

State of Wisconsin\Government Accountability Board

212 East Washington Avenue, 3rd Floor
Post Office Box 7984
Madison, WI 53707-7984
Voice (608) 266-8005
Fax (608) 267-0500
E-mail: gab@wisconsin.gov
<http://gab.wi.gov>



JUDGE THOMAS H. BARLAND
Chair

KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: October 7, 2011

TO: Wisconsin Municipal Clerks
City of Milwaukee Election Commission
Wisconsin County Clerks
Milwaukee County Election Commission

FROM: Nathaniel E. Robinson
Elections Division Administrator
Government Accountability Board

SUBJECT: Impact of Voter ID Legislation With Respect to Absentee Voters

2011 Act 23 (the “Voter ID Bill”) requires all voters, beginning with the 2012 February Primary, to prove their identity before casting a ballot. Although some form of proof of ID is required of most voters, certain types of absentee voters are either exempt from the Voter ID requirement or may utilize a substitute method in order to satisfy the requirement.

In-person voters, whether at the polling place on Election Day or by absentee ballot in the clerk’s office, must provide acceptable voter ID *each time* they vote at the polling place or in person in the clerk’s office. A list of acceptable voter ID can be found on the Government Accountability Board’s website at this link: <http://gab.wi.gov/publications/quick-reference/acceptable-photo-id>.

REMEMBER!! Revised forms are *not to be used for any election occurring before January 1, 2012*.

OVERVIEW OF ABSENTEE VOTING RULES

The *Overview of Absentee Voting Rules* document (<http://gab.wi.gov/publications/manuals/absentee-voting-overview>) breaks down the various types of absentee voters and sets out the respective absentee voting and voter ID requirements for each type. Please pay close attention to all instructions for each type of absentee voter.

REVISED ABSENTEE VOTING DOCUMENTS

Links to revised absentee voting forms are listed below, along with a brief summary of the changes to each.

GAB-122 Certificate Envelope: (<http://gab.wi.gov/forms/gab-122-2012>)

Please Note: The **certificate side** of the envelope is the **same** whether the voter is a “regular,” overseas, military away, military not away, or in-person absentee voter. The **address side** of the envelope **will depend on the type of voter** to whom the certificate envelope is sent.

- Certificate envelopes sent to **military voters away from their residence due to active duty** contain the address side labeled **GAB-122M away**.
- Certificate envelopes sent to **military voters who are not away from their residence due to active duty** contain the address side labeled **GAB-122M not away**.

- Certificate envelopes sent to **any other voter** contain the address side labeled **GAB-122 standard**.
- There are two orientations of the certificate side of the envelope —“landscape” and “portrait.” You may choose the orientation you prefer. Clerks have commented that envelopes that open on the short end are often less costly than envelopes that open on the long side. The portrait orientation also removes the problem of postal equipment “seeing” the witness address resulting in misdirection of the ballot.
- A place for the municipal clerk to initial that the voter has met the ID requirements has been added
- The line “I further certify that the name and address of the voter is correct as shown” has been added to the Certification of Witness.
- A Certification of Care Facility Authorized Representative section has been added. (A voter who resides in an SVD-eligible facility that is not served by SVDs and who is not indefinitely confined may complete this section in lieu of conventional voter ID.)
- A section has been added for the municipal clerk to indicate to the poll workers if proof of ID must be enclosed in the certificate envelope in order for the ballot to be processed normally. If either box is checked in this section, and proof of ID is not enclosed, the ballot is treated as provisional.

GAB-121 Application for Absentee Ballot: (<http://gab.wi.gov/forms/gab-121-2012>)

Photo ID information has been added to this form in the “Instructions” sections on both sides of the form. “Clerk’s Office” was added as a selection in section 5.

Uniform Instructions for Absentee Voters

Uniform Instructions are required to be sent to each absentee voter with their absentee ballot. Instructions incorporate the ID requirements and fax/email instruction. There are three separate uniform instruction documents:

- “Regular” and Overseas voters: <http://gab.wi.gov/publications/brochures/uniform-instructions/regular-overseas-absentee-voters>
- Military Voters: <http://gab.wi.gov/publications/brochures/uniform-instructions/military-absentee-voters>
- First-Time Voters Who Registered By Mail: <http://gab.wi.gov/publications/brochures/uniform-instructions/first-time-voters>

Form Letters for Indefinitely-Confined Absentee Voters and “Regular” Absentee Voters:

<http://gab.wi.gov/publications/other/form-letters-absentee>

You may use these letters to apprise your absentee voters of the ID requirement as it pertains to individual situations. Voters who have applied for absentee ballots as indefinitely-confined electors receive the “Indefinitely-Confined Letter.” All other voters (except those who are exempt from the requirement -- military, overseas or confidential voters) receive the “General Absentee Voter Letter.” A list of acceptable photo ID is appended to each letter as a second page so that the list may be copied to the back of each letter.

Fax and Email Instructions: <http://gab.wi.gov/forms/clerks/fax-email-ballot>

Photo ID information added.

If you have questions or comments, please contact the Help Desk at (608) 261-2028 or gabhhelpdesk@wi.gov.

Thank you.

cc: Kevin J. Kennedy/Director and General Counsel/Government Accountability Board