

# State of Wisconsin \ Government Accountability Board

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**DATE:** February 20, 2012

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

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

**SUBJECT:** Act 115 (SB 381) Signed into Law  
Publication Expected Today (February 20, 2012)

Once again, it is my duty to share election administration legislation that was signed into law this past Friday, February 17, 2012, and expected to become effective tomorrow, February 21, 2012, Spring Primary Day.

In response to Acts 23 and 75, changes in state law were necessary for the canvassing of late-arriving absentee ballots and provisional ballots issued on Election Day. On Friday, January 17, 2012, Governor Walker signed into law Act 115 and publication of the Act is anticipated today by the Secretary of State, making the law effective tomorrow, Tuesday, February 21, 2012. For additional information required by the Act, see the following link: <http://docs.legis.wi.gov/2011/related/acts/115>.

In anticipation of the Act's passage, Government Accountability Board (G.A.B.) staff created administrative procedures for the canvassing of late-arriving absentee and provisional ballots: <http://gab.wi.gov/node/2206>. Additionally, G.A.B. staff held a teleconference on Wednesday, February 15, 2012 to discuss these changes with our clerk partners. The recording from this teleconference is available at the following link: <http://gab.wi.gov/node/2211>.

Following the G.A.B. canvassing communication, an amendment was offered by the Legislature regarding the reconvening of the municipal board of canvassers in municipalities with only one polling place. G.A.B. staff will be updating the *Processing and Counting Late-Arriving Absentee and Provisional Ballots* manual to include this change. The amendment was included as part of Act 115 and provides:

7.53 (1) (b) Solely for purposes of the reconvention of a board of canvassers under par. (a) for a specific election, the municipal clerk may determine to replace the members of the board of canvassers with a 3-member board of canvassers consisting of the clerk, the chief inspector, and one other inspector who shall be appointed by the clerk. If the municipal clerk is a candidate at the election being canvassed or is unable to serve, the other 2 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 to serve in place of that member. The person or persons making any appointment under this paragraph shall do so by letter which shall be signed by the person or persons, dated, and filed in the office of the municipal clerk. Upon the

appointment and qualification of all members, the reconstituted board of canvassers shall then reconvene and carry out its responsibilities under par. (a).

Starting with the February 21, 2012 Spring Primary, municipal clerks are now required to post the number of absentee and provisional ballots outstanding on the Internet. Additionally, state and federal law requires municipal clerks (via the SVRS self-provider or provider) to enter provisional ballot voter status into the G.A.B. provisional tracking system. Instructions can be found at the following link: [http://gab.wi.gov/sites/default/files/memo/20/provisonal\\_tracking\\_system\\_2012\\_instructions\\_final\\_59284.pdf](http://gab.wi.gov/sites/default/files/memo/20/provisonal_tracking_system_2012_instructions_final_59284.pdf)

If you have questions regarding this communication, please contact our Help Desk at (608) 261-2028, or by email at [gabhelpdesk@wi.gov](mailto:gabhelpdesk@wi.gov). Thank you.

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