

No. 624, A.]

[Published June 25, 1953.

### CHAPTER 315

AN ACT to repeal 5.05 (8) (d); to amend 5.05 (8) (e), 5.17 (2), 5.19 (4), 5.35 (2), 6.19 (2), (3), (4) and (6); and to create 5.05 (10) of the statutes, relating to clarifying language and reconciling conflicts in certain nomination and election laws.

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

SECTION 1. 5.05 (8) (e) of the statutes is amended to read:

5.05 (8) (e) For city officers, or other officers voted for exclusively within one city, in the office of the city clerk, *except precinct committeemen, provided for in s. 5.35 (2).*

SECTION 2. 5.05 (8) (d) of the statutes is repealed.

SECTION 3. 5.05 (10) of the statutes is created to read:

5.05 (10) Except as otherwise provided, no candidate shall file nomination papers containing signatures in excess of 5 per cent.

SECTION 4. 5.17 (2) of the statutes is amended to read:

5.17 (2) If all the candidates for nomination for any one office voted for on any party ballot, shall receive in the aggregate less than 5 per cent of such \* \* \* *average vote* so cast at such 2 last general \* \* \* *elections*, no person shall be deemed to be the party nominee for such office, but the person receiving the greatest number of votes at such primary as the candidate of such party for such office, shall be deemed an independent candidate for such office, and his name shall be placed on the official ballot in the column of individual nominations and he shall be denominated in such column by the

word "Independent" prefixed to the proper party designation. *The provisions of this subsection shall not apply when all votes cast for an office are for write-in candidates.*

SECTION 5. 5.19 (4) of the statutes is amended to read:

5.19 (4) Nomination papers for independent candidates for the office of governor, lieutenant governor, secretary of state, attorney-general \* \* \*, state treasurer and United States senator shall be signed by at least 5,000 electors; for independent candidates for the senate or assembly by at least 8 per cent and not more than 10 per cent of the whole number of electors voting in the respective district for governor at the last preceding general election; for candidates to be voted for throughout a county, district, or other division less than the state, by at least 3 per cent and not more than 5 per cent of the whole number of electors voting therein for governor at the last preceding general election. Except as otherwise provided in this subsection nomination papers for an independent candidate to be voted for throughout the state shall be signed by at least 1,000 electors. *Each candidate, whether voted for directly or indirectly, shall file with his nomination papers a declaration that he will qualify as such officer, if elected.*

SECTION 6. 5.35 (2) of the statutes is amended to read:

5.35 (2) In counties containing a city of the first class there shall be elected at the September primary one committeeman for each political party from each ward, town and village and in all other counties one committeeman for each party from each precinct. Such committeemen shall be nominated by nomination papers to be signed by not less than 3 per cent and not more than 10 per cent of the party vote for governor at the last preceding election in such precinct, ward, town or village. Nomination papers shall be in substantially the same form as provided in s. 5.05 \* \* \* and shall be filed with the county clerk not later than \* \* \* 5 p.m. central standard time on the second Tuesday of July before the primary. The county clerk shall arrange the names of candidates for such committeemen, as provided in s. 5.11 \* \* \*, and place the names so arranged in the proper party column as candidates for such ward, town and village committeemen.

SECTION 7. 6.19 (2), (3), (4) and (6) of the statutes are amended to read:

6.19 (2) In certifying the names of candidates for the office of justice of the supreme court, judge of the circuit court \* \* \* and state superintendent \* \* \*, the secretary of state shall designate the order in which the names of candidates shall be printed upon the official ballot in each assembly district.

(3) For the purpose of determining the order in which the names of candidates for justice of the supreme court \* \* \* and state superintendent \* \* \* shall be placed upon the official ballot, the secretary of state shall number the assembly districts consecutively from one to 100 in the order of their population, according to the last preceding census, beginning with the district having the largest population, which shall be numbered one.

(4) In determining the order in which the names of candidates for circuit judge \* \* \* shall be placed upon the ballot, the secretary of state shall number the assembly districts or parts of a district within the judicial circuit \* \* \* consecutively from one upwards, in the order of their population, according to the last preceding census, beginning with the district having the largest population, which shall be numbered one.

(6) Whenever a constitutional amendment or other question is required to be submitted to a vote of the people, the secretary of state shall, \* \* \* at the time of transmitting his official notice of the election at which such amendment or question is required to be submitted, \* \* \* include a certified copy \* \* \* of such amendment or question.

Approved June 17, 1953.