



2013 ASSEMBLY BILL 225

May 31, 2013 – Introduced by Representatives STONE, KLEEFISCH, J. OTT, STROEBEL, JAGLER, KNODL, ENDSLEY, KOOYENGA, SCHRAA, KUGLITSCH, WEATHERSTON, HONADEL, KAPENGA, JACQUE, KNUDSON, A. OTT, TITTL, CZAJA, KESTELL, MURSAU, LEMAHIEU, HUTTON, KLENKE, NEYLON, CRAIG, AUGUST, KERKMAN, SUDER, VOS, KRAMER, MURTHA, NYGREN, STRACHOTA, BALLWEG, PRIDEMORE, SANFELIPPO, THIESFELDT, RIPP, BORN and BIES. Referred to Committee on Campaigns and Elections.

AUTHORS SUBJECT TO CHANGE

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1 AN ACT *to repeal* 11.09, 11.38 (2) (c), 67.05 (3) (a) 2. and 67.05 (3) (a) 4.; *to*
2 *renumber and amend* 6.97 (3) (b), 9.20 (4), 11.01 (16) (b), 11.05 (8) and 67.05
3 (5) (b); *to amend* 5.02 (19), 5.052 (3) (a) to (e), 5.15 (6) (b), 5.35 (6) (a) 2., 5.90
4 (1), 6.15 (2) (bm), 6.29 (2) (b), 6.34 (2), 6.34 (3) (a) 8., 6.36 (1) (a), 6.36 (2) (a), 6.36
5 (2) (c), 6.55 (2) (b), 6.55 (2) (c) 1., 6.79 (2) (a), 6.79 (2) (d), 6.82 (1) (a), 6.86 (1) (b),
6 7.08 (1) (c), 7.15 (2) (d), 7.30 (2) (a) and (b), 7.41 (3) (intro.) and (a), 7.51 (3) (a),
7 7.52 (8), 8.05 (3) (d), 8.05 (3) (e), 8.06, 8.50 (intro.), 8.50 (1) (a), 8.50 (1) (c), 8.50
8 (2) (a), 8.50 (4) (f) 1. and 2., 9.01 (1) (ag) 1m., 9.01 (1) (b) (intro.), 9.01 (1) (b) 1.,
9 9.10 (2) (b), 9.10 (2) (d), 11.01 (16) (intro.), 11.01 (16) (a) (intro.), 11.05 (3) (c),
10 11.06 (1) (intro.), 11.06 (1) (j), 11.12 (1) (d), 11.12 (3), 11.12 (4), 11.16 (1) (d), 11.29
11 (1), 11.38 (title) and (1) (a) 1., 11.38 (1) (b), 11.38 (8) (b), 13.625 (1) (c) (intro.),
12 17.02 (1), 17.18, 24.66 (3) (b), 24.66 (4), 32.72 (1), 38.15 (1), 38.16 (3) (br) 1., 59.08
13 (7) (b), 59.605 (3) (a) 1., 60.62 (2), 60.74 (5) (b), 61.187 (1), 61.46 (1), 62.09 (1) (a),
14 62.13 (6) (b), 64.03 (1), 64.39 (3), 66.0101 (8), 66.0211 (1), 66.0213 (6), 66.0215

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1 (2), 66.0217 (3) (b), 66.0217 (7) (a) 3., 66.0217 (7) (d), 66.0219 (4) (b), 66.0225 (2),
2 66.0227 (3), 66.0305 (6) (b), 66.0307 (4) (e) 2., 66.0602 (4) (a), 66.0619 (2m) (b),
3 66.0815 (1) (c), 66.0921 (2), 66.1103 (10) (d), 66.1113 (2) (g), 66.1113 (2) (h), 67.05
4 (3) (f), 67.05 (4), 67.05 (5) (a), 67.05 (6a) (a) 2. a., 67.05 (6m) (b), 67.10 (5) (b),
5 67.12 (12) (e) 2., 67.12 (12) (e) 5., 82.03 (2) (b), 86.21 (2) (a), 92.11 (4) (c), 117.20
6 (2), 119.48 (4) (b), 119.48 (4) (c), 119.49 (1) (b), 119.49 (2), 120.13 (intro.), 121.91
7 (3) (a), 197.04 (1) (b), 197.04 (2), 197.10 (2) and 198.19 (1); **to repeal and**
8 **recreate** 11.01 (16) (a) 1.; and **to create** 5.02 (6m) (g), 6.34 (3) (a) 12., 6.79 (3)
9 (c), 6.86 (1) (bb), 6.87 (6d), 7.51 (2) (cm), 8.065, 8.50 (4) (bm), 11.01 (11g) and
10 (11r), 11.01 (16) (b) 1., 11.05 (11g), 11.06 (1g), 11.25 (4), 11.33 (2m) and 11.38 (1)
11 (a) 4. to 7. of the statutes; **relating to:** various changes in the campaign finance
12 laws; exemption of certain electors from the requirement to present proof of
13 identification when voting in an election; identifying documentation to
14 establish proof of residency for voter registration; recording the type of
15 identifying document provided as proof of residence; limiting the times for
16 voting by absentee ballot in person; the method of reporting election returns by
17 municipalities; fees for election recounts; the method of recounting votes cast
18 with automatic tabulating equipment; residency of election officials; recall
19 petition requirements; the procedure for recounting ballots when electors
20 voting in person are required to sign the poll list and fail to do so; challenging
21 an elector's registration during recount proceedings; witness addresses on
22 absentee ballot certificates; nominees submitted by the Government
23 Accountability Board candidate committee; securing ballot containers; party

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1 representation for election officials serving at polling places; and scheduling of
2 referendums.

Analysis by the Legislative Reference Bureau

This bill makes various changes in the campaign finance, election, and lobbying regulation laws. Significant provisions include:

CAMPAIGN FINANCE***Disclosure of political activity***

Currently, with certain exceptions, individuals who accept contributions, organizations that make or accept contributions, and individuals who or organizations that incur obligations or make disbursements for the purpose of influencing an election for state or local office are required to register with the appropriate filing officer or agency and to file financial reports with that officer or agency, regardless of whether they act in conjunction with or independently of any candidate who is supported or opposed.

This bill provides that registration and reporting requirements apply to any communication that contains certain explicit terms with reference to a clearly identified candidate that expressly advocates the election or defeat of that candidate and unambiguously relates to that candidate. The bill also provides that these requirements do not apply to a communication made by an individual other than a candidate, or by an organization not organized exclusively for a political purpose and the communication does not expressly advocate the election or defeat of a clearly identified candidate or the adoption or rejection of a question at a referendum. The change in the scope of reportable activity under the bill also affects contribution limitations and prohibitions by causing the term "contribution" to exclude the cost of any communication that is not reportable under the bill.

Corporations, cooperatives, and other entities; limited political activity

Under current law, corporations and cooperatives are prohibited from making contributions or disbursements (expenditures) in campaigns for state or local office. Violators are subject to a forfeiture (civil penalty) of not more than \$500 for each violation. Intentional violators are guilty of a Class I felony, which is punishable by a fine of not more than \$10,000 or imprisonment for not more than three and one-half years, or both, except that if a violation involves \$100 or less, the violation is punishable as a misdemeanor with a fine of not more than \$1,000 or imprisonment for not more than six months, or both. A recent decision of the U.S. Supreme Court casts doubt upon whether this law is enforceable as it applies to disbursements. See *Citizens United v. F.E.C.*, 130 S. Ct. 876 (2010). Current law also provides that if an individual other than a candidate or an organization that is not organized primarily for political purposes does not engage in express advocacy with respect to a clearly identified candidate or referendum question and does not make any contributions, the individual or organization is exempt from registration and reporting requirements.

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This bill deletes the current prohibition on disbursements by corporations and cooperatives. The bill permits a corporation, cooperative, or other entity that is not organized exclusively for political purposes to make independent disbursements. Under the bill, a corporation, cooperative, or other entity that makes independent disbursements is not subject to periodic reporting requirements on account of such activity. However, a corporation, cooperative, or other entity that makes independent disbursements in an amount or value exceeding \$750 in the aggregate within a calendar year must register with the appropriate filing officer, file reports concerning the independent disbursements, and include an attribution on communications financed by the disbursements. The bill also permits corporations and cooperatives to make contributions to committees that make disbursements independently of any candidate or authorized committee or agent of a candidate. Under the bill, no such committee may make a contribution to a candidate. The bill provides that corporations and cooperatives that make such contributions are not subject to periodic reporting requirements for that activity, including disclosure of sources of income, except with respect to any contribution that is received for the express purpose of making those contributions, but any committee that receives such a contribution is subject to registration and periodic reporting requirements, as currently provided for such committees.

Communications with members of certain entities

Current law permits any corporation, cooperative, unincorporated cooperative association, or voluntary association to make a disbursement for the purpose of communicating only with its members to endorse a candidate, explain its views or interests, or take a position on a referendum without being subject to reporting requirements for this activity. This bill clarifies that any such communication, while remaining exempt from the reporting requirement, may include information on how a member may contribute to an endorsed candidate.

Communications by legislators

Currently, with certain exceptions, no person who is elected to state or local office and who becomes a candidate for national, state, or local office may use public funds for the cost of materials or distribution of 50 or more pieces of substantially identical material distributed during the period beginning on the first day for circulation of nomination papers as a candidate (or certain other dates for candidates who do not file nomination papers) and ending on the date of the election at which the person's name appears on the ballot, or on the date of the primary election at which the person's name so appears if the person is not nominated at the primary.

This bill provides that this prohibition does not apply to the cost of materials or distribution of a communication made by a member of the legislature to an address located within the legislative district represented by that member during the 45-day period following declaration of a state of emergency by the governor affecting any county in which the district is located if the communication relates solely to the subject of the emergency.

ASSEMBLY BILL 225**LOBBYING*****Campaign contributions by lobbyists***

Currently, a lobbyist may make a campaign contribution to a partisan elective state official or candidate for partisan elective state office in the year of the official's or candidate's election between June 1 and the day of the election. This bill extends the time during which a lobbyist may make such a contribution to between the first day authorized by law for the circulation of nomination papers as a candidate and the day of the election.

ELECTION ADMINISTRATION***Proof of identification requirement***

Currently, with certain exceptions, an elector who votes in an election must present proof of identification in order to vote. The proof may consist of one of a number of documents specified by law that contains the name of the individual to whom the document was issued, which name conforms to the individual's voter registration, if the individual is registered to vote, and with limited exceptions, that contains a photograph of the individual. With certain exceptions, an elector who casts an absentee ballot by mail must enclose a copy of his or her proof of identification in the envelope containing his or her ballot. One form of acceptable proof of identification is a Wisconsin driver's license or identification card issued by the Department of Transportation. An individual who applies for a Wisconsin operator's license or identification card may be exempted from the current requirement to be photographed under narrowly defined circumstances.

This bill permits a veterans identification card issued by the Veterans Health Administration of the federal Department of Veterans Affairs to be used as proof of identification if the card contains the name of the person to whom it is issued and a photograph of the individual.

The bill also exempts an elector from the requirement to provide proof of identification if the elector appears at the polling place serving his or her residence on election day and swears or affirms before the chief inspector and submits a signed statement affirming either that 1) he or she considers himself or herself to be indigent and cannot obtain proof of identification without payment of a fee; 2) he or she has a religious objection to being photographed; or 3) he or she cannot obtain the documentation required to obtain proof of identification. The bill provides that if an elector submits such a statement, the elector's ballot is marked in the same manner as a challenged ballot and the board of canvassers that determines the election or conducts a recount may review and determine the validity of the elector's ballot. The bill also provides that the municipal clerk or board of election commissioners of the elector's municipality of residence may investigate the qualifications of any elector who submits a statement under the bill and advise the municipal board of canvassers of his or her findings.

Proof of residency for voter registration

With limited exceptions, current law requires each person who is an eligible elector and who wishes to vote in this state to first register. In certain circumstances, an eligible elector must submit proof of residence with his or her registration form

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or prior to being permitted to vote. For example, a person who registers in the clerk's office of his or her municipality within 20 days of an election must provide proof of residence in order to obtain registration. Current law provides a list of qualifying identifying documents and specifies the information that must appear on those documents. Identifying documents must contain the registrant's name and current address and qualifying identifying documents include a real estate tax bill, a bank statement, and a current and valid Wisconsin driver license or identification card.

This bill prohibits an elector from providing an identifying document that is displayed electronically to establish proof of residence; the identifying document must be provided in hard-copy form. The bill adds to the list of qualifying identifying documents a bill for cellular or wireless telephone service for the period commencing no earlier than 90 days before election day and a credit card statement for the period commencing no earlier than 90 days before election day.

Under current law, the GAB must compile and maintain an official registration list. The registration list must contain specific information about each registered elector in the state, including the elector's name, address, date of birth, and an indication of how the elector's registration form was received. This bill requires the board to include on the official registration list an indication of whether an elector was required to provide proof of residence and, if so, the type of identifying document submitted by the elector as proof of residence.

Poll book signature requirement

Currently, with limited exceptions, an elector voting in person at a polling place must enter his or her signature on the poll list or a similar list before being permitted to vote. After entering his or her signature, the election officials mark the poll list to indicate that the elector has voted and, unless voting machines are used, give the elector a ballot. Under current law, with certain exceptions, the election laws are to be interpreted to give effect to the will of the electors if that can be ascertained from the proceedings, notwithstanding failure to fully comply with some of their provisions. When the ballots cast at an election are used to recount the votes cast for an office or question, the officials compare the number of ballots cast to the number of voting electors, according to the poll list. After certain other categories of defective ballots are removed from the count, if the number of voting electors still exceeds the number of ballots, the officials conducting the recount draw a number of ballots at random from the remaining ballots until the number of voting electors equals the number of ballots.

This bill provides that, for purposes of a recount, an elector shall not be considered to be a voting elector if he or she is required to sign the poll list and does not do so.

Challenging an elector's registration during a recount

Currently, any person may object to the validity of an elector's registration by filing an objection with the municipal clerk or board of election commissioners before election day or with the inspectors at a polling place on election day. If a challenge is made to an elector's registration on election day, the elector's ballot is marked for review of the challenge during any recount that may be held. Currently, during the recount of an election, the board of canvassers conducting the recount compares the

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number of voted ballots to the number of voting electors as indicated on the poll lists or supplemental lists. If, after certain other defective ballots are set aside, the number of voted ballots still exceeds the number of voting electors, the board draws down, at random, a number of voted ballots equal to the excess number before recounting the voted ballots and these ballots are not counted during the recount.

This bill provides that, in determining the number of voting electors, the board of canvassers must hear and decide any objection to the validity of the registration of an elector who registered on election day. Under the bill, if the board of canvassers determines that the registration of an elector who registered on election day is invalid, the board reduces the number of voting electors by one in performing the drawdown of voted ballots, whenever a drawdown is required.

Witness addresses on absentee ballot certificates

Under current law, in order to vote using an absentee ballot, an individual must complete a certificate, which certifies that the individual is a qualified elector. The individual must sign the certificate in the presence of a witness who must also sign the certificate and provide his or her name and address. Under this bill, an absentee ballot may not be counted if the certificate is missing the address of a witness.

Nominees to the Government Accountability Board

Under current law, the governor appoints members of the GAB from nominations submitted by the board's candidate committee. Current law requires the candidate committee to submit at least two nominations to fill one vacancy on the GAB, three nominations to fill two vacancies, five nominations to fill three vacancies, six nominations to fill four vacancies, and seven nominations to fill five vacancies. This bill doubles the number of nominations the candidate committee must submit to the governor.

Securing ballot containers

Under current law, election inspectors take all ballots counted by them and secure the ballots together so that they cannot be separated or tampered with without breaking a seal. The inspectors then put the secured ballots into a ballot container and secure the container so that it cannot be opened without breaking a seal or lock or without destroying the container. Under this bill, only the chief inspector and one other inspector whose party affiliation is different than the chief inspector's party affiliation may secure the ballot container.

Party representation at the polls

Currently, polling places are staffed principally by election inspectors. Unless a municipality decides to increase or decrease the number of inspectors, there are seven inspectors at each polling place. With certain exceptions, the individuals who are appointed as inspectors at a polling place are drawn from nominations submitted by the political parties whose candidates for president or governor received the most votes in the area served by the polling place at the preceding general election, with the party whose candidate received the most votes entitled to fill one more position than the other party.

This bill provides that whenever two or more inspectors are required to perform a function within a polling place and both parties that are entitled to submit

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nominees have done so, the chief inspector must assign, insofar as practicable, an equal number of inspectors from the nominees of each party.

Registration

This bill requires the municipal clerk, clerk's agent, and other individuals authorized to accept receipt of a registration form from an elector to enter on the registration form or poll list, and in some cases both the registration form and poll list, the type of identifying document submitted by the elector as proof of residence when proof of residence is required of the elector.

Voting by absentee ballot in person

Under current law, a person may apply to the municipal clerk in person to vote using an absentee ballot. In-person applications to vote using an absentee ballot may be made beginning on the third Monday preceding the election and ending on the later of 5 p.m. or the close of business on the Friday preceding the election.

Under this bill, in-person applications to vote using absentee ballots may be received only Monday to Friday between the hours of 7:30 a.m. and 6 p.m., except that an individual may make an appointment with the actual city, town, or village clerk, as appropriate, so that the clerk, not a member of the clerk's staff or a designated agent, may receive the individual's application made in person after 6 p.m. or anytime on Saturday or Sunday, not including the Saturday and Sunday after the Friday preceding the election.

Reporting of election returns by municipalities

Currently, the voters of each ward vote at the same polling place, which is generally separate from other polling places in a municipality. Election returns are reported by ward unless otherwise authorized by law. Currently, no later than 60 days before each September primary and general election, and no later than 30 days before each other election, the governing body of a municipality may combine two or more wards for voting purposes to permit the use of a common polling place. In municipalities with a population of 35,000 or more, a municipality must continue to report all election returns by ward even where wards are combined for voting purposes at a single location. Other municipalities may report returns for combined wards together unless a separate ballot is required in a partisan election, in which case separate returns must be reported for the offices listed on each separate ballot so that the results of the various elections may be determined.

Under this bill, any municipality having a population of 35,000 or more may provide that election returns for any ward having a population of 20 or less will be combined with returns for any adjacent ward, unless separate returns are required to determine the results of an election. A municipality, however, may not combine wards if the total population of the combined wards would exceed the applicable population range for wards in that municipality. The bill allows the municipal clerk to estimate ward populations for the purpose of combining returns if the population cannot be determined from census results.

Fees for election recounts

Currently, any candidate who receives votes in an election and any elector who votes in a referendum may petition for a recount of the votes cast. If the difference

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between the votes cast for the leading candidate and those cast for the petitioner or the difference between the affirmative and negative votes cast upon any referendum question is at least ten votes if 1,000 or fewer votes are cast or more than 0.5 percent but not more than 2 percent of the total votes if more than 1,000 votes are cast, the petitioner must pay a fee of \$5 per ward or \$5 per municipality if a municipality is not divided into wards. The bill increases that amount to \$25 per ward or \$25 per municipality if a municipality is not divided into wards.

Special elections

This bill makes various changes in the laws governing special elections.

1. Currently, when a vacancy in the office of a U.S. senator or representative in congress from this state occurs, the vacancy is filled by special election ordered by the governor unless the vacancy occurs between the second Tuesday in April and the second Tuesday in May in the year of the general election in which case it is filled at the general election. This bill provides, in addition, that whenever a U.S. senator or representative in congress is elected to another office after the beginning of his or her term, and the term of the new office or the period during which the senator or representative is eligible to assume office begins prior to the end of the senator's or representative's original term of office, the governor may call a special election to fill the seat of the senator or representative in anticipation of a vacancy, upon receipt of notice of the written resignation of that senator or representative that is effective on a date not later than the date of the proposed special election.

2. Currently, when a special election must be ordered to fill a vacancy in any of the following, the special election must be held within a designated period following the order: the office of a U.S. senator or representative of this state; certain executive state offices; judicial and legislative state offices; county, city, village, and town offices; the office of municipal judge; and the office of member of the board of school directors of the Milwaukee Public Schools. Under current law, with two exceptions, the date for the special election may not be not less than 62 nor more than 77 days from the date of the order:

a. If the special election is to be held on the day of the general election or to fill a vacancy in a national office, the order must precede the partisan primary or special primary, respectively, by not more than 122 days and by no fewer than 92 days.

b. If the special election is to be held on the day of the spring election, the order must precede the spring primary by not more than 92 days and by not fewer than 49 days.

This bill eliminates the maximum number of days between which a special election may be ordered and held.

3. Current law imposes restrictions on the timing of a special election ordered to fill a vacancy in a judicial office that occurs after the date of the spring election but on or before December 1:

a. If the vacancy occurs in the office of circuit judge, the vacancy must be filled at the succeeding spring election.

b. If the vacancy occurs in the office of court of appeals judge, the vacancy must be filled at the first succeeding spring election when no other court of appeals judge is to be elected from the same court of appeals district.

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c. If the vacancy occurs in the office of supreme court justice, the vacancy must be filled at the first succeeding spring election when no other justice is to be elected.

If a vacancy occurs in any of these judicial offices after December 1 but on or before the succeeding spring election, the vacancy must be filled at the second succeeding spring election that corresponds with the spring elections described above. Finally, if, as a result of the resignation of the incumbent, a vacancy occurs in any of these judicial offices after December 1 but on or before the date of the succeeding spring election, and if the incumbent is not a candidate to succeed himself or herself, the vacancy must be filled at the regularly scheduled election.

This bill changes each December 1 date to August 1.

4. Current law refers to the authority of the attorney general to order a special election. This bill eliminates that reference.

5. Under current law, “special election” means any election other than a general election, partisan primary, spring election, or spring primary to fill vacancies or to conduct a referendum. This bill changes the definition of “special election” to mean any election other than a general election, partisan primary, spring election, or spring primary to fill vacancies.

Scheduling of referendums

Currently, a local government may schedule, or may be required to schedule, a referendum to be held under various laws for various purposes. These purposes include to apply for a state trust fund loan, to approve the issuance of bonds, to exceed an applicable levy limit, or to annex territory. In some cases, a referendum must be held at a special election scheduled for that purpose. In other cases, a referendum may be held concurrently with a specified election, such as the spring election. In still other cases, a referendum may be held with any election or at a special election scheduled for that purpose. Current law occasionally requires the local government to schedule a referendum within a specified period of time after a precipitating action, such as two months after the filing of a petition or application or no sooner than 42 days after the filing of a resolution. Although more restrictive limitations do apply, current law generally requires any measure or question to be submitted to a vote of the people, and any petition requesting that a measure or question be submitted to a vote of the people, to be filed with the official or agency responsible for preparing the ballots for the election no later than 70 days prior to the election at which the measure or question will appear on the ballot.

This bill provides that a local governmental unit may schedule a referendum only concurrently with a spring primary (held in most election districts in each year), a spring election (held in each year), a partisan primary (held on the second Tuesday in August in an even-numbered year), or a general election (held in even-numbered years on the Tuesday after the first Monday in November) or at a special election held to fill vacancies. The bill generally permits a referendum to be held at any of the specified elections, including the next available election following the precipitating action if holding the referendum at that election would be consistent with any applicable restrictions on the number of days that must pass after a precipitating action or the general provision that a measure, question, or petition be filed with the

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official or agency responsible for preparing the ballots no later than 70 days prior to the election at which the measure or question will appear on the ballot.

Recounting votes cast with automatic tabulating equipment

Currently, with a limited exception, a board of canvassers must use automatic tabulating equipment to conduct a recount of ballots that are in machine-readable form. However, a candidate, or an elector if the recount is for a referendum question, may petition the circuit court for an order requiring ballots in machine-readable form to be recounted by hand or by another method approved by the court. To obtain such an order, the candidate or elector must show by clear and convincing evidence that due to an irregularity, defect, or mistake committed during the voting or canvassing process the results of a recount using automatic tabulating equipment will produce incorrect results and there is a substantial probability that recounting the ballots by hand or by another method will produce a more correct result and change the outcome of the election.

This bill permits the board of canvassers conducting a recount to determine to conduct the recount of a specific election by hand unless a court orders the recount to be conducted by another method.

Residency of election officials

Current law generally requires election officials to be qualified electors of the municipality in which the officials serve. In addition, current law generally requires election officials who serve at a polling place to be qualified electors of the ward for which the polling place is established, whenever a municipality is divided into wards. However, special registration deputies who register electors at a polling place on election day, election officials who are appointed to work at a polling place that serves more than one ward, election officials who are reassigned by a municipal clerk or board of election commissioners to correct staffing deficiencies, or election officials who are appointed to fill a temporary or permanent vacancy need not be electors of any particular ward, but must be qualified electors of the municipality in which they serve. Officials who are appointed to work at a polling place that serves more than one ward must be electors of one of the wards served by the polling place. A high school pupil who is 16 or 17 years of age may serve as an inspector (poll worker) at the polling place serving his or her residence. In addition, if the municipal clerk or the executive director of a board of election commissioners or a deputy to the clerk or executive director serves as a special registration deputy or is appointed to work at a polling place to fill a vacancy in an inspector position, the clerk, executive director, or deputy need not be a resident of the municipality in which he or she serves.

This bill provides, with certain exceptions, that an individual who serves as an election official at a polling place on election day need be an elector only of a county in which the municipality where the official serves is located. An individual who serves as the chief inspector at a polling place must be a qualified elector of the municipality where he or she serves unless no qualified candidate is available or the chief inspector is appointed to fill a temporary vacancy. A high school pupil who serves as an inspector must continue to meet the current residency requirement.

ASSEMBLY BILL 225***Recall petition requirements***

Under current law, a petition for the recall of a city, village, town, town sanitary district, or school district officer, in addition to other requirements, must indicate a reason for the recall that is related to the officer's official responsibilities. Under this bill, any person who wishes to circulate a petition for the recall of a city, village, town, town sanitary district, or school district officer must include with the person's registration under the campaign finance laws a statement indicating that the officer for whom the recall is sought has been charged with committing a crime or violating a code of ethics law applicable to local officials. The person must also include a copy of the criminal or civil complaint alleging the crime or violation.

OTHER CHANGES***Prohibitions on certain expenditures by school districts***

Current law generally limits the amount of per pupil revenue a school district may receive from general school aids and property taxes to the amount of revenue allowed per pupil in the previous school year. A school board may adopt a resolution to exceed the revenue limit; a resolution adopted by the school board must be submitted to the electors of the school district at a referendum before the school district may exceed its revenue limit. This bill prohibits a school board from spending any state aid or property tax revenue to publish or disseminate information related to or to promote any referendum called by the school district to exceed its revenue limit.

For further information see the ***state and 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:

1 **SECTION 1.** 5.02 (6m) (g) of the statutes is created to read:

2 5.02 (**6m**) (g) A veterans identification card issued by the veterans health
3 administration of the federal department of veterans affairs.

4 **SECTION 2.** 5.02 (19) of the statutes is amended to read:

5 5.02 (**19**) "Special election" means any election, other than those described in
6 subs. (5), (~~18~~) (12s), (21) and (22), to fill vacancies ~~or to conduct a referendum.~~

7 **SECTION 3.** 5.052 (3) (a) to (e) of the statutes are amended to read:

8 5.052 (**3**) (a) To fill one vacancy, ~~2~~ 4 nominations.

9 (b) To fill 2 vacancies, ~~3~~ 6 nominations.

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1 (c) To fill 3 vacancies, ~~5~~ 10 nominations.

2 (d) To fill 4 vacancies, ~~6~~ 12 nominations.

3 (e) To fill 5 vacancies, ~~7~~ 14 nominations.

4 **SECTION 4.** 5.15 (6) (b) of the statutes is amended to read:

5 5.15 **(6)** (b) No later than 30 days before each election, the governing body of
6 any municipality may by resolution combine 2 or more wards for voting purposes to
7 facilitate using a common polling place. Whenever wards are so combined, the
8 original ward numbers shall continue to be utilized for all official purposes. Except
9 as otherwise authorized under this paragraph, every municipality having a
10 population of 35,000 or more shall maintain separate returns for each ward so
11 combined. In municipalities having a population of 35,000 or more, the governing
12 body may provide in a resolution that returns for any ward having a population of
13 20 or less be combined with returns for any adjacent ward, if the total population of
14 the combined wards does not exceed the applicable population range under sub. (2)
15 (b) for wards in that municipality. In municipalities having a population of less than
16 35,000, the governing body may provide in the resolution that returns shall be
17 maintained only for each group of combined wards at any election. Whenever a
18 governing body provides ~~for common ballot boxes and ballots or voting machines,~~
19 that returns shall be maintained only for combined wards under this paragraph, the
20 municipality shall report separate returns shall be maintained results for each
21 separate ballot required under ~~ss. 5.62 and 5.58 to 5.64 at the partisan primary and~~
22 ~~general election.~~ The municipal clerk shall transmit a copy of the resolution to the
23 county clerk of each county in which the municipality is contained. In municipalities
24 having a population of less than 35,000, the resolution shall remain in effect for each
25 election until modified or rescinded, or until a new division is made under this

1 section. Whenever needed for purposes of this paragraph, the municipal clerk shall
2 determine the population of each ward in his or her municipality. If the population
3 of a ward cannot be determined from census results, the clerk shall determine the
4 population of the smallest unit encompassing the entire ward that can be determined
5 from census results. The clerk shall then divide the land area of the ward by the land
6 area of that unit. The clerk shall then multiply that result by the population of the
7 unit to determine the population of the ward for purposes of this paragraph.

8 **SECTION 5.** 5.35 (6) (a) 2. of the statutes is amended to read:

9 5.35 **(6)** (a) 2. A copy of the election fraud laws provided in s. 12.13 (1) and (3)
10 (intro), (d), (f), (g), (k), (L), (o), (q), (r), (u), and (x), together with the applicable
11 penalties provided in s. 12.60 (1). The materials described in this subdivision shall
12 be positioned so that the electors entering the polling place approach and pass by the
13 materials.

14 **SECTION 6.** 5.90 (1) of the statutes is amended to read:

15 5.90 **(1)** Except as otherwise provided in this subchapter, recounts of votes cast
16 on an electronic voting system shall be conducted in the manner prescribed in s. 9.01.
17 Except as provided in this subsection, sub. (2), and s. 9.01 (1) (b) 8s., if the ballots are
18 distributed to the electors, the board of canvassers shall recount the ballots with
19 automatic tabulating equipment. The board of canvassers shall test the automatic
20 tabulating equipment to be used prior to the recount as provided in s. 5.84, and then
21 the official ballots or the record of the votes cast shall be recounted on the automatic
22 tabulating equipment. In addition, the board of canvassers shall check the ballots
23 for the presence or absence of the initials and other distinguishing marks, shall
24 examine the ballots marked “Rejected”, “Defective” and “Objected to” to determine
25 the propriety of such labels, and shall compare the “Duplicate Overvoted Ballots”

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1 and “Duplicate Damaged Ballots” with their respective originals to determine the
2 correctness of the duplicates. Unless a court orders a recount to be conducted by
3 another method under sub. (2), the board of canvassers may determine to conduct the
4 recount of a specific election by hand. If electronic voting machines are used, the
5 board of canvassers shall perform the recount using the permanent paper record of
6 the votes cast by each elector, as generated by the machines.

7 **SECTION 7.** 6.15 (2) (bm) of the statutes is amended to read:

8 6.15 (2) (bm) Except as authorized in s. 6.79 (7), when making application in
9 person at the office of the municipal clerk, each applicant shall present proof of
10 identification. If any document presented by the applicant is not proof of residence
11 under s. 6.34, the applicant shall also present proof of residence under s. 6.34. The
12 clerk shall verify that the name on the proof of identification presented by the elector
13 conforms to the name on the elector’s application ~~and~~, shall verify that any
14 photograph appearing on that document reasonably resembles the elector, and shall
15 enter the type of identifying document submitted by the elector as proof of residence
16 on the application form.

17 **SECTION 8.** 6.29 (2) (b) of the statutes is amended to read:

18 6.29 (2) (b) Upon the filing of the registration form required by this section, the
19 municipal clerk or clerk’s agent under s. 6.33 (5) (b) shall enter the type of identifying
20 document submitted by the elector as proof of residence on the registration form and
21 issue a certificate containing the name and address of the elector addressed to the
22 inspectors of the proper ward or election district directing that the elector be
23 permitted to cast his or her vote if the elector complies with all requirements for
24 voting at the polling place. The certificate shall be numbered serially, prepared in
25 duplicate and one copy preserved in the office of the municipal clerk.

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1 **SECTION 9.** 6.34 (2) of the statutes is amended to read:

2 6.34 (2) Upon completion of a registration form prescribed under s. 6.33, each
3 eligible elector who is required to register under s. 6.27, who is not a military elector
4 or an overseas elector, and who registers after the close of registration under s. 6.29
5 or 6.86 (3) (a) 2., shall provide ~~an~~ one of the identifying document that establishes
6 documents specified under sub. (3) to establish proof of residence ~~under sub. (3).~~
7 Each eligible elector who is required to register under s. 6.27, who is not a military
8 elector or an overseas elector, who registers by mail, and who has not voted in an
9 election in this state shall, if voting in person, provide ~~an~~ one of the identifying
10 ~~document that establishes~~ documents specified under sub. (3) to establish proof of
11 residence ~~under sub. (3)~~ or, if voting by absentee ballot, provide a copy of an
12 identifying document specified under sub. (3) that establishes proof of residence
13 ~~under sub. (3)~~. If the elector registered by mail, the identifying document may not
14 be a residential lease. Any identifying document provided to establish proof of
15 residence under this section may not be displayed electronically, but must be
16 provided in hard-copy form.

17 **SECTION 10.** 6.34 (3) (a) 8. of the statutes is amended to read:

18 6.34 (3) (a) 8. A utility bill, including a bill for cellular or wireless telephone
19 service, for the period commencing not earlier than 90 days before the day
20 registration is made.

21 **SECTION 11.** 6.34 (3) (a) 12. of the statutes is created to read:

22 6.34 (3) (a) 12. A credit card statement for the period commencing not earlier
23 than 90 days before the day registration is made.

24 **SECTION 12.** 6.36 (1) (a) of the statutes is amended to read:

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1 6.36 (1) (a) The board shall compile and maintain electronically an official
2 registration list. The list shall contain the name and address of each registered
3 elector in the state, the date of birth of the elector, the ward and aldermanic district
4 of the elector, if any, and, for each elector, a unique registration identification number
5 assigned by the board, the number of a valid operator's license issued to the elector
6 under ch. 343, if any, or the last 4 digits of the elector's social security account
7 number, if any, any identification serial number issued to the elector under s. 6.47
8 (3), the date of any election in which the elector votes, an indication of whether the
9 elector is an overseas elector, as defined in s. 6.24 (1), any information relating to the
10 elector that appears on the current list transmitted to the board by the department
11 of corrections under s. 301.03 (20m), an indication of any accommodation required
12 under s. 5.25 (4) (a) to permit voting by the elector, an indication of the method by
13 which the elector's registration form was received, an indication of whether the
14 elector was required under s. 6.34 to provide proof of residence and, if so, the type of
15 identifying document submitted as proof of residence, and such other information as
16 may be determined by the board to facilitate administration of elector registration
17 requirements.

18 **SECTION 13.** 6.36 (2) (a) of the statutes is amended to read:

19 6.36 (2) (a) Except as provided in par. (b), each registration list prepared for use
20 as a poll list at a polling place or for purposes of canvassing absentee ballots at an
21 election shall contain the full name and address of each registered elector; a blank
22 column for the entry of the serial number of the electors when they vote or the poll
23 list number used by the municipal board of absentee ballot canvassers in canvassing
24 absentee ballots; an indication next to the name of each elector for whom proof of
25 residence under s. 6.34 is required; a space for entry of the type of identifying

ASSEMBLY BILL 225**SECTION 13**

1 document submitted by the elector as proof of residence when proof of residence
2 under s. 6.34 is required; a space for entry of the elector's signature, or if another
3 person signed the elector's registration form for the elector by reason of the elector's
4 physical disability, the word "exempt"; and a form of certificate bearing the
5 certification of the administrator of the elections division of the board stating that
6 the list is a true and complete registration list of the municipality or the ward or
7 wards for which the list is prepared. The board shall, by rule, prescribe the space and
8 location for entry of each elector's signature on the poll list which shall provide for
9 entry of the signature without changing the orientation of the poll list from the
10 orientation used by the election officials.

11 **SECTION 14.** 6.36 (2) (c) of the statutes is amended to read:

12 6.36 (2) (c) The list shall contain, next to the name of each elector, an indication
13 of whether proof of residence under s. 6.34 is required for the elector to be permitted
14 to vote. If proof of residence is provided, the type of identifying document submitted
15 by the elector shall be entered on the list in the space provided. Proof of residence
16 is required if the elector is not a military elector or an overseas elector and the elector
17 registers by mail and has not previously voted in an election in this state.

18 **SECTION 15.** 6.55 (2) (b) of the statutes is amended to read:

19 6.55 (2) (b) Upon executing the registration form under par. (a), the elector
20 shall provide proof of residence under s. 6.34. The signing by the elector executing
21 the registration form shall be in the presence of the special registration deputy or
22 inspector ~~who~~. Upon receipt of the registration form, the deputy or inspector shall
23 enter the type of identifying document submitted by the elector as proof of residence
24 in the space provided on the form. The deputy or inspector shall then print his or her
25 name on and sign the form, indicating that the deputy or inspector has accepted the

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1 form. Upon compliance with this procedure, the elector shall be permitted to cast his
2 or her vote, if the elector complies with all other requirements for voting at the polling
3 place.

4 **SECTION 16.** 6.55 (2) (c) 1. of the statutes is amended to read:

5 6.55 (2) (c) 1. As an alternative to registration at the polling place under pars.
6 (a) and (b), the board of election commissioners, or the governing body of any
7 municipality, may by resolution require a person who qualifies as an elector and who
8 is not registered and desires to register on the day of an election to do so at another
9 readily accessible location in the same building as the polling place serving the
10 elector's residence or at an alternate polling place assigned under s. 5.25 (5) (b),
11 instead of at the polling place serving the elector's residence. In such case, the
12 municipal clerk shall prominently post a notice of the registration location at the
13 polling place. An eligible elector who desires to register shall execute a registration
14 form as prescribed under par. (a) and provide proof of residence as provided under
15 s. 6.34. The signing by the person executing the registration form shall be in the
16 presence of the municipal clerk, deputy clerk, or special registration deputy. Upon
17 receipt of the registration form, the municipal clerk, deputy clerk, or special
18 registration deputy shall enter the type of identifying document submitted by the
19 elector as proof of residence in the space provided on the form. The municipal clerk,
20 the deputy clerk, or the special registration deputy shall then print his or her name
21 and sign the form, indicating that the clerk, deputy clerk, or deputy has accepted the
22 form. Upon proper completion of registration, the municipal clerk, deputy clerk, or
23 special registration deputy shall serially number the registration and give one copy
24 to the person for presentation at the polling place serving the person's residence or
25 an alternate polling place assigned under s. 5.25 (5) (b).

ASSEMBLY BILL 225**SECTION 17**

1 **SECTION 17.** 6.79 (2) (a) of the statutes is amended to read:

2 6.79 (2) (a) Unless information on the poll list is entered electronically, the
3 municipal clerk shall supply the inspectors with 2 copies of the most current official
4 registration list or lists prepared under s. 6.36 (2) (a) for use as poll lists at the polling
5 place. Except as provided in subs. (3) (b) and (c), (6), and (7), each eligible elector,
6 before receiving a serial number, shall state his or her full name and address and
7 present to the officials proof of identification. The officials shall verify that the name
8 on the proof of identification presented by the elector conforms to the name on the
9 poll list or separate list and shall verify that any photograph appearing on that
10 document reasonably resembles the elector. The officials shall then require the
11 elector to enter his or her signature on the poll list, supplemental list, or separate list
12 maintained under par. (c) unless the elector is exempt from the signature
13 requirement under s. 6.36 (2) (a). The officials shall verify that the name and address
14 stated by the elector conform to the elector's name and address on the poll list.

15 **SECTION 18.** 6.79 (2) (d) of the statutes is amended to read:

16 6.79 (2) (d) If the poll list indicates that proof of residence under s. 6.34 is
17 required and the document provided by the elector under par. (a) does not constitute
18 proof of residence under s. 6.34, the officials shall require the elector to provide proof
19 of residence. If proof of residence is provided, the officials shall enter the type of
20 identifying document submitted as proof of residence in the space provided on the
21 registration form and shall verify that the name and address on the ~~identification~~
22 ~~identifying~~ document submitted as proof of residence provided is the same as the
23 name and address shown on the registration list. If proof of residence is required and
24 not provided, or if the elector does not present proof of identification under par. (a),

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1 whenever required, the officials shall offer the opportunity for the elector to vote
2 under s. 6.97.

3 **SECTION 19.** 6.79 (3) (c) of the statutes is created to read:

4 6.79 (3) (c) 1. An elector who considers himself or herself to be indigent and
5 cannot obtain proof of identification without payment of a fee, an elector who has a
6 religious objection to being photographed, or an elector who cannot obtain the
7 documentation required to obtain proof of identification may, as an alternative to
8 presenting proof of identification, swear or affirm in an oath administered by the
9 chief inspector either that:

10 a. The elector considers himself or herself to be indigent and cannot obtain
11 proof of identification without payment of a fee.

12 b. The elector has a religious objection to being photographed.

13 c. The elector cannot obtain the documentation required to obtain proof of
14 identification.

15 2. An elector who makes an oath or affirmation under subd. 1. shall also sign
16 a statement in the form prescribed by the board making the same affirmation. The
17 inspector shall then write the words "Alternative identification" next to the elector's
18 name on the poll list or other list maintained under this section and shall enter the
19 elector's serial number on the back of the ballot before the ballot is given to the
20 elector. The municipal clerk or board of election commissioners may investigate the
21 qualifications of any elector who submits a statement under this subdivision and
22 may advise the municipal board of canvassers of his or her findings.

23 **SECTION 20.** 6.82 (1) (a) of the statutes is amended to read:

24 6.82 (1) (a) When any inspectors are informed that an eligible elector is at the
25 entrance to the polling place who as a result of disability is unable to enter the polling

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1 place, they shall permit the elector to be assisted in marking a ballot by any
2 individual selected by the elector, except the elector's employer or an agent of that
3 employer or an officer or agent of a labor organization which represents the elector.
4 Except as authorized in s. 6.79 (3) (b) and (c), (6), and (7), the individual selected by
5 the elector shall present to the inspectors proof of identification and, if the proof of
6 identification does not constitute proof of residence under s. 6.34, shall also provide
7 proof of residence under s. 6.34 for the assisted elector, whenever required, and all
8 other information necessary for the elector to obtain a ballot under s. 6.79 (2). The
9 inspectors shall verify that the name on the proof of identification presented by the
10 person assisting the elector conforms to the elector's name on the poll list or separate
11 list and, shall verify that any photograph appearing on that document reasonably
12 resembles the elector, and shall enter the type of identifying document submitted by
13 the assisted elector as proof of residence in the space provided on the poll list or
14 separate list. The inspectors shall then issue a ballot to the individual selected by
15 the elector and shall accompany the individual to the polling place entrance where
16 the assistance is to be given. If the ballot is a paper ballot, the assisting individual
17 shall fold the ballot after the ballot is marked by the assisting individual. The
18 assisting individual shall then immediately take the ballot into the polling place and
19 give the ballot to an inspector. The inspector shall distinctly announce that he or she
20 has "a ballot offered by (stating person's name), an elector who, as a result of
21 disability, is unable to enter the polling place without assistance". The inspector
22 shall then ask, "Does anyone object to the reception of this ballot?" If no objection
23 is made, the inspectors shall record the elector's name under s. 6.79 and deposit the
24 ballot in the ballot box, and shall make a notation on the poll list: "Ballot received
25 at poll entrance".

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1 **SECTION 21.** 6.86 (1) (b) of the statutes is amended to read:

2 6.86 (1) (b) Except as provided in this section, if application is made by mail,
3 the application shall be received no later than 5 p.m. on the 5th day immediately
4 preceding the election. ~~If Except as provided in par. (bb), if~~ application is made in
5 person, the application shall be made no earlier than the opening of business on the
6 3rd Monday preceding the election and no later than ~~5 p.m. or the close of business,~~
7 ~~whichever is later,~~ 6 p.m. on the Friday preceding the election. Except as provided
8 in par. (c), if the elector is making written application for an absentee ballot at the
9 partisan primary, the general election, the presidential preference primary, or a
10 special election for national office, and the application indicates that the elector is
11 a military elector, as defined in s. 6.34 (1), the application shall be received by the
12 municipal clerk no later than 5 p.m. on election day. If the application indicates that
13 the reason for requesting an absentee ballot is that the elector is a sequestered juror,
14 the application shall be received no later than 5 p.m. on election day. If the
15 application is received after 5 p.m. on the Friday immediately preceding the election,
16 the municipal clerk or the clerk's agent shall immediately take the ballot to the court
17 in which the elector is serving as a juror and deposit it with the judge. The judge shall
18 recess court, as soon as convenient, and give the elector the ballot. The judge shall
19 then witness the voting procedure as provided in s. 6.87 and shall deliver the ballot
20 to the clerk or agent of the clerk who shall deliver it to the polling place or, in
21 municipalities where absentee ballots are canvassed under s. 7.52, to the municipal
22 clerk as required in s. 6.88. If application is made under sub. (2) or (2m), the
23 application may be received no later than 5 p.m. on the Friday immediately
24 preceding the election.

25 **SECTION 22.** 6.86 (1) (bb) of the statutes is created to read:

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1 6.86 (1) (bb) An application made in person may only be received Monday to
2 Friday between the hours of 7:30 a.m. and 6 p.m, except that an individual may make
3 an appointment with the actual city, town, or village clerk, as appropriate, so that,
4 notwithstanding s. 7.21 (1), the clerk, not a member of the clerk’s staff or a designated
5 agent, may receive the individual’s application made in person after 6 p.m. or
6 anytime on Saturday or Sunday, not including the Saturday and Sunday after the
7 Friday preceding the election.

8 **SECTION 23.** 6.87 (6d) of the statutes is created to read:

9 6.87 (6d) If a certificate is missing the address of a witness, the ballot may not
10 be counted.

11 **SECTION 24.** 6.97 (3) (b) of the statutes is renumbered 6.97 (3) (b) 1. and
12 amended to read:

13 6.97 (3) (b) 1. Whenever the municipal clerk or executive director of the
14 municipal board of election commissioners is informed by the inspectors that a ballot
15 has been cast under this section, the clerk or executive director shall promptly
16 provide written notice to the board of canvassers of each municipality, special
17 purpose district, and county that is responsible for canvassing the election of the
18 number of ballots cast under this section in each ward or election district. The
19 municipal clerk or executive director then shall determine whether each individual
20 voting under this section is qualified to vote in the ward or election district where the
21 individual’s ballot is cast. If the elector is required to provide proof of identification
22 under s. 6.79 (2) or 6.86 (1) (ar) and fails to do so, the elector bears the burden of
23 correcting the omission by providing the proof of identification at the polling place
24 before the closing hour or by providing the proof of identification at the office of the

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1 municipal clerk or board of election commissioners serving his or her residence no
2 later than 4 p.m. on the Friday after the election.

3 2. The municipal clerk or executive director shall make a record of the
4 procedure used to determine the validity of each ballot cast under this section. If,
5 prior to 4 p.m. on the Friday after the election, the municipal clerk or executive
6 director determines that the individual is qualified to vote in the ward or election
7 district where the individual's ballot is cast, the municipal clerk or executive director
8 shall notify the board of canvassers for each municipality, special purpose district
9 and county that is responsible for canvassing the election of that fact.

10 **SECTION 25.** 7.08 (1) (c) of the statutes is amended to read:

11 7.08 (1) (c) Prescribe forms required by ss. 6.24 (3) and (4), 6.30 (4), 6.33 (1),
12 6.40 (1) (a), 6.47 (1) (am) 2. and (3), 6.55 (2), 6.79 (3) (c) 2., and 6.86 (2) to (3). All such
13 forms shall contain a statement of the penalty applicable to false or fraudulent
14 registration or voting through use of the form. Forms are not required to be furnished
15 by the board.

16 **SECTION 26.** 7.15 (2) (d) of the statutes is amended to read:

17 7.15 (2) (d) Whenever the governing body of any municipality submits any
18 question to a vote of the electors or whenever a proper recall petition and certificate
19 are filed under s. 9.10, the municipal clerk shall issue a call for the election and
20 prepare and distribute ballots as required in the authorization of submission or as
21 provided in s. 9.10. The date of the referendum shall be ~~fixed~~ established in
22 accordance with ss. 8.065 and 8.37 and shall be determined by the municipal clerk
23 or board of election commissioners unless otherwise provided by law or unless the
24 governing body ~~fixes a~~ determines the date. ~~If the governing body determines the~~
25 date, the date shall be established in accordance with ss. 8.065 and 8.37. The ballot

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1 for any referendum shall conform to s. 5.64 (2). If there is already an official
2 municipal referendum ballot for the election, the question may appear on the same
3 ballot.

4 **SECTION 27.** 7.30 (2) (a) and (b) of the statutes are amended to read:

5 7.30 (2) (a) Only election officials appointed under this section or s. 6.875 may
6 conduct an election. Except as otherwise provided in this paragraph and in ss. 7.15
7 (1) (k) and 7.52 (1) (b), each election official shall be a qualified elector of the ward
8 or wards, or the election district, for a county in which the polling place is established.
9 ~~A special registration deputy who is appointed under s. 6.55 (6) or an election official~~
10 ~~who is appointed under this section to fill a vacancy under par. (b) need not be a~~
11 ~~resident of the ward or wards, or the election district, but shall be a resident of the~~
12 ~~municipality, except that if where the official serves is located, and each chief~~
13 ~~inspector shall be a qualified elector of the municipality in which the chief inspector~~
14 ~~serves. If no qualified candidate for chief inspector is available or if the chief~~
15 ~~inspector is appointed to fill a vacancy under par. (b), the person so appointed need~~
16 ~~not be a qualified elector of the municipality. If a municipal clerk or deputy clerk~~
17 ~~serves as a registration deputy or is appointed to fill a vacancy under par. (b), the~~
18 ~~clerk or deputy clerk need not be a resident of the municipality county, but shall be~~
19 ~~a resident of the state. No more than 2 individuals holding the office of clerk or~~
20 ~~deputy clerk may serve without regard to municipal county residency in any~~
21 ~~municipality at any election. Special registration deputies who are appointed under~~
22 ~~s. 6.55 (6) may be appointed to serve more than one polling place. All officials~~
23 ~~appointed under this section shall be able to read and write the English language,~~
24 ~~be capable, and be of good understanding, and may not be a candidate for any office~~
25 ~~to be voted for at an election at which they serve. In 1st class cities, they may hold~~

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1 no public office other than notary public. Except as authorized under subs. (1) (b) and
2 (4) (c), all inspectors shall be affiliated with one of the 2 recognized political parties
3 which received the largest number of votes for president, or governor in
4 nonpresidential general election years, in the ward or combination of wards served
5 by the polling place at the last election. Excluding the inspector who may be
6 appointed under sub. (1) (b), the party which received the largest number of votes is
7 entitled to one more inspector than the party receiving the next largest number of
8 votes at each polling place. ~~Election officials appointed under this section may serve~~
9 ~~the electors of more than one ward where wards are combined under s. 5.15 (6) (b).~~
10 ~~If a municipality is not divided into wards, the ward requirements in this paragraph~~
11 ~~apply to the municipality at large. Whenever 2 or more inspectors are required to~~
12 ~~perform a function within a polling place and both parties that are entitled to submit~~
13 ~~nominees have done so, the chief inspector shall assign, insofar as practicable, an~~
14 ~~equal number of inspectors from the nominees of each party.~~

15 (b) When a vacancy occurs in an office under this section, the vacancy shall be
16 filled by appointment of the municipal clerk. Unless the vacancy occurs in the
17 position of an inspector appointed under sub. (1) (b), the vacancy shall be filled from
18 the remaining names on the lists submitted under sub. (4) or from additional names
19 submitted by the chairperson of the county party committee of the appropriate party
20 under sub. (4) whenever names are submitted under sub. (4) (d). If the vacancy is
21 due to candidacy, sickness or any other temporary cause, the appointment shall be
22 a temporary appointment and effective only for the election at which the temporary
23 vacancy occurs. The same qualifications that applied to original appointees shall be
24 required of persons who fill vacancies except that ~~a vacancy may be filled in cases~~
25 ~~of emergency or because of time limitations by a person who resides in another~~

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1 ~~aldermanic district or ward within the municipality, and if a municipal clerk or~~
2 ~~deputy clerk fills the vacancy, the clerk or deputy, but not more than a total of 2~~
3 ~~individuals in any municipality, may serve without regard to the clerk's or deputy's~~
4 ~~municipality~~ county of residence, if the clerk or deputy meets the other
5 qualifications.

6 **SECTION 28.** 7.41 (3) (intro.) and (a) of the statutes are amended to read:

7 7.41 (3) (intro.) The chief inspector or municipal clerk may order the removal
8 of any individual exercising the right under sub. (1) if that individual commits an
9 overt act which does any of the following:

10 (a) Disrupts the operation of the polling place, clerk's office, or alternate site
11 under s. 6.855; ~~or.~~

12 **SECTION 29.** 7.51 (2) (cm) of the statutes is created to read:

13 7.51 (2) (cm) The board of canvassers may review the validity of any ballot
14 submitted with a statement under s. 6.79 (3) (c) 2. in the same manner as provided
15 for challenged ballots under s. 6.95.

16 **SECTION 30.** 7.51 (3) (a) of the statutes is amended to read:

17 7.51 (3) (a) The inspectors shall place together all ballots counted by them
18 which relate to any national, state or county office or any state, county or technical
19 college district referendum and secure them together so that they cannot be untied
20 or tampered with without breaking the seal. The secured ballots together with any
21 ballots marked "Defective" shall then be secured by the inspectors chief inspector,
22 and, if available, one other inspector whose party affiliation is different than the
23 chief inspector's party affiliation, in the ballot container in such a manner that the
24 container cannot be opened without breaking the seals or locks, or destroying the
25 container. The inspectors shall place the ballots cast under s. 6.97 in a separate,

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1 securely sealed carrier envelope which is clearly marked "Section 6.97 ballots". The
2 chief inspector and 2 other inspectors shall sign the carrier envelope. The carrier
3 envelope shall not be placed in the ballot container. The inspectors shall then deliver
4 the ballots to the municipal clerk in the ballot container and carrier envelope.

5 **SECTION 31.** 7.52 (8) of the statutes is amended to read:

6 7.52 (8) The board of absentee ballot canvassers shall make full and accurate
7 return of the votes cast for each candidate and proposition on the tally sheet forms.
8 Each tally sheet shall record the returns for each office or referendum by ward,
9 unless combined returns are authorized in accordance with s. 5.15 (6) (b), in which
10 case the tally sheet shall record the returns for each group of combined wards. After
11 recording the votes, the board of absentee ballot canvassers shall seal in a carrier
12 envelope outside the ballot bag or container one inspector's statement under sub. (4)
13 (d), one tally sheet, and one poll list for delivery to the county clerk, unless the
14 election relates only to municipal or school district offices ~~or referenda~~. The board
15 of absentee ballot canvassers shall also similarly seal one statement, one tally sheet,
16 and one poll list for delivery to the municipal clerk.

17 **SECTION 32.** 8.05 (3) (d) of the statutes is amended to read:

18 8.05 (3) (d) The question of adoption of the nonpartisan primary under this
19 subsection may be submitted to the electors at ~~any regular~~ an election authorized
20 under s. 8.065 (2) to be held in the town or at a special election called for the purpose.
21 When a petition requesting adoption of the nonpartisan primary conforming to the
22 requirements of s. 8.40 and signed by at least 20 electors of the town is filed with the
23 town clerk as provided in s. 8.37, the question shall be submitted to a vote.

24 **SECTION 33.** 8.05 (3) (e) of the statutes is amended to read:

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1 8.05 (3) (e) Petitions requesting a vote on the question at a regular town
2 election shall be filed in accordance with s. 8.37 no later than 5 p.m. the last Tuesday
3 in February. When the petition is filed, the clerk shall check its sufficiency. ~~Whether~~
4 ~~at a regular or special election, the~~ The clerk shall give separate notice by one
5 publication in a newspaper at least 5 days before the election.

6 **SECTION 34.** 8.06 of the statutes is amended to read:

7 **8.06 Special elections may be called.** Towns, cities, villages, and school
8 districts may call special elections for any purpose whenever such action is
9 authorized or required by law. If an, and may include a call for a special referendum.
10 A special election is called that includes a call for a special referendum, ~~the election~~
11 shall be noticed under s. 8.55.

12 **SECTION 35.** 8.065 of the statutes is created to read:

13 **8.065 Scheduling of referendums. (1)** In this section, “local governmental
14 unit” means a political subdivision of this state, a special purpose district in this
15 state, an instrumentality or corporation of such a political subdivision or special
16 purpose district, a combination or subunit of any of the foregoing, or an
17 instrumentality of the state and any of the foregoing.

18 **(2)** Unless otherwise required by law, a referendum held by any local
19 governmental unit that is authorized or required by law to hold a referendum may
20 be held only concurrently with the spring primary, spring election, partisan primary,
21 or general election or with a special election.

22 **SECTION 36.** 8.50 (intro.) of the statutes is amended to read:

23 **8.50 Special elections.** (intro.) Unless otherwise provided, this section
24 applies to filling vacancies in the U.S. senate and house of representatives, executive
25 state offices except the offices of governor, lieutenant governor, and district attorney,

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1 judicial and legislative state offices, county, city, village, and town offices, and the
2 offices of municipal judge and member of the board of school directors in school
3 districts organized under ch. 119. State Congressional and state legislative offices
4 may be filled in anticipation of the occurrence of a vacancy whenever authorized in
5 sub. (4) (bm) or (e). No special election may be held after February 1 preceding the
6 spring election unless it is held on the same day as the spring election, nor after
7 August 1 preceding the general election unless it is held on the same day as the
8 general election, until the day after that election. If the special election is held on
9 the day of the general election, the primary for the special election, if any, shall be
10 held on the day of the partisan primary. If the special election is held on the day of
11 the spring election, the primary for the special election, if any, shall be held on the
12 day of the spring primary.

13 **SECTION 37.** 8.50 (1) (a) of the statutes is amended to read:

14 8.50 (1) (a) When there is to be a special election,; the county board of
15 supervisors shall, except as provided in s. 17.21 (5), order the special election for
16 county office ~~shall be ordered by the county board of supervisors except as provided~~
17 ~~in s. 17.21 (5); the common council shall order the~~ special election for city office ~~shall~~
18 ~~be ordered by the common council; the board of trustees shall order the~~ special
19 election for village office ~~shall be ordered by the board of trustees; the town board of~~
20 supervisors shall order the special election for town office ~~shall be ordered by the~~
21 ~~town board of supervisors; the school board shall order the~~ special election for school
22 board member in a school district organized under ch. 119 ~~shall be ordered by the~~
23 ~~school board; the governing body of the municipality shall order the~~ special election
24 for municipal judge ~~shall be ordered by the governing body of the municipality, except~~
25 in 1st class cities, or if the judge is elected under s. 755.01 (4) jointly by the governing

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1 bodies of all municipalities served by the judge; and the governor shall order all other
2 special elections ~~shall be ordered by the governor~~. When the governor or attorney
3 ~~general~~ issues the order, it shall be filed and recorded in the office of the board. When
4 the county board of supervisors issues the order, it shall be filed and recorded in the
5 office of the county clerk. When the county executive issues the order, it shall be filed
6 in the office of the county board of election commissioners. When the common council
7 issues the order, it shall be filed in the office of the city clerk. When the board of
8 trustees issues the order, it shall be filed in the office of the village clerk. When the
9 town board of supervisors issues the order, it shall be filed in the office of the town
10 clerk. When the school board of a school district organized under ch. 119 issues the
11 order, it shall be filed and recorded in the office of the city board of election
12 commissioners. If a municipal judge is elected under s. 755.01 (4), the order shall be
13 filed in the office of the county clerk or board of election commissioners of the county
14 having the largest portion of the population of the jurisdiction served by the judge.

15 **SECTION 38.** 8.50 (1) (c) of the statutes is amended to read:

16 8.50 (1) (c) The order and notice shall specify the office to be filled, the
17 expiration date of the remaining term of office, the date of the election, the earliest
18 date for circulating and deadline for filing nomination papers, the area involved in
19 the election, the name of the incumbent before the vacancy occurred and a
20 description of how the vacancy occurred, or for an election held under sub. (4) (bm)
21 or (e), the name of the incumbent and a description of how and when the vacancy is
22 expected to occur. Except as otherwise provided in this paragraph, the notice shall
23 include the information specified in s. 10.01 (2) (a).

24 **SECTION 39.** 8.50 (2) (a) of the statutes is amended to read:

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1 8.50 (2) (a) The date for the special election shall be not less earlier than 62 ~~not~~
2 ~~more than 77~~ days from the date of the order except when the special election is held
3 to fill a vacancy in a national office or the special election is held on the day of the
4 general election or spring election. If a special election is held concurrently with the
5 spring election, the special election may be ordered ~~not earlier than 92 days prior to~~
6 ~~the spring primary~~ and not later than 49 days prior to ~~that~~ the spring primary. If a
7 special election is held concurrently with the general election or a special election is
8 held to fill a national office, the special election may be ordered not ~~earlier than 122~~
9 later than 92 days prior to the partisan primary or special primary, respectively, ~~and~~
10 ~~not later than 92 days prior to that primary.~~

11 **SECTION 40.** 8.50 (4) (bm) of the statutes is created to read:

12 8.50 (4) (bm) Whenever a U.S. senator or representative in congress is elected
13 to another office after the commencement of his or her term, and the term of the new
14 office or the period during which the senator or representative is eligible to assume
15 that office commences prior to the end of the senator's or representative's original
16 term of office, the governor may call a special election to fill the seat of the senator
17 or representative in anticipation of a vacancy, upon receipt of notice from the
18 secretary of state that the secretary has received notice of the written resignation of
19 that senator or representative under s. 17.02 (1) that is effective on a date not later
20 than the date of the proposed special election.

21 **SECTION 41.** 8.50 (4) (f) 1. and 2. of the statutes are amended to read:

22 8.50 (4) (f) 1. Except as provided in subds. 2. and 3., a vacancy in the office of
23 justice, court of appeals judge, or circuit judge occurring in any year after the date
24 of the spring election and on or before ~~December~~ August 1 shall be filled, if in the
25 office of circuit judge, at the succeeding spring election; if in the office of court of

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1 appeals judge, at the first succeeding spring election when no other court of appeals
2 judge is to be elected from the same court of appeals district; or, if in the office of
3 justice, at the first succeeding spring election when no other justice is to be elected.

4 A vacancy in the office of justice, court of appeals judge, or circuit judge occurring
5 after ~~December~~ August 1 and on or before the date of the succeeding spring election
6 shall be filled, if in the office of circuit judge, at the 2nd succeeding spring election;
7 if in the office of court of appeals judge, at the first spring election, beginning with
8 the 2nd succeeding spring election, when no other court of appeals judge is to be
9 elected from the same court of appeals district; or, if in the office of justice, at the first
10 spring election, beginning with the 2nd succeeding spring election, when no other
11 justice is to be elected.

12 2. If a vacancy in the office of justice, court of appeals judge, or circuit judge
13 occurs after ~~December~~ August 1 and on or before the date of the succeeding spring
14 election as the result of the resignation of the incumbent, if an election for that seat
15 is scheduled to be held at the succeeding spring election and if the incumbent is not
16 a candidate to succeed himself or herself, the vacancy shall be filled at the regularly
17 scheduled election.

18 **SECTION 42.** 9.01 (1) (ag) 1m. of the statutes is amended to read:

19 9.01 (1) (ag) 1m. If the difference between the votes cast for the leading
20 candidate and those cast for the petitioner or the difference between the affirmative
21 and negative votes cast upon any referendum question is at least 10 if 1,000 or less
22 fewer votes are cast or is more than ~~0.5%~~ 0.5 percent but not more than ~~2%~~ 2 percent
23 if more than 1,000 votes are cast following canvassing of all valid provisional and
24 absentee ballots, the petitioner shall pay a fee of ~~\$5~~ \$25 for each ward for which the

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1 petition requests a ballot recount, or ~~\$5~~ \$25 for each municipality for which the
2 petition requests a recount where no wards exist.

3 **SECTION 43.** 9.01 (1) (b) (intro.) of the statutes is amended to read:

4 9.01 (1) (b) (intro.) The proper board of canvassers shall reconvene no earlier
5 than 9 a.m. on the day following delivery of notice to all candidates under sub. (2) and
6 no later than 9 a.m. on the day following the last day for filing of a petition. The
7 municipal clerk shall provide the board of canvassers with all ballots, registrations
8 under s. 6.55 (2), and other voting materials relating to the election except
9 information to which access is restricted under s. 6.36 (1) (b). The board of canvassers
10 shall then proceed to recount the ballots in the wards or municipalities specified and
11 to review the allegations of fact contained in the petition or petitions. The recount
12 shall proceed for each ward or municipality as follows:

13 **SECTION 44.** 9.01 (1) (b) 1. of the statutes is amended to read:

14 9.01 (1) (b) 1. The board of canvassers shall first compare the poll lists and
15 determine the number of voting electors. In determining the number of voting
16 electors, the board of canvassers shall hear and decide any objection to the validity
17 of a voting elector's registration under s. 6.55 (2). If the board of canvassers
18 determines that the registration of the voting elector is invalid, the board of
19 canvassers shall reduce the number of voting electors accordingly. If an elector has
20 voted in person at a polling place and is required to sign the poll list but does not do
21 so, the elector shall not be considered a voting elector.

22 **SECTION 45.** 9.10 (2) (b) of the statutes is amended to read:

23 9.10 (2) (b) A recall petition for a city, village, town, town sanitary district, or
24 school district ~~office officer~~ shall contain a statement of a reason for the recall which
25 is related to the official responsibilities of indicating that the official for whom

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1 removal is sought has been charged with committing a crime, as defined under s.
2 939.12, violating s. 19.59 (1), or violating a local ordinance establishing a local code
3 of ethics, as provided under s. 19.59 (1m).

4 **SECTION 46.** 9.10 (2) (d) of the statutes is amended to read:

5 9.10 (2) (d) No petition may be offered for filing for the recall of an officer unless
6 the petitioner first files a registration statement under s. 11.05 (1) or (2) with the
7 filing officer with whom the petition is filed. The petitioner shall append to the
8 registration a statement indicating his or her intent to circulate a recall petition, the
9 name of the officer for whom recall is sought and, in the case of a petition for the recall
10 of a city, village, town, town sanitary district, or school district officer, a statement
11 of a reason for the recall ~~which is related to the official responsibilities of~~ indicating
12 that the official for whom removal is sought has been charged with committing a
13 crime, as defined under s. 939.12, violating s. 19.59 (1), or violating a local ordinance
14 establishing a local code of ethics, as provided under s. 19.59 (1m), and a copy of the
15 criminal or civil complaint alleging the crime or violation. No petitioner may
16 circulate a petition for the recall of an officer prior to completing registration. The
17 last date that a petition for the recall of an officer may be offered for filing is 5 p.m.
18 on the 60th day commencing after registration. After the recall petition has been
19 offered for filing, no name may be added or removed. No signature may be counted
20 unless the date of the signature is within the period provided in this paragraph.

21 **SECTION 47.** 9.20 (4) of the statutes is renumbered 9.20 (4) (intro.) and amended
22 to read:

23 9.20 (4) (intro.) The common council or village board shall, without alteration,
24 either pass to the ordinance or resolution, do one of the following:

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1 (a) Pass the ordinance or resolution within 30 days following the date of the
2 clerk's final certificate, ~~or submit it.~~

3 (b) Submit the ordinance or resolution to the electors at the next spring or
4 general election, if the election is more than 6 weeks after the date of the council's
5 or board's action on the petition or the expiration of the 30-day period, whichever
6 first occurs.

7 (c) If there are 6 weeks or less before the election, the ordinance or resolution
8 shall be voted on at the next succeeding election thereafter. ~~The council or board by~~
9 ~~a three-fourths vote of the members-elect may order a special election for the~~
10 ~~purpose of voting on the ordinance or resolution at any time prior to the next election,~~
11 ~~but not more than one special election for direct legislation may be ordered in any~~
12 ~~6-month period~~ authorized under s. 8.065 (2).

13 **SECTION 48.** 11.01 (11g) and (11r) of the statutes are created to read:

14 **11.01 (11g)** "Independent disbursement" means a disbursement to make a
15 communication that expressly advocates the election or defeat of a clearly identified
16 candidate, that is made without cooperation or consultation with a candidate, or any
17 authorized committee or agent of a candidate, and that is not made in concert with,
18 or at the request or suggestion of, any candidate, or any authorized committee or
19 agent of a candidate.

20 **(11r)** "Independent disbursement committee" means a committee that makes
21 no disbursements other than independent disbursements and disbursements made
22 for the administrative support of the committee.

23 **SECTION 49.** 11.01 (16) (intro.) of the statutes is amended to read:

24 **11.01 (16)** (intro.) An act is for "political purposes" when it is done for the
25 purpose of influencing the election or nomination for election of any individual to

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1 state or local office, for the purpose of influencing the recall from or retention in office
2 of an individual holding a state or local office, for the purpose of payment of expenses
3 incurred as a result of a recount at an election, or for the purpose of influencing a
4 particular vote at a referendum, except as provided in par. (b). In the case of a
5 candidate, or a committee or group which is organized primarily for the purpose of
6 influencing the election or nomination for election of any individual to state or local
7 office, for the purpose of influencing the recall from or retention in office of an
8 individual holding a state or local office, or for the purpose of influencing a particular
9 vote at a referendum, all administrative and overhead expenses for the maintenance
10 of an office or staff which are used principally for any such purpose are deemed to
11 be for a political purpose.

12 **SECTION 50.** 11.01 (16) (a) (intro.) of the statutes is amended to read:

13 11.01 **(16)** (a) (intro.) Acts which are for “political purposes” include ~~but are not~~
14 ~~limited to:~~

15 **SECTION 51.** 11.01 (16) (a) 1. of the statutes is repealed and recreated to read:

16 11.01 **(16)** (a) 1. The making of a communication that contains one or more
17 terms such as the following or their functional equivalents with reference to a clearly
18 identified candidate that expressly advocates the election or defeat of that candidate
19 and that unambiguously relates to the campaign of that candidate:

20 a. “Vote for.”

21 b. “Elect.”

22 c. “Support.”

23 d. “Cast your ballot for.”

24 e. “Smith for Assembly.”

25 f. “Vote against.”

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1 g. "Defeat."

2 h. "Reject."

3 **SECTION 52.** 11.01 (16) (b) of the statutes renumbered 11.01 (16) (b) (intro.) and
4 is amended to read:

5 11.01 (16) (b) (intro.) A "political purpose" does not include expenditures;

6 2. An expenditure made for the purpose of supporting or defending a person
7 who is being investigated for, charged with or convicted of a criminal violation of state
8 or federal law, or an agent or dependent of such a person.

9 **SECTION 53.** 11.01 (16) (b) 1. of the statutes is created to read:

10 11.01 (16) (b) 1. A communication made by an individual other than a
11 candidate, or by an organization not organized exclusively for a purpose specified in
12 sub. (16) (intro.) and the communication does not expressly advocate the election or
13 defeat of a clearly identified candidate or the adoption or rejection of a question at
14 a referendum.

15 **SECTION 54.** 11.05 (3) (c) of the statutes is amended to read:

16 11.05 (3) (c) In the case of a committee, a statement as to whether the
17 committee is a personal campaign committee, a political party committee, a
18 legislative campaign committee, a support committee or a special interest
19 committee, and a statement as to whether the committee is an independent
20 disbursement committee.

21 **SECTION 55.** 11.05 (8) of the statutes is renumbered 11.05 (8) (intro.) and
22 amended to read:

23 11.05 (8) CERTAIN INTRA-REGISTRANT TRANSFERS EXEMPT. (intro.) If an
24 organization which that is not organized exclusively for political purposes makes a
25 contribution from its own property or funds to a committee or group, affiliated with

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1 the organization, ~~which is~~ and organized exclusively for political purposes, and the
2 all of the following apply, then no registration requirement applies to the
3 contributing organization:

4 (a) The contributing organization receives no contribution from a single source
5 in excess of \$20 \$100 in the aggregate during any calendar year, ~~and it.~~

6 (b) The contributing organization makes no contributions or disbursements
7 and incurs no obligations other than to make the transactions specified in this
8 subsection, ~~then no registration requirement applies to the contributing~~
9 ~~organization.~~

10 **SECTION 56.** 11.05 (11g) of the statutes is created to read:

11 11.05 (11g) LIMITED POLITICAL ACTIVITY EXEMPT. (a) An individual other than
12 a candidate, or a corporation, association, or other entity not organized exclusively
13 for political purposes, that makes one or more independent disbursements is subject
14 to a reporting requirement under this section only with respect to independent
15 disbursements that the individual or entity makes and the contributions it receives
16 specifically for the purpose of making independent disbursements.

17 (b) If a corporation, association, or other entity makes no contributions or
18 disbursements other than to or on behalf of one or more independent disbursement
19 committees and receives no contributions or other income for the express purpose of
20 making independent disbursements, the corporation, association, or other entity is
21 not subject to a registration requirement under this section.

22 **SECTION 57.** 11.06 (1) (intro.) of the statutes is amended to read:

23 11.06 (1) CONTENTS OF REPORT. (intro.) Except as provided in subs. (1g), (2), (3)
24 and (3m) and ss. 11.05 (2r) and 11.19 (2), each registrant under s. 11.05 shall make
25 full reports, upon a form prescribed by the board and signed by the appropriate

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1 individual under sub. (5), of all contributions received, contributions or
2 disbursements made, and obligations incurred. Each report shall contain the
3 following information, covering the period since the last date covered on the previous
4 report, unless otherwise provided:

5 **SECTION 58.** 11.06 (1) (j) of the statutes is amended to read:

6 11.06 (1) (j) In the case of a committee or individual filing an oath under sub.
7 (7), a separate schedule showing for each independent disbursement ~~which is made~~
8 ~~independently of a candidate~~, other than a contribution made to that candidate, the
9 name of the candidate or candidates ~~on~~ in whose behalf or in opposition to whom the
10 disbursement is made, indicating whether the purpose is support or opposition.

11 **SECTION 59.** 11.06 (1g) of the statutes is created to read:

12 11.06 (1g) LIMITED POLITICAL ACTIVITY EXEMPT. An individual other than a
13 candidate, or a corporation, association, or other entity not organized exclusively for
14 political purposes, that makes one or more independent disbursements is subject to
15 a reporting requirement under this section only with respect to independent
16 disbursements that the individual or entity makes and the contributions it receives
17 specifically for the purpose of making independent disbursements.

18 **SECTION 60.** 11.09 of the statutes is repealed.

19 **SECTION 61.** 11.12 (1) (d) of the statutes is amended to read:

20 11.12 (1) (d) Paragraph (a) does not apply to disbursements and obligations
21 which are exempted from reporting under s. 11.06 (1g) or (2).

22 **SECTION 62.** 11.12 (3) of the statutes is amended to read:

23 11.12 (3) All contributions, disbursements and incurred obligations exceeding
24 \$10 ~~\$25~~ shall be recorded by the campaign or committee treasurer or the individual
25 under s. 11.06 (7). He or she shall maintain such records in an organized and legible

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1 manner, for not less than 3 years after the date of an election in which the registrant
2 participates. If a report is submitted under s. 11.19 (1), the records may be
3 transferred to a continuing committee or to the appropriate filing officer for
4 retention. Records shall include the information required under s. 11.06 (1).

5 **SECTION 63.** 11.12 (4) of the statutes is amended to read:

6 11.12 (4) Each registrant shall report contributions, disbursements and
7 incurred obligations in accordance with s. 11.20. Except as permitted under s. 11.06
8 (1g), (2), (3) and (3m), each report shall contain the information which is required
9 under s. 11.06 (1).

10 **SECTION 64.** 11.16 (1) (d) of the statutes is amended to read:

11 11.16 (1) (d) This subsection does not apply to disbursements and obligations
12 which are exempted from reporting under s. 11.06 (1g) or (2).

13 **SECTION 65.** 11.25 (4) of the statutes is created to read:

14 11.25 (4) No independent disbursement committee that accepts any
15 contribution from an entity specified in s. 11.38 (1) (a) 1. may make any contribution
16 that the entity is prohibited from making under s. 11.38 (1) (a) 1.

17 **SECTION 66.** 11.29 (1) of the statutes is amended to read:

18 11.29 (1) ~~Nothing in this chapter restricts any~~ A corporation, cooperative,
19 unincorporated cooperative association, or voluntary association, other than a
20 political party or personal campaign committee ~~from making disbursements, may~~
21 make a disbursement for the purpose of communicating only with its members,
22 shareholders, or subscribers, to the exclusion of all other persons, with respect to
23 ~~endorsements of candidates, positions~~ the endorsement of a candidate, taking a
24 position on a referendum ~~or explanation of, explaining~~ its views or interests, or
25 providing information about how to make a contribution to a candidate endorsed by

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1 the corporation, cooperative, or association without reporting such activity. No such
2 corporation, cooperative, or association may solicit contributions from persons who
3 are not members, shareholders, or subscribers to be used for such purposes activity.

4 **SECTION 67.** 11.33 (2m) of the statutes is created to read:

5 11.33 (2m) This section does not apply to the cost of materials or distribution
6 of a communication made by a member of the legislature to an address located within
7 the legislative district represented by that member during the 45-day period
8 following declaration of a state of emergency by the governor under s. 323.10
9 affecting any county in which the district is located if the communication relates
10 solely to the subject of the emergency.

11 **SECTION 68.** 11.38 (title) and (1) (a) 1. of the statutes are amended to read:

12 **11.38 (title) Contributions and disbursements by corporations and**
13 **cooperatives, certain associations, and other entities.** (1) (a) 1. No foreign or
14 domestic corporation, or association organized under ch. 185 or 193, may make any
15 contribution ~~or disbursement, directly or indirectly, either independently or through~~
16 ~~any political party, committee, group, candidate or individual for any purpose other~~
17 ~~than to promote or defeat a referendum~~ except to an individual or group for the
18 purpose of advocating the adoption or rejection of a referendum question or to an
19 independent disbursement committee.

20 **SECTION 69.** 11.38 (1) (a) 4. to 7. of the statutes are created to read:

21 11.38 (1) (a) 4. Any foreign or domestic corporation, association organized
22 under ch. 185 or 193, or other entity that is not organized exclusively for political
23 purposes may make an independent disbursement. A corporation, association, or
24 other entity that makes an independent disbursement is not subject to a reporting
25 requirement under s. 11.06 (1) on account of such activity.

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1 5. A corporation, association, or other entity that makes one or more
2 independent disbursements in a total amount or value exceeding \$750 in the
3 aggregate during a calendar year shall file a registration statement with the
4 appropriate filing officer before making any independent disbursement or
5 disbursements exceeding that amount or value. The corporation, association, or
6 other entity shall also file an oath prescribed by the board affirming its independence
7 from any candidate or candidate's agent or authorized committee. The registration
8 statement shall be filed on a form prescribed by the board, which shall include the
9 name and mailing address of the corporation, association, or other entity, the identity
10 of the custodian of records for the corporation, association, or other entity and the
11 address where the records are kept, and the name and address of a financial
12 institution at which the corporation, association, or other entity has established an
13 account and from which the entity makes the independent disbursements.

14 6. A corporation, association, or other entity that makes one or more
15 independent disbursements shall file reports with the appropriate filing officer
16 showing the amount of each independent disbursement, the date on which it is made,
17 and the name of the candidate or candidates on whose behalf or in opposition to
18 whom the disbursement is made, indicating whether the purpose is support or
19 opposition. Except during the period specified in s. 11.12 (6), the reports shall be filed
20 within 72 hours after the independent disbursement is made to the general public.
21 During the period specified in s. 11.12 (6), the reports shall be filed within 24 hours
22 after the independent disbursement is made to the general public. The reports shall
23 include the identity of any donor to the corporation, association, or other entity who
24 made a donation specifically in support of any independent disbursement.

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1 7. A corporation, association, or other entity that makes one or more
2 independent disbursements shall include in each communication an oral or written
3 attribution identifying the corporation, association, or entity with the words “Paid
4 for by” followed by the name of the corporation, association, or entity and the words
5 “Not authorized by any candidate or political party or their respective agents.”

6 **SECTION 70.** 11.38 (1) (b) of the statutes is amended to read:

7 11.38 (1) (b) No political party, committee, group, candidate or individual may
8 accept any contribution ~~or disbursement~~ made to or on behalf of such individual or
9 entity which is prohibited by this section.

10 **SECTION 71.** 11.38 (2) (c) of the statutes is repealed.

11 **SECTION 72.** 11.38 (8) (b) of the statutes is amended to read:

12 11.38 (8) (b) Except as authorized in s. 11.05 (11g), (12) (b) and (13), prior to
13 making any disbursement exceeding the amount specified under s. 11.23 (1) on
14 behalf of a political group which is promoting or opposing a particular vote at a
15 referendum and prior to accepting any contribution or making any disbursement
16 exceeding that amount to promote or oppose a particular vote at a referendum, a
17 corporation or association organized under ch. 185 or 193 that becomes subject to a
18 registration requirement under s. 11.23 (1) shall register with the appropriate filing
19 officer specified in s. 11.02 and appoint a treasurer. The registration form of the
20 corporation or association under s. 11.05 shall designate an account separate from
21 all other corporation or association accounts as a campaign depository account,
22 through which all moneys received or expended for the adoption or rejection of the
23 referendum shall pass. The corporation or association shall file periodic reports
24 under s. 11.20 providing the information required under s. 11.06 (1) except as
25 authorized in s. 11.06 (1g).

ASSEMBLY BILL 225**SECTION 73**

1 **SECTION 73.** 13.625 (1) (c) (intro.) of the statutes is amended to read:

2 13.625 (1) (c) (intro.) Except as permitted in this subsection, make a campaign
3 contribution, as defined in s. 11.01 (6), to a partisan elective state official for the
4 purpose of promoting the official's election to any national, state, or local office; or
5 to a candidate for a partisan elective state office to be filled at the general election
6 or a special election; or to the official's or candidate's personal campaign committee.
7 A lobbyist may make a campaign contribution to a partisan elective state official or
8 candidate for partisan elective state office or his or her to the personal campaign
9 committee may be made of the official or candidate in the year of -a- the official's or
10 candidate's election between June 1 the first day authorized by law for the circulation
11 of nomination papers as a candidate and the day of the general election, except that:

12 **SECTION 74.** 17.02 (1) of the statutes is amended to read:

13 17.02 (1) SENATORS AND MEMBERS OF CONGRESS. Of the resignation of a United
14 States senator or member of congress from this state, by the senator or member of
15 congress to the secretary of state. Upon receipt of notice of the resignation, the
16 secretary of state shall give immediate notice to the governor of the resignation
17 including the effective date thereof.

18 **SECTION 75.** 17.18 of the statutes is amended to read:

19 **17.18 Vacancies, U.S. senator and representative in congress; how**
20 **filled.** Vacancies in the office of U.S. senator or representative in congress from this
21 state shall be filled by election, as provided in s. 8.50 (4) (b), for the residue of the
22 unexpired term. In addition, an anticipated vacancy in the office of U.S. senator or
23 representative in congress may be filled as provided in s. 8.50 (4) (bm).

24 **SECTION 76.** 24.66 (3) (b) of the statutes is amended to read:

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1 24.66 (3) (b) *For long-term loans by unified school districts.* Every application
2 for a loan, the required repayment of which exceeds 10 years, shall be approved and
3 authorized for a unified school district by a majority vote of the members of the school
4 board at a regular or special meeting of the school board. Every vote so required shall
5 be by ayes and noes duly recorded. In addition, the application shall be approved for
6 a unified school district by a majority vote of the electors of the school district at ~~a~~
7 ~~special~~ an election as provided under sub. (4).

8 **SECTION 77.** 24.66 (4) of the statutes is amended to read:

9 24.66 (4) POPULAR VOTE, WHEN REQUIRED. If any municipality is not empowered
10 by law to incur indebtedness for a particular purpose without first submitting the
11 question to its electors, the application for a state trust fund loan for that purpose
12 must be approved and authorized by a majority vote of the electors at ~~a special~~ an
13 election ~~called,~~ authorized under s. 8.065 (2) and noticed and held in the manner
14 provided for other ~~special elections~~ referendums. The question to be voted on shall
15 be filed as provided in s. 8.37. The notice of the election referendum shall state the
16 amount of the proposed loan and the purpose for which it will be used.

17 **SECTION 78.** 32.72 (1) of the statutes is amended to read:

18 32.72 (1) Sections 32.50 to 32.71 do not take effect in any city until the following
19 question is submitted to the electors of the city at ~~a special~~ an election, authorized
20 under s. 8.065 (2), and adopted by a majority vote of the electors voting: "Shall
21 subchapter II of chapter 32, Wisconsin Statutes, be effective in the city of,
22 thus allowing the city to acquire and condemn property for street widening and
23 similar purposes, financed through assessments of benefits and damages?". The
24 question shall be filed as provided in s. 8.37.

25 **SECTION 79.** 38.15 (1) of the statutes is amended to read:

ASSEMBLY BILL 225**SECTION 79**

1 38.15 (1) Subject to sub. (3), if the district board intends to make a capital
2 expenditure in excess of \$1,500,000, excluding moneys received from gifts, grants or
3 federal funds, for the acquisition of sites; the purchase or construction of buildings;
4 the lease/purchase of buildings if costs exceed \$1,500,000 for the lifetime of the lease;
5 building additions or enlargements; or the purchase of fixed equipment relating to
6 any such activity, it shall adopt a resolution stating its intention to do so and
7 identifying the anticipated source of revenue for each project and shall submit the
8 resolution to the electors of the district for approval. The referendum may be held
9 at an election authorized under s. 8.065 (2) and shall be noticed, called, and
10 conducted as provided in s. 67.05 (3) insofar as applicable. For the purposes of this
11 section, all projects located on a single campus site within one district which are bid
12 concurrently or which are approved by the board under s. 38.04 (10) within a 2-year
13 period shall be considered as one capital expenditure project.

14 **SECTION 80.** 38.16 (3) (br) 1. of the statutes is amended to read:

15 38.16 (3) (br) 1. If a district board wishes to exceed the limit under par. (b)
16 otherwise applicable to the district in 2011 or 2012, it shall adopt a resolution
17 supporting inclusion in the final district budget of an amount equal to the proposed
18 excess levy. The resolution shall be filed as provided in s. 8.37. Within 10 days after
19 adopting the resolution, the district board shall submit a copy of the resolution to the
20 board and shall notify the board of the scheduled date of the referendum ~~and submit~~
21 ~~a copy of the resolution to the board.~~ ~~The district board shall call a special~~
22 ~~referendum to be called~~ for the purpose of submitting the resolution to the electors
23 of the district for approval or rejection. ~~In lieu of a special referendum, the district~~
24 ~~board may specify that the~~ The referendum shall be held at the next succeeding
25 ~~spring primary or election or partisan primary or general election, if such election~~

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1 ~~is to be held~~ authorized under s. 8.065 (2) that occurs not sooner than 42 days after
2 the filing of the resolution of the district board. The district board shall certify the
3 results of the referendum to the board within 10 days after the referendum is held.

4 **SECTION 81.** 59.08 (7) (b) of the statutes is amended to read:

5 59.08 (7) (b) The question of the consolidation of the counties shall be submitted
6 to the voters at the next election ~~to be held on the first Tuesday in April, or the next~~
7 ~~regular election, or at a special election~~ authorized under s. 8.065 (2) to be held on
8 ~~the day fixed in a date specified in the order issued under par. (a), which day date~~
9 shall be no sooner than 70 days from the completion of the consolidation agreement
10 and which date shall be the same in each of the counties proposing to consolidate.

11 A copy of the order shall be filed with the county clerk of each of the counties as
12 provided in s. 8.37. ~~If the question of consolidation is submitted at a special election,~~
13 ~~it shall be held not less than 70 days nor more than 88 days from the completion of~~
14 ~~the consolidation agreement, but not within 60 days of any spring or general election.~~

15 **SECTION 82.** 59.605 (3) (a) 1. of the statutes is amended to read:

16 59.605 (3) (a) 1. If the governing body of a county wishes to exceed the operating
17 levy rate limit otherwise applicable to the county under this section, it shall adopt
18 a resolution to that effect. The resolution shall specify either the operating levy rate
19 or the operating levy that the governing body wishes to impose for either a specified
20 number of years or an indefinite period. The governing body shall ~~call a special~~
21 ~~referendum for the purpose of submitting the resolution to the electors of the county~~
22 ~~for approval or rejection. In lieu of a special referendum, the governing body may~~
23 ~~specify that~~ provide for the referendum to be held at the next succeeding spring
24 ~~primary or election or partisan primary or general election to be held~~ authorized
25 under s. 8.065 (2) that occurs not earlier than 70 days after the adoption of the

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1 resolution of the governing body. The governing body shall file the resolution to be
2 submitted to the electors as provided in s. 8.37.

3 **SECTION 83.** 60.62 (2) of the statutes is amended to read:

4 60.62 (2) If the county in which the town is located has enacted a zoning
5 ordinance under s. 59.69, the exercise of the authority under sub. (1) is subject to
6 approval by the town meeting or by a referendum vote of the electors of the town to
7 be held at the time of any regular or special an election authorized under s. 8.065 (2).
8 The question for the referendum vote shall be filed as provided in s. 8.37.

9 **SECTION 84.** 60.74 (5) (b) of the statutes is amended to read:

10 60.74 (5) (b) A petition conforming to the requirements of s. 8.40, signed by
11 qualified electors of the district equal to at least ~~20%~~ 20 percent of the vote cast for
12 governor in the district at the last gubernatorial election, and requesting a change
13 to appointment of commissioners, may be submitted to the town board, subject to
14 sub. (5m) (a). The petition shall be filed as provided in s. 8.37. Upon receipt of the
15 petition, the town board shall submit the question to the electors at a referendum to
16 be held at the next regular spring election or general election, or shall call a special
17 an election for that purpose authorized under s. 8.065 (2). The inspectors shall count
18 the votes and submit a statement of the results to the commission. The commission
19 shall canvass the results of the election and certify the results to the town board
20 which has authority to appoint commissioners.

21 **SECTION 85.** 61.187 (1) of the statutes is amended to read:

22 61.187 (1) PROCEDURE. Whenever a petition conforming to the requirements
23 of s. 8.40, signed by at least one-third as many electors of any village as voted for
24 village officers at the next preceding election for village officers in that village, shall
25 be presented to the village board, and filed as provided in s. 8.37, praying for

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1 dissolution of the village, the village board shall submit to the electors of the village
2 the question whether or not the village shall be dissolved. The question shall be
3 determined by ballot, in substantially the manner provided by ss. 5.64 (2) and 10.02,
4 at ~~a general~~ an election ~~or at a special election called by the village board for that~~
5 ~~purpose~~ authorized under s. 8.065 (2).

6 **SECTION 86.** 61.46 (1) of the statutes is amended to read:

7 61.46 (1) GENERAL; LIMITATION. The village board shall, on or before December
8 15 in each year, by resolution to be entered of record, determine the amount of
9 corporation taxes to be levied and assessed on the taxable property in such village
10 for the current year. Before levying any tax for any specified purpose, exceeding one
11 percent of the assessed valuation aforesaid, the village board shall, and in all other
12 cases may in its discretion, submit the question of levying the same to the village
13 electors at ~~any general or special~~ an election authorized under s. 8.065 (2) by giving
14 10 days' notice thereof prior to such election by publication in a newspaper published
15 in the village, if any, and if there is none, then by posting notices in 3 public places
16 in said village, setting forth in such notices the object and purposes for which such
17 taxes are to be raised and the amount of the proposed tax. The village board shall
18 file the question as provided in s. 8.37.

19 **SECTION 87.** 62.09 (1) (a) of the statutes is amended to read:

20 62.09 (1) (a) The officers shall be a mayor, treasurer, clerk, comptroller,
21 attorney, engineer, one or more assessors unless the city is assessed by a county
22 assessor under s. 70.99, one or more constables as determined by the common
23 council, a local health officer, as defined in s. 250.01 (5), or local board of health, as
24 defined in s. 250.01 (3), street commissioner, board of police and fire commissioners
25 except in cities where not applicable, chief of police except in a city where it is not

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1 applicable, chief of the fire department except in a city where it is not applicable, chief
2 of a combined protective services department except in a city where it is not
3 applicable, board of public works, 2 alderpersons from each aldermanic district, and
4 such other officers or boards as are created by law or by the council. If one
5 alderperson from each aldermanic district is provided under s. 66.0211 (1), the
6 council may, by ordinance adopted by a two-thirds vote of all its members and
7 approved by the electors at ~~a general or special~~ an election authorized under s. 8.065
8 (2), provide that there shall be 2 alderpersons from each aldermanic district. If a city
9 creates a combined protective services department under s. 62.13 (2e) (a) 1., it shall
10 create the office of chief of such a department and shall abolish the offices of chief of
11 police and chief of the fire department.

12 **SECTION 88.** 62.13 (6) (b) of the statutes is amended to read:

13 62.13 **(6)** (b) The provisions of this subsection shall apply only if adopted by the
14 electors. Whenever not less than 70 days prior to ~~a regular city~~ an election specified
15 under s. 8.065 (2) a petition therefor, conforming to the requirements of s. 8.40 and
16 signed by electors equal in number to not less than ~~20%~~ 20 percent of the total vote
17 cast in the city for governor at the last general election, shall be filed with the clerk
18 as provided in s. 8.37, the clerk shall give notice in the manner of notice of the regular
19 city election of a referendum on the adoption of this subsection. Such referendum
20 election shall be held with ~~the regular city~~ an election, ~~and~~ authorized under s. 8.065
21 (2), the ballots shall conform with the provisions of ss. 5.64 (2) and 10.02, and the
22 question shall be "Shall s. 62.13 (6) of the statutes be adopted?"

23 **SECTION 89.** 64.03 (1) of the statutes is amended to read:

24 64.03 **(1)** Every ordinance or resolution for the adoption of ss. 64.01 to 64.15,
25 and every petition for a ~~special~~ referendum election on the same, shall state the

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1 number of members of which the council herein provided for shall be composed, the
2 term of office of its members, which term shall not exceed 2 years, whether they shall
3 be nominated and elected from aldermanic districts or from the city at large, and the
4 compensation, if any, which they shall receive.

5 **SECTION 90.** 64.39 (3) of the statutes is amended to read:

6 64.39 (3) Upon filing such petition, the mayor shall, by proclamation, submit
7 the questions prescribed in sub. (1) at ~~a special~~ an election ~~to be held at a time~~
8 ~~specified therein and within 2 months after such petition is filed~~ authorized under
9 s. 8.065 (2). The election upon such question shall be conducted, the vote canvassed,
10 and the result declared in the same manner as provided by law for other city
11 elections.

12 **SECTION 91.** 66.0101 (8) of the statutes is amended to read:

13 66.0101 (8) A charter ordinance enacted or approved by a vote of the electors
14 controls over any prior or subsequent act of the legislative body of the city or village.
15 If the electors of any city or village by a majority vote have adopted or determined
16 to continue to operate under either ch. 62 or 64, or have determined the method of
17 selection of members of the governing board, the question shall not again be
18 submitted to the electors, nor action taken on the question, within a period of 2 years.
19 Any election to change or amend the charter of any city or village, other than ~~a~~
20 ~~special~~ an election ~~as provided in~~ called under s. 9.20 (4), shall be held at the time
21 provided by statute for holding the spring election.

22 **SECTION 92.** 66.0211 (1) of the statutes is amended to read:

23 66.0211 (1) ORDER. The circuit court's order for an incorporation referendum
24 shall specify the voting place and the date of the referendum, which shall be ~~not less~~
25 ~~than 6 weeks from the date of the order~~ scheduled in accordance with s. 8.065 (2), and

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1 name 3 inspectors of election. If the order is for a city incorporation referendum the
2 order shall further specify that 7 alderpersons shall be elected at large from the
3 proposed city. The city council at its first meeting shall determine the number and
4 boundaries of wards in compliance with s. 5.15 (1) and (2), and the combination of
5 wards into aldermanic districts. The number of alderpersons per aldermanic district
6 shall be determined by charter ordinance.

7 **SECTION 93.** 66.0213 (6) of the statutes is amended to read:

8 66.0213 (6) REORGANIZATION OF CITY AS VILLAGE. If the population of any city falls
9 below 1,000 as determined by the United States census, the council may upon filing
10 of a petition conforming to the requirements of s. 8.40 containing the signatures of
11 at least ~~15%~~ 15 percent of the electors submit at ~~any general or city~~ an election
12 authorized under s. 8.065 (2) the question whether the city shall reorganize as a
13 village. If three-fifths of the votes cast on the question are for reorganization the
14 mayor and council shall record the return in the office of the register of deeds, file a
15 certified copy with the clerk of the circuit court, and immediately call an election, to
16 be conducted as are village elections, for the election of village officers. Upon the
17 qualification of the officers, the board of trustees shall declare the city reorganized
18 as a village, and the reorganization is effective. The clerk shall certify a copy of the
19 declaration to the secretary of state who shall file the declaration and endorse a
20 memorandum of the declaration on the record of the certificate of incorporation of the
21 city. Rights and liabilities of the city continue in favor of or against the village.
22 Ordinances, so far as within the power of the village, remain in force until changed.

23 **SECTION 94.** 66.0215 (2) of the statutes is amended to read:

24 66.0215 (2) REFERENDUM. At the next regular meeting of the town board
25 following the filing of the petition under sub. (1), the board by resolution shall provide

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1 for a referendum by the electors of the town, which shall be scheduled in accordance
2 with s. 8.065 (2). The resolution shall conform to the requirements of s. 5.15 (1) and
3 (2) and shall determine the numbers and boundaries of each ward of the proposed
4 city and the time of voting, which may not be earlier than 6 weeks after the adoption
5 of the resolution. The resolution may direct that a census be taken of the resident
6 population of the territory on a day not more than 10 weeks previous to the date of
7 the election, exhibiting the name of every head of a family and the name of every
8 person who is a resident in good faith of the territory on that day, and the lot or
9 quarter section of land on which that person resides, which shall be verified by the
10 affixed affidavit of the person taking the census.

11 **SECTION 95.** 66.0217 (3) (b) of the statutes is amended to read:

12 66.0217 (3) (b) *Annexation by referendum.* A petition for a referendum on the
13 question of annexation may be filed with the city or village clerk signed by a number
14 of qualified electors residing in the territory equal to at least ~~20%~~ 20 percent of the
15 votes cast for governor in the territory at the last gubernatorial election, and the
16 owners of at least ~~50%~~ 50 percent of the real property either in area or assessed value.
17 The petition shall conform to the requirements of s. 8.40. The referendum shall be
18 scheduled in accordance with s. 8.065 (2).

19 **SECTION 96.** 66.0217 (7) (a) 3. of the statutes is amended to read:

20 66.0217 (7) (a) 3. If the notice indicates that the petition is for a referendum
21 on the question of annexation, the clerk of the city or village shall file the notice as
22 provided in s. 8.37. If the notice indicates that the petition is for a referendum on the
23 question of annexation, the town clerk shall give notice as provided in par. (c) of a
24 referendum of the electors residing in the area proposed for annexation to be held at
25 the next election authorized under s. 8.065 (2) that occurs not less than 70 days ~~nor~~

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1 ~~more than 100 days~~ after the date of personal service or mailing of the notice required
2 under this paragraph. If the notice indicates that the petition is for direct
3 annexation, no referendum shall be held unless within 30 days after the date of
4 personal service or mailing of the notice required under this paragraph, a petition
5 conforming to the requirements of s. 8.40 requesting a referendum is filed with the
6 town clerk as provided in s. 8.37, signed by at least ~~20%~~ 20 percent of the electors
7 residing in the area proposed to be annexed. If a petition requesting a referendum
8 is filed, the clerk shall give notice as provided in par. (c) of a referendum of the electors
9 residing in the area proposed for annexation to be held at the next election authorized
10 under s. 8.065 (2) that occurs not less than 70 days ~~nor more than 100 days~~ after the
11 receipt of the petition, and shall mail a copy of the notice to the clerk of the city or
12 village to which the annexation is proposed. The referendum shall be held at a
13 convenient place within the town to be specified in the notice.

14 **SECTION 97.** 66.0217 (7) (d) of the statutes is amended to read:

15 66.0217 (7) (d) *How conducted.* The referendum shall be conducted by the town
16 election officials ~~but the town board may reduce the number of election officials for~~
17 ~~that election.~~ The ballots shall contain the words “For annexation” and “Against
18 annexation” and shall otherwise conform to the provisions of s. 5.64 (2). The election
19 shall be conducted as are other town elections in accordance with chs. 6 and 7 to the
20 extent applicable.

21 **SECTION 98.** 66.0219 (4) (b) of the statutes is amended to read:

22 66.0219 (4) (b) The referendum election shall be held at the next election
23 authorized under s. 8.065 (2) that occurs not less than 70 days ~~nor more than 100~~
24 days after the filing of the order as provided in s. 8.37, in the territory proposed for
25 annexation, by the electors of that territory as provided in s. 66.0217 (7), so far as

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1 applicable. The ballots shall contain the words “For Annexation” and “Against
2 Annexation”. The certification of the election inspectors shall be filed with the clerk
3 of the court, and the clerk of any municipality involved, but need not be filed or
4 recorded with the register of deeds.

5 **SECTION 99.** 66.0225 (2) of the statutes is amended to read:

6 66.0225 (2) CONTESTED ANNEXATIONS. Any 2 municipalities whose boundaries
7 are immediately adjacent at any point and who are parties to an action, proceeding,
8 or appeal in court for the purpose of testing the validity of an annexation may enter
9 into a written stipulation, compromising and settling the litigation and determining
10 the portion of the common boundary line between the municipalities that is the
11 subject of the annexation. The court having jurisdiction of the litigation, whether the
12 circuit court, the court of appeals, or the supreme court, may enter a final judgment
13 incorporating the provisions of the stipulation and fixing the common boundary line
14 between the municipalities involved. A stipulation changing boundaries of
15 municipalities shall be approved by the governing body of each municipality and s.
16 66.0217 (9) and (11) shall apply. A change of municipal boundaries under this section
17 is subject to a referendum of the electors residing within the territory whose
18 jurisdiction is subject to change under the stipulation, if within 30 days after the
19 publication of the stipulation to change boundaries in a newspaper of general
20 circulation in that territory, a petition for a referendum conforming to the
21 requirements of s. 8.40 signed by at least ~~20%~~ 20 percent of the electors residing
22 within that territory is filed with the clerk of the municipality from which the greater
23 area is proposed to be removed and is filed as provided in s. 8.37. The referendum
24 shall be held at an election authorized under s. 8.065 (2) and conducted as are

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1 annexation referenda. If the referendum election fails, all proceedings under this
2 section are void.

3 **SECTION 100.** 66.0227 (3) of the statutes is amended to read:

4 66.0227 (3) The governing body of a city, village, or town involved may, ~~or if~~
5 submit the question to the electors of the city, village, or town whose electors
6 petitioned for detachment at a referendum election called for that purpose. If a
7 petition conforming to the requirements of s. 8.40, signed by a number of qualified
8 electors equal to at least ~~5%~~ 5 percent of the votes cast for governor in the city, village,
9 or town at the last gubernatorial election, and demanding a referendum, is presented
10 to ~~it~~ the governing body of a city, village, or town involved within 30 days after the
11 passage of either of the ordinances under sub. (2), the governing body shall, submit
12 the question to the electors of the city, village, or town whose electors petitioned for
13 detachment, at a referendum election called for that purpose. A referendum called
14 under this subsection shall be held at the next election authorized under s. 8.065 (2)
15 that occurs not less than 70 days ~~nor more than 100 days~~ after the filing of the
16 petition, ~~or after~~ the enactment of either ordinance. The petition shall be filed as
17 provided in s. 8.37. If a number of electors cannot be determined on the basis of
18 reported election statistics, the number shall be determined in accordance with s.
19 60.74 (6). The governing body of the municipality shall appoint 3 election inspectors
20 who are resident electors to supervise the referendum. The ballots shall contain the
21 words "For Detachment" and "Against Detachment". The inspectors shall certify the
22 results of the election by their attached affidavits and file a copy with the clerk of each
23 town, village, or city involved, and none of the ordinances may take effect nor be in
24 force unless a majority of the electors approve the question. The referendum election
25 shall be conducted in accordance with chs. 6 and 7 to the extent applicable.

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1 **SECTION 101.** 66.0305 (6) (b) of the statutes is amended to read:

2 66.0305 (6) (b) The advisory referendum shall be held at the next election
3 authorized under s. 8.065 (2) that occurs not less than 70 days ~~nor more than 100~~
4 days after adoption of the resolution under par. (a) calling for the referendum or not
5 less than 70 days ~~nor more than 100 days~~ after receipt of the petition under par. (a)
6 by the municipal or county clerk. The municipal or county clerk shall give notice of
7 the referendum by publishing a notice in a newspaper of general circulation in the
8 political subdivision, both on the publication day next preceding the advisory
9 referendum election and one week prior to that publication date.

10 **SECTION 102.** 66.0307 (4) (e) 2. of the statutes is amended to read:

11 66.0307 (4) (e) 2. The advisory referendum shall be held at the next election
12 authorized under s. 8.065 (2) that occurs not less than 70 days ~~nor more than 100~~
13 days after adoption of the resolution under subd. 1. calling for the referendum or not
14 less than 70 days ~~nor more than 100 days~~ after receipt of the petition by the
15 municipal clerk. The municipal clerk shall give notice of the referendum by
16 publishing a notice in a newspaper of general circulation in the municipality, both
17 on the publication day next preceding the advisory referendum election and one
18 week prior to that publication date.

19 **SECTION 103.** 66.0602 (4) (a) of the statutes is amended to read:

20 66.0602 (4) (a) A political subdivision may exceed the levy increase limit under
21 sub. (2) if its governing body adopts a resolution to that effect and if the resolution
22 is ~~approved in~~ submitted to the electors of the political subdivision for approval or
23 rejection at a referendum. The resolution shall specify the proposed amount of
24 increase in the levy beyond the amount that is allowed under sub. (2), and shall
25 specify whether the proposed amount of increase is for the next fiscal year only or if

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1 it will apply on an ongoing basis. ~~With regard to a referendum relating to the 2005~~
2 ~~levy, or any levy in an odd-numbered year thereafter, the political subdivision may~~
3 ~~call a special referendum for the purpose of submitting the resolution to the electors~~
4 ~~of the political subdivision for approval or rejection. With regard to a referendum~~
5 ~~relating to the 2006 levy, or any levy in an even-numbered year thereafter, the The~~
6 ~~political subdivision shall hold the referendum shall be held at the next succeeding~~
7 ~~spring primary or election or partisan primary or general election authorized under~~
8 ~~s. 8.065 (2).~~

9 **SECTION 104.** 66.0619 (2m) (b) of the statutes is amended to read:

10 66.0619 **(2m)** (b) If a referendum is to be held on a resolution, the municipal
11 governing body shall file the resolution as provided in s. 8.37 and shall direct the
12 municipal clerk to call ~~a special election for the purpose of submitting~~ submit the
13 resolution to the electors for approval or rejection at a referendum ~~on approval or~~
14 ~~rejection. In lieu of a special election, the municipal governing body may specify that~~
15 ~~the election be held at the next succeeding spring primary or election or partisan~~
16 ~~primary or general~~ held at the next election authorized under s. 8.065 (2).

17 **SECTION 105.** 66.0815 (1) (c) of the statutes is amended to read:

18 66.0815 **(1)** (c) An ordinance under sub. (1) may not take effect until 60 days
19 after passage and publication unless sooner approved by a referendum. Within the
20 60-day period electors equal in number to ~~20%~~ 20 percent of those voting at the last
21 regular municipal election may file a petition requesting a referendum. The petition
22 shall be in writing and filed with the clerk and as provided in s. 8.37. The petition
23 shall conform to the requirements of s. 8.40. Each signer shall state his or her
24 residence and signatures shall be verified by the affidavit of an elector. The
25 referendum shall be held at ~~the next regular municipal~~ an election, ~~or at a special~~

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1 election ~~within 90 days of the filing of the petition~~ authorized under s. 8.065 (2). The
2 ordinance may not take effect unless approved by a majority of the votes cast. This
3 paragraph does not apply to extensions by a utility previously franchised by the
4 village, city, or town.

5 **SECTION 106.** 66.0921 (2) of the statutes is amended to read:

6 66.0921 (2) FACILITIES AUTHORIZED. A municipality may enter into a joint
7 contract with a nonprofit corporation organized for civic purposes and located in the
8 municipality to construct or otherwise acquire, equip, furnish, operate and maintain
9 a facility to be used for municipal and civic activities if a majority of the voters voting
10 in a referendum at ~~a special election or at a spring primary or election or partisan~~
11 ~~primary or general~~ an election authorized under s. 8.065 (2) approve the question of
12 entering into the joint contract.

13 **SECTION 107.** 66.1103 (10) (d) of the statutes is amended to read:

14 66.1103 (10) (d) The governing body may issue bonds under this section
15 without submitting the proposition to the electors of the municipality or county for
16 approval unless within 30 days from the date of publication of notice of adoption of
17 the initial resolution for the bonds, a petition conforming to the requirements of s.
18 8.40, signed by not less than ~~5%~~ 5 percent of the registered electors of the
19 municipality or county, or, if there is no registration of electors in the municipality
20 or county, by ~~10%~~ 10 percent of the number of electors of the municipality or county
21 voting for the office of governor at the last general election as determined under s.
22 115.01 (13), is filed with the clerk of the municipality or county and as provided in
23 s. 8.37 requesting a referendum upon the question of the issuance of the bonds. If
24 a petition is filed, the bonds may not be issued until approved by a majority of the

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1 electors of the municipality or county voting on the referendum at ~~a general or~~
2 ~~special~~ an election authorized under s. 8.065 (2).

3 **SECTION 108.** 66.1113 (2) (g) of the statutes is amended to read:

4 66.1113 (2) (g) The village of Sister Bay may enact an ordinance or adopt a
5 resolution declaring itself to be a premier resort area under par. (a) even if less than
6 40 percent of the equalized assessed value of the taxable property within Sister Bay
7 is used by tourism-related retailers. The village may not impose the tax authorized
8 under par. (b) unless the village board adopts a resolution proclaiming its intent to
9 impose the tax and the resolution is approved by a majority of the electors in the
10 village voting on the resolution at a referendum, to be held at ~~the first spring primary~~
11 ~~or election or partisan primary or general~~ an election following authorized under s.
12 8.065 (2) that follows by at least 70 days the date of adoption of the resolution.

13 **SECTION 109.** 66.1113 (2) (h) of the statutes is amended to read:

14 66.1113 (2) (h) The village of Ephraim may enact an ordinance or adopt a
15 resolution declaring itself to be a premier resort area under par. (a) even if less than
16 40 percent of the equalized assessed value of the taxable property within Ephraim
17 is used by tourism-related retailers. The village may not impose the tax authorized
18 under par. (b) unless the village board adopts a resolution proclaiming its intent to
19 impose the tax and the resolution is approved by a majority of the electors in the
20 village voting on the resolution at a referendum, to be held at ~~the first spring primary~~
21 ~~or election or partisan primary or general~~ an election following authorized under s.
22 8.065 (2) that follows by at least 70 days the date of adoption of the resolution.

23 **SECTION 110.** 67.05 (3) (a) 2. of the statutes is repealed.

24 **SECTION 111.** 67.05 (3) (a) 4. of the statutes is repealed.

25 **SECTION 112.** 67.05 (3) (f) of the statutes is amended to read:

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1 67.05 (3) (f) If a special purpose district calls a referendum under this section,
2 the governing body shall call the referendum to be held in conjunction with ~~a state,~~
3 ~~county, municipal or judicial~~ an election, the authorized under s. 8.065 (2). The
4 polling places for the ~~state, county, municipal or judicial~~ election shall be the polling
5 places for the special purpose district referendum and the municipal election hours
6 shall apply. ~~If no state, county, municipal or judicial election is held on the day of the~~
7 ~~special purpose district referendum, the governing body of the special purpose~~
8 ~~district may select the polling places to be used, except as otherwise provided in s.~~
9 ~~120.06 (9) (b) in the case of a school district. If a polling place located in the special~~
10 ~~purpose district that was utilized at the most recent spring or general election is not~~
11 ~~utilized by the special purpose district, the governing body of the special purpose~~
12 ~~district shall post a notice on the door of the polling place indicating all polling places~~
13 ~~open for voting.~~ The municipal clerk of each municipality in which a polling place
14 is located shall provide the necessary equipment to operate the polling place.

15 **SECTION 113.** 67.05 (4) of the statutes is amended to read:

16 67.05 (4) PERMISSIVE REFERENDUM IN COUNTIES. If a county board adopts an
17 initial resolution for an issue of county bonds to provide for the original construction
18 or for the improvement and maintenance of highways,; to provide railroad aid,; or to
19 construct, acquire, or maintain, or to aid in constructing, acquiring, or maintaining,
20 a bridge over or across any stream or other body of water bordering upon or
21 intersecting any part of the county, the county clerk is not required to submit the
22 resolution for approval to the electors of the county at a ~~special election~~ referendum
23 unless within 30 days after the adoption thereof there is filed with the clerk a petition
24 conforming to the requirements of s. 8.40 requesting such submission, signed by
25 electors numbering at least ~~10%~~ 10 percent of the votes cast in the county for

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1 governor at the last general election. If a petition is filed, the county board shall hold
2 the referendum at an election authorized under s. 8.065 (2), and the question
3 submitted shall be whether the resolution shall be or shall not be approved. No such
4 resolution of a county board other than those specified in this subsection need be
5 submitted to county electors, except as provided otherwise in sub. (7).

6 **SECTION 114.** 67.05 (5) (a) of the statutes is amended to read:

7 67.05 (5) (a) Whenever a town board adopts an initial resolution ~~has been so~~
8 ~~adopted by the governing body of a town~~, the town clerk of the municipality shall
9 immediately record the resolution and shall call a ~~special election~~ referendum for the
10 purpose of submitting the resolution to the electors of the ~~municipality~~ town for
11 approval. ~~This paragraph does not apply to bonds issued to finance low-interest~~
12 ~~mortgage loans under s. 62.237, unless a number of electors equal to at least 15% of~~
13 ~~the votes cast for governor at the last general election in their town sign and file a~~
14 ~~petition conforming to the requirements of s. 8.40 with the town clerk requesting~~
15 ~~submission of the resolution. Whenever a number of electors cannot be determined~~
16 ~~on the basis of reported statistics, the number shall be determined in accordance~~
17 ~~with s. 60.74 (6). If a petition is filed, the question submitted shall be whether the~~
18 ~~resolution shall or shall not be approved~~ or rejection. The referendum shall be held
19 at an election authorized under s. 8.065 (2). This paragraph is limited in its scope
20 by sub. (7).

21 **SECTION 115.** 67.05 (5) (b) of the statutes is renumbered 67.05 (5) (b) 1. and
22 amended to read:

23 67.05 (5) (b) 1. No city or village may issue bonds for any purposes other than
24 for water systems; lighting works; gas works; bridges; street lighting; street
25 improvements; street improvement funding; hospitals; airports; harbor

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1 improvements; river improvements; breakwaters and protection piers; sewerage;
2 garbage disposal; rubbish or refuse disposal; any combination of sewage, garbage,
3 or refuse or rubbish disposal; parks and public grounds; swimming pools and band
4 shells; veterans housing projects; paying the municipality's portion of the cost of
5 abolishing grade crossings; for the construction of police facilities and combined fire
6 and police safety buildings; for the purchase of sites for engine houses; for fire
7 engines and other equipment of the fire department; for construction of engine
8 houses; and for pumps, water mains, reservoirs and all other reasonable facilities
9 for fire protection apparatus or equipment for fire protection; for parking lots or
10 other parking facilities; for school purposes; for libraries; for buildings for the
11 housing of machinery and equipment; for acquiring and developing sites for
12 industry and commerce as will expand the municipal tax base; subject to subd. 2.,
13 for financing the cost of low-interest mortgage loans under s. 62.237; for providing
14 financial assistance to blight elimination, slum clearance, community development,
15 redevelopment, and urban renewal programs and projects under ss. 66.1105,
16 66.1301 to 66.1329, and 66.1331 to 66.1337; to issue appropriation bonds under s.
17 62.62 to pay unfunded prior service liability with respect to an employee retirement
18 system; or for University of Wisconsin System college campuses, as defined in s.
19 36.05 (6m), until the proposition for their issue for the special purpose has been
20 submitted to the electors of the city or village and adopted by a majority vote. Except
21 as provided under sub. (15), if the common council of a city or the village board of a
22 village declares its purpose to raise money by issuing bonds for any purpose other
23 than those specified in this subsection, it shall direct by resolution, which shall be
24 recorded at length in the record of its proceedings, the clerk to call a special election
25 referendum for the purpose of submitting the question of bonding to the city or

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1 village electors. ~~If~~ The referendum shall be held at an election authorized under s.
2 8.065 (2).

3 2. If the governing body of a municipality, as defined in s. 62.237 (1) (d), adopts
4 an initial resolution to issue bonds for financing the cost of low-interest loans under
5 s. 62.237 and a number of electors of a city or village that municipality equal to at
6 least 15% 15 percent of the votes cast for governor at the last general election in their
7 city or village that municipality sign and file a petition conforming to the
8 requirements of s. 8.40 with the city or village clerk of that municipality requesting
9 submission of the resolution, the city or village that municipality may not issue
10 bonds for financing the cost of low-interest mortgage loans under s. 62.237 without
11 calling a special election to submit referendum for the purposes of submitting the
12 question of bonding to the city or village electors of that municipality for their
13 approval. The referendum shall be held at an election authorized under s. 8.065 (2).

14 **SECTION 116.** 67.05 (6a) (a) 2. a. of the statutes is amended to read:

15 67.05 (6a) (a) 2. a. Direct the school district clerk to call a special election for
16 ~~the purpose of submitting~~ submit the resolution to the electors for approval or
17 rejection, ~~or direct that the resolution be submitted at the next regularly scheduled~~
18 ~~primary or~~ an election to be held authorized under s. 8.065 (2) that occurs not earlier
19 than 45 days after the adoption of the resolution. The resolution shall not be effective
20 unless adopted by a majority of the school district electors voting at the referendum.

21 **SECTION 117.** 67.05 (6m) (b) of the statutes is amended to read:

22 67.05 (6m) (b) If a referendum is to be held on an initial resolution, the district
23 board shall direct the technical college district secretary to call a special election for
24 ~~the purpose of submitting~~ submit the initial resolution to the electors for ~~a~~
25 ~~referendum on approval or rejection~~ at an election authorized under s. 8.065 (2). In

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1 ~~lieu of a special election, the district board may specify that the election be held at~~
2 ~~the next succeeding spring primary or election or partisan primary or general~~
3 ~~election.~~

4 **SECTION 118.** 67.10 (5) (b) of the statutes is amended to read:

5 67.10 (5) (b) Any city having ~~voted~~ approved the issuance of bonds at a special
6 referendum election held in accordance with s. 8.065 (2) and having sold a portion
7 thereof may negotiate, sell, or otherwise dispose of the same in the manner provided
8 by statute within 9 years of the date of the ~~election voting~~ referendum approving the
9 same.

10 **SECTION 119.** 67.12 (12) (e) 2. of the statutes is amended to read:

11 67.12 (12) (e) 2. Unless the purpose and amount of the borrowing have been
12 approved by the electors under s. 67.05 (6a) or deemed approved by the electors under
13 s. 67.05 (7) (d) 3., the purpose is to refund any outstanding municipal obligation, the
14 purpose is to pay unfunded prior service liability contributions under the Wisconsin
15 retirement system if all of the proceeds of the note will be used for that purpose, the
16 borrowing would not be subject to a referendum as a bond issue under s. 67.05 (7) (cc),
17 (h) or (i), or subd. 2g. or par. (f) or (h) applies, the school district clerk shall, within
18 10 days after a school board adopts a resolution under subd. 1. to issue a promissory
19 note in excess of \$5,000, publish notice of such adoption as a class 1 notice, under ch.
20 985. Alternatively, the notice may be posted as provided under s. 10.05. The notice
21 need not set forth the full contents of the resolution, but shall state the maximum
22 amount proposed to be borrowed, the purpose thereof, that the resolution was
23 adopted under this subsection, and the place where, and the hours during which, the
24 resolution may be inspected. If, within 30 days after publication or posting, a petition
25 conforming to the requirements of s. 8.40 is filed with the school district clerk for a

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1 referendum on the resolution signed by at least 7,500 electors of the district or at
2 least ~~20%~~ 20 percent of the number of district electors voting for governor at the last
3 general election, as determined under s. 115.01 (13), whichever is the lesser, then the
4 resolution shall not be effective unless adopted by a majority of the district electors
5 voting at the referendum. The referendum shall be held at an election authorized
6 under s. 8.065 (2) and called in the manner provided under s. 67.05 (6a), except that
7 the question which appears on the ballot shall be “Shall ... (name of district) borrow
8 the sum of \$... for (state purpose) by issuing its general obligation promissory note
9 (or notes) under section 67.12 (12) of the Wisconsin Statutes?”.

10 **SECTION 120.** 67.12 (12) (e) 5. of the statutes is amended to read:

11 67.12 (12) (e) 5. Within 10 days of the adoption by a technical college district
12 board of a resolution under subd. 1. to issue a promissory note for a purpose under
13 s. 38.16 (2), the secretary of the district board shall publish a notice of such adoption
14 as a class 1 notice, under ch. 985. The notice need not set forth the full contents of
15 the resolution, but shall state the amount proposed to be borrowed, the method of
16 borrowing, the purpose thereof, that the resolution was adopted under this
17 subsection and the place where and the hours during which the resolution is
18 available for public inspection. If the amount proposed to be borrowed is for building
19 remodeling or improvement and does not exceed \$1,500,000 or is for movable
20 equipment, the district board need not submit the resolution to the electors for
21 approval unless, within 30 days after the publication or posting, a petition
22 conforming to the requirements of s. 8.40 is filed with the secretary of the district
23 board requesting a referendum ~~at a special election to be called for that purpose.~~
24 Such petition shall be signed by electors from each county lying wholly or partially
25 within the district. The number of electors from each county shall equal at least ~~1.5%~~

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1 1.5 percent of the population of the county as determined under s. 16.96 (2) (c). If a
2 county lies in more than one district, the technical college system board shall
3 apportion the county's population as determined under s. 16.96 (2) (c) to the districts
4 involved and the petition shall be signed by electors equal to the appropriate
5 percentage of the apportioned population. ~~In lieu of a special election, the~~ The
6 district board ~~may specify that~~ shall hold the referendum ~~shall be held at the next~~
7 ~~succeeding spring primary or election or partisan primary or general~~ an election
8 authorized under s. 8.065 (2). Any resolution to borrow amounts of money in excess
9 of \$1,500,000 for building remodeling or improvement shall be submitted to the
10 electors of the district for approval. If a referendum is held or required under this
11 subdivision, no promissory note may be issued until the issuance is approved by a
12 majority of the district electors voting at such referendum. The referendum shall be
13 noticed, called, and conducted under s. 67.05 (6a) insofar as applicable, except that
14 ~~the notice of special election and ballot need not embody a copy of the resolution and~~
15 ~~the question which shall appear on the ballot shall be "Shall (name of district) be~~
16 authorized to borrow the sum of \$.... for (state purpose) by issuing its general
17 obligation promissory note (or notes) under section 67.12 (12) of the Wisconsin
18 Statutes?"

19 **SECTION 121.** 82.03 (2) (b) of the statutes is amended to read:

20 82.03 (2) (b) The town board, by resolution, submits to the electors of the town
21 as a referendum at ~~a general or special town~~ an election authorized under s. 8.065
22 (2) the question of exceeding the limit set under this subsection. A copy of the
23 resolution shall be filed as provided in s. 8.37. The board shall abide by the majority
24 vote of the electors of the town on the question. The question shall read as follows:

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1 Shall the town of spend up to \$.... over, which is the annual limit of the
2 product of \$5,000 multiplied by the miles of highway under the jurisdiction of the
3 town measured by the most recent highway mileage for the town, as determined
4 under section 86.302 of the Wisconsin Statutes, for the construction, maintenance,
5 and repair of its highways and bridges?

6 FOR SPENDING AGAINST SPENDING

7 **SECTION 122.** 86.21 (2) (a) of the statutes is amended to read:

8 86.21 (2) (a) Before any such toll bridge is constructed or acquired under this
9 section, a resolution authorizing the construction or acquisition thereof, and
10 specifying the method of payment therefor, shall be adopted by a majority of the
11 members of the governing body of such county, town, village, or city at a regular
12 meeting, after publication of said resolution, as a class 2 notice, under ch. 985. The
13 resolution shall include a general description of the property it is proposed to acquire
14 or construct. Any county, town, village, or city constructing or acquiring a toll bridge
15 under this section may provide for the payment of the same or any part thereof from
16 the general fund, from taxation, or from the proceeds of either municipal bonds, or
17 revenue bonds or as otherwise provided by law. Such resolution shall not be effective
18 until 15 days after its passage and publication. If, within said 15 days, a petition
19 conforming to the requirements of s. 8.40 ~~is filed with the clerk of such municipality,~~
20 ~~and filed as provided in s. 8.37, signed by at least 20% 20 percent~~ 20 percent of the electors
21 thereof of the municipality, and requesting that the question of acquiring such toll
22 bridge be submitted to the said electors, ~~such~~ is filed with the clerk of the
23 municipality as provided in s. 8.37, the question shall be submitted at the next
24 ~~general or regular municipal election~~ authorized under s. 8.065 (2) that is held not
25 sooner than 70 days from the date of filing such petition. The question submitted to

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1 the electors shall specify the method of payment for such toll bridge as provided in
2 the resolution for the acquisition thereof. If no such petition is filed, or if the majority
3 of votes cast at such referendum election are in favor of the acquisition of such toll
4 bridge, then the resolution of the governing body for the acquisition of such toll
5 bridge shall be in effect.

6 **SECTION 123.** 92.11 (4) (c) of the statutes is amended to read:

7 92.11 (4) (c) *Wording of ballot question; procedure.* The county board shall
8 include the wording of the question to be placed before the electors in the referendum
9 as a part of the ordinance adopted under this section or the revision to an ordinance
10 adopted under this section. Upon the adoption of the ordinance or revision the county
11 board shall forward a copy of the ordinance or revision to the county clerk who shall
12 cause the question to be placed before the voters of the affected area in the next
13 ~~spring or general~~ election occurring authorized under s. 8.065 (2) that occurs not less
14 than 70 days after the adoption of the ordinance or revision. The form of the ballot
15 shall correspond substantially to the form prescribed under s. 5.64 (2).

16 **SECTION 124.** 117.20 (2) of the statutes is amended to read:

17 117.20 (2) The clerk of each affected school district shall publish notice, as
18 required under s. 8.55 10.06 (4), in the territory of that school district. The
19 procedures for school board elections under s. 120.06 (9), (11), (13), and (14) apply to
20 a referendum held under this section. The school board and school district clerk of
21 each affected school district shall each perform, for that school district, the functions
22 assigned to the school board and the school district clerk, respectively, under those
23 subsections. The form of the ballot shall correspond to the form prescribed by the
24 government accountability board under ss. 5.64 (2) and 7.08 (1) (a). The clerk of each
25 affected school district shall file with the secretary of the board a certified statement

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1 prepared by the school district board of canvassers of the results of the referendum
2 in that school district.

3 **SECTION 125.** 119.48 (4) (b) of the statutes is amended to read:

4 119.48 (4) (b) The communication shall state the purposes for which the funds
5 from the increase in the levy rate will be used and shall request the common council
6 to submit to the voters of the city the question of exceeding the levy rate specified in
7 s. 65.07 (1) (f) at the ~~September election or a special~~ an election authorized under s.
8 8.065 (2).

9 **SECTION 126.** 119.48 (4) (c) of the statutes is amended to read:

10 119.48 (4) (c) Upon receipt of the communication, the common council shall file
11 the communication as provided in s. 8.37 and shall cause the question of exceeding
12 the levy rate specified under s. 65.07 (1) (f) to be submitted to the voters of the city
13 at the ~~September election or at a special~~ an election authorized under s. 8.065 (2).
14 The question of exceeding the levy rate specified under s. 65.07 (1) (f) shall be
15 submitted so that the vote upon exceeding the levy rate specified in s. 65.07 (1) (f) is
16 taken separately from any other question submitted to the voters. If a majority of
17 the electors voting on the question favors exceeding the levy rate specified under s.
18 65.07 (1) (f), the common council shall approve the increase in the levy rate and shall
19 levy and collect a tax equal to the amount of money approved by the electors.

20 **SECTION 127.** 119.49 (1) (b) of the statutes is amended to read:

21 119.49 (1) (b) The communication shall state the amount of funds needed under
22 par. (a) and the purposes for which the funds will be used and shall request the
23 common council to submit to the voters of the city at the next election ~~held in the city~~
24 authorized under s. 8.065 (2) the question of issuing school bonds in the amount and
25 for the purposes stated in the communication.

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1 **SECTION 128.** 119.49 (2) of the statutes is amended to read:

2 119.49 (2) Upon receipt of the communication, the common council shall file the
3 communication as provided in s. 8.37 and shall cause the question of issuing such
4 school bonds in the stated amount and for the stated school purposes to be submitted
5 to the voters of the city at the next election ~~held in the city~~ authorized under s. 8.065
6 (2). The question of issuing such school bonds shall be submitted so that the vote
7 upon issuing such school bonds is taken separately from any other question
8 submitted to the voters. If a majority of the electors voting on the school bond
9 question favors issuing such school bonds, the common council shall cause the school
10 bonds to be issued immediately or within the period permitted by law, in the amount
11 requested by the board and in the manner other bonds are issued.

12 **SECTION 129.** 120.13 (intro.) of the statutes is amended to read:

13 **120.13 School board powers.** (intro.) ~~The~~ Subject to the prohibitions on
14 publishing or disseminating information related to or promoting a referendum under
15 s. 121.91 (3) (a), the school board of a common or union high school district may do
16 all things reasonable to promote the cause of education, including establishing,
17 providing, and improving school district programs, functions, and activities for the
18 benefit of pupils, and including all of the following:

19 **SECTION 130.** 121.91 (3) (a) of the statutes is amended to read:

20 121.91 (3) (a) If a school board wishes to exceed the limit under sub. (2m)
21 otherwise applicable to the school district in any school year, it shall promptly adopt
22 a resolution supporting inclusion in the final school district budget of an amount
23 equal to the proposed excess revenue. The resolution shall specify whether the
24 proposed excess revenue is for a recurring or nonrecurring purpose, or, if the
25 proposed excess revenue is for both recurring and nonrecurring purposes, the

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1 amount of the proposed excess revenue for each purpose. The resolution shall be filed
2 as provided in s. 8.37. Within 10 days after adopting the resolution, the school board
3 shall submit a copy of the resolution to the department and shall notify the
4 department of the scheduled date of the referendum ~~and submit a copy of the~~
5 ~~resolution to the department. The school board shall call a special referendum to be~~
6 called for the purpose of submitting the resolution to the electors of the school district
7 for approval or rejection. ~~In lieu of a special referendum, the school board may~~
8 ~~specify that the~~ The referendum shall be held at the next succeeding ~~spring primary~~
9 ~~or election or partisan primary or general election, if such election is to be held~~
10 authorized under s. 8.065 (2) that occurs not sooner than 70 days after the filing of
11 the resolution of the school board. The school board may not expend any revenue to
12 publish or disseminate information related to or promote any referendum held under
13 this paragraph. The school district clerk shall certify the results of the referendum
14 to the department within 10 days after the referendum is held.

15 **SECTION 131.** 197.04 (1) (b) of the statutes is amended to read:

16 197.04 (1) (b) If within either of the 90-day periods described in par. (a) a
17 petition conforming to the requirements of s. 8.40 is filed with the clerk of the
18 municipality as provided in s. 8.37 and the petition has been signed by ~~5%~~ 5 percent
19 of the electors of a 1st class city or by ~~10%~~ 10 percent of the electors of all other
20 municipalities requesting that the question of discontinuing the proceeding to
21 acquire the plant or equipment of the public utility be submitted to the electors of the
22 municipality, the applicable question under par. (c) shall be submitted to the electors
23 at ~~any general or regular municipal~~ an election authorized under s. 8.065 (2) that is
24 held not less than 70 ~~and not more than 75~~ days from the date of the filing of the
25 petition. ~~If no general election or regular municipal election is to be held within the~~

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1 ~~stated periods, the governing body of the municipality shall order the holding of a~~
2 ~~special election, to be held not less than 70 days from the date of filing of the petition,~~
3 ~~for the purpose of submitting the question to the electors.~~

4 **SECTION 132.** 197.04 (2) of the statutes is amended to read:

5 197.04 (2) The governing body of the municipality may provide for notice of,
6 the manner of holding, the method of voting on, the method of making returns of, and
7 the method of canvassing and determining the result of, the election required under
8 sub. (1). Notice of the election to the electors shall be given by a brief notice of that
9 fact once a week for 3 weeks in some newspaper of general circulation published in
10 the municipality. If no newspaper of general circulation is published in the
11 municipality, publication may be made in any newspaper of general circulation in the
12 county seat of the county in which the municipality is located. ~~The notice of holding~~
13 ~~any special election shall be incorporated as a part of the notice given under this~~
14 ~~subsection.~~

15 **SECTION 133.** 197.10 (2) of the statutes is amended to read:

16 197.10 (2) Such contract when adopted by the common council of said city and
17 accepted by the owner or owners of such public utility shall be submitted to the public
18 service commission for its approval and upon such approval the same shall be filed
19 as provided in s. 8.37 and submitted in such manner as the common council shall
20 determine to a vote of the electors of such city at the next regular municipal election
21 ~~or at a special election called for that purpose~~ authorized under s. 8.065 (2), and such
22 contract shall not become binding upon such city until approved by a majority vote
23 of the qualified electors of such city voting thereon. No bonds shall in any case be
24 issued by said city under the contract or contracts mentioned in sub. (1), until the

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1 proposition of their issue shall have been submitted to the people of such city and
2 adopted by a majority of the electors voting thereon.

3 **SECTION 134.** 198.19 (1) of the statutes is amended to read:

4 198.19 (1) Any territory, constituting one or more municipalities contiguous to
5 a district, may be annexed to and become a part of such district to all intents and
6 purposes and with like effect as though originally included therein upon such terms
7 and conditions as the board of directors of the district shall fix by ordinance adopted
8 by the affirmative vote of two-thirds of the directors-elect, provided that before such
9 ordinance becomes effective the same shall be accepted and ratified by the
10 affirmative vote of a majority of the qualified electors entitled to vote and voting in
11 a ~~special election~~ referendum called and held for that purpose, at an election
12 authorized under s. 8.065 (2), in each municipality proposed in such ordinance to be
13 annexed to the district. Such ordinance shall be published and such election shall
14 be noticed, held, and conducted, as nearly as may be, in the manner provided by this
15 chapter for the noticing, holding, and conduct of elections upon the organization of
16 a municipal power district, except that the returns of such election and the ballots
17 therein shall be delivered to the clerk of the district. The results of said election shall
18 be canvassed publicly by the directors of the district.

19 **SECTION 135. Initial applicability.**

20 (1) The treatment of section 5.02 (6m) (g) of the statutes first applies with
21 respect to voting at the first election to be held following the effective date of this
22 subsection for which declarations of candidacy are due for filing on or after the
23 effective date of this subsection.

24 (2) The treatment of sections 5.02 (19), 7.15 (2) (d), 7.52 (8), 8.05 (3) (d) and (e),
25 8.06, 8.065, 9.20 (4), 24.66 (3) (b) and (4), 32.72 (1), 38.15 (1), 38.16 (3) (br) 1., 59.08

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1 (7) (b), 59.605 (3) (a) 1., 60.62 (2), 60.74 (5) (b), 61.187 (1), 61.46 (1), 62.09 (1) (a), 62.13
2 (6) (b), 64.03 (1), 64.39 (3), 66.0101 (8), 66.0211 (1), 66.0213 (6), 66.0215 (2), 66.0217
3 (3) (b) and (7) (a) 3. and (d), 66.0219 (4) (b), 66.0225 (2), 66.0227 (3), 66.0305 (6) (b),
4 66.0307 (4) (e) 2., 66.0602 (4) (a), 66.0619 (2m) (b), 66.0815 (1) (c), 66.0921 (2), 66.1103
5 (10) (d), 66.1113 (2) (g) and (h), 67.05 (3) (a) 2. and 4. and (f), (4), (5) (a) and (b), (6a)
6 (a) 2. a., and (6m) (b), 67.10 (5) (b), 67.12 (12) (e) 2. and 5., 82.03 (2) (b), 86.21 (2) (a),
7 92.11 (4) (c), 117.20 (2), 119.48 (4) (b) and (c), 119.49 (1) (b) and (2), 121.91 (3) (a) (as
8 it relates to the scheduling of referendums), 197.04 (1) (b) and (2), 197.10 (2), and
9 198.19 (1) of the statutes first applies to a referendum called or scheduled on the
10 effective date of this subsection.

11 (3) The treatment of section 5.052 (3) (a) to (e) of the statutes first applies to
12 nominations to the government accountability board submitted under section 5.052
13 (3) of the statutes on the effective date of this subsection.

14 (4) The treatment of section 5.15 (6) (b) of the statutes first applies with respect
15 to reporting of election returns for elections held on the effective date of this
16 subsection.

17 (5) The treatment of sections 5.90 (1) and 9.01 (1) (ag) 1m. of the statutes first
18 applies with respect to petitions for recounts at elections held after the effective date
19 of this subsection.

20 (6) The treatment of sections 6.79 (2) (a) and (3) (c), 6.82 (1) (a) (as it relates to
21 the exemption of certain electors from the requirement to present proof of
22 identification), 7.08 (1) (c), and 7.51 (2) (cm) of the statutes first applies with respect
23 to proof of identification required for elections held on the 60th day beginning after
24 the effective date of this subsection.

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1 (7) The treatment of section 6.86 (1) (b) and (bb) of the statutes first applies to
2 elections held no earlier than 60 days after the effective date of this subsection.

3 (8) The treatment of sections 8.50 (intro.), (1) (a) and (c), (2) (a), and (4) (bm)
4 and (f) 1. and 2., 17.02 (1), and 17.18 of the statutes first applies with respect to
5 special elections held to fill vacancies occurring on the effective date of this
6 subsection.

7 (9) The treatment of section 11.01 (16) (intro.) and (b) 1. of the statutes first
8 applies with respect to communications made on the effective date of this subsection.

9 (10) Except as provided in subsections (1) to (9), this act first applies with
10 respect to voting at elections held on the effective date of this subsection.

11 (END)