

1987 Assembly Bill 1026

Date of enactment: **May 27, 1988**

Date of publication: **June 6, 1988**

1987 Wisconsin Act 404

AN ACT to repeal, renumber, renumber and amend, amend and create various provisions of subchapter II of chapter 10 of the statutes for the purpose of correction of election occurrences listings (Revisor's Correction Bill).

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

PREFATORY NOTE: This revisor's correction bill is submitted in accordance with s. 10.53 (2), stats., which provides that the revisor of statutes shall submit changes made in printing the election occurrences listings to the legislature in the form of a correction bill. The revisor has continuing authority under s. 10.53, stats., to make changes in the listings before each edition of the statutes is printed. The changes are then submitted to the legislature at its next regularly scheduled meeting. This bill includes all amendments to the statutes made by 1987 Wisconsin Acts 1 to 399. If any further changes are necessitated by enactment of new election laws in any regular or special session of the 1987 legislature, the necessary changes in the schedule will be printed in the statutes where time permits, and the changes will be submitted to the legislature in a subsequent bill.

SECTION 1. 10.62 (3) (e) of the statutes is amended to read:

10.62 (3) (e) *Last 14 days before primary.* The board shall receive reports of late contributions exceeding of \$500 or more by candidates for state office or committees or individuals supporting or opposing such a candidate, and reports of late disbursements exceeding \$20 by committees or individuals supporting or opposing a candidate for state office during the last 14 days before the spring primary. See s. 11.12 (5) and (6).

SECTION 2. 10.62 (3) (j) 4 of the statutes is amended to read:

10.62 (3) (j) 4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

SECTION 3. 10.62 (4) (b) 2 and (j) of the statutes are amended to read:

10.62 (4) (b) 2. As soon as possible after the state canvass but no later than the first Tuesday in March the board sends the county clerks a type B notice and a type A and C ~~notice~~ notices, when necessary, of the spring election. See s. 10.06 (1) (e).

(j) *Last 14 days before election.* The board shall receive reports of late contributions exceeding of \$500 or more by candidates for state office or committees

or individuals supporting or opposing such a candidate, and by groups and individuals supporting or opposing statewide referenda and reports of late disbursements exceeding \$20 by committees and individuals supporting or opposing a candidate for state office during the last 14 days before the spring election. See ss. 11.12 (5) and (6) and 11.23 (6).

SECTION 4. 10.62 (5) (c) 4 of the statutes is amended to read:

10.62 (5) (c) 4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

SECTION 5. 10.62 (5) (d) (title) of the statutes is repealed.

SECTION 6. 10.62 (5) (d) of the statutes is renumbered 10.62 (6) (c) 1 and amended to read:

10.62 (6) (c) 1. ~~The last Monday in April~~ May 15 is the deadline for the board to notify the state chairperson of each recognized political party of the results of the presidential preference vote. See s. 8.12 (3).

SECTION 7. 10.62 (6) (c) 1 and 2 of the statutes are renumbered 10.62 (6) (c) 2 and 3.

SECTION 8. 10.64 (3) (cm) of the statutes is renumbered 10.66 (3) (cm) and amended to read:

10.66 (3) (cm) *4th Tuesday before primary.* On the 4th Tuesday before the spring primary, the municipal clerk publishes a type E notice for the spring primary. In cities, the municipal clerk publishes a type A notice of any direct legislation questions to be voted on at the primary. See s. 10.06 (3) (as).

SECTION 9. 10.64 (3) (d) of the statutes is amended to read:

10.64 (3) (d) *Last 14 days before primary.* The county clerk shall receive reports of late contributions exceeding of \$500 or more by candidates for county office or committees or individuals supporting or opposing such a candidate, and reports of late disbursements exceeding \$20 by committees or individuals supporting or opposing a candidate for county

office during the last 14 days before the spring primary. See s. 11.12 (5) and (6).

SECTION 10. 10.64 (3) (i) 4 of the statutes is amended to read:

10.64 (3) (i) 4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

SECTION 11. 10.64 (4) (d) of the statutes is created to read:

10.64 (4) (d) *4th Tuesday before election*. On the 4th Tuesday before the spring election, the county clerk publishes a type A notice of any state or county referendum to be held at the election. See s. 10.06 (2) (f).

SECTION 12. 10.64 (4) (j) of the statutes is amended to read:

10.64 (4) (j) *Last 14 days before election*. The county clerk shall receive reports of late contributions exceeding of \$500 or more by candidates for county office or committees or individuals supporting or opposing such a candidate, and by groups or individuals supporting or opposing county referenda and reports of late disbursements exceeding \$20 by committees and individuals supporting or opposing a candidate for county office during the last 14 days before the spring election. See ss. 11.12 (5) and (6) and 11.23 (6).

SECTION 13. 10.64 (5) (c) 4 of the statutes is amended to read:

10.64 (5) (c) 4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

SECTION 14. 10.66 (2) (a) of the statutes is renumbered 10.66 (2) (a) 1.

SECTION 15. 10.66 (3) (ag) (title) of the statutes is repealed.

SECTION 16. 10.66 (3) (ag) of the statutes is renumbered 10.66 (2) (a) 2 and amended to read:

10.66 (2) (a) 2. On ~~January~~ December 1 preceding a spring primary, the municipal clerk certifies to the county clerk the number of electors in the municipality. See s. 5.66 (1).

SECTION 17. 10.66 (4) (g) of the statutes is amended to read:

10.66 (4) (g) *Last 14 days before primary*. The municipal clerk shall receive reports of late contributions exceeding of \$500 or more by candidates for municipal office or committees or individuals supporting or opposing such a candidate, and reports of late disbursements exceeding \$20 by committees or individuals supporting or opposing a candidate for municipal office during the last 14 days before the spring primary. See s. 11.12 (5) and (6).

SECTION 18. 10.66 (4) (r) 4 of the statutes is amended to read:

10.66 (4) (r) 4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

SECTION 19. 10.66 (5) (a) and (c) of the statutes are amended to read:

10.66 (5) (a) *14 days after primary*. No earlier than 14 days after the spring primary, voting machine recorders used in the primary may be cleared and reactivated and detachable recording units and compartments used with electronic voting machines may be cleared or erased. See s. 7.23 (1) (b) and (g).

(c) *4th Tuesday before election*. On the 4th Tuesday before the spring election, or the next day if Tuesday is a holiday, the municipal clerk publishes a type E notice for the spring election. If there is a municipal referendum, the municipal clerk publishes a type A notice of the referendum. See s. 10.06 (3) ~~(as)~~ (bs).

SECTION 20. 10.66 (5) (g) 2 and (i) of the statutes are amended to read:

10.66 (5) (g) 2. No earlier than 30 days after the spring primary, primary ballots may be destroyed ~~and detachable recording units and compartments used with electronic voting systems at the primary may be cleared or erased~~. See s. 7.23 (1) ~~(g)~~ and (h).

(i) *Last 14 days before election*. The municipal clerk shall receive reports of late contributions exceeding of \$500 or more by candidates for municipal office or committees or individuals supporting or opposing such a candidate, and by groups and individuals supporting or opposing local referenda and reports of late disbursements exceeding \$20 by committees and individuals supporting or opposing a candidate for municipal office during the last 14 days before the spring election. See ss. 11.12 (5) and (6) and 11.23 (6).

SECTION 21. 10.66 (5) (p) 1 of the statutes is amended to read:

10.66 (5) (p) 1. The municipal clerk publishes a type ~~B~~ notice and D notices, and a type C notice when necessary, on the Monday before the spring election. See s. 10.06 (3) ~~(b)~~ (c) and (e).

SECTION 22. 10.66 (6) (c) 4 and (e) and (7) (a) 2 of the statutes are amended to read:

10.66 (6) (c) 4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(e) *4th Tuesday in April*. No earlier than 21 days after the spring election, voting machine recorders used in the election may be cleared and reactivated and detachable recording units and compartments used with electronic voting machines may be cleared or erased. See s. 7.23 (1) (b) and (g).

(7) (a) 2. No earlier than 30 days after the spring election, election ballots may be destroyed ~~and detachable recording units and compartments used with electronic voting systems at the election may be cleared or erased~~. See s. 7.23 (1) ~~(g)~~ and (h).

SECTION 23. 10.68 (3) (a) of the statutes is amended to read:

10.68 (3) (a) Any contribution exceeding of \$500 or more which is received by a candidate or his or her personal campaign committee within 14 days of the

spring primary must be reported to the board or other appropriate filing officer within 24 hours of receipt. See s. 11.12 (5).

SECTION 24. 10.68 (3) (f) 4, (g) 4 and (h) 4 of the statutes are amended to read:

10.68 (3) (f) 4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(g) 4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(h) 4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

SECTION 25. 10.68 (4) (b) of the statutes is amended to read:

10.68 (4) (b) *Last 14 days before election.* Any contribution exceeding of \$500 or more which is received by a candidate or his or her personal campaign committee within 14 days of the spring election must be reported to the board or other appropriate filing officer within 24 hours of receipt. See s. 11.12 (5).

SECTION 26. 10.68 (5) (d) 4 and (e) 4 and (7) (b) 2 of the statutes are amended to read:

10.68 (5) (d) 4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(e) 4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(7) (b) 2. July 10 is the deadline for each candidate at the spring election who receives a grant from the Wisconsin election campaign fund to deliver or transmit to the board proof of payment for disbursements made unless a candidate participates in a special election at least 30 days before that date. See s. 11.50 (12).

SECTION 27. 10.70 (3) (b) of the statutes is amended to read:

10.70 (3) (b) *Last 14 days before primary.* During the last 14 days before the spring primary, any contribution exceeding of \$500 or more which is received by a candidate, committee or individual registered under s. 11.05 and any disbursement exceeding \$20 which is made by a committee or individual supporting or opposing a candidate within 14 days of the primary must be reported to the board or other appropriate filing officer within 24 hours. See s. 11.12 (5) and (6).

SECTION 28. 10.70 (3) (h) 4 and (j) 4 of the statutes are amended to read:

10.70 (3) (h) 4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(j) 4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

SECTION 29. 10.70 (4) (c) of the statutes is amended to read:

10.70 (4) (c) *Last 14 days before election.* During the last 14 days before the spring election, any contribution exceeding of \$500 or more which is received by a candidate, committee, individual or group registered under s. 11.05 and any disbursement exceeding \$20 which is made by a committee or individual supporting or opposing a candidate within 14 days of the spring election must be reported to the board or other appropriate filing officer within 24 hours. See ss. 11.12 (5) and (6) and 11.23 (6).

SECTION 30. 10.70 (5) (e) 4, (f) 4 and (g) 4 of the statutes are amended to read:

10.70 (5) (e) 4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(f) 4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(g) 4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

SECTION 31. 10.72 (4) (d), (5) (f) 4 and (6) (h) of the statutes are amended to read:

10.72 (4) (d) *Last 14 days before primary.* The board shall receive reports of late contributions exceeding of \$500 or more by candidates for state office or committees or individuals supporting or opposing such candidates and reports of late disbursements exceeding \$20 by committees and individuals supporting or opposing a candidate for state office during the last 14 days before the September primary. See s. 11.12 (5) and (6).

(5) (f) 4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(6) (h) *Last 14 days before election.* The board shall receive reports of late contributions exceeding of \$500 or more by candidates for state office or committees or individuals supporting or opposing such a candidate, and by groups or individuals supporting or opposing statewide referenda and reports of late disbursements exceeding \$20 by committees and individuals supporting or opposing a candidate for state office during the last 14 days before the spring election. See ss. 11.12 (5) and (6) and 11.23 (6).

SECTION 32. 10.72 (7) (c) 4 of the statutes is amended to read:

10.72 (7) (c) 4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

SECTION 33. 10.74 (3) (bm) of the statutes is renumbered 10.76 (3) (bm) and amended to read:

10.76 (3) (bm) *4th Tuesday before primary.* On the 4th Tuesday before the September primary, the municipal clerk publishes a type E notice for the September primary. If there is a municipal referendum,

the municipal clerk publishes a type A notice of the referendum. See s. 10.06 (3) (cm).

SECTION 34. 10.74 (4) (f) of the statutes is amended to read:

10.74 (4) (f) *Last 14 days before primary.* The county clerk shall receive reports of late contributions ~~exceeding~~ of \$500 or more by candidates for county office or committees or individuals supporting or opposing such a candidate, and reports of late disbursements exceeding \$20 by committees or individuals supporting or opposing a candidate for county office during the last 14 days before the September primary. See s. 11.12 (5) and (6).

SECTION 35. 10.74 (5) (am) of the statutes is renumbered 10.76 (5) (am) and amended to read:

10.76 (5) (am) *4th Tuesday before election.* On the 4th Tuesday before the general election, the ~~county~~ municipal clerk publishes a type E notice for the general election. If there is a municipal referendum, the municipal clerk publishes a type A notice of the referendum. See s. 10.06 (3) (cm).

SECTION 36. 10.74 (5) (g) 4 of the statutes is amended to read:

10.74 (5) (g) 4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

SECTION 37. 10.74 (6) (ar) of the statutes is created to read:

10.74 (6) (ar) *4th Tuesday before election.* On the 4th Tuesday before the general election, the county clerk publishes a type A notice of any state or county referendum to be held at the election. See s. 10.06 (2) (L).

SECTION 38. 10.74 (6) (e) and (7) (d) 4 of the statutes are amended to read:

10.74 (6) (e) *Last 14 days before election.* The county clerk shall receive reports of late contributions ~~exceeding~~ of \$500 or more by candidates for county office or committees or individuals supporting or opposing such a candidate, and by groups or individuals supporting or opposing a county referendum and reports of late disbursements exceeding \$20 by committees and individuals supporting or opposing a candidate for county office during the last 14 days before the election. See ss. 11.12 (5) and (6) and 11.23 (6).

(7) (d) 4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

SECTION 39. 10.76 (2) (b) of the statutes is renumbered 10.76 (2) (b) 1.

SECTION 40. 10.76 (3) (a) of the statutes is renumbered 10.76 (2) (a) and amended to read:

10.76 (2) (a) (title) *July 1.* On ~~the August~~ July 1 preceding a September primary, the municipal clerks certify to the county clerk the approximate number of electors in the district. See s. 5.66 (1).

SECTION 41. 10.76 (3) (b) 1 of the statutes is renumbered 10.76 (2) (b) 2 and amended to read:

10.76 (2) (b) 2. The deadline for establishing polling places is ~~30~~ 60 days before the September primary. See s. 5.25 (3).

SECTION 42. 10.76 (4) (am) of the statutes is renumbered 10.76 (4) (am) 1.

SECTION 43. 10.76 (4) (f) 4 of the statutes is amended to read:

10.76 (4) (f) 4. On the Monday before the September primary, the municipal clerk publishes a type B ~~notice~~ and D notices for the primary. If voting machines or electronic voting systems employing a ballot card or label are used in the municipality, the notice shall include all offices to be voted on at the primary. ~~In addition, the municipal clerk publishes a type D notice on the Monday before the primary.~~ See s. 10.06 (3) (b), (d) and (e).

SECTION 44. 10.76 (4) (f) 5 of the statutes is repealed.

SECTION 45. 10.76 (4) (i) of the statutes is amended to read:

10.76 (4) (i) *14 days after primary.* No earlier than 14 days after the September primary, voting machine recorders used in the primary may be cleared and reactivated and detachable recording units and compartments used with electronic voting machines may be cleared or erased. See s. 7.23 (1) (b) and (g).

SECTION 46. 10.76 (5) (a) 2 of the statutes is renumbered 10.76 (4) (am) 3 and amended to read:

10.76 (4) (am) 3. The deadline for establishing polling places is ~~30~~ 60 days before the general election. See s. 5.25 (3).

SECTION 47. 10.76 (5) (a) 4 of the statutes is renumbered 10.76 (4) (am) 2 and amended to read:

10.76 (4) (am) 2. Until ~~30~~ 60 days before the general election, wards may be united to facilitate the use of a common polling place. See s. 5.15 (6) (b).

SECTION 48. 10.76 (5) (b) 2 of the statutes is amended to read:

10.76 (5) (b) 2. No earlier than 30 days after the September primary, primary ballots may be destroyed ~~and detachable recording units and compartments used with electronic voting systems at the primary may be cleared or erased.~~ See s. 7.23 (1) (g) and (h).

SECTION 49. 10.76 (6) (a) 4 and (dm) and (7) (a) 1 of the statutes are amended to read:

10.76 (6) (a) 4. On the Monday before the general election, the municipal clerk publishes a type B ~~notice~~ and D notices for the election. If voting machines or electronic voting systems employing a ballot card or label are used in the municipality, the notice shall include all offices and questions to be voted on at the election. ~~In addition, the municipal clerk publishes a type D notice on the Monday before the election.~~ See s. 10.06 (3) (b), (d) and (e).

(dm) *21 days after election.* No later than 21 days after the general election, voting machine recorders used in the election may be cleared and reactivated and detachable recording units and compartments

used with electronic voting machines may be cleared or erased. See s. 7.23 (1) (b) and (g).

(7) (a) 1. No earlier than 30 days after the general election, election ballots may be destroyed ~~and detachable recording units and compartments used with electronic voting systems at the election may be cleared or erased.~~ See s. 7.23 (1) (g) and (h).

SECTION 50. 10.78 (3) (b) and (4) (g) 4 and (j) 4 of the statutes are amended to read:

10.78 (3) (b) *Last 14 days before primary.* During the last 14 days before the September primary, any contribution exceeding of \$500 or more which is received by a candidate, or by his or her personal campaign committee within 14 days of the primary must be reported to the board or other appropriate filing officer within 24 hours. See s. 11.12 (5).

(4) (g) 4. No later than 5 business days after the recount determination aggrieved parties may appeal to the circuit court. See s. 9.01 (6) (a).

(j) 4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

SECTION 51. 10.78 (5) (d), (6) (d) 4 and (7) (b) 4 of the statutes are amended to read:

10.78 (5) (d) *Last 14 days before election.* During the last 14 days before the general election, any contribution exceeding of \$500 or more which is received by a candidate or by his or her personal campaign committee within 14 days of the election must be reported to the board or other appropriate filing officer within 24 hours. See s. 11.12 (5).

(6) (d) 4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(7) (b) 4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

SECTION 52. 10.78 (8) (a) of the statutes is amended to read:

10.78 (8) (a) *January 31.* January 31 is the deadline for each candidate at the general election who receives a grant from the Wisconsin election campaign fund to deliver or transmit to the board proof of payment for disbursements made unless a candidate participates in a special election at least 30 days before that date. See s. 11.50 (12).

SECTION 53. 10.80 (3) (b), (4) (g) 4 and (5) (c) of the statutes are amended to read:

10.80 (3) (b) *Last 14 days before primary.* During the last 14 days before the September primary, any contribution exceeding of \$500 or more which is received by a candidate, committee or individual registered under s. 11.05 and any disbursement exceeding \$20 which is made by a committee or individual supporting or opposing a candidate within 14 days of the

primary must be reported to the board or other appropriate filing officer within 24 hours. See s. 11.12 (5) and (6).

(4) (g) 4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(5) (c) *Last 14 days before election.* During the last 14 days before the general election, any contribution exceeding of \$500 or more which is received by a candidate, committee, individual or group registered under s. 11.05 and any disbursement exceeding \$20 which is made by a committee or individual supporting or opposing a candidate within 14 days of the election must be reported to the board or other appropriate filing officer within 24 hours. See ss. 11.12 (5) and (6) and 11.23 (6).

SECTION 54. 10.80 (6) (e) 4 and (7) (b) 4 of the statutes are amended to read:

10.80 (6) (e) 4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

(7) (b) 4. No later than 5 business days after the recount determination aggrieved parties may appeal to circuit court. See s. 9.01 (6) (a).

SECTION 55. 10.82 (2) (f) of the statutes is amended to read:

10.82 (2) (f) *Special election notice.* The county clerk gives notice of any special election for national, state or county office or any special state or county referendum. See ss. 8.50 (1) (b) and (c), 8.55, 10.01 (2) and 10.06 (2) (n).

SECTION 56. 10.82 (3) (e) of the statutes is amended to read:

10.82 (3) (e) *Special election notice.* The municipal clerk gives notice of any special election for municipal office or any special municipal referendum. See ~~s.~~ ss. 8.55, 10.01 (2) and 10.06 (3) (f).

SECTION 57. 10.82 (4) (fm) and (5) (e) of the statutes are created to read:

10.82 (4) (fm) *Finance reports.* Candidates and personal campaign committees of candidates at a special election shall file campaign finance reports with the appropriate filing officer no later than 8 days before each special primary and special election and no later than 30 days after each special election, unless a continuing report is required to be filed on or before that date. See s. 11.20 (2) and (2m).

(5) (e) *Finance reports.* Individuals and committees supporting or opposing candidates at a special election shall file campaign finance reports with the appropriate filing officer no later than 8 days before each special primary and special election and no later than 30 days after each special election, unless a continuing report is required to be filed on or before that date. See s. 11.20 (2) and (2m).