



1995 ASSEMBLY BILL 1083

March 27, 1996 - Introduced by Representatives KLUSMAN, PROSSER, FOTI, HARS DORF, MUSSER, HUTCHISON and F. LASEE, cosponsored by Senators RUDE and BUETTNER. Referred to Committee on Elections and Constitutional Law.

1 **AN ACT to amend** 7.70 (3) (d), 8.03 (2), 8.16 (6), 8.30 (2), 11.26 (1) (a), 11.26 (2)
2 (a), 11.31 (1) (b) and 11.50 (1) (a) 1.; and **to create** 8.15 (1m), 11.26 (1) (am) and
3 11.26 (2) (am) of the statutes; **relating to:** nomination of major party
4 candidates for the office of lieutenant governor and limitations on certain
5 multiple nominations.

Analysis by the Legislative Reference Bureau

Presently, candidates for the nomination of a major party (a party which is entitled by law to a separate ballot or column on the ballot) for the office of lieutenant governor may file nomination papers at the same time as candidates for other state partisan offices. At the September primary, electors may vote for a candidate for lieutenant governor separately from candidates for other offices within their preferred party. The winning candidate for lieutenant governor within each party at the primary is then placed on the ballot at the general election together with the party's winning candidate for governor and electors voting at that election cast one vote for the offices of governor and lieutenant governor together. Candidates for lieutenant governor must receive at least 6% of the vote cast on all ballots for all candidates for that office in the September primary in order to qualify for a grant from the Wisconsin election campaign fund. Minor party and independent candidates for governor and lieutenant governor may file joint nomination papers and appear on the primary and general election ballots in the same manner as major party candidates.

This bill changes the procedure for nomination of major party candidates for the office of lieutenant governor. Under the bill, major party candidates for the office of lieutenant governor do not file nomination papers and do not appear on the primary ballot. Instead, each major party candidate for governor is directed to certify the name of a candidate for lieutenant governor within 2 days after official certification

of the candidate's nomination at the September primary. A certified candidate for lieutenant governor then has 3 days after receipt of the certification to file a declaration of acceptance and residency and a financial registration. The certified candidate for lieutenant governor then is placed on the general election ballot together with the gubernatorial candidate who certified his or her name. For purposes of qualification for a grant from the Wisconsin election campaign fund, a major party candidate for lieutenant governor is considered to receive the same percentage of the September primary vote as the candidate for governor who certifies his or her name. Minor party candidates for lieutenant governor continue to be nominated on nomination papers and appear on the primary ballot as currently provided.

Currently, an individual whose name appears on the ballot as a candidate for the office of lieutenant governor may not have his or her name appear on the ballot as a candidate for another partisan office at the same election.

This bill permits a candidate for the office of lieutenant governor at any election to have his or her name appear on the ballot for not more than one other partisan office at the same election.

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

1 **SECTION 1.** 7.70 (3) (d) of the statutes is amended to read:

2 7.70 (3) (d) When the certified statements and returns are received, the board
3 of state canvassers shall proceed to examine and make a statement of the total
4 number of votes cast at any election for the offices involved in the election for
5 president and vice president; a statement for ~~each of the offices~~ office of governor,
6 lieutenant-governor, if a primary, and a joint statement for the offices of governor and
7 lieutenant governor, if a general election; a statement for each of the offices of
8 secretary of state, state treasurer, attorney general, and state superintendent; for
9 U.S. senator; representative in congress for each congressional district; the state
10 legislature; justice; court of appeals judge; circuit judge; district attorney; municipal
11 judge, if he or she is elected under s. 755.01 (4); metropolitan sewerage commission,
12 if the commissioners are elected under s. 66.23 (11) (am); and for any referenda
13 questions submitted by the legislature.

1 **SECTION 2.** 8.03 (2) of the statutes is amended to read:

2 8.03 **(2)** Subsection (1) shall not apply when a candidate for the office of
3 president or vice president of the United States or the office of lieutenant governor
4 is nominated for ~~another~~ not more than one other elective office during the same
5 election. If the candidate is elected to the office of president or vice president of the
6 United States or to the office of lieutenant governor such election shall void the
7 candidate's election to any other office. A special election shall be held to fill any
8 office vacated under this subsection.

9 **SECTION 3.** 8.15 (1m) of the statutes is created to read:

10 8.15 **(1m)** No nomination papers may be filed under this section for the office
11 of lieutenant governor.

12 **SECTION 4.** 8.16 (6) of the statutes is amended to read:

13 8.16 **(6)** ~~The persons who receive the greatest number of votes respectively for~~
14 ~~the offices of governor and lieutenant governor on any party ballot at a primary~~ No
15 later than 2 days after certification of the nomination of the candidate of each
16 recognized political party for governor under s. 7.70 (3) (g), each candidate so
17 nominated shall certify to the board in writing the name of a candidate of the same
18 party for the office of lieutenant governor. The candidate for governor shall notify
19 the candidate for lieutenant governor of the certification in writing at the same time
20 and the candidate for lieutenant governor shall file a declaration under s. 8.15 (4) (b)
21 and cause to be filed a registration statement under s. 11.05 no later than 3 days after
22 receipt of the notification. The candidate for governor certified under s. 7.70 (3) (g)
23 and the candidate for lieutenant governor certified under this subsection shall be the
24 party's joint candidates for the offices of governor and lieutenant governor, and their
25 names shall so appear on the official ballot at the next election.

1 **SECTION 5.** 8.30 (2) of the statutes is amended to read:

2 8.30 (2) If no registration statement has been filed by or on behalf of a candidate
3 for state or local office in accordance with s. 11.05 (2g) or (2r) by the applicable
4 deadline for filing nomination papers by such candidate, ~~or by~~ the deadline for filing
5 a declaration of candidacy for an office for which nomination papers are not filed, or
6 by the time prescribed in s. 8.16 (6) in the case of a candidate of a recognized political
7 party for lieutenant governor, the name of the candidate may not appear on the
8 ballot. This subsection may not be construed to exempt a candidate from applicable
9 penalties if he or she files a registration statement later than the time prescribed in
10 ss. 11.01 (1) and 11.05 (2g).

11 **SECTION 6.** 11.26 (1) (a) of the statutes is amended to read:

12 11.26 (1) (a) Candidates for governor, ~~lieutenant governor~~, secretary of state,
13 state treasurer, attorney general, ~~secretary of education~~ state superintendent or
14 justice, \$10,000.

15 **SECTION 7.** 11.26 (1) (am) of the statutes is created to read:

16 11.26 (1) (am) Candidates for lieutenant governor, \$5,000.

17 **SECTION 8.** 11.26 (2) (a) of the statutes is amended to read:

18 11.26 (2) (a) Candidates for governor, ~~lieutenant governor~~, secretary of state,
19 state treasurer, attorney general, state superintendent or justice, 4% of the value of
20 the disbursement level specified in the schedule under s. 11.31 (1).

21 **SECTION 9.** 11.26 (2) (am) of the statutes is created to read:

22 11.26 (2) (am) Candidates for lieutenant governor, 2% of the value of the
23 disbursement level specified in the schedule under s. 11.31 (1) (b).

24 **SECTION 10.** 11.31 (1) (b) of the statutes is amended to read:

25 11.31 (1) (b) Candidates for lieutenant governor, ~~\$323,475~~ \$161,750.

