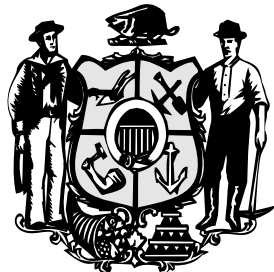


# RECALL OF LOCAL ELECTED OFFICIALS

April 2007



**Wisconsin State Elections Board**  
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## **Recall of Local Elected Officials**

The qualified electors of the state, of any city, village, town, (with the exception of sanitary districts) may petition for the recall of any incumbent elected official by filing a petition with the same official or agency with whom nomination papers or declarations of candidacy for the office are filed, demanding the recall of the officeholder. This is an extension of the right to recall state and county officials found in the Wisconsin Constitution since November, 1926.

## **Recall of County and State Officials**

The qualified electors of any county, congressional, legislative, judicial, or of any prosecutorial unit may also petition for the recall of any incumbent elected official. Please see the State Elections Board Manual “Recall of County and State Officials” with information on this process.

Recall gives voters the right to reconsider their choice of an elected official, however, it does not automatically result in removal of an official from office. It provides an opportunity for voters to require an elected official to run for office again before the expiration of his or her term. The requirements for initiating recall efforts are very specific and must be carefully followed.

The statutory provisions for recalling local elected officials are provided in §9.1.0, Wis. Stats. These include registering with the appropriate filing officer, and preparing, circulating, and filing a petition.

A “Glossary of Terms” used in the discussion of recall procedures is found on pages 10-11.

## **Who Can be Recalled?**

Any local elected officeholder who has served one year of the term for which he or she was most recently elected, as of the date the recall petition is offered for filing, can be recalled.

If the regular term of an elected officeholder’s position is scheduled for re-election at the spring election to be held within six weeks of the date the recall petition is filed, a recall election cannot be held.

## **Who Can Initiate a Recall?**

Any qualified elector of the election district from which the officeholder was elected may initiate a recall. A qualified elector is a United States citizen, 18 years of age or older, who has resided in the district or jurisdiction for at least 10 days. The person who files the recall petition is referred to as the petitioner.

## **Registration of a Recall Committee**

Before circulating a petition for recall the petitioner must register with the appropriate filing officer (See “*Glossary of Terms*” for definition of filing officer). Registration is accomplished by filing a Campaign Registration Statement (EB-1) under §11.05(1) or (2), Wis. Stats. A registration form is attached to this manual.

A statement must be attached to the registration form indicating:

- a) the petitioner’s intent to circulate a recall petition,

- b) the name of the officeholder for whom recall is sought, and
- c) the reason for the recall which is related to the official responsibilities of the officeholder (the same reason must appear on the petition).

After the petitioner has completed registration with the filing officer, circulation of the petition may begin.

### **Petition Format Requirements**

The format of a recall petition must meet certain statutory requirements. The preparation and form of the petition are governed by §8.40, Wis. Stats. Attached to this manual is a sample Recall Petition (EB-170).

Recall Petition Requirements:

- Every recall petition must have on its face, at the top, in bold print, the words RECALL PETITION.
- The recall petition must identify the name of the officeholder. If more than one officeholder is to be recalled, a separate petition must be circulated and filed for each. Only one officeholder can be named on a recall petition.
- The petition must contain a statement of the reason for the recall which is related to the official responsibilities of the officeholder.

Each petition must provide a space for electors to:

- Sign their name
- List their municipality of residence, along with the post office address, including street and number, if any, or rural route (the address must be complete and clearly show that the signer resides in the district or jurisdiction represented by the officeholder).
- List the date of signing
- Each separate sheet of a recall petition must contain a completed Certification of Circulator.

### **Circulating the Recall Petition**

Circulation of the recall petition must be completed within 60 days after registration. The completed petition must be returned to the filing officer, that is, offered for filing, no later than 5:00 p.m. on the 60<sup>th</sup> day from the date of registration. Any signature on a recall petition that is dated before the date of registration or more than 60 days after registration is invalid.

### **Number of Signatures Required**

The petition must contain the signatures of qualified electors equal to at least 25% of the vote cast for the office of Governor at the last gubernatorial election held within the same district or jurisdiction as that of the officeholder. The filing officer is required to determine, and inform any interested person upon request, the number of signatures required to recall an officeholder of that district or jurisdiction.

### **Individual Signature Requirements**

The specific requirements that apply to each signature on a petition to recall a local officeholder are listed here and can also be found in El.Bd. 2.09, Wis. Adm.Code.

- The signature listed must be that of a qualified elector of the jurisdiction or district represented by the officeholder.
- The full address, including municipality of residence, of each signer must be listed on the petition and must be within the election district or jurisdiction of the officeholder.
- Each signature must be dated when it is affixed to the petition.
- The date of the signature must be within 60 days from the date the recall petitioner registered with the filing officer.
- The date of the signature must not be later than the date of the circulator's signature in the Certification of Circulator.

### **Certification of Circulator**

Each page of a recall petition must, contain the Certification of Circulator. The language of the certification, must comply with the requirements of §8.40(2), Wis. Stats. *After* the signatures are obtained the certification must be completed by the circulator.

Specific requirements of the circulator are:

- The circulator must list his or her full address, including municipality of residence, and street and number, if any, or rural route.
- The circulator must sign and date the certification *after* they have obtained the signatures.
- The person signing as circulator must have personally circulated the petition and personally obtained each of the signatures on the paper.
- The circulator must state that he or she is aware that falsifying the certification is punishable under §12.13(3) (a), Wis. Stats.

### **Review of Petition by Filing Officer**

Within 31 days after the petition is offered for filing, the filing officer is required to determine the sufficiency of the petition, (E1. Bd. 2.09, Wis. Adm. Code). A careful review of the face of the petition must be done by the filing officer to verify that:

- The format of the petition follows the requirements of §8.40, Wis. Stats.
- The petition contains all the information required under §9.10, Wis. Stats., and clearly informs the electorate of the intentions of the petitioner.
- Each signer is a qualified elector of the district represented by the officeholder.
- The address listed by each signer is within the district represented by the officeholder.

- The date of signing for each elector is within the 60-day circulation period, and not later than the date the certification was signed by the circulator.
- The circulator has properly completed the Certification of Circulator (See previous section for requirements of circulator).

NOTE: The officeholder who is the subject of the recall petition may file a written challenge to the petition. (See “*Challenges to a Recall Petition*” on page 8.)

### **Certificate of Sufficiency/Insufficiency**

The filing officer’s findings must be stated in a certificate attached to the petition within 31 days after the petition is offered for filing. The filing officer must allow at least 10 days before attaching the certificate to permit the officeholder time to file any challenge to the petition. The certificate must state the number of petition sheets filed with the filing officer and the number of valid signatures. If the petition is found to be sufficient, the filing officer shall file the petition and transmit the certified petition to the appropriate local governing body. The local governing body shall then immediately call a recall election. If the petition is found to be insufficient, the certificate shall state the particulars creating the insufficiency (See “*Correcting an Insufficient Petition*” on page 7).

### **Date of Recall Election**

The governing body shall call a recall election to be held on the Tuesday of the 6th week commencing after the date on which the clerk issues the certificate of sufficiency and files the petition. If that Tuesday is a legal holiday, the recall election shall be held on the first day after Tuesday which is not a legal holiday.

### **Recall Primary**

If more than two persons compete for the office, a recall primary will be held on the date originally set for the recall election. The recall election will then be held on the Tuesday of the fourth week after the recall primary. If that day is a legal holiday, the recall election will be held on the first day after Tuesday which is not a legal holiday.

The two candidates receiving the highest number of votes in the recall primary will be certified to appear on the ballot in the recall election. However, if the incumbent officeholder or any other candidate at the recall primary receives the *majority* of the total number of votes cast in the recall primary, that person shall be considered elected and the recall election will not be held.

### **Candidates at the Recall Election**

The officeholder against whom the recall petition is filed will be a candidate at the recall election, or at the primary if a primary is required, unless the officeholder resigns within 10 days after the date the certificate of sufficiency is issued. **There are no filing requirements for an incumbent officeholder.** All other candidates must register, circulate and file nomination papers, and file a declaration of candidacy with the appropriate filing officer. A copy of the most current forms should be available from the local filing officer. If a candidate fails to file any of the three forms listed below by the filing deadline of 5:00 p.m. on the 4<sup>th</sup> Tuesday before the recall election or recall primary, the candidate’s name will not be placed on the ballot.

1) Campaign Registration Statement (EB-1)

Candidates at the recall election must register with the appropriate filing officer by filing a Campaign Registration Statement (EB-1), as soon as they form the intent to be a candidate and before receiving contributions or making disbursements. The deadline for registration is 5:00 p.m. on the 4<sup>th</sup> Tuesday before the date of the recall election or recall primary.

2) Declaration of Candidacy (EB-162)

A Declaration of Candidacy (EB-162) must also be filed by candidates at the recall election no later than the deadline for filing nomination papers. The candidate must designate on this form the same office title as appears on the nomination papers.

3) Nomination Papers for Nonpartisan Office (EB-169)

Candidates at the recall election for city, village, and town offices must circulate and file nomination papers, regardless of the method used for nomination at other elections. Candidates at the recall election for school district offices only file nomination papers if that is the method used for regular elections. The proper form is Nomination Paper for Nonpartisan Office (EB-169). The nomination papers must contain at least the required minimum number of valid signatures of qualified electors and must be filed no later than 5:00 p.m. on the 4<sup>th</sup> Tuesday before the date of the recall election or recall primary (For the number of signatures required, check with the filing officer, or refer to §8.10(3), Wis. Stats.).

Candidates for the recall election must designate, on their nomination papers, which position they are seeking, and in the case of multiple positions for at-large seats, which officeholder they are opposing. If more than one village trustee, town supervisor, or school board member is being recalled, the nomination papers must clearly state which of the officeholders the candidate is opposing. For example, for at-large seats such as school board member, the papers must state "School Board Member for the position currently held by (*insert officeholder's name*)."

### **Recall of More Than One Officeholder**

When more than one petition is filed at the same time for the recall of more than one officeholder from the same district, each petition must be handled separately. If the recall petitions are found to be valid, a separate election contest will be required for each incumbent officeholder. For example, if valid petitions are filed to recall two school board members, there will be two recall elections. If only one of these positions requires a recall primary, because three or more candidates are seeking this position, the recall primary will be held on the same day as the recall election for the other position.

When more than one position is to be listed on a single ballot, each position must be listed separately with instructions to electors to vote for one candidate for each position.

### **Interim Position of Incumbent**

If the officeholder resigns after the completion of the petitioner's registration, but before the filing of the petition, or before the primary or election, the recall proceeds unaffected.

If the officeholder does not resign, he or she continues to perform the duties of the office. If the incumbent is defeated at the recall election, he or she continues to perform the duties until a certificate of election is issued to the successor.

Once a recall petition has been filed and a recall election has been held, no further recall petitions can be filed against the officeholder during the term for which he or she was elected.

### **Correcting an Insufficient Petition**

If a recall petition is found to be insufficient, a petitioner may amend the petition by filing affidavits or other proof correcting certain insufficiencies within 5 days following the attachment of the original certificate by the filing officer.

Correctable insufficiencies (See 9.10(2)(e), Wis. Stats.) include, but are not limited to:

- The failure of the circulator to sign the certification or to include all required information.
- The person signing the petition omitted the date or wrote the incorrect date.
- The failure of the circulator to write his or her complete address on the certification.

Within 2 days after the amended petition is offered for filing, the filing officer shall again carefully examine the face of the petition to determine its sufficiency and attach an amended certificate stating the findings.

The filing officer shall immediately attach a certificate of sufficiency, file the petition and call the recall election.

### **Challenges to a Recall Petition**

Within 10 days after a recall petition is offered for filing, the officeholder can challenge its sufficiency. The challenge must be made in the form of a written, sworn complaint.

The challenge must specify any alleged insufficiency in the petition. Any challenge to the validity of signatures on a recall petition must demonstrate by affidavits or other supporting evidence a failure to comply with statutory requirements. The burden of proof is on the challenger. The information on a recall petition is presumed to be valid unless proven otherwise. El.Bd. 2.11., Wis. Adm. Code.

Some of the grounds for challenge and the resulting effect are:

- Grounds: An elector has signed the recall petition more than once.  
Resulting Effect: The second and subsequent signatures are not counted.
- Grounds: A person signed the name of another elector.  
Resulting Effect: The signature may not be counted, unless the elector was unable to sign due to physical disability and authorized the individual to sign in his or her behalf. In this case, a notation clarifying the situation should be made on the petition by the signer.

- Grounds: An individual is ineligible to sign the petition because he or she is not a qualified elector of the district or jurisdiction.  
Resulting Effect: The signature may not be counted.
- Grounds: A challenger establishes that the purpose of the petition was misrepresented by the circulator and the signer was not aware of the purpose of the petition.  
Resulting Effect: The signature may not be counted.
- Grounds: A signature is obtained before the first day for circulation, after the last day for circulation, or after the date the oath is administered to the circulator.  
Resulting Effect: The signature may not be counted.

When a challenge is made, the filing officer must review the challenge, all rebuttals, and replies, and make a determination of sufficiency within 14 days after the expiration of time allowed for such challenges, rebuttals, and replies.

### Rebuttals and Replies

Within 5 days after a challenge is filed, the petitioner may file, with the filing officer, a written rebuttal to the challenge.

Within 2 days after the filing of a rebuttal, the officeholder may file a reply to any new matter raised in the rebuttal.

Within 14 days after this time period has passed, the filing officer must attach the certificate of sufficiency/insufficiency.

### **Appeal of Determination of Sufficiency**

After a certificate of sufficiency/insufficiency has been issued, any elector of the jurisdiction or district dissatisfied with the determination (including the incumbent officeholder or the petitioner) may file a written sworn complaint with the State Elections Board. The complaint must be filed promptly (within 10 days that the complainant knew or should have known of the determination) so as not to prejudice the rights of any other party. Please see *Information about Filing a Complaint Under the Election and Campaign Finance Law* located on the State Elections Board Website.

The complaint must include statements of fact based on the knowledge and belief of the complainant that:

- The issuance of the certificate is contrary to law, or
- The filing officer abused his or her discretion with respect to the determination of sufficiency/insufficiency.

The complaint may be accompanied by relevant supporting documents and a request that the filing officer be required to correct his or her determination and issue a new certificate that is consistent with law, (§5.06(1), Wis. Stats.). The State Elections Board will conduct an investigation and decide the matter. The Board may affirm or disaffirm the decision of the



filing officer and state its findings in an order which will be immediately sent to the filing officer. If the filing officer's decision is disaffirmed, the Board's order will require the filing officer to correct the determination, and issue a new certificate accordingly.

Any election official or complainant who is aggrieved by the Board's order may appeal the decision of the Board to the circuit court no later than 30 days after issuance of the order. The proper jurisdiction is the court for the county where the filing officer conducts business or where the complainant resides. The Board's order remains in effect while the appeal is pending, unless the circuit court orders otherwise.

### **Campaign Finance Disclosure Requirements**

Petitioners seeking to recall elected officials must comply with the campaign finance disclosure requirements of Wisconsin law, Ch.11, Wis. Stats. The filing of a Campaign Registration Statement (EB-1) containing a declaration of intent to circulate a recall petition is treated as registration for campaign finance disclosure purposes. Anyone who wishes to oppose the recall by raising contributions, or by making disbursements or incurring obligations in excess of \$25, must also register with the same filing officer.

Any contributions raised and any disbursements made in support of, or in opposition to, the recall effort are required to be reported to the filing officer unless the registrant has applied and qualified for exempt status. The Campaign Finance Report (EB-2), which is used for all other campaign finance reporting, should be used to report all contributions, disbursements, and incurred obligations of a recall committee.

Any committee or individual who supports or opposes an effort to circulate a recall petition is required to file a Campaign Finance Report (EB-2), no later than 30 days after the date of registration or within 5 days after the recall petition has been filed, whichever is earlier. The filing officer must send notice of the filing deadlines and reporting periods to the recall committee and to any other recall registrant. After conclusion of the recall action, each registrant should file a termination report with the filing officer.

### **Glossary of Terms**

*Certification of Circulator*—a statement at the bottom of each sheet of a petition, which is signed by the circulator.

*Campaign Finance Report*—Elections Board form (EB-2) for financial disclosure, to be filed, if required, by the petitioner, candidates at the recall election, and other registrants supporting or opposing the recall effort.

*Campaign Registration Statement*—Elections Board form (EB-1), filed by petitioner to register intent to file a recall petition; each candidate at the recall election, except for the officeholder; and any others actively supporting or opposing the recall effort.

*Circulation period*—a 60-day period starting from the day of registration.

*Circulator*—a qualified elector who circulates a petition. (A circulator is not required to be a resident of the jurisdiction or district subject to recall.)

*Declaration of Candidacy*—Elections Board form (EB-162), a statement of qualification to hold office if elected, to be filed by all candidates at the recall election, except for the officeholder.

*Filed*—the recall papers have been reviewed and a certificate of sufficiency or insufficiency is attached by the filing officer.

*Filing Officer*—for town, village, or city offices, the appropriate municipal clerk. For school district offices, the school district clerk. For the City of Milwaukee, the Board of Election Commissioners.

*Nomination Papers*—Elections Board form (EB-169), for nonpartisan local offices, to be filed by candidates at the recall election, except for the officeholder.

*Offered for filing*—submitting the petition to the filing officer for review.

*Officeholder*—the elected official for whom recall is sought.

*Petition*—Elections Board form (EB-170), a sworn document which conforms to §8.40, Wis. Stats.

*Petitioner*—the individual or group initiating and filing the recall petition.

*Registration*—the act of filing a Campaign Registration Statement (EB-1) with the appropriate filing officer along with a statement of intent to recall, which includes the name of the officeholder and the reason for recall.

*Sworn Complaint*—a written challenge, sworn to before a person authorized to administer oaths. Please see *Information about Filing a Complaint Under the Election and Campaign Finance Law* located on the State Elections Board Website.

Questions concerning recall of local elected officials should be directed to the local filing officer or to the State Elections Board. All forms and a copy of this manual can be found at the State Elections Board Website listed below.

This document has been prepared by staff of the:

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# CAMPAIGN REGISTRATION STATEMENT

## STATE OF WISCONSIN

### EB-1

FOR OFFICE USE ONLY

IF A CANDIDATE DOES NOT FILE THIS STATEMENT BY THE DEADLINE FOR FILING NOMINATION PAPERS,  
THE CANDIDATE'S NAME WILL NOT BE PLACED ON THE BALLOT.

**NOTICE:** ANY CHANGE OF INFORMATION ON THIS REGISTRATION STATEMENT MUST BE FILED WITHIN 10 DAYS.

IS THIS AN AMENDMENT? ☐ Yes ☐ No

#### 1. CANDIDATE AND CANDIDATE COMMITTEE INFORMATION

Name of Candidate	Party Affiliation	Office Sought (include district or branch number)
Residence Address (number and street)	Primary Date	Candidate Telephone Number (residence)
City, State and Zip Code	Election Date	Candidate Telephone Number (employment)
Campaign Committee Name (if any) Check One: <input type="checkbox"/> Personal Campaign Committee <input type="checkbox"/> Support Committee	Candidate Email Address (optional)	
Campaign Committee Address (if different than above) - Number, Street, City, State and Zip Code		
Telephone Number (if different than above)		

#### 2. POLITICAL COMMITTEE INFORMATION

(For use ONLY by Political Action Committees, Political Party Committees, Political Groups, etc.)

Name of Committee		
Address - Number, Street, City, State and Zip Code		
Telephone Number		
Sponsoring Organization - Name and Complete Address		
Acronym (if any)		
<b>Type of Committee:</b>		
A. <input type="checkbox"/> Special Interest Committee (PAC)		
<input type="checkbox"/> Resident Committee <input type="checkbox"/> Nonresident Committee		
<input type="checkbox"/> Incorporated Labor Organization - Attach Information Required by s.11.05(3)(n), Stats.		
B. <input type="checkbox"/> Political Party Committee		
<input type="checkbox"/> National <input type="checkbox"/> State <input type="checkbox"/> County <input type="checkbox"/> Other _____		
C. <input type="checkbox"/> Legislative Campaign Committee - Attach Statement Required by s.11.05(3)(o), Stats.		
D. <input type="checkbox"/> Political Group (Referendum) _____ <input type="checkbox"/> Support <input type="checkbox"/> Oppose		
Name of Referendum		
E. <input type="checkbox"/> Recall Committee _____ <input type="checkbox"/> Support Recall <input type="checkbox"/> Oppose Recall		
Name of Officer Subject to Recall		
- Attach Statement Required by s.9.10(2)(d)		
F. <input type="checkbox"/> Independent Committee - Also, Complete Oath of Independent Expenditures, Form EB-6		
G. <input type="checkbox"/> Individual - Also, Complete Oath of Independent Expenditures, Form EB-6		

**3. COMMITTEE TREASURER** (Campaign finance correspondence is mailed to this address.)

Treasurer's Name	Telephone Number (residence)
Address (number and street)	Telephone Number (employment)
City, State and Zip Code	

**4. PRINCIPAL OFFICERS OF COMMITTEE AND OTHER CUSTODIANS OF BOOKS AND ACCOUNTS**

Attach additional listing if necessary. Indicate which officers or committee members are authorized to fill a vacancy in nomination due to death of candidate by an asterisk(\*). This provision only applies to independent and local nonpartisan candidates. s.8.35, Stats.

NAME	MAILING ADDRESS	POSITION

**5. DEPOSITORY INFORMATION**

Name of Financial Institution	Account Number (Attach list of any additional accounts and deposit boxes, location, type and number, i.e., savings, checking, money market, etc.)
Address (number and street)	City, State and Zip Code

**CERTIFICATION****TREASURER**

I, \_\_\_\_\_ (print full name) certify the information in this statement is true, correct and complete.

Signature \_\_\_\_\_, Treasurer \_\_\_\_\_  
Date \_\_\_\_\_

**CANDIDATE**

I, \_\_\_\_\_ (print full name) certify the information in this statement is true, correct and complete,  
and that this is the only committee authorized to act on my behalf.

Signature \_\_\_\_\_, Candidate \_\_\_\_\_  
Date \_\_\_\_\_

**+ + + EXEMPTION FROM FILING CAMPAIGN FINANCE REPORTS** s.11.05(2r), Stats. **+ + +**

You may be eligible for an exemption from filing campaign finance reports. Consult the Campaign Finance Instruction and Bookkeeping Manual to determine if the registrant qualifies for exemption.

☐ This registrant is eligible for exemption. This registrant will not accept contributions, make disbursements or incur obligations in an aggregate amount of more than \$1,000 in a calendar year or accept any contribution or cumulative contributions of more than \$100 from a single source during the calendar year, except contributions by a candidate to his or her campaign of \$1,000 or less in a calendar year.

☐ This registrant is no longer eligible to claim exemption.

\_\_\_\_\_  
Signature of Candidate or Treasurer

\_\_\_\_\_  
Date

THE INFORMATION ON THIS FORM IS REQUIRED BY ss.9.10(2)(d), 11.05, 11.06(7), STATS. FAILURE TO PROVIDE THE INFORMATION MAY SUBJECT YOU TO THE PENALTIES OF ss.8.30(2), 11.60, 11.61, 11.66, STATS.

# RECALL PETITION

TO: \_\_\_\_\_  
(official with whom nomination papers or declaration of candidacy for the office is filed)

We, the undersigned qualified electors of the \_\_\_\_\_,  
(jurisdiction or district of officeholder)

petition for the recall of \_\_\_\_\_  
(name of officeholder to be recalled and office)

from office pursuant to Article XIII, Section 12 of the Wisconsin Constitution and S. 9.10 of the Wisconsin Statutes.

## STATEMENT OF REASON FOR RECALL

(The reason for recall must be stated on petitions for city, village, town, and school district officials. The reason must be related to the official responsibilities of the officeholder. **No statement of reason is required to initiate the recall of state, congressional, legislative, judicial, or county officials.**)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

THE MUNICIPALITY USED FOR MAILING PURPOSES, WHEN DIFFERENT THAN MUNICIPALITY OF RESIDENCE, IS NOT SUFFICIENT. THE NAME OF THE MUNICIPALITY OF RESIDENCE MUST ALWAYS BE LISTED.			
SIGNATURES OF ELECTORS	<u>STREET &amp; NUMBER OR RURAL ROUTE</u> Rural address must also include box or fire no.	MUNICIPALITY OF RESIDENCE Indicate Town, City, or Village	DATE OF SIGNING
1.		<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City	
2.		<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City	
3.		<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City	
4.		<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City	
5.		<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City	
6.		<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City	
7.		<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City	
8.		<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City	
9.		<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City	
10.		<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City	

## Certification of Circulator

I, \_\_\_\_\_, certify:  
(name of circulator)

I reside at \_\_\_\_\_  
(circulator's residence - include number, street, and municipality)

I personally circulated this recall petition and personally obtained each of the signatures on this paper. I know that the signers are electors of the jurisdiction or district represented by the officeholder named in this petition. I know that each person signed the paper with full knowledge of its content on the date indicated opposite his or her name. I know their respective residences given. I support this recall petition. I am aware that falsifying this certification is punishable under S. 12.13(3)(a), Wis. Stats.

\_\_\_\_\_  
(date) (signature of circulator)

## INSTRUCTIONS FOR PREPARING RECALL PETITIONS

This is a sample recall petition form. It conforms to the statutory requirements for recall petitions. This form may be reproduced. The State Elections Board has determined that no disclaimer or other attribution statement is required on recall petitions.

**Registration** - Before circulating a recall petition, the persons or committees seeking to recall an elected official must register with the appropriate filing officer indicating their intent to circulate a recall petition and the name of the officer to be recalled. Petitions for the recall of local election officials must state the reasons for the recall which relate to the official duties of the person to be recalled.

**Required Signatures** - The number of signatures required to recall an elected official is specified in S. 9.10(1)(b), (c), Wis. Stats. The filing officer is required to determine and certify to any person the number of signatures required on a recall petition. It is recommended that a person seeking to recall elected officials consult with an attorney concerning the validity of signatures on recall petitions. S. 9.10(2)(e), Wis. Stats.

**Filing Officer** - The recall petition shall be directed to the official with whom nomination papers or a declaration of candidacy for the office of the person to be recalled is filed.

**Jurisdiction** - The name of the jurisdiction or district that the officeholder represents shall be placed on the recall petition, along with the name of the officeholder to be recalled, and the office held.

**Reasons for Recall** - Recall petitions for elected officials representing city, village, town, and school district offices must state reasons for the recall which relate to the official duties of the official to be recalled. *No statement of reason is required to initiate the recall of state, congressional, legislative, judicial, or county elected officials. The lines can be left blank.*

**Signatures of Electors** - Only qualified electors of the jurisdiction or district represented by the officeholder may sign the petition. Each elector's municipality of residence must be listed on the petition, along with the mailing address, including any street, fire or rural route number, box number (if rural route) and street or road name. The Street & Number or Rural Route section for each elector's address is split into two lines. The first line is for the street address. The second line is for the municipality for mailing purposes. The Municipality of Residence listed for each signing elector must clearly identify the town, village or city where the elector's voting residence is located. A post office box number alone does not show where the elector actually resides. The date the elector signed the petition, including month, day and year, must be indicated. Ditto marks that follow correct and complete address or date information are acceptable. The circulator may add any missing or illegible address or date information before the petition is filed with the filing officer. Individuals or committees seeking to recall elected officials should carefully review S. 9.10(2)(e), Wis. Stats., concerning the validity of signatures on recall petitions.

**Certification of Circulator** - The circulator shall personally present the petition to each signer. The circulator may not leave the petition papers unattended on counters or posted on bulletin boards. After obtaining the signatures, the circulator must complete, sign and date the certification on each page of the petition.

**Page Numbers** - Number each page consecutively, beginning with "1", before submitting to the filing officer. A space for page numbers has been provided in the lower right-hand corner of the form.

**Filing Requirements** - the petition shall be filed no later than 5:00 p.m. on the 60<sup>th</sup> day after registration of the recall committee. After the petition is filed, no name may be added or removed. Any signature obtained before registration or after the appropriate circulation period may not be counted.

**Other Requirements** - Individuals or committees petitioning for recall are subject to campaign finance reporting requirements. S. 11.20(4m), Wis. Stats. Individuals or committees organized to recall elected officials should carefully review S. 9.10, Wis. Stats. If individuals or committees have any questions, they should contact the filing officer of the official to be recalled.