



2007 ASSEMBLY BILL 587

November 27, 2007 - Introduced by Representatives TAUCHEN, M. WILLIAMS, GOTTLIEB, VOS, LEMAHIEU, MUSSER, KERKMAN, SUDER, BIES, HONADEL and GUNDERSON. Referred to Committee on Elections and Constitutional Law.

1 **AN ACT** *to repeal* 5.64 (1) (ar) 1. a., 5.91 (2) and 7.50 (2) (a); *to amend* 5.37 (1),
2 5.64 (1) (b), 10.02 (3) (b) 1. and 10.02 (3) (c); and *to create* 5.64 (1) (ar) 1m. of
3 the statutes; **relating to:** eliminating the authority for certain electors to vote
4 a straight party ticket.

Analysis by the Legislative Reference Bureau

Under current law, at the general election, an elector may vote a straight party ticket for the candidates of any political party that has a separate ballot or column on the ballot.

This bill eliminates the authority for any elector, other than an overseas or military elector, to vote a straight party ticket. Under federal law, an overseas or military elector may vote a straight party ticket on a write-in absentee ballot for national offices. The bill first applies with respect to the 2008 general election.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

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

5 **SECTION 1.** 5.37 (1) of the statutes is amended to read:

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

11 **SECTION 2.** 5.64 (1) (ar) 1. a. of the statutes is repealed.

12 **SECTION 3.** 5.64 (1) (ar) 1m. of the statutes is created to read:

13 5.64 (1) (ar) 1m. When voting for president and vice president, the ballot shall
14 permit an elector to vote only for the candidates on one ticket jointly or to write in
15 the names of persons in both spaces.

16 **SECTION 4.** 5.64 (1) (b) of the statutes is amended to read:

17 5.64 (1) (b) The names of the candidates for the offices of president and vice
18 president that are certified under s. 8.16 (7) or that are contained in nomination
19 papers filed under s. 8.20 shall appear on the ballot in the form prescribed in s. 7.08
20 (2) (a). The names of the candidates on the regular party tickets nominated at the
21 primary or replacements appointed under s. 8.35 (2) shall appear in a separate
22 column under the party designation. The columns shall be arranged from left to right
23 according to rank, based on the number of votes received by each party's candidate
24 for president or governor at the last general election beginning with the party that
25 received the most votes. To the right of the columns for parties qualifying under s.

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1 5.62 (1) (b) shall be placed the columns for parties qualifying under s. 5.62 (2) in the
2 same order in which the parties filed petitions with the board. Any column required
3 under par. (e) 2. shall be placed next in order. To the right of the party columns shall
4 be a column for the names of independent candidates for each office, or more than
5 one column if the first column does not provide sufficient space for the names of all
6 such candidates.

7 **SECTION 5.** 5.91 (2) of the statutes is repealed.

8 **SECTION 6.** 7.50 (2) (a) of the statutes is repealed.

9 **SECTION 7.** 10.02 (3) (b) 1. of the statutes is amended to read:

10 10.02 (3) (b) 1. ~~If an elector wishes to vote for all candidates nominated by any~~
11 ~~party, the elector shall make a cross (7) or depress the lever or button next to the party~~
12 ~~designation shown at the top of the ballot. Unless a name has been erased or crossed~~
13 ~~out, another name written in, a cross made next to the name of a candidate for the~~
14 ~~same office in another column or a sticker applied, a cross next to a party designation~~
15 ~~at the top of the column is a vote for all the party's candidates listed in the column.~~
16 ~~If an elector does not wish to vote for all the candidates nominated by one party, the~~
17 The elector shall make a cross (X) next to or separately depress the levers or buttons
18 next to each candidate's name for whom he or she intends to vote, or shall insert or
19 write in the name of a candidate.

20 **SECTION 8.** 10.02 (3) (c) of the statutes is amended to read:

21 10.02 (3) (c) ~~In presidential elections, unless the elector wishes to vote for all~~
22 ~~candidates nominated by any party, the elector shall make a cross (X) next to or~~
23 ~~depress the button or lever next to the set of candidates for president and vice~~
24 ~~president for whom he or she intends to vote. A vote for candidates for president and~~
25 ~~vice president is a vote for the presidential electors of those candidates.~~

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1 **SECTION 9. Initial applicability.**

2 (1) This act first applies with respect to voting at the 2008 general election.

3 **(END)**