

**Elections Administration Webinar Training Series
Back to Basics**

REVIEW OF SPECIAL PROCEDURES

This session will address the following topics relating to the election duties and responsibilities of local election officials.

Wednesday, March 13, 2013

9:00 a.m. – 11:00 a.m.

Program Presenters

Wisconsin Government Accountability Board Staff

Agenda

- **Polling Place Accessibility**
- **Inspectors' Statement (GAB-104)**
- **SVDs and Absentee Voting Manual**
- **Issuing Absentee Ballots**
- **Issuing Provisional Ballots**
- **MBOC/Late-Arriving Absentee and Provisional Ballots**

Overall Top Ten Accessibility Compliance Issues

1. Required election notices are not always posted and those posted are not printed in 18-point font.
2. Lack of accessible parking spaces and/or insufficient signage for accessible parking spaces.
3. Insufficient signage for accessible entrances.
4. Doors that require more than 8 lbs. of force to open.
5. Gaps and uneven pavement in the pathway from the parking area to the accessible entrance.
6. Interior routes that had obstacles, were poorly lit, and/or were not clearly marked by large print signs directing voters to the voting area.
7. The voting area had no booth or table where a voter using a wheelchair may cast a paper ballot privately and independently.
8. Accessible voting equipment that was not functional or was not clearly available for voters to use.
9. Doors that do not have lever door handles or an electronic feature such as an automatic opener, power-assist, or bell/buzzer.
10. The off-street accessible parking spaces were not located nearest to the accessible entrance.

Top Ten Accessibility Compliance Issues from the Spring Primary

1. Required election notices are not always posted and those posted are not printed in 18-point font.
2. Lack of accessible parking spaces and/or insufficient signage for accessible parking spaces.
3. **The accessible pathway was not maintained and kept clear of hazards throughout Election Day.**
4. Insufficient signage for accessible entrances.
5. Doors that require more than 8 lbs. of force to open.
6. Gaps and uneven pavement in the pathway from the parking area to the accessible entrance.
7. **Accessible voting equipment was not positioned to ensure voter privacy.**
8. **Voting booths or tables on which accessible voting equipment was stationed did not meet ADA standards.**
9. Accessible voting equipment that was not functional or was not clearly available for voters to use.
10. The off-street accessible parking spaces were not located nearest to the accessible entrance.

**Findings in bold differ from the overall audit results.*

✓ Election Day Accessibility Checklist ✓

The purpose of this checklist is to allow you, the poll worker, to quickly assess whether or not your polling place has barriers for people with disabilities on Election Day. If you identify barriers, you should inform the municipal clerk and/or your supervisor so the barrier can be addressed as soon as possible. Many barriers can be easily addressed on Election Day*.

Parking

For polling locations that have parking lots:

- The accessible space(s) are clearly marked with the standard accessible parking sign.
- The accessible space(s) are located nearest to the accessible entrance.
- There is at least one van accessible space.
- There is an accessible way to get from the parking lot to the sidewalk.
- The parking lot is paved.

For polling locations that do NOT have parking lots:

- There is an accessible passenger drop-off area, or temporary on or off street accessible parking that could be designated on Election Day.

Accessible parking must be kept clear of snow, piles of leaves or other obstacles to persons with disabilities in order to be accessible.

Pathways to the Building

- The path to the accessible entrance is clearly marked with large print signs if it is different from the primary route to the building.

*This checklist does not identify all barriers that a person may face at the polls. Answering positively to the checklist does not mean a polling site is in compliance with such laws as the Americans with Disabilities Act (ADA).

Pathways to the Building, continued

- The path of travel is free of breaks and edges and is clear of debris such as snow, ice and leaves, and low-hanging objects such as tree branches.
- The path of travel has the necessary curb cuts and ramps so that a person using a mobility device could access the building with ease.
- All ramps have handrails (and edge protection), if necessary.
- The path of travel is well-lit when necessary.

Entrance to the Building

- The entrance to the building is free of steps or has a ramp or elevator.
- The accessible entrance to the building is unlocked.
- The accessible entrance to the building has an automatic door opener or a call button, or there is someone stationed at the door to open it.

Travel within the building

- The accessible route to the voting area is clearly marked with large print signs if it is different from the main route and/or if it is not immediately inside the accessible entrance.
- Interior doors along the accessible route are unlocked and either have automatic doors or are propped open.
- If there are stairs to get to the voting area, there is an accessible elevator available.
- Interior doors along the accessible route are unlocked and either have automatic doors or are propped open.

Travel within the building, continued

- Interior doors along the accessible route are unlocked and either have automatic doors or are propped open.
- If there are stairs to get to the voting area, there is an accessible elevator available.
- Hallways are well-lit and free of low-hanging objects and items protruding from the wall or sitting on the floor.
- All rugs and mats along the accessible route have low pile and are securely fastened (or removed).

Voting Area

- Instructions for voting are printed in Large Print (18 point font or larger) and displayed in a convenient and obvious location.
- The path of travel in the voting area is wide enough for an individual using a mobility device to navigate and turn around with ease (minimum of 5x5 feet).
- There is a table, counter or voting booth that is extra wide at the bottom (at least 36 inches), and at good height (between 28 and 34 inches) to allow someone who uses a mobility device to use it comfortably and reach all parts of the voting equipment.
- Poll workers are trained in using and explaining the accessible voting equipment to voters.
- Polling booths that hold the accessible equipment are:
 - ✓ Housed in the same area of the room as all the other polling booths.
 - ✓ Strategically placed to ensure the privacy of the voter using the machine **AND** contain a privacy screen.

Voting Area, continued

- Electronic Accessible voting equipment is turned on, tested, and in proper working order for electors to use when the polls open on Election Day.
- There is a feasible plan in place to identify when a voter wants to vote curbside, and poll workers are aware of the curbside voting policy.
- Poll workers are aware of the special needs of voters with disabilities and are willing to provide reasonable accommodations when requested.
- The polling site has the following:
 - ✓ Signature guide or ruler to assist someone to sign their name in a straight line.
 - ✓ Communication cards or pen/paper to communicate with someone who is deaf or hard of hearing.
 - ✓ Magnifying glass to be used by someone with a sight impairment.
 - ✓ Extra seating and a policy to allow voters who have trouble standing or walking to wait to vote and maintain their place in line.

Your municipal or county clerk will have more detailed information about accessibility rules and laws. Additional information that may be helpful includes:

Wisconsin Government Accountability Board:
<http://gab.wi.gov/elections-voting/voters/accessibility>

U.S. Department of Justice ADA Checklist for Polling Places:
<http://www.usdoj.gov/crt/ada/adahom1.htm>

This checklist was created by Disability Rights Wisconsin (DRW) and reproduced by the Wisconsin Government Accountability Board with permission of DRW. If you have questions about this checklist or about accessibility, contact the Government Accountability Board at 866-VOTEWIS (866/868-3947) or DRW at 608/267-0214 or 888/758-6049 (TTY). People with disabilities who have questions or concerns can also call DRW's toll free line for consumers and families: 800/928-8778.

Polling Place Accessibility Supplies

Wisconsin Government Accountability Board

Check the # Needed Box and Indicate the Quantity

	Item	# Needed
	Van-Accessible sign 6" x 12"	
	Reserved Accessible sign 12" x 18"	Out of stock
	Election Day Accessible sign 12" x 18"	
	Accessible Entrance Left Arrow sign 12" x 18"	
	Accessible Entrance Right Arrow sign 12" x 18"	
	Please Ring Bell for Assistance sign 12" x 18"	
	Reserved Parking Left Arrow sign 12" x 18"	
	Reserved Parking Right Arrow sign 12" x 18"	
	Access at Rear sign 12" x 18"	
	Wireless Door Bell	Out of Stock
	Portable Sign Base 13" footprint, 48" high, 16 pounds	Out of Stock
	Window Decal 6" x 6"	
	Page Magnifier 6.5" x 8.75"	Out of Stock
	Signature Guide 5" x 8" total. Typoscope cutout 5/8" x 6" Signature cutout 1/2" x 2 1/2"	

Inspectors' Statement

We, the undersigned election inspectors, certify the following is a true and correct statement for an election held in the _____ ward(s) of the _____ of _____, County of _____, State of Wisconsin, on the _____ day of _____, 20____.

(ward number(s)) (Town, Village of City) (Name of Municipality) (Name of County) (Day) (Month) (Year)

MUNICIPAL CLERK PROVIDES THE FOLLOWING INFORMATION:

Voting Unit Number _____ Memory Device Serial Number _____
Tamper-Evident Seal Serial Number _____

THIS SECTION TO BE COMPLETED BY CHIEF INSPECTOR:

VOTING EQUIPMENT/BALLOT CONTAINER CHAIN-OF-CUSTODY RECORD

- Tamper-evident seal number verified by chief inspector (CI): Pre-election _____ Post-election _____
(CI initials) (CI initials)
- Upon sealing the ballot bag or container to which this Inspectors' Statement pertains, **record the number of the tamper-evident seal used for this purpose here** _____.

THIS SECTION TO BE COMPLETED BY ELECTION INSPECTORS AND VERIFIED BY CHIEF INSPECTOR:

VOTER STATISTICS

Total number of voters (last voter number on poll list) _____ **Number of absentee voters** _____
(Absentee voters and in-person voters. Do **not** include provisional voters.) **Number of provisional ballots** _____

Total Number of ballots cast _____ **Number of ballots in excess of total number of voters** _____

Number of votes cast on:
paper (hand count) ballots _____, **optical scan ballots** _____, **DRE (touch screen)** _____

Signatures of Election Inspectors

Time Worked

_____ to _____
_____ to _____
_____ to _____

CERTIFICATION OF CHIEF INSPECTOR

I certify that: I have completed the required training administered by the State Elections Board, and have been duly certified as a Chief Inspector. I served as the Chief Inspector for the election described above for the time period indicated below.

(Signature of Chief Inspector)

ENTIRE DAY FROM _____ a.m. TO: _____ a.m.
p.m. p.m.

(Signature of Chief Inspector)

FROM _____ a.m. TO _____ a.m.
p.m. p.m.

- ✓The completed form is retained in the office of the Municipal Clerk.
- ✓A copy of the completed form is returned to each Clerk with the other election forms.
- ✓Municipal clerk provides other copies as needed. §7.51, Wis. Stats.

DO NOT SEAL IN BALLOT BAG!

Quick Reference (Please refer to the Election Day Manual for detailed procedures!)		
Code	Description of Incident	Procedure for Completing Inspectors' Statement
RO RS RW RD RB RV	Rejected Absentee Ballots—Absentee ballots are rejected if: The certificate envelope is open or appears to have been opened and resealed. The elector did not sign the certificate envelope. There is no signature of a witness. The inspectors have reliable proof that the elector has died before election day. Elector has voted more than one ballot of the same type. Elector has already voted in this election.	<ol style="list-style-type: none"> 1) List voter's name and reason ballot was rejected. 2) Indicate the reason for rejection on the certificate envelope 3) Mark the certificate envelope "<i>Rejected # (serial number).</i>" 4) Place the envelope containing the ballot in the Rejected Absentee Ballot envelope. 5) The elector's name is not entered on the poll list. 6) Do not count the ballot.
D	Defective Ballots which are remade by election officials	<ol style="list-style-type: none"> 1) Describe why the ballot had to be remade (ex: voter used red pen, voter circled names rather than marking arrow, mutilated by postal equipment). 2) These ballots are labeled "<i>Original Defective Ballot # (serial number)</i>" and "<i>Remade Defective Ballot # (same serial number).</i>" 3) The "remade" ballots are inserted into the counter. 4) The "defective" ballots are bundled together, marked and placed in the Original Ballots Envelope. 5) The Original Ballots Envelope is placed in the ballot container.
CA CC CR CF CI CV CD PV	Challenged Ballots and Provisional Ballots Ballots may be challenged because: The person is not at least 18 years of age. The person is not a citizen of the United States. The person has not resided in the election district for at least 28 consecutive days. The person has a felony conviction and has not been restored to civil rights. The person has been adjudicated incompetent. The person has voted previously in the same election. The person claims to have a physical disability that prevents them from signing the poll book but both inspectors did not agree. A provisional ballot was issued because the elector was required to present I.D. and did not.	<ol style="list-style-type: none"> 1) Complete the "<i>Challenge Documentation</i>" (Form EB-104C). (There should be one (EB-104C) for each challenged elector.) 2) Mark ballot "<i>Challenged – Voter #___.</i>" (Use voter number from poll list.) 3) Mark "<i>challenged</i>" next to voter's name on the poll list. 4) Challenged ballots are inserted into the counter. 5) Bundle together, label "<i>Challenged Ballots,</i>" and place in ballot container. <p>Refer to the Provisional Ballots section of the Election Day Manual for instructions on issuing provisional ballots.</p>
VI	Ballots where voter intent could not be determined and, therefore, votes could not be counted	<ol style="list-style-type: none"> 1) Describe the issue that caused the inspectors to decide that voter intent could not be determined. 2) Mark ballot "<i>Defective-Intent,</i>" and assign a serial number. 3) Bundle together, mark "<i>Defective-Voter Intent Could not be Determined,</i>" and place in ballot container.
O	"Objected To" Ballots Objected Ballots are ballots that a <u>minority</u> of inspectors felt should not be counted.	<ol style="list-style-type: none"> 1) Count the vote the way the majority of the inspectors determined it should be counted. 2) Assign a serial number to ballot, and indicate reason for objection. 3) Bundle together, label "<i>Objected to Ballots,</i>" and place in ballot container.
X	Other Occurrences or Irregularities	Describe any other occurrences or irregularities at your voting site which may or may not affect the validity of the election.

Absentee Voting in Nursing Homes, Retirement Homes and Adult Care Facilities

March 2013



Wisconsin Government
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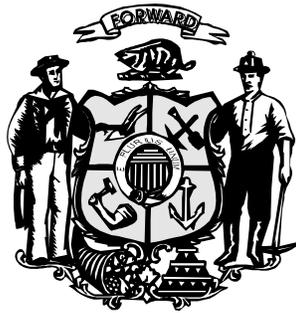
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Introduction

The Wisconsin Legislature has determined that the vigorous exercise of our constitutional right to vote should be strongly encouraged. The Legislature recognizes that it is difficult for many individuals to get to the polling place on Election Day. This is particularly true for individuals residing in nursing homes, community-based residential facilities, retirement homes, residential care apartment complexes, and adult family homes. Wis. Stats. §§6.84(1), 6.875.

In order to meet this need, the Legislature has established the privilege of absentee voting as an extension of the right to vote on Election Day. The Legislature recognizes that the privilege of voting absentee is exercised wholly outside the traditional safeguards of the polling place. The privilege of absentee voting must be carefully regulated to prevent the potential for fraud or abuse, prevent overzealous solicitation of absent electors who may prefer not to participate in an election, and prevent undue influence on an absentee elector to vote for or against a candidate or referendum. Wis. Stat. §6.84(1). The procedures described in this manual are the exclusive means of absentee voting for voters who are occupants of nursing homes and other qualified care facilities.

The purpose of this manual is to describe the procedures for absentee voting in Wisconsin nursing homes, qualified community-based residential facilities, qualified retirement homes, qualified residential care apartment complexes, and qualified adult family homes. These procedures have been developed in order to encourage residents of these facilities to participate in the process of choosing their elected representatives.

Definitions

Nursing Home – a facility occupied by 10 or more unrelated individuals for the primary purpose of obtaining full-time personal or nursing care which is necessitated by their physical or mental conditions, but does not include a hospital. Wis. Stat. §6.875(am).

Qualified Retirement Home – a facility occupied as a primary place of abode by 10 or more unrelated individuals, where it is determined by the municipal clerk or board of election commissioners that a significant number of the occupants lack adequate transportation to the appropriate polling place, need assistance in voting, are aged 60 or over, or are declared as indefinitely confined electors. Wis. Stat. §6.875(1)(at), (c), and (2)(b).

Qualified Community-Based Residential Facility (CBRF) – a facility licensed under Wis. Stat. §50.01(lg), except that it must be occupied by at least 10 unrelated adults, and it is determined by the municipal clerk or board of election commissioners that a significant number of the occupants lack adequate transportation to the appropriate polling place, need assistance in voting, are aged 60 or over, or are declared as indefinitely confined electors. Wis. Stat. §6.875(1)(a), (as), and (2)(b).

Qualified Adult Family Home – a facility that is certified or licensed to operate as an adult family home under Wis. Stat. §§50.032 or 50.033, and it is determined by the municipal clerk or board of election commissioners that a significant number of the

occupants lack adequate transportation to the appropriate polling place, need assistance in voting, are aged 60 or over, or are declared as indefinitely confined electors. Wis. Stat. §6.875(1)(ap) and (2)(d).

Qualified Residential Care Apartment Complex – a facility that is certified or registered to operate as an adult family home under Wis. Stat. §50.034, and it is determined by the municipal clerk or board of election commissioners that a significant number of the occupants lack adequate transportation to the appropriate polling place, need assistance in voting, are aged 60 or over, or are declared as indefinitely confined electors. Wis. Stat. §6.875(1)(asm) and (2)(d).

If you are uncertain if there are any such facilities in your municipality or if a certain facility may fit one of the above definitions, please visit the Wisconsin Department of Health Services website at: <http://www.dhs.wisconsin.gov/bqaconsumer/directories.htm> for a full list of licensed facilities by county.

Prior to Voting Day

SVDs appointed by the municipal clerk bring absentee ballots to the care facility. The SVDs represent the two major political parties whenever they are appointed based upon lists submitted by the political parties. If no lists are received from the two major political parties, the clerk appoints unaffiliated SVDs. No person who is or was in the last two years employed or retained at a qualified facility, or a member of the immediate family of such an individual may serve as an SVD. Wis. Stat. §6.875(4). The SVDs take the Oath of Special Voting Deputy (GAB-155). Wis. Stat. §6.875(5). SVDs may not deputize other individuals to administer the voting process.

Special Voting Deputies shall arrange one or more convenient times with the administrator of the facility to conduct absentee voting for the election. The SVDs shall contact the administrator of the facility as soon as possible, but no later than 5:00 p.m. on the Friday before an election. Absentee voting may be conducted no earlier than the fourth Monday before the election and no later than 5:00 p.m. on the Monday before the election. As soon as possible after arrangements are made for the visit, but not less than 24 hours before the visit, the municipal clerk shall post a notice at the facility indicating the date and time that absentee voting will take place at that facility (see Sample Notice, page 22).

Upon the request of a relative of an occupant of a facility, the administrator of the facility may notify the relative of the time or times at which SVDs will conduct absentee voting and permit the relative to be present in the room where the voting is conducted. Wis. Stat. §6.875(6)(c)2.

Prior to sending SVDs to a facility, the municipal clerk should compile a list of residents at the facility who have absentee ballot requests on file. This list should be shared with the facility administrator. The administrator should survey the residents on the list to inform them of the date and time of the SVD visit. The administrator should also note on the list which residents will be able to meet the SVDs for voting and which residents are

unable or unwilling to meet the SVDs at the designated time.

Who May Vote Absentee

Any qualified elector who for any reason is unable or unwilling to appear at the polling place on Election Day may vote absentee. Wis. Stat. §6.85. A qualified elector is a United States citizen, age 18 or older on Election Day, who has resided in an election district 28 consecutive days before any election where the person offers to vote, and is not currently serving a felony sentence (including any term of extended supervision) or has not been adjudicated incompetent to vote. Wis. Stats. §§6.02(1), 6.03. If an individual has been adjudicated incompetent to vote, that information is provided to the Government Accountability Board, which cancels their registration to vote.

Voter Registration

If a person is voting for the first time in Wisconsin, or has changed their name or address since the last time they voted, they are required to complete a Voter Registration Application (GAB-131) before they vote. Before receiving an absentee ballot, the elector must be registered. Wis. Stat. §6.86(1).

- Special Registration Deputies (SRDs) are appointed by the municipal clerk to register individuals outside of the clerk's office until the third Wednesday before an election. Wis. Stat. §6.28.
- A qualified elector may also register to vote by mail no later than the third Wednesday before an election. Wis. Stat. §6.30(4). First-time voters registering to vote by mail, must provide "proof of residence." See Wis. Stat. §6.34(3), for a list of acceptable forms of "proof of residence." Registration forms may be obtained by request from the municipal clerk or from the Government Accountability Board's website, <http://gab.wi.gov>.
- An elector may also register at the municipal clerk's office until the Friday before the election. Wis. Stat. §6.29(2). When registering in the clerk's office *after* the third Wednesday before an election, the elector must provide "proof of residence." See Wis. Stat. §6.34(3), for a list of acceptable forms of "proof of residence." An elector registering in the clerk's office *before* the third Wednesday before an election is not required to provide "proof of residence."
- Electors who vote at the polls may register at the polling place on Election Day. Wis. Stat. §6.55(2). Electors registering at the polling place on Election Day must provide "proof of residence." See Wis. Stat. §6.34(3), for a list of acceptable forms of "proof of residence."

NOTE: If the SVDs are also trained and appointed as Special Registration Deputies and are conducting absentee voting at a care facility on or before the third Wednesday before the election, they may register eligible electors to vote. If the SVDs are conducting absentee voting at a facility after the third Wednesday before the election, all prospective voters must already be registered to vote. After the third Wednesday before an election,

registration may only occur in the office of the municipal clerk or at the polling place on Election Day.

How to Obtain an Absentee Ballot

Any elector wishing to vote absentee at an election must make a written application to the municipal clerk or board of election commissioners. Wis. Stat. §6.86(1). If made by mail, this written application must be received no later than 5:00 p.m. on the Thursday preceding the election. Applications from indefinitely confined electors must be received no later than 5:00 p.m. on the Friday preceding the election. The clerk will not accept absentee ballot applications received after 5:00 p.m. or the close of business (whichever is later) the Friday preceding the election. However, any time SVDs are visiting a care facility, they may accept an application for absentee ballot from a qualified voter and issue an absentee ballot while at the facility. Wis. Stat. §6.875(6).

The application must be signed by the absentee elector. It cannot be signed by anyone else on behalf of the elector unless the absentee elector needs assistance in signing his or her name. If someone else signs the application for the elector, that person must certify that the individual is unable to sign their name. However, a Power of Attorney may request an absentee ballot for their principal without signing the certification of assistance (See Power of Attorney section below). An elector may request an absentee ballot for a single election or all elections in a calendar year with a single application.

The Government Accountability Board has developed an Application for Absentee Ballot (GAB-121), which is available on the agency website, <http://gab.wi.gov>. An elector may also apply for an absentee ballot by delivering or sending a written request to the municipal clerk in person, by regular mail, fax or email. Absentee ballots may NOT be requested by telephone.

Application by Indefinitely Confined Elector

Many residents of the facilities covered in this manual are confined to the facility and are unable to travel to the polling place on Election Day. An elector indefinitely confined due to age, physical illness, infirmity, or who is disabled for an indefinite period may make a single request and be permitted to vote absentee automatically at each election. Wis. Stat. §6.86(2). This request must be in writing. See Section 6 on the Application for Absentee Ballot (GAB-121).

The municipal clerk keeps a list of indefinitely confined electors and automatically sends or arranges for delivery of an absentee ballot to the indefinitely confined elector for each primary and election. If an elector does not return a ballot for a spring, general or special election sent under this provision, the clerk shall notify the elector that he or she must reapply within 30 days of receiving the notice in order to automatically receive an absentee ballot for the next election. This process does not apply to voters who do not return a ballot for a primary election.

If the clerk receives reliable information that an indefinitely confined elector is no longer eligible for this service, they shall remove the elector from the indefinitely confined voter

list. The clerk shall send the voter a notice within five days, if possible. Wis. Stat. §6.86(2)(b).

Residence of Absentee Voter

In Wisconsin an elector can maintain a voting residence, even if temporarily absent, so long as they continue to have intent to return to their residence. Wis. Stat. §6.10(5). Electors residing in a nursing home or other qualified care facility located in a municipality other than the municipality in which they were last registered to vote may wish to maintain their former residency, rather than voting in the municipality where the facility is located. Alternatively, any person living in nursing home or a qualified care facility for at least 28 consecutive days before any election at which the person offers to vote, who is not currently serving a felony sentence (including any term of extended supervision) and who has not been adjudicated incompetent to vote may vote in the municipality in which the facility is located. The resident must be registered to vote in addition to meeting the other qualifications of an elector. Wis. Stats. §§6.02(1), 6.03.

If a clerk receives an absentee ballot application from a resident who now lives in a nursing home or qualified care facility located in another municipality, the absentee ballot is sent to the municipal clerk where the facility is located for delivery to the voter by the SVDs of the municipality where the facility is located. If a clerk receives an absentee ballot application from a voter living in a nursing home or qualified care facility located in the municipality, but who is a resident and registered voter of another municipality, the clerk must, as soon as possible, notify the clerk of the municipality in which the elector is registered, and request that an absentee ballot be issued to the voter living in the facility for delivery by the SVDs of the municipality where the facility is located. Wis. Stat. §6.875(3).

Designation of Qualified Care Facilities Served by SVDs

Municipal clerks are only required to use SVDs for nursing homes. Other care facilities (see Definitions, page 5) may be served by SVDs if the municipal clerk determines that a significant number of the occupants lack adequate transportation to the appropriate polling place, need assistance in voting, are aged 60 or over, or are declared as indefinitely confined electors. However, once the clerk has made this determination, the facility will be designated for SVD service for all elections until the clerk makes a contrary formal determination as to the facility's eligibility for future SVD service.

Clerks should NOT switch a facility's SVD eligibility in the period between a primary election and a general or spring election, or between a special primary and a special election. Clerks are also strongly recommended to advise the administrator of any facility of the clerk's determination so that the administrator can properly advise the facility's residents regarding the change in status.

Residents who live in facilities visited by SVDs are no longer eligible to request a traditional by-mail absentee ballot, but instead must vote absentee via SVD and follow the procedures included in this manual. Residents may still vote at the polls on Election Day.

Family Members

Some family members of voters residing in care facilities served by SVDs express concerns that the relative must vote absentee in this manner. In such cases, clerks, facility administrators and SVDs should explain to the relative that this method of voting is required by law. Family members should be advised that they may be present when the SVDs conduct absentee voting at the facility, and that they may assist the voter if the voter so desires.

Rules for Observers

One observer from each of the two recognized political parties whose candidate for governor or president received the greatest number of votes in the municipality at the most recent general election may accompany the SVDs to each facility where absentee voting will take place. Each party wishing to have an observer present shall submit the name of the observer to the clerk no later than the close of business on the last business day prior to the visit. Wis. Stat. § 6.875(7). No other observers may be present.

The observers may observe the public aspects of the process in the common areas of the facility. The SVDs may exercise the authority granted to the chief inspector under Wis. Stat. §7.41 to regulate the conduct of observers. For the purposes of the application of Wis. Stat. §7.41, the facility shall be treated as a polling place. Wis. Admin. Code GAB 4.05(2). Challenges to the voter's eligibility may not be made at the facility, but must be made at the municipal clerk's office or at the polling place on Election Day.

The SVDs shall establish observer areas in the common room where absentee voting is to occur that allow observers to view all public aspects of the process. Wis. Admin. Code GAB 4.05(3). If the SVDs go to a resident's private room to offer the resident an opportunity to vote, the SVDs shall establish an observation area in the nearest common area, for example, the hallway, but observers may not enter a resident's private room. When practical, observer areas should be 6 – 12 feet from where the voting takes place.

Observers may not use still or video cameras inside the facility during the hours that absentee voting is being administered. Wis. Admin. Code GAB 4.05(5). Observers shall direct any questions to the SVDs. Wis. Admin. Code GAB 4.05(6). Election observers are prohibited from engaging in electioneering. An observer who engages in any loud, boisterous, or otherwise disruptive behavior, that in the opinion of the SVDs, threatens the orderly conduct of the absentee voting process shall be issued a warning, and if the observer does not cease the offending conduct, be ordered to leave the facility. Wis. Admin. Code GAB 4.05(5).

Delivery of Ballots

Absentee ballots are brought to the care facility by the SVDs. The municipal clerk or board of election commissioners shall issue a supply of ballots sufficient to provide for the proper applications received, and also an additional number of ballots and application forms.

The municipal clerk or board of election commissioners is required to keep a careful

record of all ballots issued to the SVDs and require the SVDs to return every ballot. Wis. Stat. §6.875(6)(b). SVDs should complete the GAB-104SVD, a diary of voting activity at the facility. (See GAB-104SVD, page 20).

The municipal clerk or board of election commissioners shall issue all ballots to be used by the SVDs in a ballot container or envelope that is secured with a tamper-evident serialized tag or seal. The municipal clerk or board of election commissioners should record the number of the serialized tag or seal on the GAB-104SVD. The SVDs should also be issued another tamper-evident serialized tag or seal to secure the container after the facility visit is complete. The number of this second serialized tag or seal should also be recorded on the GAB-104SVD by the SVDs after the facility visit is complete.

Both SVDs should verify the seal or tag number and that the seal or tag is intact before opening the ballot container. The SVDs should indicate that this verification was completed by initialing the respective section of the GAB-104SVD. Upon opening the ballot container, the SVDs should confirm the total number of issued ballots is the same as the number indicated on the GAB-104SVD and that they have the correct ballot styles. During the facility visit, both SVDs shall keep the opened ballot container in their presence at all times and are jointly responsible for the security of the ballots issued to them.

Two SVDs shall visit the facility at the designated time. Wis. Stat. §6.875(6)(a). The SVDs shall conduct absentee voting as a team. Both SVDs, together, shall personally offer each absentee elector who has filed the proper application an opportunity to cast his or her ballot. **Facility staff may not handle ballots.**

Absentee ballots must be voted only by the absentee elector, unless the voter needs assistance. The SVDs shall assist the elector in marking the absentee ballot if requested (see Persons Assisting Voters, page 12). No one other than an SVD or relative of an elector may assist the elector. Wis. Stat. §6.875(6)(c)1. The term “relative” refers to a spouse or individual related within the 1st, 2nd or 3rd degree of kinship.

Kinship	Relative
1 st degree	The voter’s children or parents
2 nd degree	The voter’s grandparents, grandchildren, brothers and sisters
3 rd degree	The voter’s great-grandparents, grandchildren, uncles, aunts, nephews, nieces

The person providing the assistance must certify in the space provided on the ballot that it was completed with his or her assistance. Wis. Stats. §§6.82(2), 6.875(6)(c)1.

Voting shall be conducted in a common area of the facility. Also, SVDs shall visit the room of each resident with an absentee ballot request on file who is unable or unwilling to meet in the common area to offer the elector a ballot or to confirm the elector does not wish to vote in the election. This includes visiting the rooms of residents who already

have informed the administrator (or staff member) of the facility of their intent not to vote. The SVDs should also visit the rooms of any residents who have informed facility staff of their intent to vote, but whose name does not appear on the absentee ballot log.

Special Voting Deputies, election observers, family members and facility staff should afford the voter privacy to vote his or her ballot.

After marking the ballot in the presence of the SVDs , the voter places the marked ballot(s) in the certificate envelope (GAB-122) and seals the envelope. The voter completes and signs the certification on the envelope. **Both** of the SVDs must sign as witnesses on the certificate envelope. Wis. Stat. § 6.875(6)(c)1.

An indefinitely confined elector whose name appears on the absentee ballot log may not wish to vote an absentee ballot, but may want to maintain their status as an indefinitely confined voter. In that case, the SVDs should ask the elector to enclose a blank ballot in the certificate envelope and sign the certificate. If the resident is unable to vote at the time scheduled for the facility, the clerk must arrange for a second visit. If the requesting resident is still unable to vote after two SVD visits, the municipal clerk may mail the absentee ballot to the resident of the facility in the same manner as other absentee ballots are mailed. Absentee ballots issued by mail must be postmarked by Election Day and received by 4 pm the Friday following the election. Wis. Stat. § 7.515(3).

If the facility or resident(s) is under quarantine or otherwise closed to visitors at the designated time for voting, the clerk must arrange for a second visit. If the facility or resident(s) is still inaccessible after two SVD visits, the municipal clerk may mail the absentee ballot to the resident(s) in the same manner as other absentee ballots are mailed.

If the municipal clerk receives a new absentee application after the first visit to the facility, the clerk must attempt to schedule another visit.

NOTE: The SVDs may accept an application for absentee ballot from a registered, qualified voter and issue an absentee ballot while at the qualified care facility. Wis. Stat. § 6.875(6)(c)1. Residents must complete the absentee ballot application (GAB-121). Completing the certificate envelope (GAB-122) is not sufficient because the voting is taking place outside of the municipal clerk's office.

Persons Assisting Voters with Physical Disabilities

A voter with a physical disability may direct another person to assist them with the voting process. At the voter's request, any person may assist a voter in completing election forms, such as the Voter Registration Application (GAB-131), Application for Absentee Ballot (GAB-121) or letter requesting an absentee ballot and the Absentee Certificate Envelope (GAB-122). The assistor may also read and/or mark the ballot for the voter at the direction of the voter. If the voter is unable to sign any document necessary for voting, the voter may direct the assistor to sign the voter's name to the document. An assistor must always operate under the direction of the voter.

Generally, a voter may select any person (except their employer or officer/agent of a

labor union who represents the voter) to assist them with the voting process. However, when voting by SVD, assistors are limited to an SVD or a relative of the voter.

NOTE: An SVD explaining a ballot to a voter or explaining how to mark a ballot is not “assisting.”

Power of Attorney and Guardianship

The basic difference between a power of attorney and guardianship is that the power of attorney is a private, pre-planned arrangement between the principal and the agent where the court is involved only if there is a dispute. A guardianship is not planned in advance by the ward, but is ordered by a court, usually after a medical evaluation of competency.

Power of Attorney

A “power of attorney (POA)” is a contract in which one person (the principal) transfers certain rights to act on behalf of the principal to another person (the agent). The agent is able to make certain decisions and perform certain actions for their principal. However, voting is not a transferable right. The two basic types of POA are financial and health care. The type of POA applicable to this discussion is limited to POA for health care.

A POA designation is not indicative of the principal’s mental capacity, nor is the agent able to declare the principal to be incompetent without court intervention. A POA may file a guardianship action in probate court seeking a court determination of incompetency, but the POA acting alone without Court intervention does not have the ability to conclude that the principal is incompetent.

The actions that an agent may take on behalf of their principal with respect to the electoral process are limited. A POA may not register their principal to vote. A POA may not vote a ballot for their principal; this includes completing the Absentee Certificate Envelope for their principal. However, the agent may request an absentee ballot for their principal. Also, a relative of an elector in a facility may act as an assistor, at the elector’s request, whether or not the relative is the elector’s POA.

Guardianship

A “guardianship” is a legal relationship created by a court which authorizes the guardian to make decisions for another person (the ward). Guardianships are usually created only after an evaluation of competency. The court’s appointment of a guardian includes a finding regarding competency. However, appointment of a guardian, even with a general finding of incompetency, does not automatically mean that the ward is not competent to vote.

The format used currently for court guardianship orders indicates that a ward is competent to retain all rights unless a specific right has been indicated as forfeited. The format of older guardianship orders finds the ward incompetent to retain any rights unless specific rights are indicated as retained. Regardless of the format, the right to vote must be specifically indicated as a forfeited right in order for the ward to be excluded from the electoral process.

Who May Undertake the Following Actions for Electors Voting by Special Voting Deputy?

Action	Anybody	Family Member	SVD	Power of Attorney or Guardian
Assist a voter in completing a Voter Registration Application. +	X	X	X	X
Assist the voter by signing the voter's name on the Voter Registration Application.+	X	X	X	X
Assist a voter in completing a request for absentee ballot	X	X	X	X
Assist the voter by signing the voter's name on an absentee ballot request	X	X	X	X
Assist a voter in marking a ballot at the direction of a voter		X	X	
Assist the voter by completing the Absentee Certificate Envelope		X	X	
Assist the voter by signing the voter's name on the Absentee Cert Envelope		X	X	
Assist a voter by requesting an absentee ballot for the voter				X
Register a voter*				
Vote a ballot for a voter*				
Complete an Absentee Certificate Envelope for a voter*				

Assisting = Providing help to the voter, at the voter's request, in the presence of the voter.

+ Before the open registration cut off only.

* Indicates an action without the voter's request for assistance. These actions may only be performed by the voter.

Return of Ballots

Upon completion of absentee voting at the facility, the SVDs shall count the number of voted and unvoted ballots, record those numbers on the GAB-104SVD, and confirm all issued ballots are accounted for. The SVDs should then re-secure the ballot container with a new tamper-evident serialized tag or seal, recording the number of the tag or seal on the GAB-104SVD before signing the certification section.

Upon completion of voting, the deputies shall promptly deliver, either personally or by first class mail, any absentee ballot applications and the the sealed certificate envelopes containing each ballot to the municipal clerk of the municipality in which the elector casting the ballot resides within such time as to permit delivery to the polling place by Election Day. An SVD may personally deliver the ballots to the polling place no later than noon on Election Day. Wis. Stat. §6.875(6)(d).

Special Precautions

In order to ensure the integrity of the absentee voting process, the Government Accountability Board recommends that the personnel in care facilities familiarize themselves with the absentee voting process. Administrators of these facilities should communicate regularly with the municipal clerk concerning the status of absentee voters at their facility. The administrator should also make an effort to ensure that any resident who desires to vote is properly registered. Persons who are found by a court to be incapable of understanding the electoral process are not permitted to vote. Wis. Stat. §6.03(1)(a), (3). The facility should have a social worker available who may be consulted regarding any competency determinations made by a court for a resident.

Facility administrators and personnel, election observers, and residents of care facilities should be aware that failure to comply with these requirements may result in invalidation of the votes of residents. See Wis. Stat. §6.84(2). It is also a misdemeanor to interrupt or disturb the voting process. Wis. Stat. §12.13(3)(x).

Candidates may visit care facilities to present their positions to residents of these facilities. Additionally, candidate literature may be distributed to residents. However, the same restrictions on electioneering apply to the facility while SVDs are conducting absentee voting as a polling place on Election Day. Candidates are not allowed in the voting area. Additionally, there should be no campaign activity in the facility or within 100 feet of any entrance to the facility while voting is taking place.

Any questions concerning any aspect of voting in Wisconsin should be directed to the municipal clerk or the Government Accountability Board. (See contact information below).

DRAFT



Wisconsin Application for Absentee Ballot

Confidential Elector ID#
(HINDI - sequential #) (Office Use Only)

SVRS ID #
(Office Use Only)

Instructions

Instructions for completion are on the back of this form. Return this form to your municipal clerk when completed.

- Please use uppercase (**CAPITAL**) letters only. Fill in circles as appropriate.
- You must be registered to vote before you can receive an absentee ballot. You can confirm your voter registration at <https://myvote.wi.gov>

VOTER INFORMATION

1	Municipality	<input type="radio"/> Town <input type="radio"/> Village <input type="radio"/> City		County	
2	Last Name			First Name	
	Middle Name			Suffix (e.g. Jr, II, etc.)	
	Phone		Fax		Date of Birth <small>(MM/DD/YYYY)</small>
3	Residence Address: Street Number & Name				
	Apt. Number		City		State & ZIP
4	If you are a military or permanent overseas elector, fill in the appropriate circle (see instructions for definitions): <input type="radio"/> Military <input type="radio"/> Permanent Overseas				

I PREFER TO RECEIVE MY ABSENTEE BALLOT BY: (Ballot will be mailed to the address above if no preference is indicated)

5	<input type="radio"/> MAIL	Mailing Address: Street Number & Name			
		Apt. Number		City	State & ZIP
	<input type="radio"/> CLERK'S OFFICE	Nursing Home Name (if applicable)			
		C / O (if applicable)			
	<input type="radio"/> FAX	Fax Number	Military and Permanent Overseas only		
<input type="radio"/> EMAIL	Email Address	Military and Permanent Overseas only			

I REQUEST AN ABSENTEE BALLOT BE SENT TO ME FOR: (mark only one)

6	<input type="radio"/> The election(s) on the following date(s): _____
	<input type="radio"/> All elections from today's date through the end of the current calendar year (ending 12/31).
	<input type="radio"/> Every election subsequent to today's date. I further certify that I am indefinitely confined because of age, illness, infirmity or disability and request absentee ballots be sent to me until I am no longer confined or fail to return a ballot.

TEMPORARILY HOSPITALIZED VOTERS ONLY (please fill in circle)

7	<input type="radio"/> I certify that I cannot appear at the polling place on election day because I am hospitalized, and appoint the following person to serve as my agent, pursuant to Wis. Stat. § 6.86(3).				
	Agent Last Name		Agent First Name		Agent Middle Name
	AGENT: I certify that I am the duly appointed agent of the hospitalized absentee elector, that the absentee ballot to be received by me is received solely for the benefit of the above named hospitalized elector, and that such ballot will be promptly transmitted by me to that elector and then returned to the municipal clerk or the proper polling place.				
	Agent Signature	X	Agent Address		

ASSISTANT DECLARATION / CERTIFICATION (if required)

I certify that the application is made on request and by authorization of the named elector, who is unable to sign the application due to physical disability.

Assistant Signature	X	Today's Date	
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VOTER DECLARATION / CERTIFICATION (required for all voters)

I certify that I am a qualified elector, a U.S. Citizen, at least 18 years old, having resided at the above residential address for at least 28 consecutive days immediately preceding this election, not currently serving a sentence including probation or parole for a felony conviction, and not otherwise disqualified from voting. **Please sign below to acknowledge that you have read and understand the above.**

Voter Signature	X	Today's Date	
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Wisconsin Application for Absentee Ballot Instructions

General Instructions: *Please Review Fully* This form should be submitted to your municipal clerk, unless directed otherwise.

- This form should only be completed by registered voters; if you are not a registered voter or military elector, please submit a Voter Registration Application (GAB-131) with this form.

- | | |
|---|---|
| 1 | <ul style="list-style-type: none"> Indicate the municipality and county of residence. Use the municipality's formal name (For example: City of Plymouth, Village of Chenequa, or Town of Aztalan). |
| 2 | <ul style="list-style-type: none"> Provide your name as you are registered to vote in Wisconsin. If applicable, please provide your suffix (Jr, Sr, etc.) and/or middle name. If your current name is different than how you are registered to vote, please submit a Voter Registration Application (GAB-131) with this form to update your information. Provide your month, day and year of birth. Remember to use your birth year, not the current year. Providing your telephone/fax number or email address allows elections officials to contact you if there is a problem with your absentee application. |
| 3 | <ul style="list-style-type: none"> Provide your home address (legal voting residence) in Wisconsin. Provide the full house number (including fractions, if any). Provide your full street name, including the type (St, Ave, etc.) and any pre- and/or post-directional (N, S, etc.). Provide the city name and ZIP code as it would appear on mail delivered to the home address. <u>You may not enter a PO Box as a voting residence.</u> A rural route box without a number should not be used. |
| 4 | <ul style="list-style-type: none"> A "Military elector" is a person, or the spouse or dependent of a person who is a member of a uniformed service or the merchant marines, a civilian employee of the United States, a civilian officially attached to a uniformed service and serving outside the United States, or a Peace Corp volunteer. Military electors do not need to register to vote. Military electors will continue to receive ballots for all elections unless otherwise requested. A "Permanent Overseas elector" is a person who is a United States citizen, 18 years old or older, who resided in Wisconsin immediately prior to leaving the United States, who is now living outside the United States <u>and has no present intent to return</u>, who is not registered in any other location, or who is an adult child of a United States citizen who resided in this state prior to establishing residency abroad. Permanent Overseas electors will receive ballots for federal offices only and must be registered to vote prior to receiving a ballot. |
| 5 | <ul style="list-style-type: none"> Fill in the circle to indicate your preferred method of receiving your absentee ballot. Only Military and Permanent Overseas voters may receive an absentee ballot by email or fax. If no preference is indicated, your absentee ballot will be mailed to your residence address listed in Box 3. You are encouraged to provide a physical mailing address as backup in case of electronic transmission difficulties. Please only fill the circle for your preferred means of transmission. If you are living in a nursing home, please provide the name of the facility. If someone will be receiving the ballot on your behalf, please list them after C/O. <u>Please note:</u> The absentee elector is still required to vote their own ballot, although they may request assistance in physically marking the ballot. |
| 6 | <ul style="list-style-type: none"> Select the first option if you would like to receive a ballot for a single election or a specific set of elections. Select the second option if you would like to have a standing absentee request for any and all elections that may occur in a calendar year (ending December 31). Select the third option only if you are indefinitely confined due to age, illness, infirmity or disability and wish to request absentee ballots for all elections until you are no longer confined or fail to return a ballot for an election. |
| 7 | <ul style="list-style-type: none"> This section is only to be completed by an elector or the agent of an elector who is currently hospitalized. A hospitalized elector must certify that he or she cannot appear at the polling place on Election Day. An agent completing this form for a hospitalized elector must provide his/her name, signature and address on this application. |

Assistant Signature: In the situation where the elector is unable to sign the Voter Declaration / Certification due to a physical disability, the elector may authorize another elector to sign on his or her behalf. Any elector signing an application on another elector's behalf shall attest to a statement that the application is made on request and by authorization of the named elector, who is unable to sign the application due to physical disability

Voter Signature: By signing and dating this form, you certify that you are a qualified elector, a U.S. citizen, at least 18 years old, having resided at your residential address for at least 28 consecutive days immediately preceding this election, not currently serving a sentence including probation or parole for a felony conviction, and not otherwise disqualified from voting.

Special Voting Deputy Log of Absentee Voting Activity at

_____ (insert name of care facility)

TO BE COMPLETED BY MUNICIPAL CLERK

Primary or Election Date: _____

Date of Special Voting Deputy Visit to this Care Facility: _____

Names of Special Voting Deputies:

Number of absentee ballots issued to the Special Voting Deputies? _____

Tamper-Evident Seal Serial Number _____

TO BE COMPLETED BY SPECIAL VOTING DEPUTY

Tamper-evident seal number verified by Special Voting Deputies (SVDs): _____
(SVD #1 initials) (SVD #2 initials)

Number of voted ballots returned to clerk? _____

Number of un-voted absentee ballots returned to clerk? + _____

Total: = _____

(Total should equal number of ballots issued by clerk.)

Upon sealing the ballot bag or container to which this Inspectors' Statement pertains, **record the number of the tamper-evident seal used for this purpose here** _____.

Incident Number	Notes and Incidents	SVD signatures

CERTIFICATION OF SPECIAL VOTING DEPUTIES

We, the undersigned Special Voting Deputies, certify that we conducted absentee voting at the above-listed care facility on the date listed above. We further certify that the information contained in this document is a true and correct record of activity and incidents occurring at this care facility during the conduct of absentee voting.

_____ (signature of Special Voting Deputy) _____ (date)

_____ (signature of Special Voting Deputy) _____ (date)

Oath of Special Voting Deputy



STATE OF WISCONSIN
_____, County } ss.

I, _____, having been appointed to the office of special voting deputy in and for the (town, village, city) of _____, swear (or affirm) that:

I will support the constitution of the United States and the constitution of the State of Wisconsin and will faithfully and impartially discharge the duties of a special voting deputy to the best of my ability.

I am qualified to act as a special voting deputy pursuant to §6.875, Wis. Stats.; I have read the statutes governing absentee voting; I understand the proper absentee voting procedure; I understand the penalties set out in §12.13, Wis. Stats., for noncompliance with the absentee voting procedure.

I understand that my sacred obligation is to fully and fairly implement the absentee voting law and to seek to have the intent of the electors ascertained. I realize that any error in conducting the absentee voting procedure may result in invalidation of an elector's vote under §7.51(2)(e), Wis. Stats. I realize that absentee voting is a privilege and not a constitutional right.

(Signature of Special Voting Deputy)

Subscribed and sworn to before me this _____ day of _____, _____.

(Signature of person authorized to administer oaths)

My commission expires _____, or is permanent

Notary Public or _____
(Official title, if not a notary)

Prepared by: GOVERNMENT ACCOUNTABILITY BOARD, ELECTIONS DIVISION, P.O. Box 7984, Madison, WI 53707-7984, 608-266-8005, <http://gab.wi.gov>
The information on this form is required by §§6.875(5), 7.30(5), 19.01(1), (1m), Stats.

NOTICE OF PUBLIC MEETING

Absentee Voting to be Administered at [insert facility]

[insert start time]

[insert date]

[insert location]

Special Voting Deputies appointed by the [City/Village/Town of XXX] will be administering absentee voting for the residents of this facility for the [insert election] at the above time and place. Any qualified elector who is unable or unwilling to appear at the polling place on Election Day may request to vote an absentee ballot. A qualified elector is any U.S. citizen, who will be 18 years of age or older on Election Day, who has resided in the ward or municipality where he or she wishes to vote for at least 28 consecutive days before the election. The elector must also be registered in order to receive an absentee ballot.

Only observers from each of the two recognized political parties whose candidates for governor or president received the greatest number of votes in the municipality at the most recent general election may accompany the deputies to each facility where absentee voting will take place. The observers may observe the process of absentee ballot distribution in the common areas of the home, facility, or complex. Each party wishing to have an observer present shall submit the name of the observer to the clerk or board of election commissioners no later than the close of business on the last business day prior to the visit.

Family members of residents may be present at the time of voting.

If you have further questions, please contact:

[clerk name]

[clerk address]

[clerk telephone]

[clerk email]

Overview of Absentee Voting Rules

Indefinitely Confined Electors

Definition

Voters indefinitely confined in their home or in a qualified facility [Community Based Residential Facility (CBRF), retirement home, residential care apartment complex, or adult family home] that is NOT served by special voting deputies. Elector must have applied for absentee ballots as an indefinitely-confined elector.

Application Requirements

- Voter registrations that are postmarked after the 20th day before the election cannot be accepted.
- Absentee applications must be received no later than 5:00 p.m. on the Friday prior to the election.
- Voter must check the box or otherwise indicate on the absentee application that they are indefinitely confined.

Duration of Requests

- Receive ballots automatically for as long as they return them (“permanent” status)
- If a ballot is not returned, send 30-day notice
 - Send 30-day notice after general elections only
 - If voter responds to notice, keep on permanent list
 - If voter does not respond to notice, cancel absentee application (remove from permanent list)

Deadline for Ballot Return

Friday 4:00 p.m. after the election if postmarked by Election Day

Overview of Absentee Voting Rules

Electors Served by Special Voting Deputies (SVDs)

Definition

Voters residing at a nursing home or in a qualified facility [Community Based Residential Facility (CBRF), retirement home, residential care apartment complex, or adult family home] that is served by special voting deputies.

Application Requirements

- If SVDs are conducting absentee voting at a facility prior to the 20th day before the election, the SVDs may register the individual to vote.
 - SVDs may register voters using their pre-nursing home address if the voter has an intent to return. These registrations must be forwarded to the respective municipal clerk.
- Absentee applications must be received by the respective deadline, 5:00 p.m. on Thursday for regular voters, 5:00 p.m. Friday for indefinitely confined voters.
 - Voter must check box or otherwise indicate on the absentee application that they are indefinitely confined.
 - SVDs may accept written absentee applications in-person from registered electors at the facility, if before the applicable deadline.

Duration of Requests

- As specified in the request (specific elections, calendar year, or permanent if indefinitely confined).
- If an elector on the permanent list does not vote an absentee ballot, the SVDs should ask them to either:
 - Sign a separate statement indicating they still want to receive ballots, *OR*
 - Enclose a blank ballot in the certificate envelope and sign the certification.
 - If the elector does not do either of the above, send them a notice via mail that their absentee application will be canceled.
 - The elector has 30 days to respond
 - Send notice after general elections only
 - If the elector does not respond to the notice, cancel the absentee application.

Overview of Absentee Voting Rules

Electors Served by Special Voting Deputies (SVDs), Continued

Time frame for conducting absentee voting in qualified facilities

- Between the 4th Monday before the election and the Monday before the election
 - Notice of date and time posted at facility no less than 24 hours before visit
 - Registered voters may request to vote absentee on the day the SVDs visit
 - Must use absentee application, not just certificate envelope.

Special Procedures

- If a voter is registered in another municipality, the clerk of the municipality where the voter is registered must forward an absentee ballot to the municipal clerk where the care facility is located.
 - The SVDs from the municipality where the nursing home is located administer the absentee ballot for that voter.
 - The municipal clerk where the nursing home is located then forwards the voted absentee ballot back to the municipal clerk where the voter is registered.
- Only SVDs may witness the absentee certification.
- No person other than a SVD or a relative of the elector may assist that person in voting.
 - Request for assistance must come from the elector.
- SVDs must visit the facility twice if any voter who has requested an absentee ballot was not available to vote during the first visit.
- Only if an absentee elector is not available to cast his or her ballot on two separate visits by the SVDs to the facility may the clerk mail the ballot to the elector.
 - Must transmit the ballot no later than 5:00 p.m. on the Friday preceding the election.
- See “Absentee Voting in Nursing Homes” Manual for details.

Overview of Absentee Voting Rules

Electors at Special Voting Deputy-Eligible Facilities

Definition

Voters residing in a qualified facility [Community Based Residential Facility (CBRF), retirement home, residential care apartment complex, or adult family home] that is NOT served by special voting deputies. Also, does NOT include voters who are indefinitely confined.

- Use the indefinitely confined elector procedures for indefinitely confined electors who may reside at an SVD-eligible facility.

Application Requirements

- Voter registrations that are postmarked after the 20th day before the election cannot be accepted.
- Absentee applications must be received by 5:00 p.m. on Thursday.

Duration of Requests

As specified on absentee ballot application but no longer than a calendar year

Deadline for Ballot Return

Friday 4:00 p.m. after the election if postmarked by Election Day

Overview of Absentee Voting Rules

Military Voters

Definition

U.S. military service (at home or away), members of the merchant marine, civilian employees of the United States serving outside the U.S., peace corps volunteers, and their spouses or voting-age dependents.

Application Requirements

- No voter registration form is required.
- Must have resided in municipality immediately before entering the military.
- Absentee application must be received no later than 5:00 p.m. on the Friday preceding the election. However, for federal elections, military electors who are away from their residence due to active duty have until 5:00 p.m. on Election Day.
- The Federal Post Card Application (FPCA) is a common alternative form that is used by military electors. It counts as both a voter registration and absentee ballot application.
- The Affirmation/Declaration that accompanies the Federal Absentee Write-In Ballot (FWAB) also serves as an absentee application.

Duration of Request

- One calendar year, if not otherwise specified
 - Receive ballots for all offices

Deadline for Ballot Return

- Friday 4:00 p.m. after the election if postmarked by Election Day

Overview of Absentee Voting Rules

Federal Write-In Absentee Ballot (FWAB)

- Available at military bases, embassies, and online at FVAP.gov. (This is not a ballot sent by the clerk.)
- May be used by both overseas and military electors.
 - A FWAB from a military elector may be accepted without a separate absentee application.
 - A FWAB from an overseas elector must be accompanied by a valid absentee request.
 - A FWAB typically contains a signed affirmation/declaration which serves as an absentee application for military electors, but must be received no later than the respective absentee request deadline to count as an application.
 - The affirmation/declaration must accompany the FWAB in order for the ballot to be counted. The affirmation/declaration must be completed and contain the signature of both the voter and the witness. It serves as the absentee certification.

Military Voters, Continued

Multiple Ballots - Priority

- Count whatever ballot you have received by Election Day
- If more than one ballot received by Election Day, all ballots are sent to the polling place for processing. Only one ballot is counted and the rest are rejected. The order of priority is:
 1. Official Ballot
 2. FWAB
- If ballots come in after Election Day, but before the deadline, and you have already counted a ballot on Election Day, reject the second ballot.

Special Procedures

- Requests are valid for up to 28 days after the date of discharge from military service.
- All military voters absentee ballots must be tracked in SVRS.
- See the Election Administration Manual and SVRS manual for further details on the administration and tracking of military ballots.

Overview of Absentee Voting Rules

Overseas Voters	
Definition	<p>An elector who is permanently outside of the U.S. with no intent to return to their residence.</p> <ul style="list-style-type: none"> • A person outside the U.S. for a finite period of time (vacation, work, education) with an intent to return is <u>NOT</u> an overseas voter. <ul style="list-style-type: none"> ○ May only vote for federal offices (President, U.S. Senate, U.S. Congress).
Application Requirements	<p>Standard “by-mail” rules apply:</p> <ul style="list-style-type: none"> ○ Voter registrations that are <u>postmarked</u> after the 20th day before the election cannot be accepted. ○ Absentee applications must be <u>received</u> by 5:00 p.m. on Thursday. • Must have lived in the district immediately before moving overseas • Voting-age children of an overseas elector are eligible to vote as an overseas elector even if they have never lived in the district. <ul style="list-style-type: none"> ○ Votes from last address in the district • Home may not be owned by them anymore or not exist anymore.
Duration for Request	<p>One calendar year, if not otherwise specified</p> <ul style="list-style-type: none"> • Receive ballots for federal offices only
Deadline for Ballot Return	<p>Friday 4:00 p.m. after the election if postmarked by Election Day</p>
Federal Write-In Absentee Ballot (FWAB)	<ul style="list-style-type: none"> • Available at military bases, embassies, and online at FVAP.gov. (This is not a ballot sent by the clerk.) • Cannot be accepted unless the election has an absentee application on file.
Multiple Ballots - Priority	<ul style="list-style-type: none"> • Count whatever ballot you have received by Election Day • If more than one ballot received by Election Day, all ballots are sent to the polling place for processing. Only one ballot is counted and the rest are rejected. The order of priority is: <ol style="list-style-type: none"> 1. Official Ballot 2. FWAB
Special Procedures	<ul style="list-style-type: none"> • All overseas voters absentee ballots must be tracked in SVRS • See the Election Administration manual and SVRS manual for further details on the administration and tracking of overseas ballots.

Overview of Absentee Voting Rules

Regular Absentee Voters – By Mail

Definition

Any otherwise qualified elector who for any reason is unable or unwilling to appear at the polling place.

Application Requirements

- Voter registrations that are postmarked after the 20th day before the election cannot be accepted.
- Absentee applications must be received by 5:00 p.m. on Thursday.

Duration of Request

- As specified on application.
- For calendar year applications (1/1 – 12/31)
 - If a ballot is not returned for a general election, remove the elector from the absentee list and send them a notice within 5 days.
 - If voter responds to notice, add them back to the absentee list and continue to send ballots.
 - If voter does not respond to notice, they remain off the list.
 - Voter can reactivate request by contacting you.

Deadline for Return of Ballot

Friday 4:00 p.m. after the election if postmarked by Election Day

Overview of Absentee Voting Rules

Fax/Email/Online

Definition

Only military and permanent overseas electors may receive their ballot by fax or email or may access their absentee ballot online at <http://myvote.wi.gov>. The clerk must honor the requested method of transmission.

Application Requirements

- Voter registrations may not be faxed/mailed. Voter registrations that are postmarked after the 20th day before the election cannot be accepted.
- Absentee applications must be received by the respective deadlines for all electors. See military and overseas sections above.
- Any registered voter may submit their absentee ballot request by email or fax.

Special Notes

- Only military and permanent overseas electors may receive a ballot by fax/email, please see those specific instructions for more details.
- An original application with “wet” signature must be received.
 - If you are using the combination application/certification certificate envelopes, the signature on the envelope suffices as an original application with “wet” signature.
- When emailing or faxing a ballot to a military or overseas voter:
 - Transmit the initialed ballot and face of the certificate envelope along with instructions for voting and returning the ballot.
 - The voted ballot can NOT be returned by fax/email.
 - On Election Day (if using optical scan systems), remake the ballot so it can be processed through the voting equipment.
 - See Election Day manual or the GAB-104 for specific instructions on remaking ballot.

Overview of Absentee Voting Rules

In-Person Absentee Voting in Clerk's Office

Definition

Any eligible elector may request to vote an absentee ballot in person at the office of the municipal clerk.

Application Requirements

- Voter registration may occur in-person at the office of the municipal clerk up until 5:00 p.m. on the Friday preceding the election.
 - No in-person absentee voting may occur on the Saturday, Sunday, or Monday immediately preceding the election.
- In-person absentee voting begins on the 3rd Monday before Election Day and ends at 5:00 p.m. on the Friday preceding the election.
- If the voter only wishes to vote absentee at a single election, the combination application/certification certificate envelope will suffice as the absentee application.
- If the voter wishes to receive ballots for future elections, they must fill out the standard absentee ballot request.
- Ballots requested in-person may NOT be removed from the clerk's office by the voter.

Overview of Absentee Voting Rules

Provisional Ballots

Definition

If the absentee elector was required to provide proof of residence with their absentee ballot and does not, the election officials are to treat that absentee ballot as a provisional ballot.

Procedure

The clerk should attempt to contact the absentee voter as quickly as possible to inform them that their ballot was treated provisionally and advise them of how to provide the necessary information.

Deadline for voter to supply missing information

4:00 p.m. on the Friday after the election

Special Notes

- Make sure all appropriate canvassing boards (county and municipality) are informed if the elector provides the missing information.
- All provisional ballots must be recorded in SVRS on Election Night. See the SVRS Application Training manual for directions.
- Please see the Election Administration manual, Post-Election Activities chapter for more information.

Overview of Absentee Voting Rules

Hospitalized Electors

Definition

Any qualified elector may register and request an absentee ballot by agent if hospitalized.

Application Requirements

- The absentee ballot application may not be filed earlier than 7 days before the election and no later than 5:00 p.m. on Election Day.
- If not already registered to vote, the hospitalized elector may register to vote by agent up to 5:00 p.m. on Election Day.
- Must submit a signed absentee application (GAB-121) which indicates that the elector is hospitalized.
- The agent must provide a proof of identification to the clerk when delivering the absentee application.

Procedure

- Upon receiving a valid application, the clerk provides the agent with an initialed absentee ballot and certificate envelope.
- The agent delivers the ballot to the hospitalized elector.
- The hospitalized elector votes the ballot in the presence of the agent, seals it in the certificate envelope, and signs the certificate envelope.
- The agent signs the certificate envelope as the witness and returns it to the clerk.
- Fax/Email requests may be used in combination with this procedure.

Deadline for Ballot Return

- The agent may return the absentee ballot to the polling place, municipal clerk or mail the absentee ballot.
- If the absentee ballot is mailed it must be received by 4:00 p.m. on the Friday after the election if postmarked by Election Day

Overview of Absentee Voting Rules

Sequestered Jurors

Definition

Any eligible registered elector who indicates that the reason they are requesting an absentee ballot is because they are a sequestered juror.

Application Requirements

Must submit an absentee application to the clerk that indicates that the elector is a sequestered juror no later than 5:00 p.m. on Election Day.

Procedure

- If the application is received before 5:00 p.m. on the Friday preceding the election:
 - The clerk may transmit the ballot as requested by mail
- If the application is received after 5:00 p.m. on the Friday preceding the election:
 - The municipal clerk shall immediately take the ballot to the court in which the elector is serving as a juror and deposit it with the judge.
 - The judge shall recess court, as soon as convenient, and give the elector the ballot.
 - The judge shall then serve as witness and shall deliver the ballot to the clerk who shall deliver it to the polling place.

Provisional Voting

In Wisconsin, provisional voting is currently ONLY used in two situations:

1. If an individual is a first-time voter, who registered by mail and has failed to provide the required proof of residence, he or she may vote provisionally.
 - a. The poll list will contain the notation “POR Required” to identify those first-time voters who registered by mail and who must show proof of residence before being allowed to vote.
 - b. If an individual fails to provide the required proof of residence, and cannot register at the polling place, he or she may vote provisionally.
 - c. In the case of a first-time voter who voted absentee, the returned absentee ballot will be treated as provisional if no proof of residence has been provided. Please note the proof of residence may be in the Absentee Certificate Envelope (GAB-122).
2. If an individual who registers on **Election Day** has a Wisconsin driver’s license, but is unwilling or unable to provide the license number, he or she may vote provisionally.
 - a. Individuals who have a Wisconsin driver’s license may NOT use the last four digits of their Social Security number or Wisconsin State ID card to register.
 - b. Electors may vote provisionally if providing the driver’s license number is the only missing registration element. If an elector is also missing required proof of residence or corroboration, then he or she may NOT register or vote.

There is NO other situation in which provisional voting should be used. Provisional ballots are not given when a voter is at the wrong polling place. If a voter appears at the wrong polling place, he or she will be directed to the proper location. Provisional ballots are also not given when a person is attempting to register in-person at the polling place and does not provide the required proof of residence.

Procedure

Once it is determined a voter will vote provisionally, the following procedures are required:

1. If the elector has been issued a provisional ballot due to failure to provide driver's license number when registering or failure to provide proof of residence for first time voter by mail0
2. Every provisional voter must complete a Provisional Ballot Certificate Envelope (GAB-123).
3. The voter completes the certificate envelope in the presence of at least one election inspector by providing:
 - a. Full name
 - b. Complete address, including municipality and county
 - c. Date of birth
 - d. Indication of U.S. Citizenship
 - e. Date of election
 - f. Signature and date
4. The election inspector completes the certificate envelope by:
 - a. Signing and dating the certificate envelope.
 - b. Indicating the type of required information (either "Proof of Residence," or "Driver's License Number") by checking the appropriate box(es) on the certificate envelope. A provisional ballot may be issued for more than one reason.

5. The election inspector issues a provisional voter number (PV#), which is recorded on the voter list. A voter number is NOT issued to the elector at this time and the elector does NOT sign the poll list.
 - a. This number is issued sequentially, starting with “1.”
 - b. The PV# is also recorded in six places:
 - (1) The back of the ballot
 - (2) On the Inspectors’ Statement (GAB-104)
 - (3) On the Provisional Ballot Certificate Envelope (GAB-123)
 - (4) On the Provisional Ballot Reporting Form (GAB-123r)
 - (5) On the poll list or supplemental poll list
 - (6) On the Provisional Voting Information sheet for the elector
6. The elector votes the ballot, seals the voted ballot in the Provisional Ballot Certificate Envelope (GAB-123), and returns the sealed envelope to the election inspector.
7. The sealed certificate envelope (GAB-123) is placed inside the Inspectors’ Certificate for Provisional Ballots Envelope (GAB-108).
 - a. The election inspectors record the name of the elector, the PV#, and the reason for the provisional ballot on the Provisional Ballot Reporting Form (GAB-123r) and on the Inspectors’ Statement (GAB-104).
 - b. The Inspectors’ Certificate of Provisional Ballots Envelope (GAB-108) must be kept secure throughout Election Day.
 - c. When the polling place closes, the Inspectors’ Certificate of Provisional Ballots Envelope (GAB-108) must be secured in a separate ballot bag with a tamper evident serialized numbered

seal. The serial number shall be recorded on the signed ballot container certification attached to the bag and on the Inspectors' Statement. The bag should be marked "Provisional Ballots."

8. Election inspectors must provide the elector with the Provisional Voting Information Sheet.
9. An elector who was issued a provisional ballot may return to the polling place before 8 p.m. to provide the missing documentation to the election inspectors. Election inspectors shall review the provided documentation to determine if it is satisfactory.
 - a. If the provided documentation is not valid the election inspectors shall inform the elector and document the incident on the Inspectors' Statement (GAB-104).
 - b. If the provided documentation is valid:
 - i. The elector must sign the poll or supplemental list.
 - ii. Note on the Inspectors' Statement (GAB-104) that the elector provided the required documentation.
 - iii. Initial and date the Provisional Ballot Reporting Form (GAB-123r) to indicate that the elector provided the required documentation.
 - iv. Election inspectors should offer the elector the option of spoiling the provisional ballot and voting a new ballot.
 - v. If the elector chooses to spoil the provisional ballot:
 1. The Provisional Ballot Certificate Envelope (GAB-123) is removed from the Inspectors' Certificate of Provisional Ballots (GAB-108) envelope and given to the elector.
 2. The elector should remove the provisional ballot and spoil it.

3. Document the incident and spoiled ballot on the Inspectors' Statement (GAB-104).
 4. The elector signs the poll list.
 5. The elector is issued a sequential voter number, which is recorded on the poll list and noted on the Provisional Ballot Reporting Form (GAB-123r) by marking "on poll list" in the column labeled "Voter Number Issued."
 6. The elector is given a new ballot.
- vi. If the elector chooses to cast the provisional ballot:
1. Note on the Inspectors' Statement (GAB-104) and initial and date the Provisional Ballot Reporting Form (GAB-123r) that the elector provided the required documentation.
 2. Remove the elector's Provisional Ballot Certificate Envelope (GAB-123) from the Inspectors' Certificate of Provisional Ballots (GAB-108) envelope.
 3. Verify that the Provisional Ballot Certificate Envelope (GAB-123) has not been opened or tampered with.
 - a. If the Provisional Ballot Certificate Envelope (GAB-123) has been tampered with, the election inspectors shall spoil the provisional ballot and instruct the elector to cast a new ballot.
 4. The elector signs the poll list.
 5. The elector is issued a sequential voter number, which is recorded on the poll list and noted on the Provisional Ballot Reporting Form (GAB-123r) by marking "on poll list" in the column labeled "Voter Number Issued."
 6. Provide the elector with the Provisional Ballot Certificate Envelope (GAB-123) and instruct him or her to remove

the ballot and place it in the ballot box or voting equipment.

7. Collect the used Provisional Ballot Certificate Envelope (GAB-123) from the elector and place it back in the Inspectors' Certification of Provisional Ballots (GAB-108) envelope.

Processing

1. A Provisional Ballot Reporting Form (GAB-123r) must be completed by the election inspectors at the polling place listing all of the electors who cast a provisional ballot. The clerk must review the form and send a copy to both the county clerk and their SVRS provider if different after the close of polls on Election Day. The municipal clerk must keep a copy for his or her office. A blank Provisional Ballot Reporting Form and a sample for reference are available on the agency website.
2. All electors who have been issued a provisional ballot must be tracked in SVRS on *Election Night*. SVRS must also be updated if/when an elector provides the missing information.
 - a. Self Providers must enter the information into SVRS. Please see the SVRS Application Training Manual for details.
 - b. Reliers must provide the Provisional Ballot Reporting Form (GAB-123r) to their Provider. Reliers must inform their Provider with updates if/when electors provide the missing information.
 - c. Providers must enter provisional ballot information into SVRS on election night on behalf of their reliers. Please see the SVRS Application Training Manual for details.
3. If the County Board of Canvassers is counting and tallying the valid provisional ballots:

The ballot bag containing the provisional ballots is transported to the County Clerk with all other election materials by 4 p.m. the day after the election.

4. If the Municipal Board of Canvassers is counting and tallying the valid provisional ballots:
 - a. The ballot bag containing the provisional ballots must be secured in the municipal clerk's office.
5. Provisional ballots are not counted until the required information (either proof of residence or driver license number) is provided to either the election inspectors by 8:00 p.m. on Election Day, or to the municipal clerk or deputy clerk by 4 p.m. on the Friday after the election.
 - a. Municipal clerks must be available to receive the missing information from electors who have an outstanding provisional ballot through 4pm on the Friday after the election:
 - i. Electors who need to provide their Driver's License Number can provide their number:
 1. Over the phone
 2. By electronic transmission
 3. By delivery (not in-person)
 4. In-person
 - ii. Electors who need to provide a proof of residence can provide their documentation:
 1. By electronic transmission
 2. By delivery (not in-person)
 3. In-person
 - b. Electors who provide their information after Election Day do not sign the poll list.

- c. When an elector provides missing provisional information after Election Day, the municipal clerk must update the GAB-123r with:
 - i. The type of provisional documentation provided
 - ii. The method used to provide the missing information
 - iii. The date and time the elector provided the missing information
 - iv. The clerk's name
 - d. SVRS must also be updated when an elector provides missing provisional information after Election Day.
6. If the person voting provisionally does not present the information to the municipal clerk by 4 p.m. on the Friday after the election the Provisional Ballot Certificate Envelope (GAB-123) is not opened. Neither the voter nor the ballot is counted as part of the Election Day results if the missing required information is not returned by the deadline.
7. The municipal clerk should maintain communication with the county clerk regarding the number of outstanding provisional ballots.
8. After the 4 p.m. deadline on the Friday following the election, the municipal clerk transmits an updated GAB-123r to the County indicating which electors provided missing information.
9. The ballot bag containing the provisional ballots should only be opened during a meeting of the Board of Canvassers.
10. The Board of Canvassers will meet to count and tally the provisional ballots for which the elector has supplied the missing information.
 - a. The Board of Canvassers will assign a voter number to the elector starting with the last voter number issued on Election Day in the appropriate reporting unit.
 - b. The voter number is recorded on the GAB-123r.

- c. The votes cast on the provisional ballot are tallied on a Tally Sheet (GAB-105).
- d. A copy of the GAB-123r and the tally sheets used at the Board of Canvassers is forwarded on to the other affected Boards of Canvassers.

MBOC/Processing Late Arriving Absentees and Provisional Ballots

Even though election inspectors count the votes at the polls on election night, the official results of the elections are not determined until each official board of canvassers (for the municipality, county, state, school district, or other special purpose district) has met and completed the official canvass of their respective offices. The canvass statement is the official determination of the outcome of the election. The election is not complete and no recount can be requested until the canvass has been completed. Wis. Stats. §§ 7.53(4), 9.01(1)(a) 1.

2011 Act 75 provides that absentee ballots may be counted if postmarked no later than Election Day and received no later than 4:00 p.m. on the Friday following the election. Additionally, 2011 Act 23 provides that voters who cast provisional ballots may provide whatever documentation is required no later than 4:00 p.m. on the Friday after the election in order for their provisional ballot to be counted.

2011 Act 115 assigns the responsibility of processing and counting late-arriving absentee ballots and eligible provisional ballots to the Municipal Clerks, or Executive Directors, and the Municipal Board of Canvassers.

Composition of the Municipal Board of Canvassers (MBOC)

1. Municipalities with only one polling place.
 - a. In municipalities with one ward or where all of the wards vote at a single polling place and results are combined, the election inspectors constitute the municipal board of canvassers (MBOC).
 - b. All inspectors present at the polling place at the close of the polls complete the Board of Canvassers' Statement (GAB-106) for municipal offices and municipal referenda on election night. Wis. Stat. § 7.53(1).

Likewise, the inspectors that signed the election-night certification comprise the MBOC for any subsequent meeting to amend returns. However, if all of the inspectors who signed the election-night certification are not available to amend returns, the clerk may replace the inspectors with a 3-member board of canvassers consisting of the clerk, the chief inspector and one other inspector.

If the clerk is a candidate at the election being canvassed or is unable to serve, the other two members shall appoint a qualified elector of the municipality to serve in place of the clerk. If one of the other members is unable to serve, the municipal clerk shall appoint a qualified elector of the municipality as a replacement.

2. Municipalities with more than one polling place.
 - a. In municipalities with two or more wards that are not combined, the municipal clerk and two qualified electors chosen by the clerk, serve as the MBOC. Wis. Stat. § 7.53(2).
 - b. They complete the Board of Canvassers' Statement (GAB-106) for municipal offices and municipal referenda. If a member of the MBOC is unavailable, the clerk may designate a substitute. Wis. Stat. § 7.53(2).

In addition to these familiar duties, the MBOC will now be required to convene, whether or not there is a municipal election, whenever there are pending absentee ballots and/or when provisional ballots have been cast.

Timeline for Convening the MBOC

1. Municipalities where the Election Inspectors Comprise the MBOC.
 - a. When municipal offices and/or municipal referenda are on the ballot, the inspectors must conduct the municipal canvass and make their initial determination on election night, as usual. Wis. Stat. § 7.53(1).
 - b. The inspectors must reconvene as the MBOC no later than 9:00 a.m. on the Monday following the election to process late-arriving absentee ballots and eligible provisional ballots. 2011 Act 115, Wis. Stats. §§ 7.515(6)(b) and 6.97(4).
2. Municipalities where the Clerk and Two Others Comprise the MBOC.
 - a. When the municipal clerk and two other electors appointed by the clerk serve as the MBOC, the canvass shall begin no earlier than the time that the MBOC receives the returns from all polling places on election night and no later than 9:00 a.m. on the Monday after the election. 2011 Act 115, Wis. Stats. §§ 7.515(6)(b) and 6.97(4).

Regardless of the Composition of the MBOC

The MBOC may convene or reconvene (in the case of the poll workers serving as the MBOC who met election night to canvass municipal results) as soon as all pending absentee ballots have been received and all provisional ballots have been determined eligible, but no later than 9:00 a.m. on the Monday after the election. **Note:** Proper 24-hour meeting notice is required.

Scenarios:

A. The MBOC is the Election Inspectors

Note: An “outstanding” absentee ballot is a ballot that has not been returned. A ballot that has been cancelled or spoiled is not “outstanding.”

1. **No** - Municipal offices and/or referenda
No - Outstanding absentee ballots or provisional ballots.
 - a. The inspectors do not meet as the MBOC.
 - b. The inspectors do not reconvene as the MBOC.
2. **Yes** - Municipal offices and/or referenda
No - Outstanding absentee ballots or provisional ballots.
 - a. The inspectors meet on election night as the MBOC to canvass the results of the municipal offices or municipal referenda and complete the GAB-106 for municipal offices and referenda only.
 - b. The inspectors do not reconvene as the MBOC.
3. **Yes** - Municipal offices and/or referenda
Yes - Outstanding absentee ballots or provisional ballots.
 - a. The inspectors meet on election night as the MBOC to canvass the results of the municipal offices or municipal referenda and complete the GAB-106 for municipal offices and referenda only.

- b. The MBOC reconvenes after all absentee ballots have been returned and all provisional ballots are rehabilitated or after the deadline of 4:00 p.m. on the Friday after the election has passed.
 - c. 24-hour open meeting notice is required.
 - d. The MBOC reconvenes no later than 9:00 a.m. on the Monday after the election to process and count late-arriving absentee and provisional ballots and amend the municipal canvass.
 - i. If no absentee ballots are returned and no provisional ballots are rehabilitated, the MBOC must reconvene to sign a statement that confirms that the election night returns have not changed.
4. **No** - Municipal offices and/or referenda
Yes - Outstanding absentee ballots or provisional ballots.
- a. The inspectors do not meet as the MBOC.
 - b. The MBOC convenes after all absentee ballots have been returned and all provisional ballots are rehabilitated, or after the deadline of 4:00 p.m. on the Friday after the election has passed.
 - c. 24-hour open meeting notice is required.
 - d. The MBOC convenes no later than 9:00 a.m. on the Monday after the election to process and count late-arriving absentee and provisional ballots.
 - i. If no absentee ballots are returned and no provisional ballots are rehabilitated, the MBOC must convene to sign a statement that confirms that the election night returns have not changed.

B. The MBOC is the Clerk and Two Other Electors

- 1. **No** - Municipal offices and/or referenda
No - Outstanding absentee ballots or provisional ballots.

- a. The MBOC does not meet at all.
2. **Yes** - Municipal offices and/or referenda
No - Outstanding absentee ballots or provisional ballots.
 - a. The MBOC meets the day after the election to canvass the results of the municipal offices or municipal referenda and complete the GAB-106 for municipal offices and referenda only.
 - b. The MBOC has no reason to meet again.
3. **Yes** - Municipal offices and/or referenda
Yes - Outstanding absentee ballots or provisional ballots.
 - a. The MBOC *may* meet the day after the election to canvass the results of the municipal offices or municipal referenda and complete the GAB-106 for municipal offices and referenda only.
 - i. The MBOC must adjourn until all absentee ballots are returned and all provisional ballots are rehabilitated or until the deadline of 4:00 p.m. on the Friday after the election has passed.
 - ii. After providing 24-hour notice, the MBOC reconvenes to process and count late-arriving absentee and provisional ballots and amend the municipal canvass.
 - a) If no absentee ballots are returned and no provisional ballots are rehabilitated, the MBOC must reconvene to sign a statement that confirms that the election night returns have not changed.
 - b. Alternatively, the MBOC may wait to convene until all absentee ballots are returned and all provisional ballots are rehabilitated or until the deadline of 4:00 p.m. on the Friday after the election has passed.
 - i. After providing 24-hour notice, the MBOC convenes to process and count late-arriving absentee and provisional ballots and to canvass the results of the municipal election.

- a) If no outstanding absentee ballots were returned and no provisional ballots were rehabilitated, the returns must include a statement to that effect.
4. **No** - Municipal offices and/or referenda
Yes - Outstanding absentee ballots or provisional ballots.
- a. The MBOC must convene after all outstanding absentee ballots have been received and all provisional ballots are rehabilitated or until the deadline of 4:00 p.m. on the Friday after the election has passed.
 - b. 24-hour notice is required.
 - c. The MBOC convenes to process and count late-arriving absentee and provisional ballots.
 - i. If no absentee ballots are returned and no provisional ballots are rehabilitated, the MBOC must convene to sign a statement that confirms that the election night returns have not changed.

The 3-day period for petitioning for a recount of municipal offices and referenda does not begin until the day after the final meeting of the MBOC and the completion of the canvassing of the late-arriving absentee and provisional ballots. 2011 Act 115, Wis. Stat. § 9.01(1)(a) 1.

Timeline for Delivery of Election Night Returns to County, School District and Special Purpose District Clerks

The municipal clerk shall deliver all ballots, statements, tally sheets, lists and envelopes, **excluding any absentee ballots received after closing hour on election night and any provisional ballots**, related to any county, school district or special purpose district election to the appropriate clerks by 4:00 p.m. on the day following each such election. Wis. Stat. § 7.51(5)(b).

Central Count Absentee Municipalities

The municipal clerk in municipalities that process absentee ballots at a central location deliver all ballots, statements, tally sheets, lists and envelopes, **excluding any absentee ballots received after closing hour on election night and any provisional ballots**, related to any county, school district or special purpose district election to the appropriate clerks by 4:00

p.m. on the second day following each such election. Wis. Stat. § 7.51(5)(b).

Timeline for Delivery of Amended Returns to the Affected Boards of Canvassers

The amended returns must be delivered to the county, school district and special purpose district clerks no later than 4:00 p.m. on the Monday after the election. 2011 Act 115, Wis. Stat. § 7.51(5)(b). County, school district and special purpose district boards of canvassers must meet no later than 9:00 a.m. on Tuesday (one week after an election.) In addition, school district and special purpose district boards of canvassers must complete the canvass no later than 4:00 p.m. on the Tuesday after an election. 2011 Act 115, Wis. Stats. §§ 7.53 (3)(a) and 7.60(3).

Duties of Municipal Clerks

1. On Election Night, post the number of pending absentee ballots and provisional ballots, by reporting unit, on the Internet. Wis. Stat. § 7.515(5), 2011 Act 115, Wis. Stat. § 7.15(15).
2. On Election Night, transmit the GAB-123r to the clerks of any other affected level of government and provide written notice of the number of pending absentee ballots, by reporting unit. Wis. Stats. §§6.97(3)(b) and 7.515(6)(a).
3. On Election Night, enter provisional ballot information {which has been recorded on the Provisional Ballot Reporting Form (GAB-123r)} into the Provisional Ballot Tracking System. (If the municipality does not have web access, the SVRS provider enters this information.) 42 U.S.C. §15482(a)(5)(B).
4. If the clerk receives an absentee ballot from an elector who is recorded as voting on Election Day, the clerk should mark the ballot “To Be Rejected” and set the ballot aside for processing by the Municipal Board of Canvassers. The clerk should also contact law enforcement immediately.
5. Provisional ballots are not counted until the required information (either proof of residence or driver license number) is provided to either the election inspectors by 8:00 p.m. on Election Day, or to the municipal clerk or deputy clerk by 4 p.m. on the Friday after the election.

- a. Municipal clerks must be available to receive the missing information from electors who have an pending provisional ballot through 4pm on the Friday after the election:
 - i. Electors who need to provide their driver license number can provide their number:
 1. Over the phone
 2. By electronic transmission
 3. By delivery
 4. In-person
 - ii. Electors who need to provide a proof of residence can provide their documentation:
 1. By electronic transmission
 2. By delivery
 3. In-person
 - b. Electors who provide their information after Election Day do not sign the poll list.
 - c. When an elector provides missing provisional information after Election Day, the municipal clerk must update the GAB-123r with:
 - i. The type of provisional documentation provided
 - ii. The method used to provide the missing information
 - iii. The date and time the elector provided the missing information
 - iv. The clerk's name
 - d. The Provisional Ballot Tracking System must also be updated when an elector provides missing provisional information after Election Day.
6. Continually update the GAB-123r as provisional ballots become eligible to be counted, and continually enter the updated information into the Provisional Ballot Tracking System or transmit the updated information to your provider for Provisional Ballot Tracking System entry.

7. Immediately after the 4:00 p.m. Friday deadline, transmit the final GAB-123r forms to the clerks of any other affected level of government (and to your provider, if necessary) and also provide a written updated notice of the number of pending absentee ballots.
8. Publish a 24-hour open meeting notice and notify the MBOC of the time and location of the meeting. Notice of the meeting which includes the date, time, place and subject matter of the meeting should be sent to the local media at least 24 hours in advance of the meeting. Wis. Stat. § 19.84. **Note:** You may have observers in attendance.
9. Provide all necessary materials for the MBOC (see the Supplies Checklist in the appendix of this document).
10. Take minutes at the MBOC meeting or assign this duty.

Processing Late-Arriving Absentee and Provisional Ballots

The MBOC will conduct the processing and tallying of absentee ballots separately from the processing and tallying of provisional ballots. The tally for absentee ballots and the tally for provisional ballots may appear on the same set of tally sheets, but must be labeled separately “absentee” and “provisional.”

Late-Arriving Absentee Ballots

Follow the instructions for processing absentee ballots located in the **BALLOTS** Section of the Election Day Manual. Note: Process one absentee ballot at a time.

- A. Open the Absentee Ballot Carrier envelopes or containers (GAB-125).
 1. Note: Ballots should not be placed in a locked ballot box upon determination of sufficiency, but should be placed in a “privacy container” for tally later in the process.
 2. If the certificate envelope (GAB-122) containing the ballot is missing the signature of either the elector or the witness, or if the envelope appears to have been opened and resealed, the ballot is rejected. (*There is no opportunity for a voter to rehabilitate an insufficient certificate envelope after Election Day.*)

- a. Write “Rejected” and the reason for the rejection on the certificate envelope and the absentee ballot log.
 - b. Record the rejection on the Record of Activity (GAB-104AP).
 - c. Place the unopened ballot in the Certificate Envelope of Rejected Absentee Ballots (GAB-102).
3. If the voter list or the absentee certificate envelope has the notation “POR Required:”
 - d. Verify that a copy of Proof of Residence was enclosed.
 - e. If not, process as a provisional ballot. See *Missing Proof of Residence Procedure* which follows the absentee processing procedure in the Election Day Manual.
 4. If the certificate envelope is sufficient and proof residence has been provided, if necessary, the ballot may be counted.
 - a. Assign a voter number.
 - i. Look for the last voter number issued on Election Day in the appropriate reporting unit and assign the next consecutive number to the voter.
 - ii. Record the number next to the voter’s name on the Absentee Ballot Log.
 - b. Place the ballot in the privacy container for tallying later in the process.
 - c. Place the certificate envelope in the envelope for Used Absentee Certificate Envelopes (GAB-103).
- B. Reconcile the Number of Voters with the Number of Ballots**
1. Count the number of ballots in the privacy container to ensure the number of ballots equals the number of additional voter numbers issued for absentee ballots.
 2. Return to privacy container and mix.

C. Tally the Votes

1. Count and record the votes on two separate Tally Sheets (GAB-105). Reconcile the tally sheets when the counting for each office is complete.
2. Determine if any of the ballots are “Defective.”
 - a. A “Defective Ballot” is a ballot for which a majority of the election inspectors agree that voter intent cannot reasonably be determined.
 - b. A ballot can be defective for some offices and valid for others. Only valid votes on each ballot are counted. The reason for the defect should be recorded on the Record of Activity (GAB-104AP).
 - c. A defective ballot is labeled “Defective Ballot # ___” (beginning with ‘1’), set aside and preserved.
 - i. Defective ballots may be placed in an envelope marked “Defective/Objected To Absentee Ballots” or
 - ii. Bound together and labeled “Defective Absentee Ballots.”
3. Determine if any of the ballots are “Objected To.”
 - a. An “Objected to” ballot is a ballot for which a majority of the election inspectors agree that voter intent can be determined, but at least one election inspector disagrees. The reason for the objection is recorded on the Record of Activity (GAB-104AP).
 - b. An “Objected to” ballot is labeled “Objected to Ballot # ___” (beginning with ‘1’), set aside and preserved. in the “Original Ballots” envelope.
 - i. “Objected To” ballots may be placed in an envelope marked “Defective/Objected To Absentee Ballots” or
 - ii. Bound together and labeled “Objected To Absentee Ballots.”

- D. Bundle the counted absentee ballots together and set aside.
- E. Announce the results of the tally of late-arriving absentee ballots.

Provisional Ballots

- A. Examine all GAB-123r forms to determine which voters have supplied the missing information necessary for their ballots to be processed.
- B. Verify the tamper-evident seal numbers on the ballot container holding the provisional ballots and record the findings on the Record of Activity (GAB-104AP).
- C. Open the ballot container holding the Election Day provisional ballots and retrieve the envelopes containing the ballots to be processed.
- D. Process one provisional ballot at a time. Examine the Provisional Ballot Certificate Envelope (GAB-123) for sufficiency, following the same procedure used in processing absentee ballots.
 - 1. Reject the provisional ballot if the envelope is not sufficient or appears to have been tampered with.
 - a. Mark the envelope (GAB-123) “Rejected.”
 - b. Write “Rejected” on the Provision Ballot Reporting Form (GAB-123r) in the “voter number” column.
 - c. Record the rejection on the Record of Activity (GAB-104AP)
 - d. Return the unopened GAB-123 to the Election Night Provisional Ballot Bag/Container.
 - 2. If the provisional ballot envelope is sufficient.
 - a. Assign a voter number to the elector.
 - i. Look for the last voter number issued in the appropriate reporting unit and assign the next consecutive number to the voter.

- ii. Record the number on the GAB-123r.
 - b. Place the Provisional Certificate Envelope in a large envelope marked “Used Provisional Ballot Envelopes.”
 - c. Place the ballot in the “privacy container” for tally later in the process.
- E. After all provisional ballots have been processed, reconcile the number of voters with the number of provisional ballots
 1. Count the number of ballots in the privacy container to ensure the number of ballots equals the number of additional voter numbers issued for provisional ballots.
 2. Return ballots to privacy container and mix.
- F. Tally the Votes

Count and record the votes on two separate Tally Sheets (GAB-105). Reconcile the tally sheets when the counting for each office is complete.

1. Determine if any of the ballots are “Defective.”
 - a. A “Defective ballot” is a ballot for which a majority of the election inspectors agree that voter intent cannot reasonably be determined.
 - b. A ballot can be defective for some offices and valid for others. Only valid votes on each ballot are counted. The reason for the defect should be recorded on the Record of Activity (GAB-104AP).
 - c. A defective ballot is labeled “Defective Ballot # ___” (beginning with ‘1’), set aside and preserved.
 - i. Defective ballots may be placed in an envelope marked “Defective/Objected To Provisional Ballots or”
 - ii. Bundled together and labeled “Defective Provisional Ballots”

2. Determine if any of the ballots are “Objected To.”
 - a. An “Objected to” ballot is a ballot for which a majority of the election inspectors agree that voter intent can be determined, but at least one election inspector disagrees. The reason for the objection is recorded on the Record of Activity (GAB-104AP).
 - b. An “Objected to” ballot is labeled “Objected to Ballot #__” (beginning with ‘1’), set aside and preserved.
 - i. “Objected To” ballots may be placed in an envelope marked “Defective/Objected To Provisional Ballots or”
 - ii. Bundled together and labeled “Objected To Provisional Ballots”
 - c. Bundle the counted provisional ballots together and set aside.
 - d. Announce the results of the tally of provisional ballots.

Securing and Documenting

A. Ballots

1. Place the counted absentee ballots and the Defective/Objected To Absentee Ballots in a ballot bag or container.
 - a. Secure the container with a tamper-evident seal.
 - b. Record the tamper-evident seal number on the Ballot Container Certificate (GAB-101) and the Record of Activity (GAB-104AP).
2. Place the counted provisional ballots and the Defective/Objected To Provisional Ballots in a ballot bag or container.
 - a. Secure the container with a tamper-evident seal.
 - b. Record the tamper-evident seal number on the Ballot Container Certificate (GAB-101) and the Record of Activity (GAB-104AP)

3. Reseal the ballot container holding the Election Day provisional ballots with a tamper-evident seal.
 - a. Record the tamper-evident seal number on the Ballot Container Certificate (GAB-101) and the Record of Activity (GAB-104AP).

B. Envelopes

1. Secure the large envelopes containing
 - a. Used Certificate Absentee Envelopes (GAB-103)
 - b. Rejected Absentee Ballots (GAB-102)
 - c. Used Provisional Certificate Envelopes

C. Complete Forms and Sign any Certifications

1. Ballot Container Certificates (GAB-101)
2. Rejected Absentee Ballots Envelopes (GAB-102)
3. Used Absentee Certificates Envelope (GAB-103)
4. Used Provisional Certificates Envelope
5. Record of Activity (GAB-104AP)
6. Certification of the MBOC (GAB-106AP)
7. Tally sheets and machine tapes (GAB-105)
8. Provisional Ballot Carrier Envelope (GAB-108)
9. Provisional Ballot Reporting Form (GAB-123r)
10. Absentee Ballot Log (GAB-124)

Conducting the Municipal Canvass

Canvassing Municipal Offices and Municipal Referenda

If there were municipal offices or municipal referenda on the ballot, the MBOC will need to make the official determination of the outcome of the municipal election. Follow the Municipal Board of Canvassers instructions located in the Election Day Manual. The MBOC uses the Statement of the Board of Canvassers (GAB-106) for this purpose.

If the MBOC has already met and completed a GAB-106 and is reconvening to process and count late-arriving absentee and provisional ballots, the municipal canvass will have to be amended.

A. Tabular Statement

1. Complete a new tabular statement for each municipal office and municipal referendum.
2. Record only the votes counted for late-arriving absentee ballots and provisional ballots in each office for each reporting unit.
3. Total the votes cast in each reporting unit (across) and for each candidate (down) and record the grand total for each office.

B. Summary Statement

1. Complete a new summary statement, using the information from the tabular statement, for each municipal office and municipal referendum.
2. Attach a copy of the *original* summary statement to the new summary statement
3. Record the totals from the first summary statement next to the totals on new summary statement.
4. Add the together and determine a new grand total for each office and referenda.

C. Certification

1. Complete and sign the Certification.

Routing Materials

All materials are delivered to the municipal clerk, but should be separated as follows:

A. Municipal Clerk

1. Municipal ballots (if separate ballots) sealed in a ballot container.
2. One original of each Tally Sheet (GAB-105) and one copy of the voting machine tape, if any.
3. Record of Activity (GAB-104AP) - *Municipal clerk will make certified copies for county, school district and special purpose district clerks.*
4. Absentee Ballot Log (GAB-124) - *Municipal clerk will make certified copies for county, school district and special purpose district clerks.*
5. Provisional Ballot Reporting Form (GAB-123r) - *Municipal clerk will make certified copies for county, school district and special purpose district clerks.*
6. Statement of the MBOC (GAB-106AP) - *Municipal clerk will make certified copies for county, school district and special purpose district clerks.*
7. Statement of the Municipal Board of Canvassers (GAB-106), if required.

B. School District Clerk

1. School District Ballots (if separate ballots) sealed in a ballot container.
2. One original Tally Sheet (GAB-105) of school district offices and referenda and one copy of the voting machine tape, if any.
3. One certified copy of the Inspectors' Statement (GAB-104) and one certified copy of the Record of Activity (GAB-104AP)

4. One copy of the Provisional Ballot Reporting Form (GAB-123r)
5. One copy of the Absentee Ballot Log (GAB-124)

C. County Clerk

1. Ballot containers with all federal, state, county and technical college ballots.
2. Provisional and absentee ballots sealed in separate ballot containers.
3. Election night provisional ballots resealed in the original ballot bag from election night.
4. The Rejected Absentee Ballots Envelope (GAB-102)
5. The Used Absentee Certificates Envelopes Envelope (GAB-103)
6. The Used Provisional Certificates Envelope
7. One Original Tally Sheet (GAB-105) of federal, state, county and technical college offices and/or referenda and one copy of the voting machine tape, if any.
6. One certified copy of the Record of Activity (GAB-104AP)
7. One copy of the Provisional Ballot Reporting Form (GAB-123r)
8. One copy of the Absentee Ballot Log (GAB-124)
9. One certified copy of the Statement of the MBOC (GAB-106AP)

Municipal Clerk Follow-up

Municipal clerks deliver the amended returns and other documents to the county, school district and special purpose district no later than 4:00 p.m. on the Monday after the election. See **Routing** above.

Certificate of Election

1. The municipal clerk shall promptly issue a Certificate of Election (GAB-153) to each person elected to any municipal office after the deadline for filing a petition for recount has passed, three business days following the certification by the municipal board of canvassers.
2. When a valid petition for a recount is filed, the municipal clerk may not issue the Certificate of Election (GAB-153) for the office in question until the recount has been completed and the time allowed for filing an appeal has passed.
 - a. An appeal may be filed in the circuit court within five business days after completion of the recount by the board of canvassers.
 - b. If an appeal is filed in the circuit court, the municipal clerk shall not issue the Certificate of Election (GAB-153) until after the appeal is decided.

Election Voting and Registration Statistics Report (GAB-190)

Wisconsin statutes require that the municipal clerk complete an Election Voting and Registration Statistics Report (GAB-190) within 30 days of a primary or election at which a state or national office is filled or a statewide referendum is held. Public interest is high concerning the information required on the Election Voting and Registration Statistics Report (GAB-190). The information the clerk provides is the primary resource for persons requesting statistical information about voting and registration in Wisconsin. In order for the Government Accountability Board, Elections Division to provide accurate statistical information, it is important that the information the clerk provides is correct, and that the form is completed promptly and properly.

Procedure

1. One Election Voting and Registration Statistics Report (GAB-190) must be completed for each reporting unit.
2. The completed Election Voting and Registration Statistics Report(s) (GAB-190) must then be entered into the Wisconsin Election Data Collection System (WEDCS).

- a. Each municipality is responsible for ensuring that the Election Voting and Registration Statistics Report (GAB-190) information is entered into the WEDCS.
 - i. Some municipalities will rely on their SVRS Provider to enter their Election Voting and Registration Statistics Report (GAB-190) in to the WEDCS. If you are a Relier, please communicate with your Provider to determine who enters the GAB-190 into WEDCS.
 - ii. All SVRS Self Providers must enter their Election Voting and Registration Statistics Report(s) (GAB-190) in to the WEDCS themselves.
 - iii. County clerks are required to keep a copy of Election Voting and Registration Statistics Reports (GAB-190) for reporting units within their county. The county clerk can obtain copies of GAB-190s through the WEDCS, however; they may request a copy from the municipal clerk. Municipal clerks should communicate with their County Clerk to determine how they wish to receive the GAB-190.
3. The Election Voting and Registration Statistics Report (GAB-190) collects a variety of statistical information for elections for each specific reporting unit. The municipal clerks should review the Election Voting and Registration Statistics Report (GAB-190) and the GAB-190 Help Guide before each election to determine what information needs to be tracked and reported.

Absentee List Maintenance

Wisconsin law provides electors the option to request that absentee ballots be sent to them automatically for every election. However, the law also requires the elector to return a ballot each time a ballot is sent to them, otherwise the application may be canceled. Clerks must reconcile their absentee ballot logs to identify voters who did not return a ballot and cancel their absentee applications accordingly.

Regular Absentee Electors - Calendar Year Requests

1. At each spring election and general election, the clerk shall determine if any voters with a calendar year request failed to return a ballot.

- a. A ballot is considered “returned” if it was returned to the clerk’s office or polling place in the certificate envelope regardless of whether that ballot was ultimately counted or rejected.
2. The clerk shall remove from the list the name of each person who:
 - a. Did not return a ballot for a spring election or general election.
 - i. The canceled absentee voter may file a new absentee application with the clerk’s office to receive ballots for future elections.
 - b. Requests their name be removed from the list.
 - c. No longer qualifies as an elector (upon receipt of reliable information).
 3. If the cancellation is not at the voter’s request, the clerk shall send a notice within 5 days of the cancellation, if possible.

Indefinitely Confined Electors

1. At each spring election and general election, the clerk shall determine if any voters from the indefinitely confined list failed to return a ballot.
 - a. A ballot is considered “returned” if it was returned to the clerk’s office or polling place in the certificate envelope regardless of whether that ballot was ultimately counted or rejected.
2. The clerk shall send a 1st class letter or postcard informing the voter that his or her name will be removed the list unless the voter applies for renewal within 30 days.
 - a. Renewal can be accomplished by any written notification.
3. The clerk shall remove from the indefinitely confined list the name of each person who:

- a. Did not return a ballot for a spring election or general election, was sent a 30-day notice and did not renew the application by the deadline.
- b. Requests their name be removed from the list.
- c. No longer qualifies as an indefinitely confined elector (upon receipt of reliable information).
 - i. The clerk shall send a notice within 5 days of the cancellation, if possible.

Military and Permanent Overseas Electors

1. Military and Permanent Overseas electors' absentee applications are not subject to cancellation for failure to return a ballot.
2. Military or Permanent Overseas electors' applications may be canceled early if:
 - a. The elector requests their absentee application be canceled.
 - b. The clerk is receives reliable information that the elector no qualifies as a military or overseas elector.
 - i. Military electors continue to be treated as military electors for 28 days after their date of discharge, termination of service, or employment that qualifies them for military elector status.
3. If the cancellation is not at the voter's request, the clerk shall send a notice within 5 days of the cancellation, if possible.

Supplies Checklist for Processing Late-Arriving Absentee and Provisional Ballots

- Paper and Pens**
- Empty Ballot Bags or Containers and Ballot Container Certificates (GAB-101)**
Note: Late-arriving absentee ballots and provisional ballots must be kept separate from one another.
- New Envelope for Rejected Absentee Ballots (GAB-102)**
- New Envelope for Used Absentee Certificate Envelopes (GAB-103)**
- New Envelope for Used Provisional Certificate Envelopes**
This can be a large envelope containing a certificate similar to the GAB-103
- New Envelope for Defective/Objected To Absentee Ballots**
(Or Defective and Objected To Absentee Ballots can be bundled separately rather than placed in an envelope.)
- New Envelope for Defective/Objected To Provisional Ballots**
(Or Defective and Objected To Provisional Ballots can be bundled separately rather than placed in an envelope.)
- Record of Activity (GAB-104AP)**
The MBOC records any noteworthy incidents or decisions on the GAB-104.
- Blank Challenge Documentation (GAB-104c)**
Observers or MBOC may challenge an elector's right to vote. Please See Challenging Electors section of the Election Day manual for challenge procedures.
- New Tally Sheets (GAB-105)**
Votes are tallied on duplicate original tally sheets; two tally sheets each for federal, state and county offices and referenda; municipal offices and referenda; school district offices and referenda; special purpose district offices or referenda.
- Statement of the MBOC (GAB-106AP)**
A reconciliation and certification completed by the MBOC when processing of late-arriving and provisional ballots is complete.
- New Provisional Ballot Carrier Envelope (GAB-108)**
- New Provisional Ballot Certificate Envelopes (GAB-123)**

- Privacy container**
A box or other container in which processed ballots are placed and shuffled before tallying
- The Processing Late-Arriving Absentee and Provisional Ballots Manual**

Election Materials from Each Reporting Unit

- Municipal copy of the poll lists (GAB-107)**
For reference only
- Provisional Ballot Reporting Form(s) (GAB-123r)***
From Election Day and as processed by the municipal clerk.
- Absentee Ballot Logs (GAB-124)***
- Late-arriving absentee ballots secured in a carrier envelope (GAB-125)**
- Provisional ballots secured in a ballot bag**

***NOTE: Provisional Ballot Reporting Forms and Absentee Ballot Logs on which voter numbers are recorded at the meeting of the MBOC must be retained for 22 months.**

If conducting a municipal canvass for municipal offices and referenda, please see the Election Day Manual for canvass procedures and necessary materials.