

No. 473, S.]

[Published September 1, 1961.

CHAPTER 428

AN ACT to repeal 5.04 (5); to amend 5.04 (4), 5.27 (4) (a) and (6), 10.36 (3), 10.45 and 10.52 (1) (intro. par.); and to repeal and recreate 5.04 (3) of the statutes, relating to posting of election notices in towns, villages and cities.

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

SECTION 1. 5.04 (3) of the statutes is repealed and recreated to read:

5.04 (3) The county clerk shall transmit 2 or more copies of such notice to every town, city and village clerk of his county, at least 25 days before any primary election.

SECTION 2. 5.04 (4) of the statutes is amended to read:

5.04 (4) The city clerk of any city holding a primary to select nonpartisan candidates for city offices shall cause a * * * notice thereof to be published once, * * * not more than 20 nor less than 10 days before such primary.

SECTION 3. 5.04 (5) of the statutes is repealed.

SECTION 4. 5.27 (4) (a) and (6) of the statutes are amended to read:

5.27 (4) (a) In towns in counties containing cities of the first or second class where by a referendum vote the electors have so provided or in any town * * * *having* a population of 2,500 or more, where the electors have so provided either by referendum vote or at the town meeting, every candidate for an elective town office shall be nominated at a nonpartisan primary *conducted* as provided in sub. (7). Nomination papers shall be signed by not less than 2 per cent nor more than 5 per cent of the electors voting for governor at the last preceding general election; notices shall be given as in s. * * * 10.52 (1). Such nomination papers shall be filed in the office of the town clerk not less than 20 days before the date upon which

said primary is to be held and not later than 5 p.m. * * * on said last day for filing. *In such event no additional candidates may be nominated for such offices by the method provided by subs. (1) and (2).*

(6) Any village may provide pursuant to s. 66.01 that candidates for elective village offices shall be nominated by a nonpartisan primary as provided in sub. (7); *notices shall be given as in s. 10.45*; nomination papers shall be signed by electors not less than 3 per cent of the number of electors voting therein for governor at the last preceding general election, but not less than 15 voters, and shall be filed with the village clerk not less than 20 days before such primary, not later than 5 p.m. on said last day. In such event no additional candidates may be nominated for such offices by the method provided by subs. (1) and (2).

SECTION 5. 10.36 (3) of the statutes is amended to read:

10.36 (3) Ten days' previous notice of the time and place of such election and of the officers to be elected shall be given by the city clerk by publication in the official city paper * * *; but the failure to give such notice shall not invalidate such election.

SECTION 6. 10.45 of the statutes is amended to read:

10.45 The annual charter election of every village shall be held on the first Tuesday of April in each year. Ten days' notice * * * *of every primary and election shall be given by the clerk by publication in any newspaper regularly published in such village, and if there * * * is no such newspaper, then by posting 3 printed or written notices thereof in 3 public places therein; but the omission of such notice shall not invalidate such election. Special elections may be held when ordered by a majority of the village board specifying the objects thereof, provided 10 days' notice, specifying the time and place for holding the same and the objects thereof, be given as above provided. Such notice may, in either case, be given by any 5 electors if there * * * is no officer to give the same.*

SECTION 7. 10.52 (1) (intro. par.) of the statutes is amended to read:

10.52 (1) (intro. par.) At the town meeting in years in which there is to be a town election there shall be an election by ballot of all town officers except the superintendent or superintendents of highways. *Ten days' notice of every primary and election shall be given by the clerk by publication in any newspaper regularly published in such town, and if there is no such newspaper, then by posting 3 printed or written notices thereof in 3 public places therein; but the omission of such notice shall not invalidate such election. Such ballot shall be in substantially the * * * following form or the form outlined in sub. (2).*

Approved August 25, 1961.
