the officer or agency with whom nomination papers are filed for the office shall promptly notify the chairman, committee or body, if any, that the vacancy may be filled within 4 days of the date of the notice, as shown by the postmark if the notice is mailed. The chairman, committee or body may file a sworn certificate of nomination with the official or agency within the 4-day period.

(e) This subsection does not apply in the event of the death of a candidate for nonpartisan office who has no opponent appearing on the election ballot.

SECTION 113. 8.35 (3) of the statutes is amended to read:

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

SECTION 114. 8.50 (1) (a), (b) and (d) and (3) (title), (a) and (b) of the statutes are amended to read:

8.50 (1) (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 except as provided in s. 17.21 (5); the special election for school board member in a school district organized under ch. 119 shall be ordered by the school board; the special election for municipal judge shall be ordered by the mayor, president or chairman of the municipality, except in 1st class cities; and all other special elections shall be ordered by the governor. When the governor or attorney general issues the order, it shall be filed and recorded in the office of the board. When the county clerk or sheriff issues the order, it shall be filed and recorded in the office of the county clerk. When the county executive issues the order, it shall be filed in the office of the county board of election commissioners. When the school board of a school district organized under ch. 119 issues the order, it shall be filed and recorded in the office of the city board of election commissioners. When the mayor, president or chairman issues the order, it shall be filed in the office of the municipal clerk or city board of election commissioners.

(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 concerns ~~any a national or state office or an office to be filled from a district which includes more than one county,~~ the board shall give notice as soon as possible to the county clerks ~~and publish one notice.~~ Upon receipt of notice from the board, 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 for all offices to be voted upon within the county. 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 board.

(d) When the election concerns a ~~national or state office under par. (b) or an office to be filled from a district which includes more than one county,~~ the board shall transmit to each county clerk at least 22 days before the special primary a certified list of all persons for whom nomination papers have been filed in its office. If no primary is required, the list shall be transmitted at least 42 days prior to the day of the election. Immediately upon receipt of the certified list, the county clerk shall prepare his or her ballots. For a county special election, the county clerk shall certify the candidates and prepare the ballots. If there is a primary, the county clerk shall publish 2 type B notices in a newspaper under ch. 10. When a primary is held, as soon as possible after the primary, the county clerk shall certify the candidates and prepare the ballots for the following special election. The clerk shall publish 2 type B notices in a newspaper under ch. 10 for the election.

(3) (title) NOMINATION, PRIMARY AND CANVASS. (a) Nomination papers may 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. 28 days before the day that the special primary will or would be held, if required, except when a special election is held concurrently with the spring election or general election, the deadline for filing nomination papers shall be specified in the order and the date shall be no earlier than the date provided in s. 8.10 (2) (a) or 8.15 (1), respectively, and no later than 35 days prior to the date of the spring or September primary. Nomination papers may be filed in the manner specified in s. 8.10, 8.15 or 8.20. Each candidate shall file a declaration of candidacy in the manner provided in s. 8.21. If a candidate for state or local office has not filed a registration statement under s. 11.05 at the time he or she files nomination papers, the candidate shall file the statement with the papers. A candidate for state office shall also file a statement of economic interests with the ethics board no later than the end of the 3rd day following the last day for filing nomination papers specified in the order.

(b) Except as otherwise provided in this section, the provisions for September primaries under s. 8.15 are applicable to all primaries held under this section. Independent candidates for state office at a special partisan election shall not appear on the primary ballot. No primary is required for a nonpartisan election in which not more than 2

candidates appear on the ballot or for a partisan election in which not more than one candidate appears on the ballot of each recognized political party. In every special election except a special election for nonpartisan state office where no candidate is certified to appear on the ballot, a space for write-in votes shall be provided on the ballot, regardless of whether a special primary is held.

SECTION 115. 8.50 (3) (d) and (e) of the statutes are created to read:

8.50 (3) (d) The requirements for nominations and special primaries under this section apply to the filling of any office for which a municipal caucus is regularly used to nominate candidates.

(e) In a special election for a state or national office, the county clerk or board of election commissioners shall transmit the statement of the county board of canvassers to the elections board no later than 7 days after the special primary and 13 days after the special election.

SECTION 116. 8.50 (4) (f) of the statutes is amended to read:

8.50 (4) (f) A vacancy in the office of judge or justice occurring in any year after the date of the spring election and on or before December 1 shall be filled, if in the office of circuit judge, at the succeeding spring election; if in the office of court of appeals judge, at the first spring election when no other court of appeals judge is to be elected from the same court of appeals district; or, if in the office of justice, at the first spring election when no other justice is to be elected. A vacancy in the office of circuit judge occurring after December 1 and on or before the date of the spring election shall be filled at the 2nd succeeding spring election ~~the next year~~; in the office of court of appeals judge, at the first spring election, beginning with the 2nd succeeding spring election ~~the next year~~, when no other court of appeals judge is to be elected from the same court of appeals district; or in the office of justice, at the first spring election, beginning with the 2nd succeeding spring election ~~the next year~~, when no other justice is to be elected.

SECTION 117. 9.20 (1), (3), (4) and (5) of the statutes are amended to read:

9.20 (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 individual~~ filing the petition on behalf of the electors shall designate in writing ~~a person or organization~~ an individual to be notified of any insufficiency or improper form under sub. (3).

(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~~ The clerk shall state his or her 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 individual~~ 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 spring or general election, if the election is more than 6 weeks after the date ~~the order is given~~ of the council's action on the petition or the expiration of the 30-day period, whichever first occurs. If there are 6 weeks or less before the 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 of voting on the ordinance or resolution at any time prior to the next election, but not more than one special election for direct legislation ~~shall~~ may be called ordered in any 6-month period.

(5) ~~Not more than 3 nor less than one week before the election, the~~ The city clerk shall cause notice of the ordinance or resolution that is being submitted to a vote to be ~~pub-
lished once in a newspaper as are city ordinances given as provided in s. 10.06 (3) (f).~~

SECTION 118. 10.01 (2) (a) and (c) of the statutes are amended to read:

10.01 (2) (a) Type A — The type A notice shall be entitled “Notice of Election”. The 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 Whenever an election for candidates to be elected from districts is noticed, the notice shall contain a statement specifying where information concerning district boundaries may be obtained. If a redistricting since the most recent election makes the description of the incumbent’s office of limited usefulness, the notice may contain supplementary information describing the territory in which an election is to be held. The type A notice shall be published once by the board, twice by the county clerks, and, for municipal elections, once by the municipal clerks at the times designated in s. 10.06.

(c) Type C — The type C notice shall be entitled “Notice of Referendum”. The notice shall be given whenever referenda questions are a referendum question is submitted to a vote of the people. The notice shall contain the date of the referendum, the entire text of the question and the proposed enactment, if any, as well as 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. For county questions, the statement shall be prepared by the corporation counsel, or if there is no corporation counsel, by the district attorney. For other questions, the statement shall be prepared by the attorney for the jurisdiction in which the question is proposed. The board 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 referendum question.

SECTION 119. 10.02 (3) (a) to (d), (f) and (g) of the statutes are amended to read:

10.02 (3) (a) Upon entering the polling place, an elector shall give his or her name and address before being permitted to vote. Where ballots are distributed to electors, the initials of 2 ballot clerks must appear on the ballot. Upon being permitted to vote, the elector shall retire alone to a voting booth or machine and cast his or her ballot, except that an elector who is a parent or guardian may be accompanied by the elector’s minor child or minor ward. An election official may inform the elector of the proper manner for casting a vote, but the official may 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, the elector shall make a cross (X) in the circle or depress the lever or button 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 cross ~~placed~~ made to the right of a candidate for the same office in another column or a sticker applied, a cross 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, the elector shall make a cross (X) in the square at the right of or separately depress the levers or buttons next to each candidate’s name for whom he or she intends to vote, or shall insert or write in the name of a candidate.

2. ~~At the presidential preference primary or a special partisan primary, the elector shall select the party ballot of his or her choice and shall make a cross (X) in the square at the right of or depress the lever or button next to the candidate's name for each office for whom the elector intends to vote, or shall insert or write in the name of the elector's choice for a candidate.~~

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

3. When casting a presidential preference vote, the elector shall select the party ballot of his or her choice and make a cross (X) in the square at the right of or depress the button or lever next to the candidate's name for whom he or she intends to vote or shall, in the alternative, make ~~such~~ a cross (X) in the square at the right of or depress the button or lever next to the word "no" when only one candidate is shown on the ballot or "none of the names shown" when several candidates are shown on the ballot, or shall write in the name of his or her choice for a candidate.

4. At a nonpartisan primary, the elector shall ~~place~~ make a cross (X) in the square at the right of or depress the button or lever next to the candidate's name for each office for whom he or she intends to vote, or insert or write in the name of his or her choice for a candidate.

(c) In presidential elections, the elector shall ~~place~~ make a cross (X) in the square at the right of or depress the button or lever next to the set of candidates for president and vice president for whom he or she 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 (X) in the square at the right of or depress the button or lever next to the answer which he or she intends to give.

(f) After an official paper ballot is marked, it shall be folded so the inside marks do not show but so the printed ~~indorsements~~ endorsements and ~~ballot clerks'~~ inspectors' initials on the outside do show. After casting his or her ~~ballot~~ vote, the elector shall leave the voting machine or booth, and where paper ballots are used, ~~give his or her name to the inspector in charge of the ballot box, hand the inspector~~ distributed to the electors, deposit his or her folded ballot to be placed in the ballot box, and shall leave the polling place promptly.

(g) An elector may ~~be assisted by 2 election officials of different political parties~~ select an individual to assist in casting his or her vote if the elector declares to the presiding official that he or she is unable to read, has difficulty reading, writing or understanding English or that due to physical disability is unable to cast his or her ballot. Alternatively, an elector making such declaration may have another elector of the county assist in marking the ballot or operating a voting machine. The presiding official may administer an oath to a person making such declaration. The selected individual rendering assistance may not be the elector's employer or an agent of that employer or an officer or agent of a labor organization which represents the elector.

SECTION 120. 10.06 (1) (b) and (d) of the statutes are repealed.

SECTION 121. 10.06 (1) (e) of the statutes is amended to read:

10.06 (1) (e) As soon as possible following the state canvass of the spring primary vote, but no later than the first Tuesday in March, the board shall send a type B notice certifying to each county clerk the list of candidates for the spring election. When no

- 2021 -

83 WisACT 484

primary is held, this notice shall be sent under par. (c). The board shall also in any case send a certified list of candidates under s. 11.50 to the state treasurer pursuant to s. 7.08 (2) (c). When there are referenda questions, the board shall send a type C notice certifying the questions to the county clerks as soon as possible, but no later than the first Tuesday in March. ~~On the first Tuesday in March the board shall publish one notice of all candidates and offices which it has certified. Also on the first Tuesday in March the board shall publish one type C notice for any referenda questions which it has certified.~~

SECTION 122. 10.06 (1) (g) and (j) of the statutes are repealed.

SECTION 123. 10.06 (2) (a), (e), (g), (h), (k) and (m) of the statutes are amended to read:

10.06 (2) COUNTY CLERKS. (a) On the 3rd and 4th Tuesdays in November preceding a spring election each county clerk shall publish a type A notice based on the relevant portions of the notice received from the board for all state offices to be filled at the election by any electors voting in the county and a similar notice incorporating any county offices. Publication shall be on the next day if Tuesday is a holiday.

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

(g) On the 2nd Monday and the Monday preceding the spring election, a type B notice shall be published. ~~A containing the same information prescribed in par. (a).~~ In those years in which a presidential preference primary is held, notice of the primary shall also be published. In addition, a type C notice also shall be published on these dates whenever there are referenda questions for all state and county referenda to be voted upon by electors of the county.

(h) 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 board for all national and state offices to be filled at the election by any electors voting in the county and incorporating county offices. On the last Tuesday in May the county clerk shall send notice of the coming elections to each municipal clerk.

(k) Upon receipt of the type B notice from the board preceding the general election, the county clerk shall add county offices and referenda, if any, and send notice to each municipal clerk of the coming general election and prepare the ballots.

(m) On the 2nd Monday and the Monday preceding the general election a type B notice shall be published. ~~When there are referenda questions containing the same information prescribed in par. (h).~~ In addition, a type C notice shall be published at the same time on these dates for all state and county referenda to be voted upon by electors of the county.

SECTION 124. 10.06 (2) (n), (3) (f) and (4) of the statutes are created to read:

10.06 (2) (n) At least 30 days prior to any special primary or election for national, state or county office, the county clerk shall publish a type A notice. The county clerk shall publish a 2nd type A notice one week after the first notice is published. On the 2nd Monday and the Monday preceding any special primary or election for national, state or county office, or any state or county referendum, the county clerk shall publish a type B notice, and a type C notice for the special referendum, if any.

(3) (f) At least 30 days prior to any special primary or election for municipal office, the municipal clerk shall publish a type A notice. The municipal clerk shall publish a 2nd type A notice one week after the first notice is published. On the 2nd Monday and the Monday preceding any special primary or election for municipal office, or any municipal referendum, the municipal clerk shall publish a type B notice, and a type C notice for the

referendum, if any. On the day preceding any special primary or election, including a special referendum, the municipal clerk shall publish a type D notice.

(4) OTHER CLERKS. Unless otherwise provided, at least 30 days prior to any primary or election for any office other than a national, state, county or municipal office, the clerk of the jurisdiction holding the primary or election shall publish a type A notice. The clerk shall publish a 2nd type A notice one week after the first notice is published. On the 2nd Monday and the Monday preceding any primary or election for any office other than a national, state, county or municipal office, or any referendum other than a state, county or municipal referendum, the clerk of the jurisdiction holding the primary, election or referendum shall publish a type B notice, and a type C notice for the referendum, if any.

SECTION 124m. 11.01 (12m) of the statutes is renumbered 5.02 (8m).

SECTION 125. 11.05 (3m) of the statutes is created to read:

11.05 (3m) VACANCIES IN NOMINATION. Any personal campaign committee of an independent candidate for partisan office or a candidate for nonpartisan county or municipal office may file with its registration statement a list of the members of the committee, in addition to those specified in sub. (3) (e) and (f), who shall be recognized by the official or agency with whom the candidate's nomination papers are filed for the purpose of filling a vacancy in nomination in the event of the candidate's death. The board shall provide a place on the statement for such designations.

SECTION 126. 11.61 (2) of the statutes is amended to read:

11.61 (2) Except as provided in s. 11.38 (5), all prosecutions under this section shall be conducted by the district attorney of the county where the violation is alleged to have occurred. ~~In the event that~~ If the district attorney does not refuse to act upon a sworn complaint by any person, or fails to act upon such a complaint within 60 days of the date on which such the complaint is received, the attorney general may then conduct the prosecution under this section. If a violation concerns a district attorney or circuit judge or candidate for such offices, the prosecution shall be conducted by the attorney general. If a violation concerns the attorney general or a candidate for such office, the governor may appoint a special prosecutor under s. 14.11 (2) to conduct the prosecution in behalf of the state. The prosecutor shall be independent of the attorney general and need not be a state employe at the time of appointment.

SECTION 126m. 11.66 of the statutes is amended to read:

11.66 Elector may compel compliance. ~~The board or any~~ Any elector may sue for injunctive relief to compel compliance with this chapter. ~~No bond is required where the board commences action.~~ Before commencing any action concerning a state office or statewide referendum, an elector shall file a verified ~~petition~~ complaint with the board alleging such facts as are within his or her knowledge to show probable cause to believe that a violation has occurred or is ~~occurring~~ proposed to occur. If the board fails to commence an action within 10 days of the filing of ~~such petition~~ the complaint, the elector may commence an action. Separate from any other bond which may be required by the court, the elector ~~shall~~ may be required to post a surety bond in an amount determined by the court sufficient to cover the actual costs, including reasonable attorney's fees, of both parties. If the elector's action is not successful, he or she shall pay the costs of the action.

SECTION 127. 12.01 (1) of the statutes is renumbered 12.01.

SECTION 128. 12.01 (2) of the statutes is renumbered 5.02 (4e) and amended to read:

5.02 (4e) ~~In this chapter,~~ "election "Election official" means any person charged with any duties relating to the conduct of elections under chs. 5 to 12 an election.

SECTION 129. 12.03 (1) of the statutes is amended to read:

- 2023 -

83 WisACT 484

12.03 (1) No election official ~~under chs. 5 to 12~~ may engage in electioneering on election day.

SECTION 130. 12.07 (4) of the statutes is created to read:

12.07 (4) No person may, directly or indirectly, cause any person to make a contribution or provide any service or other thing of value to or for the benefit of a candidate, political party or registrant under s. 11.05, with the purpose of influencing the election or nomination of a candidate to national, state or local office or the passage or defeat of a referendum by means of the denial or the threat of denial of any employment, position, work or promotion, or any compensation or other benefit of such employment, position or work, or by means of discharge, demotion or disciplinary action or the threat to impose a discharge, demotion or disciplinary action. This subsection does not apply to employment by a candidate, political party or other registrant under s. 11.05 in connection with a campaign or political party activities.

SECTION 131. 12.08 of the statutes is created to read:

12.08 Denial of government benefits. No person may, directly or indirectly, cause any person to make a contribution or provide any service or other thing of value to or for the benefit of a candidate, political party or registrant under s. 11.05, with the purpose of influencing the election or nomination of a candidate to national, state or local office or the passage or defeat of a referendum by means of the denial or threat of denial of any payment or other benefit of a program established or funded in whole or in part by this state or any political subdivision of this state.

SECTION 132. 12.11 (3) of the statutes is amended to read:

12.11 (3) (a) This section does not prohibit a candidate from publicly stating his or her preference for or support of any other candidate for any office to be voted for at the same election. A candidate for an office in which the person elected is charged with the duty of participating in the election or nomination of any person as a candidate for office is not prohibited from publicly stating or pledging his or her preference for or support of any person for such office or nomination.

(b) This section does not ~~extend~~ apply to money paid or agreed to be paid for or on account of authorized legal expenses which were legitimately incurred at or concerning any election.

(c) This section does not apply where an employer agrees that all or part of election day be given to ~~his~~ its employes as a paid holiday, provided that such policy is made uniformly applicable to all similarly situated employes.

(d) This section does not prohibit any person from using his or her own vehicle to transport electors to or from the polls without charge.

SECTION 133. 12.11 (3) (e) of the statutes is created to read:

12.11 (3) (e) This section does not apply to any promise by a candidate to reduce public expenditures or taxes.

SECTION 134. 12.11 (4) of the statutes is amended to read:

12.11 (4) The term "any thing of value" as used in this section includes any amount of money, or any object which has utility independent of any political message ~~contained therein, it contains~~ and the value of which exceeds ~~10 cents~~ \$1. The prohibitions of this section apply to the distribution of material printed at public expense and available for free distribution if such materials are accompanied by a political message.

SECTION 135. 12.13 (1) (b) and (3) (am), (i) and (v) of the statutes are amended to read:

12.13 (1) (b) Falsely procures registration or makes false statements to the municipal clerk, board of registry election commissioners or inspector of elections ~~any other election official~~ whether or not under oath.

(3) (am) Fail to file an ~~oath~~ amended declaration of candidacy as required by provided in s. 8.15 (4) (b) 8.21 with respect to ~~residency or a change in residency~~ for voting purposes within 3 days of the time ~~such oath~~ the amended declaration becomes due for filing; or file a false ~~oath with respect to residency or a change in residency under s. 8.15 (4) (b)~~ declaration of candidacy or amended declaration of candidacy. This paragraph applies only to candidates for state or local office.

(i) Falsely make any statement for the purpose of obtaining or voting an absentee ballot ~~pursuant to s. under ss. 6.85 to 6.87~~.

(v) Corroborate any information offered by a proposed elector for the purpose of permitting the person to register to vote or to vote, knowing such information to be false.

SECTION 136. 12.60 (1) (b) of the statutes is amended to read:

12.60 (1) (b) Whoever violates s. 12.03, 12.07, 12.08 or 12.13 (3) (b), (c), (d), (g), (i) or (n) to (x) may be fined not more than \$1,000, or imprisoned not more than 6 months, or both.

SECTION 136m. 12.66 of the statutes is renumbered 5.07 and amended to read:

5.07 (title) Action to compel compliance. The attorney general or the district attorney of the county where a violation of ~~this chapter the laws~~ regulating the conduct of elections or election campaigns has occurred or is alleged to occur may sue for injunctive relief, a writ of mandamus or prohibition, or other such legal or equitable relief as may be appropriate to compel compliance with this chapter the law. No bond is required in such actions.

SECTION 137. 16.79 (2) of the statutes is amended to read:

16.79 (2) (a) The department shall distribute in pamphlet form such laws as may be required to meet the public demand, including the constitution and additional copies of election laws; also blank nomination papers, manuals and other election blanks and supplies, not otherwise provided for, for use of candidates and committees, and by ~~city and county and municipal~~ city and county and municipal clerks. Such laws, blanks, manuals and supplies shall be sold by the department at cost, including distribution cost as determined under s. 35.80.

(b) ~~The department shall confer with the elections board and the attorney general shall inform the department in writing~~ as to which election law pamphlets, manuals, blanks and other supplies shall be so printed, or purchased, and offered for sale or distribution. Supplies distributed under this subsection shall include ballot bags or containers.

SECTION 138. 17.03 (intro.) and (6) of the statutes are amended to read:

17.03 Vacancies, how caused. (intro.) Any public office, ~~including offices of counties, cities, villages, towns, school districts and vocational, technical and adult education districts shall become or be~~ is deemed vacant upon the happening of any of the following events, except as otherwise provided:

(6) The decision of a competent tribunal declaring void his or her election or appointment; or adjudging ~~him insane~~ the individual to be incapable of understanding the objective of the elective process; or placing the individual under guardianship, or under limited guardianship unless the court finds that the individual is competent to exercise the right to vote.

SECTION 139. 17.03 (10) of the statutes is renumbered 17.03 (13).

SECTION 140. 17.03 (10) of the statutes is created to read:

17.03 (10) The expiration of the term of the incumbent if the office is elective.

SECTION 141. 17.18 (2) (a) of the statutes is amended to read:

17.18 (2) (a) If the vacancy occurs 60 days or more prior to the 2nd Tuesday in July in even-numbered years, such vacancy shall be filled at the September primary and general election in such even year. If the vacancy occurs less than 60 days prior to the 2nd Tuesday in July in even-numbered years, it shall be filled 2 years hence. The provisions for election for the unexpired term do not apply if the next general election is one at which the vacant senate seat is to be filled for a full term. The senator so elected shall ~~qualify for~~ take office as soon as possible after receiving a certificate of election.

SECTION 142. 17.23 (1) (b) of the statutes is amended to read:

17.23 (1) (b) In 1st class cities, in the office of mayor, except as provided in s. 9.10, the vacancy shall be filled by the president of the common council as acting mayor until a special election can be held under this paragraph. In such case, the acting mayor may continue to serve as president of the common council, in addition to exercising the powers and responsibilities of the office of mayor, until such time as a new mayor is elected and qualified, but the acting mayor may not take part in any vote of the common council during that period. In the office of alderman, by special election, except as provided in s. 9.10. ~~A person so appointed shall hold office until a successor is elected and qualified.~~ When a mayor is temporarily appointed, or when the common council shall order a special election for the office of mayor under s. 8.50 as promptly as possible, unless the vacancy occurs within 120 days of the expiration of the mayor's term of office. When an aldermanic seat becomes vacant, a successor shall be elected for the residue of the unexpired term on the first Tuesday of April or the Tuesday after the first Monday in November next after the vacancy happens, in case it happens no later than December 1 or June 1 preceding that day, but if the vacancy happens after December 1 or June 1 preceding that day, then the successor shall be elected on the following first Tuesday in April or Tuesday after the first Monday in November; but no election to fill a vacancy in such office may be held at the time of holding the regular election for that office. In addition, the president of the common council of any 1st class city may order a special election to be held under s. 8.50 to fill a vacant aldermanic seat prior to the time when that seat is required to be filled under this paragraph. If a special election is held under this paragraph after a redistricting plan is adopted, the election shall be held in the aldermanic district as it existed when the office was filled at the last preceding election. ~~The common council may order a special election for the office of mayor to be held under s. 8.50 when that office is temporarily filled by the president of the common council prior to the time when an election for the office of mayor is required to be held under this paragraph.~~

SECTION 143. 17.28 of the statutes is amended to read:

17.28 (title) When officers may hold office. When no different provision is made in respect thereto, any officer who is elected or appointed to fill a vacancy shall qualify in the manner required by law of the officer in whose stead ~~he was~~ the officer is elected or appointed ~~and~~. An officer who is elected or appointed to fill a vacancy in an elective office shall enter upon the duties of his or her office immediately thereafter upon qualification and, if elected, upon certification of the election result, and shall hold office for the residue of the unexpired term. An officer who is appointed to fill a vacancy in an appointive office shall enter upon the duties of his or her office immediately upon qualification and shall hold office for the residue of the unexpired term, if any, and until his or her successor is elected or appointed and qualifies, or, if no definite term of office is prescribed by law, until his successor is elected and qualifies.

SECTION 144. 17.285 of the statutes is created to read:

17.285 Temporary vacancies; elections. Notwithstanding any other provision of law, if a vacancy in an elective office occurs as a result of expiration of the term of an incumbent and a successor has not been determined due to the pendency of a recount or an appeal from a recount determination, no election or special election may be ordered or held to

fill the temporary vacancy. If the law provides for the vacancy to be temporarily filled by appointment, the appointee shall serve until a successor qualifies.

SECTION 145. 19.42 (4) of the statutes is amended to read:

19.42 (4) "Candidate for state public office" means any person who files nomination papers and a declaration of candidacy under s. 8.10 (5), 8.15 (4) (b) ~~or 8.20 (6)~~ 8.21 for the purpose of appearing on the ballot for election as a state public official or any person nominated for the purpose of appearing on the ballot for election as a state public official through the write-in process ~~or by appointment to fill a vacancy in nomination~~ and who files a declaration of candidacy under s. 8.10 (5) ~~or 8.15 (4) (b)~~ 8.21.

SECTION 146. 19.43 (4) of the statutes is amended to read:

19.43 (4) A candidate for state public office shall file a statement of economic interests with the board no later than the end of the 3rd day following the deadline for filing nomination papers for the office for which the person is a candidate, or the end of the 3rd day following ~~the deadline for filing a declaration of acceptance~~ notification of nomination in the case of a write-in candidate ~~or candidate appointed to fill a vacancy in nomination~~ under s. 8.35 (2) (a), unless the person has previously filed a statement of economic interests with the board containing information current as of, or subsequent to, December 31 of the year preceding the deadline for filing nomination papers for the office for which the person is a candidate. The information contained on the statement shall be current as of December 31 of the year preceding the filing deadline. Before certifying the name of any candidate for state public office under s. 7.08 (2) (a), the elections board shall ascertain whether that candidate has complied with this subsection. If not, the elections board ~~shall mail that candidate a notice by certified mail with return receipt requested informing the person that his or her name will not appear on the ballot unless a statement of economic interests is filed. If the statement is not filed within 3 days after the date on which the return receipt is received, the candidate's name may not be certified~~ certify the candidate's name for ballot placement.

SECTION 147. 20.510 (1) (a) of the statutes is amended to read:

20.510 (1) (a) *General program operations.* Biennially, the amounts in the schedule for general program operations, including the printing of forms, materials, manuals, ~~bulletins~~ and election laws under ss. 5.05 (8), 7.08 (1) (b), (3) and (4) and 11.21 (3) and (14), and including the training of election officials under s. 5.05 (7).

SECTION 147m. 36.11 (title) of the statutes is amended to read:

36.11 (title) Powers and duties of the board of regents.

SECTION 147n. 36.11 (1) (cm) of the statutes is created to read:

36.11 (1) (cm) The board shall promulgate rules under ch. 227 prescribing the times, places and manner in which political literature may be distributed and political campaigning may be conducted in state-owned residence halls. No such rule may authorize any activity prohibited under s. 11.36 (3) or (4).

SECTION 148. 59.03 (3) (b) 1 of the statutes, as affected by 1983 Wisconsin act 29, is amended to read:

59.03 (3) (b) 1. Within 60 days after the population count by enumeration district or block, established in the decennial federal census of population, becomes available in printed form from the federal government or is published for distribution by an agency of this state, each board shall adopt and transmit to each municipal governing body in the county a county supervisory district plan setting forth the number of supervisory districts and tentative boundaries or a description of boundary requirements. Each district shall consist of whole wards or municipalities and shall be designated to be represented by one or 2 supervisors; however, no supervisory district for the election of 2 supervisors may include territory for which the U.S. bureau of the census has provided block statistics. All districts designated to be represented by one supervisor shall be

substantially equal in population. All districts designated to be represented by 2 supervisors shall be substantially equal in population, which population shall be approximately twice the population of each district in the county designated to be represented by one supervisor, if any. In districts to be represented by 2 supervisors, the plan may specify that election shall be from numbered seats. If no specification is made, the supervisors shall be elected from unnumbered seats. The board shall solicit suggestions from municipalities concerning development of an appropriate plan. In the tentative plan, the board shall, whenever possible, give first preference to placing whole contiguous municipalities or parts of the same municipality within the same district and 2nd preference to placing whole contiguous enumeration districts within the same district. In the event that a division of a municipality or enumeration district is sought by the board, the board shall provide with the plan a written statement to the municipality affected by each proposed division specifying the approximate location of the territory from which a ward is sought to be created for contiguity purposes and the approximate population of the ward proposed to effectuate the division.

SECTION 149. 59.03 (3) (d) of the statutes is amended to read:

59.03 (3) (d) *Election and term of supervisors.* Supervisors are county officers and shall be elected for 2-year terms at the election to be held on the first Tuesday in April in even-numbered years and shall take office on the 3rd Tuesday in April of that year. ~~A candidate for the office of supervisor shall be a qualified elector and resident of his or her supervisory district at least 10 days prior to the earliest time for the commencement of the circulation of nomination papers.~~

SECTION 150. 59.031 (2) (b) and (7) of the statutes are amended to read:

59.031 (2) (b) Appoint the heads of all departments in the classified service of the county except where the statutes provide that the appointment shall be made by a board or commission or by other elected officers; but he or she shall, ~~subsequent to August 27, 1959,~~ also appoint all department heads where the law provides that the appointment shall be made by the chairperson of the county board or by the county board except for an appointment to fill a vacancy in an elective office and except as provided under s. 59.05 (1). ~~Such An appointment, except an appointment under s. 59.05 (1), shall by the county executive under this paragraph does not require the confirmation of the county board.~~ The county executive may file charges for the removal, discharge or suspension of any persons ~~sø~~ appointed by the executive.

(7) REMOVAL FROM OFFICE; VACANCY, HOW FILLED. The county executive may be removed from office by the governor for cause under s. 17.16. A vacancy in the office of county executive shall be filled temporarily, within 30 days of the date of the vacancy, by appointment by the chairperson of the board, subject to confirmation by the board, from among electors of the county. Within 7 days following the occurrence of the vacancy, ~~the chairperson of the board clerk~~ shall order a special election to be held under s. 8.50 to fill the vacancy. If the vacancy occurs after October 31 but not later than 49 days prior to the day of the spring primary, the special election shall be held concurrently with the spring primary and election.

SECTION 151. 59.032 (2) (b) and (7) of the statutes are amended to read:

59.032 (2) (b) Appoint the heads of all departments of the county except those elected by the people and except where the law provides that the appointment shall be made by a board or commission or by other elected officers; but ~~he~~ the county executive shall also appoint all department heads where the law provides that the appointment shall be made by the ~~chairman~~ chairperson of the county board or by the county board. ~~Such appointments shall require, except for an appointment to fill a vacancy in an elective office. An appointment by the county executive under this paragraph requires the confirmation of the county board.~~ The county executive may file, with the county board, charges for the removal, discharge or suspension of any person ~~sø~~ appointed by the executive.

(7) **VACANCY, HOW FILLED.** The county executive may be removed from office by the governor for cause under s. 17.16. A vacancy in the office of the county executive shall be filled temporarily, within 30 days of the date of the vacancy, by appointment by the chairperson of the board, subject to confirmation by a majority of the board, from among electors of the county. Within 7 days following the occurrence of the vacancy, the ~~chairperson of the board~~ clerk shall order a special election to be held under s. 8.50 to fill the vacancy. If the vacancy occurs after October 31 but not later than 49 days prior to the day of the spring primary, the special election shall be held concurrently with the spring primary and election.

SECTION 152. 59.07 (67) of the statutes is amended to read:

59.07 (67) ADVISORY AND CONTINGENT REFERENDA. Conduct a countywide referendum for advisory purposes or for the purpose of ratifying or validating a resolution or ordinance adopted by the board contingent upon approval in the referendum.

SECTION 153. 59.11 (2) and (4) of the statutes are amended to read:

59.11 (2) If two-fifths of the legal voters of any county, to be determined by the registration or poll lists of the last previous general election held therein, the names of which voters shall appear on some one of the registration or poll lists of such election, present to the county board a petition signed by them asking a change of the county seat to some other place designated in ~~such~~ the petition, ~~such~~ the board shall submit the question of removal of the county seat to a vote of the qualified voters of the county. ~~Such~~ The election shall be held only on the day of the general election, notice thereof shall be given and the ~~same~~ election shall be conducted as in the case of the election of officers on that day, and the votes shall be canvassed, certified and returned in the same manner as other votes at ~~such~~ that election. The question to be submitted shall be "Shall the county seat of county be removed to," ~~and the question shall appear on a separate ballot~~.

(4) ~~However, when a county seat has been established in one place for a period of fifteen years or more, and the county has there erected permanent buildings of the value of not less than ten thousand dollars, the county seat shall not be removed, nor shall any application for its removal be submitted to a vote of the electors of the county unless a petition signed by at least one half of the resident freeholders of the county as evidenced by the recorded deeds in the office of the register of deeds of the county, in favor of such removal, shall first be presented to the county board and filed in the office of the county clerk; and Notwithstanding subs. (2) and (3), no such election to change any county seat shall may be held for a period of five 5 years after the year in which a courthouse or other county building costing three thousand dollars \$3,000 or more was built at the county seat and occupied for county purposes.~~

SECTION 154. 59.125 of the statutes is amended to read:

59.125 Eligibility for county office. No person is eligible to ~~become a candidate for hold~~ a county elective office who is not a resident of the county at ~~the time of filing nomination papers. In addition, candidates for~~ the time of filing nomination papers. ~~No person is eligible to hold the office of county supervisor to which s. 59.03 (3) (d) applies shall be qualified as provided in that paragraph who is not a resident of the supervisory district from which he or she is chosen. No person is eligible to hold the office of district attorney who is not licensed to practice law in this state.~~

SECTION 155. 60.11 of the statutes is amended to read:

60.11 First meeting; proceedings. The qualified electors present at ~~such~~ the first town meeting between the hours of ~~nine and ten o'clock in the forenoon~~ 9 a.m. and 10 a.m. shall choose one of their number as chairman, ~~two~~ 2 others as inspectors and one as clerk, who shall severally take and subscribe the oath required of inspectors ~~and clerks of general at~~ elections; ~~such.~~ The oath may be administered by the chairman chosen to the other inspectors and clerk, and either of the other inspectors may thereafter administer

the oath to the chairman. They shall thereupon conduct the proceedings of such meetings; ~~and the~~. The electors shall possess the same powers as at other annual town meetings.

SECTION 156. 60.18 (9) of the statutes is amended to read:

60.18 (9) BUILDINGS. To raise money to purchase, lease or build a town hall or other building for the use of the town, or to unite the same with the money of any corporation or society doing business or located in such town, for the purpose of building, leasing or purchasing such hall or building; but no such vote shall may be taken except by ballot nor unless a request in writing signed by at least ~~twelve freeholders of such~~ 12 electors of the town shall have been is delivered to the town clerk ~~twenty~~ at least 20 days before the holding of ~~such the~~ meeting, asking that ~~such the~~ proposition be submitted to a vote of the electors of the town at ~~such town the~~ meeting, and setting forth the amount of money which they desire ~~shall to~~ be raised by the town for that purpose and whether the ~~same~~ amount shall be raised by a direct tax or the issue of bonds, and if the proposition ~~be is~~ to issue bonds it shall state the denomination thereof, the time and place of the payment of the principal and interest, and the manner in which and by whom the ~~same~~ bonds shall be negotiated; and if to be raised for the purpose of uniting the same with the money of some corporation or society, the name of such corporation or society; nor unless the town clerk ~~shall have given~~ gives notice as is required in the case of a special town meeting that such proposition ~~would will~~ be voted upon at ~~such the~~ meeting. Whenever the voters of any town ~~shall have voted~~ vote money to purchase, lease or build a town hall in the manner provided by law, the board of supervisors ~~of such town or towns are authorized to~~ may accept in the name of the town, any contributions offered of money, labor or locations.

SECTION 157. 60.22 of the statutes is amended to read:

60.22 Term of office. Every elected town officer shall hold the office for 2 years, ~~and until a successor is elected and qualified.~~

SECTION 158. 60.29 (20) (b) of the statutes is amended to read:

60.29 (20) (b) Whenever, upon petition of two-thirds of the ~~resident freeholders elec-~~ tors of a contiguous district described in such petition, of any town to the town board ~~of such town~~ that such district desires fire protection from a nearby city, village or town department, specifying the kind of protection desired and the amount that such protection will cost yearly, or whenever it becomes necessary to provide protection as demanded under ~~s. 60.29 sub.~~ (18m), ~~such the~~ town board shall contract with the council of such city, the board of such village or the board of such town or any duly established volunteer or private fire company as specified in ~~such the~~ petition, and ~~such a~~ contract for such protection shall be executed by resolution of both governing bodies. The town board shall yearly appropriate and pay to such village, city or town, or duly established volunteer or private fire company the sum agreed upon for such protection and shall yearly levy a tax upon all the real and personal property in ~~said the~~ contiguous district in order to reimburse ~~said the~~ town; and any such village, city or town is hereby authorized to enter into such contract.

SECTION 159. 61.189 (1) of the statutes is amended to read:

61.189 (1) Whenever the resident population of any village ~~shall exceed~~ exceeds 1,000 as shown by the last federal census or by a census ~~as herein~~ provided for, ~~such under sub.~~ (3), the village may become a 4th class city ~~of the fourth class~~, and the trustees of ~~such the~~ village may at a regular meeting, by a two-thirds vote of the members thereof, by resolution, so determine. ~~Such~~ The resolution shall observe the requirements of s. 5.15 (1) and (2) for wards, and shall fix the number and boundary of the aldermanic districts into which ~~such the~~ city shall be divided and fix the time for holding the first city election, which shall not be less than 20 days from the date of such resolution, ~~and shall therein name 3 inspectors and one clerk of election for each aldermanic district~~ designate a poll-

ing place for each ward, and shall provide for the appointment of initial inspectors of election in the manner provided in ss. 7.30 to 7.32.

SECTION 160. 61.21 of the statutes is amended to read:

61.21 Clerk to notify officers-elect; oath of office. Within 5 days after the election or appointment of any village officer the village clerk shall notify the person so selected thereof ~~unless the person voted at the election~~, and every person elected or appointed to any office named in s. 61.19 shall within 5 days after notice of election or appointment ~~or notice thereof, when so required to be given~~, take and file the official oath, except that an elected assessor assessor shall take and file the official oath within 5 days before June 1.

SECTION 161. 61.23 (1) of the statutes is amended to read:

61.23 (1) Except as otherwise provided by statute law, the term of office of all village officers ~~shall be is~~ 2 years ~~and~~. Persons serving in appointive offices shall serve until their respective successors are ~~elected or~~ appointed and qualify. If any officer ~~be is~~ absent or temporarily incapacitated from any cause the board may appoint some person to discharge ~~his~~ the officer's duties until ~~he~~ the officer returns or until such disability is removed.

SECTION 162. 67.14 (5) of the statutes is amended to read:

67.14 (5) The ballots for such election shall be provided by the county clerk, and the following words shall appear thereon:

FOR BONDS AGAINST BONDS .

~~Mark~~ Make a cross ~~[X]~~ (X) in the square after the one you wish to vote for.

SECTION 163. 81.01 (3) (b) of the statutes is amended to read:

81.01 (3) (b) The town board by resolution submits to the electors of the town as a referendum at a general or special town election the question of exceeding the \$10,000 limit set under this subsection. The board shall abide by the majority vote of the electors of the town on the question. ~~A question submitted under this paragraph shall be upon a separate ballot.~~ The question shall read as follows:

Shall the town of ... spend \$... over the annual limit of \$10,000 for the construction and repair of its highways and bridges?

FOR SPENDING AGAINST SPENDING

SECTION 164. 117.01 (4) (b) 2 and 3 of the statutes are amended to read:

117.01 (4) (b) 2. In the event of an appeal to the state appeal board under sub. (2) (b), the secretary of the agency school committee shall set a new date for the election which shall be at least 30 days after the mailing of the state appeal board order under sub. (2) (c) and not later than 5 months after such mailing. An appeal to the circuit court shall invalidate any election date set after an appeal to the state appeal board. In the event of an appeal to the circuit court, the secretary of the agency school committee shall set a new date for the election which shall be at least 60 days after service of notice of entry of the circuit court order affirming the reorganization order and not later than 6 months after such service. An appeal to the court of appeals shall invalidate any election date set after an appeal to the circuit court. In the event of an appeal to the court of appeals, the secretary of the agency school committee shall set a new date for the election which shall be not later than 4 months after the date on which the court of appeals mandate holding the order valid is filed with the clerk of the circuit court. No election date may be set, either under this subdivision or under subd. 1 which would require the filing of a declaration of candidacy or nomination papers prior to the expiration of the relevant appeal period.

3. At least 12 weeks prior to the date of the election, the clerk of the city, village or town within the school district which has the largest population shall publish a class I notice, under ch. 985, stating the date of the primary, if required, the date of the election

and the requirements for filing declarations of candidacy and nomination papers, where required. At least 10 weeks prior to the election, any qualified elector may file with such clerk a written sworn declaration of candidacy for the school board ~~stating that he or she is a qualified elector~~ in the form provided in s. 8.21 at the place specified in the notice. In the event of a change in residence for voting purposes to a location outside the school district, a candidate shall file an amended declaration as provided in s. 120.06 (6). If the school district contains territory lying within a 2nd class city, the declaration shall be accompanied by nomination papers in the form prescribed under s. 8.10 (3). Within 8 days after the first election in the newly created school district, such clerk shall notify the successful candidates of their election. On the 2nd Tuesday following the election or on the 2nd Tuesday after the effective date of the reorganization order, whichever is later, such clerk shall administer or receive the official oath and the newly elected members shall take office.

SECTION 165. 119.06 (6) of the statutes is amended to read:

119.06 (6) Successors to board members appointed under sub. (3) or elected under sub. (4) shall be elected at the spring election immediately preceding the expiration of the terms of such board members and shall serve for 4-year terms ~~and until their successors are elected and qualified.~~

SECTION 166. 119.08 (3) of the statutes is amended to read:

119.08 (3) The regular terms of board members shall be 4 years ~~and until their successors have been elected and qualified.~~

SECTION 167. 120.06 (3) of the statutes is amended to read:

120.06 (3) The regular terms of school board members shall be 3 years. ~~All members shall hold office until their successors have been elected and qualified,~~ except as otherwise provided under s. 17.26.

SECTION 167e. 120.06 (6) of the statutes is renumbered 120.06 (6) (b) and amended to read:

120.06 (6) (b) No later than the first Tuesday in December prior to the spring election, the school district clerk shall publish a class 1 notice, under ch. 985, of the school district election stating the time, place and manner of filing declarations of candidacy ~~for the school board and nomination papers, where required.~~ No later than 5 p.m. on the first Tuesday in January prior to the spring election, or on the next day if Tuesday is a holiday, any qualified elector may file a written sworn declaration of candidacy with the school district clerk in the form provided in s. 8.21 at the place specified in the notice ~~stating that he or she is a qualified elector.~~ If the school district contains territory lying within a 2nd class city, or if the school board requires nomination papers under par. (a) a qualified elector who desires to be a candidate shall file nomination papers in the form prescribed under s. 8.10 (3) with the school district clerk at the place specified in the notice. In the case of a 3-member apportioned or numbered school board the qualified elector also shall state the office, apportioned area or numbered seat for which the elector is a candidate. If a candidate has not filed a registration statement under s. 11.05 by the time he or she files a declaration of candidacy, the candidate shall file the statement with the declaration. A candidate shall file an amended declaration under oath with the school district clerk if he or she changes his or her residence for voting purposes to a location outside the school district as provided in s. 8.21.

SECTION 167m. 120.06 (6) (a) of the statutes is created to read:

120.06 (6) (a) In a school district which does not contain a 2nd class city, in whole or in part, the school board may, or in a common or union high school district the annual meeting may, by resolution adopted not later than the last Tuesday in November preceding an election for members of the school board, require that nomination papers be filed by all candidates seeking election to the school board. If the school board or annual

meeting has previously required the filing of nomination papers in such a school district, the body imposing the requirement may, by similar resolution adopted not later than the last Tuesday in November preceding an election for members of the school board, rescind the requirement.

SECTION 167s. 120.06 (7) (a), (8) (b), (d) and (f) 1, (9) (a) and (10) of the statutes are amended to read:

120.06 (7) (a) No later than 5 p.m. on the 2nd Tuesday in January, the school district clerk shall verify the declarations of candidacy and certify the names of candidates who have filed valid nomination papers, where required, and who qualify for office. In making verifications or certifications, the school district clerk shall designate the form of each candidate's name to appear on the ballot in the manner prescribed in s. 7.08 (2) (a). Once filed, a declaration of candidacy or nomination papers may not be withdrawn.

(8) (b) Determine for the primary, if any, and again for the spring election the order in which the names of candidates are printed on the ballot by supervising the drawing of lots not later than the 7th day following the last day for filing written declarations of candidacy and nomination papers and the 3rd day following the completion of the canvass of the primary election, if any;

(d) ~~Provide~~ Where paper ballots are utilized, provide the municipal clerk an adequate supply of ballots for the spring primary and spring election at least ~~10 days~~ 3 weeks before the applicable primary and election;

(f) 1. The school district clerk shall choose 2 reputable citizens prior to the date of the election being canvassed who shall, with the school district clerk, constitute the board of canvassers; ~~and. If the school district clerk is a candidate at the election being canvassed, the other 2 members of the board of canvassers shall designate a 3rd member to serve in lieu of the clerk for that election.~~

(9) (a) The primary and spring elections for school board members shall be conducted by the election officials for state and municipal elections. In a school board election held in conjunction with a state, county, municipal or judicial election, the polling places for the state, county, municipal or judicial election shall be the polling places for the school board election and the municipal election hours shall apply. If no state, county, municipal or judicial election is held on the day of the school board election, the school board may set the election hours and the polling places to be used and the election costs shall be charged to the school district.

(10) Within 8 days after the election or appointment of any person to the school board, the school district clerk shall notify the person of his or her election or appointment as Notice of election shall be provided in the manner prescribed in s. 7.53 (3). On or prior to the day provided for taking office, a school board member shall take and file the official oath.

SECTION 168. 120.43 (3) and (6) of the statutes are amended to read:

120.43 (3) Nomination papers ~~shall be~~ are required for all electors ~~residing in the attached territory~~ seeking election to the school board. The nomination papers shall be filed with the city clerk in accordance with the laws governing the filing of nomination papers for city officers.

(6) The regular terms of school board members shall be for 3 years. ~~All members shall hold office until their successors have been elected and qualified,~~ except as otherwise provided under s. 17.26. School board members selected for regular or unexpired terms shall take office, if they have taken and filed the official oath, on the 4th Monday in April.

SECTION 169. 120.73 (1) (a) of the statutes is renumbered 120.73 (1) (a) 1 and amended to read:

120.73 (1) (a) 1. ~~School~~ Except as provided in subd. 2, school board members in a unified school district shall be electors of the school district and shall be elected at large, or at large to numbered seats, at large to an apportioned election district by a plurality vote of the electors of the school district or from election districts pursuant to a representation plan under s. 120.73 (1) (e) by a plurality of the electors of each election district within the school district. School board members shall be elected under s. 120.06 at the spring election, except that those provisions of s. 120.06 (2), (6) (b) and (12) relating to at-large elections do not apply to elections conducted under a district representation plan. All candidates for school board seats shall file a declaration of candidacy as provided in s. 120.06 (6) (b).

SECTION 169e. 120.73 (1) (a) 2 of the statutes is created to read:

120.73 (1) (a) 2. School board members in a unified school district that encompasses a city with a population greater than 150,000 but less than 500,000 shall be elected at large to numbered seats.

SECTION 169m. 227.22 (6) of the statutes is created to read:

227.22 (6) Orders of the elections board under s. 5.06 (6) are not subject to this chapter.

SECTION 170. 887.01 (1) of the statutes is amended to read:

887.01 (1) WITHIN THE STATE. An oath or affidavit required or authorized by law, except oaths to jurors and witnesses on a trial and such other oaths as are required by law to be taken before particular officers, may be taken before any judge, court commissioner, resident U.S. commissioner who has complied with s. 706.07, clerk, deputy clerk or calendar clerk of a court of record, notary public, town clerk, village clerk, city clerk, municipal judge, county clerk or the clerk's deputy within the territory in which the officer is authorized to act, school district clerk with respect to any oath required by the elections laws; and, when certified by the officer to have been taken before him or her, may be read and used in any court and before any officer, board or commission. Oaths may be administered by any person mentioned in s. 885.01 (3) and (4) to any witness examined before him or her.

SECTION 170m. **Nonstatutory provisions; election of party committeemen.** Notwithstanding the effective date of this act, any city, village or town which is authorized to adopt an ordinance designating election districts for the election of party committeemen under section 8.17 (1) of the statutes, as affected by this act, may adopt such an ordinance at any time after the date of publication of this act.

SECTION 171. **Appropriation changes.** The appropriation to the elections board under section 20.510 (1) (a) of the statutes, as affected by the acts of 1983, is increased by \$25,500 for fiscal year 1983-84 to provide for the cost of training programs and revision of forms and publications required to implement this act.

SECTION 172. **Terminology changes.** (1) Wherever the term "election board" appears in the following sections of the statutes, the term "board of election commissioners" is substituted: 7.20 (2) and (3), 7.21 (2) and 7.22 (title) and (1) to (4).

(2) Wherever the term "local election board" appears in the following section of the statutes, the term "board of election commissioners" is substituted: 7.21.

(3) Wherever the term "ballot clerk", "ballot clerks" or "ballot clerks" appears in the following sections of the statutes, the term "inspector", "inspectors" or "inspector's" is substituted, respectively: 5.54, 5.55, 6.80 (2) (b) and (d), 7.37 (6), as renumbered, 7.50 (2) (intro.), 7.51 (1) (ag), 9.01 (1) (b) 4, 10.02 (3) (a) and (e) and 12.13 (3) (o).

SECTION 173. **Program responsibility changes.** In the sections of the statutes listed in Column A, the program responsibilities references shown in Column B are deleted and the program responsibilities references shown in Column C are inserted:

(1) OFFICE OF THE GOVERNOR.

A	B	C
Statute Sections	References Deleted	References Inserted
14.011 (intro.)	none	7.23 (2)

(2) JUSTICE.

A	B	C
Statute Sections	References Deleted	References Inserted
15.251 (intro.)	12.66	5.07 5.08

SECTION 174. Cross-reference changes. In the sections of the statutes listed in Column A, the cross-references shown in Column B are changed to the cross-references shown in Column C:

A	B	C
Statute Sections	Old Cross-References	New Cross-References
5.15 (7)	sub. (3)	sub. (1)(b)
5.51 (4)	7.35 (3)	7.37 (6)
7.23 (1)(c)	6.50 (8)	6.50 (7)
11.50 (2)(a)	8.10 (2)	8.10 (2)(a)
12.13 (3)(t)	6.86 (2)	6.86 (3)
117.01 (4)(b) 4	120.73 (1)(a)	120.73 (1)(a) 1

SECTION 175. Initial applicability. (1) The treatment of sections 5.54, 5.55, 5.87, 6.80 (2) (b) and (d), 7.03, 7.30 (1), (2) (a) and (6) (b), 7.32, 7.35, 7.36, 7.37, 7.38 (1) (e), 7.50 (2) (intro.), 7.51 (1) (ag), (3) (b) and (c) and (4) (b), 9.01 (1) (b) 4, 10.02 (3) (a) and (e) and 12.13 (3) (o) of the statutes and the creation of sections 7.15 (1) (k) and 7.37 (7) of the statutes with respect to combination of the offices of ballot clerk, election clerk and inspector and change of the office and method of appointment of the chairperson of inspectors first apply to officials regularly appointed under section 7.30 (4) of the statutes after the effective date of this act.

Vetoed in Part (2) Any county supervisor holding office on the effective date of this act specified in SECTION 176 (1) who is not a resident of the supervisory district from which he or she is chosen vacates his or her office on the 30th day commencing after the effective date of this act. ~~The effective date of this section shall be June 1, 1985.~~

SECTION 176. Effective dates. (1) This act takes effect on June 1, 1984, except as provided in subsections (2) and (3).

(2) The treatment of section 5.62 (1) (b) and (2) of the statutes by this act and SECTION 170m of this act take effect on the day after publication.

(3) The treatment of sections 7.08 (2) (a), 8.05 (1) (j), 8.10 (2), (3) (intro.), (4) and (5), 8.15 (3) to (5), 8.16 (2), 8.185 (2), 8.20 (2) and (6), 8.30 (2), 8.35 (1), 8.50 (3) (a), 12.13 (3) (am), 19.42 (4), 19.43 (4), 117.01 (4) (b) 3 and 120.06 (6) of the statutes by this act, the treatment of section 8.35 (2) of the statutes by this act with respect to a requirement for a declaration of candidacy and the creation of section 8.15 (5) (b) of the statutes by this act take effect on November 15, 1984.