

# State of Wisconsin \ Government Accountability Board

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**DATE:** August 3, 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:** Back-to-Basics for the 2012 Fall Election Cycle  
Important reminders for the August 14, 2012 Partisan Primary

The Government Accountability Board Director and Elections Division Supervisor convened a Fall Election Strategic Team to plan for a successful and problem free 2012 Fall Election Cycle. The theme of the Elections Division's Action Plan is Back-to-Basics. In an effort to assist our local election partners to better understand and administer the fundamentals of fair and impartial elections this fall, this communication contains a summary list of friendly reminders that is part of our Back-to-Basics campaign.

## **PRE-ELECTION**

- **Public test of voting equipment.** Make sure all your voting systems, including the accessible voting equipment, are programmed, tested and in working order before Election Day. Municipal clerks are required to test electronic voting equipment no earlier than ten days before an election. Municipal Clerks are required to provide a public notice 48 hours before the test.
- **SVRS data quality.** Make sure that you have completed data quality review for the election. This includes checking for any death or felon matches, voters with no district combinations, boundary and geocode exceptions, and processing any new or pending voter registration applications.
- **Ineligible voter list.** The ineligible voter list is provided online for clerks to access and print on demand at their convenience. Clerks must compare information of all absentee electors and all electors who register during late registration and on Election Day to the "Ineligible Voter List" to determine if the person is currently under supervision of the Department of Corrections and ineligible to vote.

Please Refer To: <http://tinyurl.com/bt6e9xc>

## **REGISTRATION**

- **Proof of residence.** The elector's current and complete name and current and complete residential address must be on a proof of residence document for it to be considered valid. The election official must view the proof of residence and record the type and any unique number on the bottom of the Voter Registration Application. The type of proof of residence is also written

on the supplemental poll list. Voters whose names appear on the poll list should not be asked to provide proof of residence. Exception: If the notation “POR required” appears next to the voter’s name, indicating a first time Wisconsin voter who registered by mail and has not yet provided proof of residence, the voter must do so prior to voting.

**Please Refer To:** <http://tinyurl.com/cmwa8bz>

**Please Watch:** <http://tinyurl.com/d8u7ms5> (Preparing for the August Primary Webinar)

## VOTING

- **Photo ID not required.** Voters cannot be asked to provide photo ID when registering or voting. This provision of the Photo ID Law has been permanently enjoined by two Wisconsin circuit courts. We will keep you informed as it is anticipated these decisions will be appealed.

- **Voter must “state and sign.”** Although voters are not required to provide photo identification, voters must state their name and address and sign one copy of the poll list, unless unable to do so due to a physical disability. Voters that register on Election Day also are required to sign the supplemental poll list. Issue a voter number and ballot only after the voter signs the poll list.

**Please Refer To:** <http://tinyurl.com/cmwa8bz>

**Please Watch:** <http://tinyurl.com/d8u7ms5> (Preparing for the August Primary Webinar)

- **Effect of crossover voting.** At a partisan primary, an elector may only vote for candidates in one political party. Voting in more than one political party may void the elector’s voting choices. If an elector designates a party preference, only votes cast for that party will be counted. If an elector does not designate a party preference and votes for candidates of more than one party, no votes will be counted. Electors must vote for individual candidates.

**Please Refer To:** <http://tinyurl.com/cmwa8bz>

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## ELECTION DAY ISSUES

- **Voter rights and responsibilities.** The G.A.B. has developed a guide on Voter Rights and Responsibilities. It is posted on our website: <http://gab.wi.gov/rights>
- **Counting votes.** The G.A.B. has developed uniform standards that define what constitutes a vote in compliance with the Help America Vote Act of 2002. The Counting Votes document should be available to poll workers on Election Day.

**Please Refer To:** <http://tinyurl.com/cmwa8bz>

**Please Watch:** <http://tinyurl.com/d8u7ms5> (Preparing for the August Primary Webinar)

- **Observers at the polling place.** Election observers must sign in with the chief inspector upon arrival. They must wear an observer badge, stay in the observer area, act in a respectful manner, direct questions and comments to only the chief inspector and obey orders of the chief inspector.

**Observers must not:** Talk to voters, watch voters mark their ballots, touch official documents, wear political paraphernalia, take photos or video until the polls are closed, or talk on phones in the observer area. Chief inspectors should be trained to not hesitate to ask election observers to leave the polling place if they disobey an order of an election official or create disturbances, and to call law enforcement, if necessary.

- **Electioneering at the polling place.** Voters should not wear campaign paraphernalia such as campaign/candidate buttons, shirts, hats, etc. inside the polling place. Those who wear campaign paraphernalia may be asked to cover it up or leave.

### ABSENTEE BALLOTS

- **Changes to the absentee voting process.** As a general rule, voters are not able to vote on Election Day in the polling place if they already returned an absentee ballot to the clerk or placed an absentee ballot in the mail. Wisconsin Act 227 made significant changes to the election administration processes on Election Day for election inspectors. Please note there are a few exceptions to this law.

**Please Refer To:** <http://tinyurl.com/d79ugy5>

**Process Diagrams:** <http://tinyurl.com/c9c49dm>

### ELECTION NIGHT/POST-ELECTION

- **Posting the number of provisional ballots and outstanding absentee ballots on the Internet.** Municipal clerks are required to provide public notice at least 24 hours before the election indicating where this information will be posted. Additionally, clerks must enter information into the Provisional Tracking System for any voter that was issued a provisional ballot on Election Day. If no provisional ballots were issued, clerks must also indicate that they had no provisional ballots in the Provisional Tracking System.
- **Late-arriving absentee and provisional ballots.** 2011 Wisconsin 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 Wisconsin 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 Wisconsin 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.

**Please Refer To:** <http://tinyurl.com/brh36e3>

- **Retention time period for voting machine memory devices.** Memory devices must be retained and may not be cleared until 14 days after the primary election. For additional information on the retention requirements.

**Please Refer To:** <http://gab.wi.gov/node/1126>

**NOTE:** The Government Accountability Board is offering extended office hours for the August 14, 2012, Partisan Primary. The extended days and times are listed here: <http://gab.wi.gov/node/2434>.

### Contact Information

For questions, please contact the G.A.B. Help Desk at (608) 261-2028, or [gabhelpdesk@wi.gov](mailto:gabhelpdesk@wi.gov). Thank you.

cc: Kevin J. Kennedy  
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