

## 1999 ASSEMBLY BILL 156

March 4, 1999 – Introduced by Representatives STASKUNAS, JENSEN, LA FAVE, ALBERS, MEYER, PLALE, J. LEHMAN, CULLEN, BOYLE, POWERS, WASSERMAN, DUFF, PLOUFF and BERCEAU, cosponsored by Senator SCHULTZ. Referred to Committee on Campaigns and Elections.

1     **AN ACT** *to amend* 7.50 (2) (i) and 8.20 (2) (c); and *to create* 7.50 (2) (im) of the  
2             statutes; **relating to:** candidacy of independent candidates for the offices of  
3             governor and lieutenant governor.

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### *Analysis by the Legislative Reference Bureau*

Currently, under the Wisconsin Constitution, an elector has one vote to cast jointly for the offices of governor and lieutenant governor. Under current law, an independent candidate for the office of governor or lieutenant governor may only have his or her name appear on the ballot if he or she files nomination papers that indicate the name of a running mate whose name is to appear on the ballot with that candidate's name. The failure of an elector who casts a write-in vote for the office of governor to cast a write-in vote for a candidate for lieutenant governor, or the failure of an elector who casts a write-in vote for the office of lieutenant governor to cast a write-in vote for a candidate for governor invalidates the elector's vote cast for the office of governor or lieutenant governor alone.

This bill permits an independent candidate for the office of governor or lieutenant governor to file nomination papers without a running mate, and permits an elector to cast a vote for that candidate or to write in the name of a candidate for the office of governor or lieutenant governor without voting for any candidate as the running mate of that candidate. Under the bill, any vote cast singly for a candidate for the office of governor or lieutenant governor is not cumulated with any other vote cast by another elector for the same candidate for the same office if that other elector indicates a choice for the running mate of that candidate, and any vote cast for a

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candidate for governor or lieutenant governor is not cumulated with any other vote cast by another elector for the same candidate for the same office if that other elector does not indicate the same choice for a running mate of that candidate.

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

1           **SECTION 1.** 7.50 (2) (i) of the statutes is amended to read:

2           7.50 (2) (i) The failure by an elector to write in the name of a candidate for the  
3 office of vice president of the United States on the general election ballot does not  
4 invalidate the elector's vote for any candidate whose name is written in for the office  
5 of president of the United States. The failure of an elector to write in the name of  
6 a candidate for the office of president of the United States on the general election  
7 ballot invalidates the elector's vote for any candidate whose name is written in for  
8 the office of vice president of the United States. The failure of an elector to write in  
9 the ~~names~~ name of candidates a candidate for the ~~offices~~ office of governor and or  
10 lieutenant governor on the general election ballot ~~invalidates~~ does not invalidate the  
11 elector's vote for any candidate whose name is written in for the office of governor  
12 or lieutenant governor alone.

13           **SECTION 2.** 7.50 (2) (im) of the statutes is created to read:

14           7.50 (2) (im) If an elector votes for an independent candidate for the office of  
15 governor or lieutenant governor but does not vote for any candidate as a running  
16 mate of that candidate for the office of lieutenant governor or governor, the vote cast  
17 by the elector shall be recorded as a vote cast for both offices and shall not be  
18 cumulated with a vote cast by any other elector for the same candidate for the same  
19 office jointly with any vote cast for a running mate of that candidate. If an elector  
20 votes for independent candidates for the offices of governor and lieutenant governor,

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1 the vote cast by the elector shall not be cumulated with a vote cast by any other  
2 elector for one but not both of the candidates for whom the elector casts his or her  
3 vote.

4 **SECTION 3.** 8.20 (2) (c) of the statutes is amended to read:

5 8.20 (2) (c) In the case of candidates for the offices of president and vice  
6 president, the nomination papers shall contain both candidates' names; the office for  
7 which each is nominated; the residence and post-office address of each; and the party  
8 or principles they represent, if any, in 5 words ~~of~~ or less. In the case of candidates  
9 for the offices of governor and lieutenant governor, the nomination papers shall  
10 contain both candidates' names or the name of a candidate for either office; the office  
11 for which each candidate is nominated; the residence and post-office address of each  
12 candidate; and the party or principles ~~they represent~~ each candidate represents, if  
13 any, in 5 words or less.

14 (END)