

State of Wisconsin\Government Accountability Board

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Director and General Counsel

MEMORANDUM

DATE: May 7, 2012

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

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

SUBJECT: Condensed Time-Frame between Certification of Recall Primary and Date Recall Election Ballots are due to be Available

As you are all well aware, the condensed timing between the recall primary and recall election makes adherence to the statutory dates governing absentee ballot availability impossible to achieve. However, we must make a concerted effort to have ballots available as soon as we possibly can.

Recall Primary – May 8, 2012

Unless races are very close, the unofficial election-night results will provide the names of expected winners. On Wednesday morning, May 9, you will receive an unofficial list of names in ballot order. You may immediately provide the winning names to your ballot preparer, but may not print until the election is officially certified.

If the results are not close, G.A.B. will check Milestones 3 and 4 so that you may begin printing absentee labels. Checklist II for the 2012 June 5 Recall Election will be distributed to clerks when Milestone 3 has been checked at the state level.

Municipal Canvass

Unless municipal referenda are also on this ballot, the Municipal Board of Canvassers (MBOC) does not have municipal canvass duties for the primary. However, if provisional ballots are issued at the primary and/or if there are outstanding absentee ballots, the MBOC must meet after 4:00 p.m. on the Friday after the election (May 11th), (or following receipt of the last outstanding absentee ballot or missing provisional information) to tally the late-arriving absentee ballots and provisional ballots. The MBOC statutorily has until 9:00 a.m. on Monday, May 14th to convene. However, we **strongly encourage the MBOC to meet on the evening of Friday, May 11th** to complete this task so that the municipal clerk can expedite delivery of the tally sheets, inspectors' statements, ballots, Provisional Ballot Reporting Form, and absentee ballot log to the county clerk.

County Canvass

Tuesday May 15th is the deadline for:

- County Clerks to begin canvass
- County Clerks to deliver canvasses electronically to G.A.B.
- Ballots to be available for absentee voting.

We **encourage county clerks to canvass Monday morning, May 14th** so that electronic canvass copies can be delivered to the G.A.B. on Monday evening.

Provided all canvasses are electronically sent to G.A.B. on Monday, May 14th, the deadline for petitioning for a recount would be Thursday, May 17th. If no recount petition is submitted, the G.A.B. will certify after 5:00 p.m. on May 17.

As soon as the certification is issued, ballots may be printed.

- Please provide the municipal clerks in your county with either an electronic copy of your ballot proof or a paper copy from which the clerk can make copies.
- Please also encourage your ballot printers to provide a supply of ballots quickly to each municipality, rather than wait until the entire ballot run has been completed to deliver the ballots.

Municipal Clerks

These “substitute” ballots must be sent immediately (Friday, May 18th) to military voters with requests on file (ballots are sent by fax or email to military voters, if so requested) and also mailed to voters who are temporarily out of state.

Monday, May 21st is the first day for in-person voting in the clerk’s office. If you have not received your printed ballots by that day, please send substitute ballots to all voters with requests on file until the printed ballots are received.

Substitute ballots will either have to be hand counted or remade in order to be put through electronic voting equipment.

Remember—Detachable recording devices (memory cards, prom paks, etc.) must not be cleared for 14 days after the primary and no sooner than 21 days after an election. Once these time periods have passed, data contained on the devices may need to be transferred pursuant to § 7.23 Wis. Stats. For additional information regarding retention requirements, please see the communication available at the following link: <http://gab.wi.gov/node/1126>

Fourteen days after May 8th is May 22nd. If you wish to reuse the memory devices for the June recall election, you will have thirteen days for programming and testing.

If you have questions or comments with respect to these timelines, please contact the Help Desk at gabhhelpdesk@wi.gov or 608-261-2028.

Thank you.

cc: Kevin J. Kennedy
Director and General Counsel
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Ross D. Hein
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