Processing and Counting Late-Arriving Absentee and Provisional Ballots

(A Function of the Municipal Board of Canvassers)

March 2012

Government Accountability Board
212 East Washington Ave., 3rd Floor
P.O. Box 7984
Madison, WI 53707-7984

Phone: (608) 261-2028
FAX: (608) 267-0500
Website: http://gab.wi.gov
Email: gab@wi.gov

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ELECTIONS DIVISION DIRECTORY

Government Accountability Board
Elections Division
212 East Washington Avenue, 3rd Floor
P.O. Box 7984
Madison, WI 53707-7984
Phone: 608-261-2028
FAX: 608-267-0500
Website: http://gab.wi.gov
Email: gab@wi.gov

WISCONSIN ELECTIONS DIVISION

Agency General Number…… 608-266-8005
FAX…… 608-267-0500
email: gab@wi.gov
Agency Help Desk Number……..... 608-261-2028

Administration

Kevin J. Kennedy
Director and General Counsel.....608-266-8005
email: kevin.kennedy@wisconsin.gov

Nathaniel E. Robinson
Elections Division Administrator …… 608-267-0715
email: nat.robinson@wisconsin.gov

Sharrie Hauge
Chief Administrative Officer……..... 608-266-0404
email: sharrie.hauge@wisconsin.gov

Ross Hein
Elections Supervisor …… 608-267-3666
email: ross.hein@wisconsin.gov

Michael Haas
Staff Counsel..……..... 608-266-0136
email: michael.haas@wisconsin.gov

Shane Falk
Staff Counsel..……..... 608-266-2094
email: shane.falk@wisconsin.gov

Election Specialists

Diane Lowe
Lead Elections Specialist..... 608-266-3276
email: diane.lowe@wisconsin.gov

David Buerger
Elections Specialist-HAVA Compliance…… 608-267-0951
email: david.buerger@wisconsin.gov

Aaron Frailing
Elections Specialist-SVRS..... 608-267-7891
email: aaron.frailing@wisconsin.gov

Katie Mueller
Elections Specialist-MOVE Act..... 608-267-7890
email: katie.mueller@wisconsin.gov

Nadya Perez-Reyes
Elections Specialist-Voter ID.....608-267-0714
email: nadya.perezreyes@wisconsin.gov

Steve Pickett
Elections Specialist-Local Election Administration…....608-266-3061
email: steve.pickett@wisconsin.gov

Richard Rydecki
Elections Specialist-Voter ID.....608-261-2015
email: richard.rydecki@wisconsin.gov

Meagan Wolfe
Elections Specialist-Voter Information.....608-266-8175
email: meagan.wolfe@wisconsin.gov

Training and Communications

Allison Coakley
Training Officer Coordinator..... 608-261-2033
email: allison.coakley@wisconsin.gov

Christopher Doffing
Training Officer-Multi-Media..... 608-261-2007
email: christopher.doffing@wisconsin.gov

Ed Edney
Training Officer- SVRS Application..... 608-261-2004
email: ed.edney@wisconsin.gov

Adam Harvell
Training Officer- SVRS Application..... 608-261-2030
email: adam.harvell@wisconsin.gov

Tiffany Schwoerer
Office Operations Associate-Training..... 608-261-2003
email: tiffany.schwoerer@wisconsin.gov

G.A.B. Help Desk

Steve Rossman
Help Desk Lead…… 608-261-2028
email: steven.rossman@wisconsin.gov

John Hoeth
Help Desk…… 608-261-2028
email: john.hoeth@wisconsin.gov

Public Information

Reid Magney
Public Information Officer..... 608-267-7887
email: reid.magney@wisconsin.gov

Statewide Voter Registration System (SVRS)

Sarah Whitt
Functional Lead.....608-261-2034
email: sarah.whitt@wisconsin.gov
Ann Oberle
Testing Lead.....608-264-6764
email: ann.oberle@wisconsin.gov

GOVERNMENT ACCOUNTABILITY BOARD MEMBERS

Judge David Deininger (Chair)

Judge Thomas Barland

Judge Michael Brennan

Judge Thomas Cane

Judge Gerald Nichol

FEDERAL INFORMATION - ELECTIONS ADMINISTRATION

Military & Overseas Voting

Federal Voting Assistance Program
Department of Defense
1777 North Kent Street
Suite #14003
Washington, DC 22209
Phone: 800-438-VOTE (8683)
email: vote@fvap.gov
Website: http://www.fvap.gov

Help American Vote Act (HAVA) and Other Federal Election Law

United States Election Assistance Commission
1201 New York Avenue, N.W.
Suite 300
Washington, DC 20005
Phone 866-747-1471 or 202-566-3100
FAX 202-566-3127
Website: http://www.eac.gov

Election Fraud

US Dept of Justice
Bond Building, 1400 New York Avenue NW, 12th Floor
Washington, DC 20005
Phone: 202-514-1421
FAX: 202-514-3003
email: AskDOJ@usdoj.gov

Voting Rights Act

Voting Section, Civil Rights Division
Room 7254 - NWB
Department of Justice
950 Pennsylvania Ave., NW
Washington, DC 20530
Phone: 800-253-3931 or 202-307-2767
Email: Voting.Section@usdoj.gov
Website: http://www.usdoj.gov

ACCESSIBILITY SUPPLIES & CONTACTS

Wisconsin Coalition of Independent Living Centers
3810 Milwaukee Street
Madison, WI 53714
Voice and Text: 608-444-3842
TTY: 800-362-9877
Fax: 608-242-0383
Website: http://www.il-wisconsin.net/coalition

Disability Rights Wisconsin
131 W. Wilson Street, Suite 700
Madison, WI 53703
Phone: 800-928-8778 or 608-267-0214
TTY: 888-758-6049
FAX: 608-267-0368
Website: http://www.disabilityrightswi.org/index.php

Wisconsin Board for People with Developmental Disabilities (BPDD)
201 West Washington Ave., Suite 110
Madison, WI 53703
Phone: 608-266-7826 or 888-332-1677
Fax: 608-267-3906
bpddhelp@wi-bpdd.org

Coalition of Wisconsin Aging Groups
2850 Dairy Drive, Suite 100
Madison, WI 53718
Phone: (800) 366-2990 or (608) 224-0606
Fax: 608-224-0607
Email: namato@cwag.org
Website: http://cwagwisconsin.org/

VOTING EQUIPMENT VENDORS

Dominion Voting Systems (servicing Premier systems)
221 Hopkins Avenue
Jamestown, NY 14701
Phone: 866-654-8683
Email: contact@DominionVoting.com
Website: http://www.dominionvoting.com

Command Central *(Programming/Supplies)*
P.O. Box 7306
St. Cloud, MN 56302
Phone: 320-259-7027
FAX: 320-259-7028

Election Systems & Software, Inc. (ES&S)
(also servicing Premier systems)
11208 John Galt Blvd.
Omaha, NE 68137
Phone: 800-247-8683 or 877-377-8683 (option 4 for tech support)
FAX: 402-593-8107
email: info@essvote.com
Website: http://www.essvote.com/

Populex
420 B Airport Road
Elgin, IL 60123
Phone: 877-767-8539
Website: http://www.populex.com/

Sequoia Voting Systems
7677 Oakport St, Suite 800
Oakland, CA 94621
Phone: 510-875-1200
FAX: 510-875-1226
Website: http://www.sequoiavote.com/

COMMERCIAL PRINTERS OF ELECTION FORMS

Bear Graphics
P.O. Box 3290
Sioux City, IA 51101
Phone: 800-325-8094

Introduction

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)

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). 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.

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). 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

Municipalities where the Election Inspectors Comprise the MBOC

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). 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).

Municipalities where the Clerk and Two Others Comprise the MBOC

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

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. <u>The MBOC is the Clerk and Two Other Electors</u>

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 <u>second</u> 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. Upon receipt of late-arriving absentee ballots, check the poll list and the absentee log to determine whether the elector already voted. If the elector has already voted, write "ballot already cast" on the certificate envelope (GAB-122) for consideration by the MBOC.
5. Provisional ballots are not counted until the required information (either proof of residence, driver license number or acceptable photo ID) 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's 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

iii. Electors who need to provide a proof of photo identification can provide their ID or a copy of their ID:

1. 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. 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 Inspectors' Statement (GAB-104).

   c. Place the unopened ballot in the Certificate Envelope of Rejected Absentee Ballots (GAB-102).

3. If one of the boxes in the lower right hand corner of the certificate envelope was checked or if the voter list or the absentee certificate envelope has the notation "POR Required:"

   d. Verify that a copy of proof of identification or Proof of Residence was enclosed, or the Certification of Care Facility Authorized Representative section of the envelope has been completed.

   e. If not, process as a provisional ballot. See *Missing Proof of Identification/Residence Procedure* which follows the absentee processing procedure in the Election Day Manual.

4. If the certificate envelope is sufficient and proof of identification and proof of 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 Inspectors' Statement (GAB-104).

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 Inspectors’ Statement (GAB-104).

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.

<u>Provisional Ballots</u>

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 Inspectors’ Statement (GAB-104).

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 Inspectors’ Statement (GAB-104)

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 Inspectors' Statement (GAB-104).

      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 Inspectors’ Statement (GAB-104).

   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 Inspectors’ Statement (GAB-104).

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 Inspectors’ Statement (GAB-104)

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 Inspectors' Statement (GAB-104).

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. Inspectors' Statement (GAB-104)

6. Tally sheets and machine tapes (GAB-105)

7. Provisional Ballot Carrier Envelope (GAB-108)

8. Provisional Ballot Reporting Form (GAB-123r)

9. 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 his 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 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 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. Inspectors' Statement (GAB-104) - *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 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)

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 Inspectors' Statement (GAB-104)

7. One copy of the Provisional Ballot Reporting Form (GAB-123r)

8. One copy of the Absentee Ballot Log (GAB-124)

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.

Appendix

Supplies Checklist for Processing Late-Arriving Absentee and Provisional Ballots **1**

Sample Forms **2-21**

Ballot Container Certificate (GAB-101) 2
Envelope for Rejected Absentee Ballots (GAB-102) 3
Envelope for Used Certificate Envelopes (GAB-103) 4
Inspectors' Statement (GAB-104) 5-7
Challenge Documentation (GAB-104c) 8-10
Tally Sheets (GAB-105) 11-12
Statement of the Municipal Board of Canvassers (GAB-106) 13-16
Provisional Ballot Carrier Envelope (GAB-108) 17
Provisional Ballot Certificate Envelope (GAB-123) 18
Provisional Ballot Reporting Form (GAB-123r) 19
Absentee Ballot Log (GAB-124) 20
Absentee Ballot Carrier Envelope (GAB-125) 21

G.A.B. Counting Votes Manual **22-29**

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 Certificate Envelopes (GAB-103**)

- ❑ **New Inspectors' Statement (GAB-104)**
  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.

- ❑ **New Provisional Ballot Carrier Envelope (GAB-108)**

- ❑ **New Provisional Ballot Certificate Envelopes (GAB-123)**

- ❑ **Privacy containe**r
  A box or other container in which processed ballots are placed and shuffled before tallying

- ❑ **The *Municipal Canvass Procedures Manual* available from the Government Accountability Board**

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**

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

BALLOT CONTAINER CERTIFICATE
for Regular and Irregular Ballots

We, the undersigned election inspectors, certify that we placed the ballots and other election records required by Wis. Stat. § 7.51(3)(a), (c) and (5), from Ward(s) _____ of

the Town / City / Village } of _____, _____County, State of Wisconsin from the

election held on _____, _____ in this container for delivery to the municipal clerk.

The tamper-evident seal used to secure this container is numbered: _____.
Wis. Admin. Code GAB § 5.01(2)

This is bag number _____ of _____ bags.
(Please complete if more than one bag is required.

_____

_____

_____

_____ Election Inspectors

_____

_____

_____

Dated this _____day of _____, _____.

****

This container, secured with a numbered seal with the ballots enclosed, shall be returned immediately to the municipal clerk. Wis. Stat. § 7.51(3)(a) and (5). The municipal clerk shall provide for the delivery of county, state, federal and school ballots to the appropriate clerk. Wis. Stat. § 7.51(5). If the municipality has designated a central counting location pursuant to Wis. Stat. § 7.51(1), the municipal clerk or two inspectors shall transport the container to the central counting location designated by the municipal clerk. Wis. Stat. § 5.85(5).

ELECTION BALLOTS MAY ONLY BE DESTROYED UNDER THE PROVISIONS OF WIS. STAT. § 7.23(1)(h), (2).

CERTIFICATE
OF
REJECTED ABSENTEE BALLOTS

We certify that the absentee ballots contained in this envelope were rejected by us at the election held in

the _____ Ward(s)

of the Town / Village / City } of _____, _____County, Wisconsin

on the _____ day of _____, _____

for the reasons shown on the back of each certificate envelope. Each rejected certificate envelope was assigned a number and listed on the Inspectors' Statement (GAB-104) and Absentee Ballot Log prepared and filed by us with the election returns.

_____
_____
_____
_____
_____
_____
_____

} **Election Inspectors**

Dated this _____ day of _____, _____.

☆ ☆

Election Inspectors

- Ballots of absentee voters which are rejected pursuant to the provisions of §6.88, Wis. Stats., shall be kept in their certificate envelopes and returned enclosed in this carrier envelope to the municipal clerk.
- These ballots may not be counted, and the names of voters may not be entered on the poll list or assigned a number on the registration list.
- Each ballot should be numbered and the reason for rejection listed on the back of the ballot, on the Inspectors' Statement (GAB-104), and on the Absentee Ballot Log.
- This envelope will be returned by the inspectors to the municipal clerk after the polls close. §6.88(3)(b), Wis. Stats.

Municipal and County Clerks

- The municipal clerk is responsible for delivery of this envelope to the county clerk by 4 p.m. on the day following the election if a county, state or federal election is held in conjunction with the election for which these ballots were cast. If there is no county, state or federal election held in conjunction with this election, this envelope shall be kept by the municipal clerk or returned to the clerk responsible for administering the election for which the absentee ballots were cast. §7.51(3)(d), (5), Wis. Stats.
- In the event of a recount, the county clerk or appropriate municipal clerk will return this envelope to the board of canvassers responsible for conducting the recount. §9.01, Wis. Stats.

GAB-102 | Rev 2011-12 | Government Accountability Board, P.O. Box 7984, Madison, WI 53707-7984 | 608-261-2028 | web: gab.wi.gov | email: gab@wi.gov

This form is printed on a brown envelope.

USED CERTIFICATE ENVELOPES
OF
ABSENTEE ELECTORS

We certify that the used certificate envelopes of absentee ballots contained in this envelope were offered

for voting at an election held in the _____ Ward(s)

of the Town / Village / City } of _____, _____County, Wisconsin

on the _____ day of _____, _____.

The certification on each absentee certificate envelope was executed in compliance with §§6.22, 6.24, 6.87, Wis. Stats. The ballots were placed in the proper ballot containers after a voting number was assigned to the absentee elector's name on the poll list along with an indication that the elector voted absentee.

_____

_____

_____

} **Election Inspectors**

Dated this _____ day of _____, _____.

☆ ☆ ☆

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
(ward number(s)) (Town, Village of City) (Name of Municipality)

_____, State of Wisconsin, on the _____day of _____, 20_____.
(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.

_____ ❑ ENTIRE DAY ❑ FROM _____ a.m. p.m. TO: _____ a.m. p.m.
(Signature of Chief Inspector)

_____ ❑ FROM _____ a.m. p.m. TO _____ a.m. p.m.
(Signature of Chief Inspector)

✓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!

❒ **Check box if no incidents were recorded for this election.**

Incident Log

(**Please refer to the Election Day Manual for detailed procedures**!)

Incident Number	Incident Code (See glossary)	Description of Incident	Time Incident Occurred	Election Officials Initials
			a.m. p.m.	
			a.m. p.m.	
			a.m. p.m.	
			a.m. p.m.	
			a.m. p.m.	
			a.m. p.m.	
			a.m. p.m.	
			a.m. p.m.	
			a.m. p.m.	
			a.m. p.m.	
			a.m. p.m.	
			a.m. p.m.	
			a.m. p.m.	
			a.m. p.m.	
			a.m. p.m.	
			a.m. p.m.	
			a.m. p.m.	
			a.m. p.m.	
			a.m. p.m.	
			a.m. p.m.	
			a.m. p.m.	

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.	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 "*Rejected #(serial number).*" 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**	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 "*Original Defective Ballot # (serial number)*" and "*Remade Defective Ballot # (same serial number)*." 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 10 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.	1) Complete the "*Challenge Documentation" (Form EB-104C)*. (There should be one (EB-104C) for each challenged elector.) 2) Mark ballot "*Challenged – Voter #___*." (Use voter number from poll list.) 3) Mark "*challenged*" next to voter's name on the poll list. 4) Challenged ballots are inserted into the counter. 5) Bundle together, label "*Challenged Ballots,*" and place in ballot container. Refer to the Provisional Ballots section of the Election Day Manual for instructions on issuing provisional ballots.
VI	**Ballots where voter intent could not be determined and, therefore, votes could not be counted**	1) Describe the issue that caused the inspectors to decide that voter intent could not be determined. 2) Mark ballot "*Defective-Intent*," and assign a serial number. 3) Bundle together, mark "*Defective-Voter Intent Could not be Determined,*" and place in ballot container.
O	**"Objected To" Ballots** Objected Ballots are ballots that a minority of inspectors felt should not be counted.	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 "*Objected to Ballots,"* 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.

Challenge Documentation

(*Inspector should attach this form to the Inspectors' Statement (GAB-104)*

Name and Address of **Challenged** Elector:

_____

_____

Challenged Elector Voter number _____
(Fill in only if Part D is completed)

Identifying Challenge Participants

Name of Inspector Administering Oaths or Affirmations_____

1. Person Challenging Electors who are Present at the Polling place
(Check the box that applies and provide the information requested.)

❑ **Inspector** (Who Is a Qualified Elector) *Making Challenge to an Elector who is Present at the Polling Place*

Name of Challenging Inspector_____ (Proceed to Part A.)

or

❑ Name and Address of **Elector** *Making Challenge to an Elector who is Present at the Polling Place*

_____

_____ (Proceed to Part A.)

2. Person Challenging Absentee Electors
(Check the box that applies and provide the information requested.)

❑ **Inspector** (Who Is a Qualified Elector) *Making Challenge to An Absentee Elector*

Name of Challenging Inspector_____ (Complete Parts A & E.)

or

❑ Name and Address of **Elector** *Making Challenge to An Absentee Elector*

_____

_____ (Complete Parts A & E.)

Part A. Challenger
(Indicate the challenger's answers to your questions by checking "Yes" or "No." Provide any other information requested.)

1. Oath (or Affirmation) of Truthfulness given by the inspector to the challenger:
   "Do you solemnly swear (or affirm) that you will fully and truly answer all questions put to you regarding the challenged person's place of residence and qualifications as an elector of this election."

   ❑ Yes ❑ No

   If "Yes," proceed with the challenge process. If "No," see the end of this section*.

2. Inspector asks the challenger if they are a qualified elector of Wisconsin. (Only an elector may challenge.)
   ❑ Yes ❑ No
   If "Yes," proceed with the challenge process. If "No," see the end of this section*.

3. Challenger gives the reason(s) for challenge using the following criteria that applies to the person being challenged:

   ❑ The person is not a citizen of the United States.
   ❑ The person is not at least 18 years of age.
   ❑ 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.

4. Inspector asks the following question(s) of challenger which are appropriate to determine the qualifications of the challenged elector:

   ❑ Why do you believe that the challenged elector is not a United States citizen?

   ❑ Why do you believe that the challenged elector is not at least 18 years of age?

- ❑ Why do you believe that the challenged elector has not, for at least the 28 consecutive days before this election, resided in, or been a resident of, the ward or election district from which he or she seeks to vote?
- ❑ For which of the following reasons, and why, do you believe the challenged elector is currently disqualified from voting:
  - ❑ A felony conviction for which the challenged elector is still serving probation or is on parole or extended supervision?
  - ❑ A judge's ruling that he or she is incapable of voting?
  - ❑ Having made a bet or wager on this election?
  - ❑ Having voted previously in this election?
- ❑ Why do you not believe that the challenged elector is unable to sign the poll book due to a physical disability?
- ❑ Record Challenger's Answer(s)

_____
_____
_____
_____

*IF CHALLENGER REFUSES TO TAKE THE OATH (OR AFFIRMATION) OF TRUTHFULNESS, IS NOT A QUALIFIED ELECTOR OF WISCONSIN, REFUSES TO GIVE A VALID REASON FOR CHALLENGE OR REFUSES TO PROVIDE INFORMATION TO SUPPORT THE CHALLENGE, THE CHALLENGE PROCESS IS TERMINATED AND THE ELECTOR **IS** ALLOWED TO VOTE.

OTHERWISE:

5. *Proceed to Part B.*

Part B. Challenged Elector
(Indicate the challenged elector's answers to your questions by checking "Yes" or "No.")

1. Oath (or Affirmation) of Truthfulness given by the inspector to the challenged elector:
   "Do you solemnly swear (or affirm) that you will fully and truly answer all questions put to you regarding your place of residence and qualifications as an elector of this election."

   ❑ Yes ❑ No

   If "Yes," proceed with challenge process. If "No," see end of this section*.

2. Inspector asks the challenged elector the following questions which are appropriate to test the person's qualifications based on the cause for the challenge:

   - ❑ Are you a United States citizen? ❑ Yes ❑ No
   - ❑ Are you at least 18 years of age? ❑ Yes ❑ No
   - ❑ For at least the 28 consecutive days before this election, have you resided in, or been a resident of, the ward or election district from which you seek to vote? ❑ Yes ❑ No
   - ❑ Are you currently disqualified from voting for any of the following reasons:
     - ❑ A felony conviction for which you are still serving probation or are on parole or extended supervision? ❑ Yes ❑ No
     - ❑ A judge's ruling that you are incapable of voting? ❑ Yes ❑ No
     - ❑ Having made a bet or wager on this election? ❑ Yes ❑ No
     - ❑ Having voted previously in this election? ❑ Yes ❑ No
   - ❑ Are you unable to sign the poll book due to a physical disability? ❑ Yes ❑ No

*IF CHALLENGED ELECTOR REFUSES TO TAKE THE OATH (OR AFFIRMATION) OF TRUTHFULNESS, REFUSES TO ANSWER ANY OF THE QUESTIONS IN PART B, OR THE ANSWERS GIVEN INDICATE THAT THE CHALLENGED ELECTOR DOES NOT MEET VOTING ELIGIBILITY REQUIREMENTS, THE CHALLENGED ELECTOR **IS NOT** GIVEN A BALLOT. INDICATE THE REASON FOR NOT ISSUING A BALLOT TO THE CHALLENGED ELECTOR IN THE BOX AT THE BOTTOM OF THIS PAGE.

OTHERWISE:

3. *Proceed to Part C.*

Part C. Opportunity to Withdraw Challenge
(Indicate the challenger's answer by checking "Yes" or "No.")

Does challenger withdraw the challenge?

❑ Yes (Challenge process is terminated, and elector is given a ballot.) ❑ No (*Proceed to part D.*)

Part D. Oath (or Affirmation) of Eligibility
(Indicate the answers to your questions by checking "Yes" or "No.")

1. Inspector administers Oath (or Affirmation) of Eligibility to challenged elector:

"Do you solemnly swear (or affirm) that: you are at least 18 year of age; you are a citizen of the United States; you are now and for 28 consecutive days have been a resident of this ward except under s.6.02(2); you have not voted at this election; you have not made any bet or wager or become directly or indirectly interested in any bet or wager depending upon the result of this election; you are not on any other ground disqualified to vote at this election."

❑ Yes ❑ No

If "Yes," proceed with 2.

If "No," see end of this section*.

2. If the challenged elector answered "Yes" to question number 1, the challenged elector is given a ballot. **Before issuing the ballot to the challenged elector, the inspectors must:**

❑ Write the voter number of the challenged elector and "Section 6.95" on the back of the ballot.
❑ Write the voter number on the front of this form and on the voter list.
❑ Indicate the reason for the challenge on the voter list.

*IF CHALLENGED ELECTOR REFUSES TO TAKE THE OATH (OR AFFIRMATION) OF ELIGIBILITY OR REFUSES TO REGISTER (WHERE REQUIRED), THE ELECTOR **MAY NOT** BE GIVEN A BALLOT. INDICATE REASON FOR NOT ISSUING A BALLOT TO A CHALLENGED ELECTOR IN THE BOX AT THE BOTTOM OF THIS PAGE.

Part E. For Challenged Absentee Elector Only
(Indicate that the following procedures have been accomplished by checking the box next to each procedure.)

Before depositing absentee ballot of the challenged elector in ballot box, inspectors must

❑ Write the voter number of the challenged elector and "Section 6.95" on the back of the ballot,
❑ Write the voter number on the front of this form and on the voter list,
❑ Indicate the reason for the challenge on the voter list.

When Ballot Is NOT Issued to a Challenged Elector
(Indicate the reason for not issuing a ballot to a challenged elector by checking the appropriate box.)

❑ The challenged elector refused to take the oath or affirmation of eligibility under Part D.

❑ The challenged elector refused to answer fully any relevant questions put to him or her by the inspector under Part B.

❑ The answers to the questions given by the challenged elector indicate that they do not meet the voting qualification requirements of ss.6.02 and 6.03, Stats. (Reason:_____)

Tally Sheet

Showing results for the _____ ward(s) of the _____ aldermanic district of the _____ of _____ in the County of
(town, village or city)

_____ on the _____ day of _____, 20 _____ as made by the election inspectors setting forth the total number of votes for each office, the names of all persons receiving votes, and the number of votes cast for each person.

GIVE NUMBER OF LAST VOTE ON POLL LIST OR HIGHEST NUMBER ON REGISTRATION LIST _____

- ❑ PRIMARY
- ❑ ELECTION

_____
Name of Party (Partisan Primary)

- ❑ CONGRESSIONAL OFFICES
- ❑ STATEWIDE OFFICES
- ❑ LEGISLATIVE & DISTRICT ATTORNEY OFFICES
- ❑ JUDICIAL & SUPERINTENDENT

- ❑ COUNTY OFFICES
- ❑ LOCAL OFFICES
- ❑ SCHOOL DISTRICT OFFICES
- ❑ REFERENDA

INSTRUCTIONS: Insert office titles vertically and the names of all candidates horizontally next to office title.

Office	Names of Candidates Including Write-Ins	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	Total Votes Cast (In figures)
		105	110	115	120	125	130	135	140	145	150	155	160	165	170	175	180	185	190	195	200	

TALLY

Of the votes given in the

_____of _____

(Town, Village or City)

County of _____

State of Wisconsin

on _____, 20 _____

❑ PRIMARY ❑ ELECTION

_____

Name of Party (Partisan Primary)

- ❑ PRESIDENT OF THE UNITED STATES
- ❑ CONGRESSIONAL OFFICES
- ❑ STATEWIDE OFFICES
- ❑ LEGISLATIVE & DISTRICT ATTORNEY OFFICES
- ❑ JUDICIAL & SUPERINTENDENT
- ❑ COUNTY OFFICES
- ❑ LOCAL OFFICES
- ❑ SCHOOL DISTRICT OFFICES
- ❑ REFERENDA

NOTE: THIS STATEMENT IS TO BE MADE IN DUPLICATE, ONE TO BE FILED WITH THE MUNICIPAL CLERK AND THE OTHER TO BE DELIVERED TO THE COUNTY CLERK. FOR SCHOOL DISTRICT ELECTIONS, ONE COPY IS DELIVERED TO THE MUNICIPAL CLERK, AND THE OTHER IS DELIVERED TO THE SCHOOL DISTRICT.

STATE OF WISCONSIN

County of _____

Received and filed this _____ day of _____, 20 _____.

_____

(Signature of County Clerk)

CERTIFICATION

State of Wisconsin)

) ss.

County of _____)

We, the undersigned, certify that we are election inspectors for the _____ wards(s) of the _____ aldermanic district of the _____

(town, village or city)

of _____, State of Wisconsin, for the primary or election held on the day of _____, 20 _____.

We further certify that we have counted all the ballots cast in said ward or polling place, that the count was duly and legally made and that the results of the count shown on the within tally sheet statement is correct.

_____

_____

_____

_____

_____

_____

_____

(Signatures of at least 3 Election Inspectors, including the chief inspector and one inspector representing each of the 2 major political parties. Any inspector or tabulator participating in the ballot count must sign the certification.)

Dated _____, 20 _____

Tabular Statement of Votes Cast

_____, WI
(insert municipality and county, if county canvass insert county only)

(type of election) _____ Election - _____ (date of election)

(For County Use Only)
For a Partisan Primary, insert political party

Office:	
Reporting Units:	Candidates: Scattering (for Counties only)
Total Votes Cast-Candidates:	

Total Votes Cast-Office:

Completing the Tabular Statement of Votes Cast

Instructions For Municipal Canvass:

- Write the name of your municipality, the kind of election - primary, spring, or special election, etc., and the date of the election in the heading.
- Enter the complete name of the office with the seat or district number in the shaded area.
- List the names of the candidates for the office in ballot order below the shaded area.
- Make sure that all wards or ward combinations are listed in proper numerical order in the left hand column. The smallest number in a combination determines the order. *(Example: Wards 1&4; Wards 2,6 & 7; and Wards 3&5.)*
- For each reporting unit, list the number of votes cast for each candidate.
- Don't forget the write-in votes - they must be listed individually by name.
- Enter the total number of votes cast for each candidate at the bottom of the column. Please give the **total number of votes cast** (not voters!) for each office in the "Total Votes Cast-Office" space. This total is the sum of the vote totals for each candidate plus the write-ins.

Notes for Municipal and County Clerks:

Combining Reporting Units. A municipality may provide for combined wards by resolution up to 30 days* before the spring primary or election, if your population is under 35,000. It's important to remember that for the spring primary and the spring election, wards in a municipality may be combined for judicial offices even though separate results may be required for county, municipal, or school district offices. The wards being combined must use the same polling place.
*60 days before a September Primary or General Election.

Reporting for annexations requires special attention. As long as the area being annexed belongs to the same representative districts, i.e., congressional, legislative, and county supervisory districts, as the adjacent area to which it's being annexed, then the annexed area is reported together with the adjacent area using the same ward number. But if the annexed area has **different** representative districts from its adjacent area or crosses county lines, the municipality is required by law to create a separate ward giving it the *next consecutive number*. All election results from this new ward must be reported under the new ward number.

Instructions For County Canvass:

- Write the name of your county, the kind of election - primary, partisan primary, spring/general election, or special, etc., and the date of the election in the heading.
- A separate report must be completed for each political party in a *partisan primary only*. Write in the name of the political party on the line provided.
- Enter the complete name of the office with the branch or district number in the shaded area.
- List the names of the candidates for the office in ballot order below the shaded area.
- Please list all municipalities and wards in the correct order in the left hand column. The smallest number in a combination determines the order. *(Example: Wards 1&4; Wards 2,6 & 7; and Wards 3&5.)*
  1. Towns, alphabetically, wards numerically.
  2. Villages, alphabetically, wards numerically.
  3. Cities, alphabetically, wards numerically.
- Make sure that all wards or ward combinations are listed along with the municipality name. If a municipality is divided by wards, but combines them for voting purposes and reports one total, **you must still identify the numbers of the wards** being reported. *(Example: Town of Anywhere, Wards 1&2. If a municipality is not divided by wards do not list "Ward 1.")*
- For each reporting unit, list the number of votes cast for each candidate.
- Don't forget the scattering column - if there are no write-in votes for a reporting unit, list 0.
- Enter the total number of votes cast for each candidate at the bottom of the column. Please give the **total number of votes cast** (not voters!) for each office in the "Total Votes Cast-Office" space. This total is the sum of the vote totals for each candidate plus the scattering.

Certification of the Board of Canvassers

We, the undersigned, certify that we are the members of the Board of Canvassers for

_____.
(insert municipality and county, if county canvass insert county only)

We certify that the attached Tabular Statement of Votes Cast and Summary Statement of the Board of Canvassers, canvassed and prepared by us, are correct and true as compiled from the original returns made to the

_____ Clerk.
(County, Municipal, School District)

We further determine and certify that the following persons received the greatest and the next to greatest (for primary only) number of votes for the respective office for which each was a

candidate on _____.
(Insert date of primary or election)

OFFICE	**HIGHEST CANDIDATE**	**SECOND HIGHEST CANDIDATE** (For Primary Only)
(Title of Office)	(Name of Winning Candidate)	(Name of Second Highest Candidate)

BOARD OF CANVASSERS

(1) _____

(2) _____

(3) _____

(4) _____

(5) _____

_____
(Date)

This document is signed by:

For a municipal election – The inspectors when there is only one polling place and one set of election results. s.7.53(1), Stats.
For a municipal election – The municipal board of canvassers when there are 2 or more reporting units. s.7.53(2)(a), Stats.
For state and county elections – The county board of canvassers. s.7.60(2), Stats.

Summary Statement of the Board of Canvassers

_____ Election - _____, _____

The total number of votes cast for _____ was _____
of which (insert office)

_____ received
(candidate's name)

_____ received _____
(candidate's name)

_____ received _____
(candidate's name)

Scattering *(for county only)* received

The total number of votes cast for _____ was
of which (insert office)

_____ received _____
(candidate's name)

_____ received _____
(candidate's name)

_____ received _____
(candidate's name)

Scattering *(for county only)* received

The total number of votes cast for _____ was
of which (insert office)

_____ received
(candidate's name)

_____ received
(candidate's name)

_____ received
(candidate's name)

Scattering *(for county only)* received

WISCONSIN INSPECTORS' CERTIFICATE OF PROVISIONAL BALLOTS

We certify that the provisional ballots contained in this envelope were cast by voters unable to provide the proof of residence required pursuant to §§6.36 (2)(b)2., 6.97, Wis. Stats., unable or unwilling to provide the driver license number required pursuant to §6.36(1)(a), Wis. Stats., GAB 3.04, or unable or unwilling to provide an acceptable form of photo identification pursuant to §6.79 (2)(a), 6.97 Wis. Stats., at the election held in

the _____ Ward(s)

of the Town / Village / City } of _____, _____County, Wisconsin

On the _____ day of _____, _____

Each provisional voter was assigned a serial number beginning PV#__. The number was recorded on the registration list, the back of the ballot, the Provisional Ballot Certificate Envelope (GAB-123), the Provisional Ballot Reporting Form (GAB-123r), the "Provisional Voting Information" sheet for the elector, and listed on the Inspectors' Statement (GAB-104) prepared and filed by us with the election returns. Each voter was informed that in order for their ballot to be counted, they must provide the required proof of residence, driver license number or acceptable form of photo ID to the municipal clerk no later than 4:00 p.m. on the Friday following the election. Each voter was given "Provisional Voting Information" prepared by the Government Accountability Board.

_____

_____

_____

} **Election Inspectors**

Dated this _____ day of _____, _____.

☆ ☆ ☆

PROVISIONAL BALLOT CERTIFICATE
Ballot under Section 6.97, Wis. Stats.

Voter: Complete the information below and sign the certification in the presence of an election inspector who must also sign.

Date of Election (month/day/year)	County
Municipality (check type and list name) Town ❒ Village ❒ City ❒ **of**	Ward #
Name (Last, First, Middle) including suffix	
Street Address – include street number or fire number and name of street, or rural route and box number	
City, State, Zip	Phone #, including area code
Date of Birth (month/day/year)	Are you a citizen of the United States? Yes ❒ No ❒

Official Use Only:

PV #

Voter must supply the following information to the municipal clerk no later than 4:00 p.m. on the Friday following the election in order for this ballot to be counted:

❒ WI Driver License number

❒ Proof of Residence

❒ Photo I.D

CERTIFICATION OF VOTER

I certify, subject to the penalties of §.12.13(3)(g), Wis. Stats., that I am a qualified elector of the ward and municipality in the county of the state of Wisconsin indicated above. I am eligible to vote in this ward at the election today. I understand that if I fail to submit the required information listed above to my municipal clerk no later than 4:00 p.m. on the Friday following the election, my ballot may not be counted.

Signature of Voter _____ Date

Signature of Election Inspector _____ Date

GAB-123 | Rev 2011-12 | Government Accountability Board, P.O. Box 7984, Madison, WI 53707-7984 | 608-261-2028 | web: gab.wi.gov | mail: gab@wi.gov

Provisional Ballot Reporting Form

Primary or Election Date: / /					**Page _____ of _____**			
County:			**Reason Codes for Issuing Provisional Ballot:**					
Municipality:			A. POR listed on Poll List and proof of residence could not be provided					
Polling Place Location:			B. Unable or unwilling to provide DL#					
Reporting Unit:			C. Failed to provide acceptable photo ID					
Name and Address of Elector	**PV#**	**Absentee or In-Person Elector**	**Reason Code**	**Type of Provisional Documentation Provided**	**Method of Providing Missing Information (In-person, Phone, Mail, etc.)**	**Date and Time Elector Provided Missing Information**	**Clerk or Election Inspector Name**	**Voter Number Issued (if Election Day, please just note "Withdrawn: # on Poll List.")**
Copy is sent (or information relayed over the telephone) to the County Clerk and Provider on Election Night.								
The information on this form was communicated to the municipal clerk by :	Date		Chief Inspector Initials:		The information on this form was communicated to the relevant canvass boards by:		Initials of person responsible for communication: _____	Date: _____
Telephone _____ In person _____ Fax _____ Email _____	Time	a.m. p.m.			Telephone _____ In person _____ Fax _____ Email _____			Time: _____ a.m. p.m.

Absentee Ballot Log

Municipality: **Election Date:**

Name and Address	Ward	App. Received	Ballot Issued	Ballot Received	Vote Recorded	Ballot Style

FROM:

_____

Name of Municipal Clerk

_____

Name of Municipality (example: "Town of Smith")

_____

County, **WISCONSIN**

THIS ENVELOPE CONTAINS THE BALLOTS OF ABSENTEE ELECTORS AND MUST BE OPENED IN THE SAME ROOM WHERE VOTES ARE BEING CAST AT THE POLLS DURING POLLING HOURS ON ELECTION DAY OR,IN MUNICIPALITIES WHERE ABSENTEE BALLOTS ARE CANVASSED UNDER §.7.52, STATS., AT A MEETING OF THE MUNICIPAL BOARD OF ABSENTEE BALLOT CANVASSERS UNDER §.7.52, STATS.

_____	_____	_____
Signature of Municipal Clerk	**Date**	**Time of delivery to polling place (indicate a.m. or p.m.)**

TO:

Chief Inspector

_____	_____	_____
(signature of chief inspector receiving absentee ballots	**Date**	**Time ballots received at polling place (indicate a.m or p.m.)**

_____, Wisconsin

Name of Municipality

_____

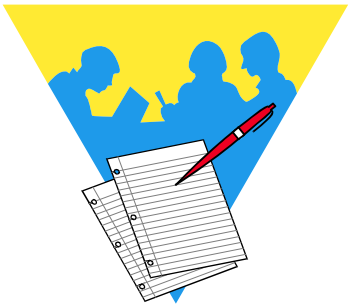
Name of Polling Place

_____

Address of Polling Place

Wards _____, Aldermanic District(s) _____

This certificate should be attached to any container which is used to transport absentee certificate envelopes to the polling place. The certificate may be made in the form of an envelope, or the certificate may be affixed to another container, such as a box, which may used to transport absentee certificate envelopes to the polling place.



Counting Votes

A guide to counting votes for ballot candidates, write-in votes, and assistance in determining how to count irregular votes.

This manual sets out uniform standards that define what constitutes a vote in compliance with the Help America Vote Act of 2002.

Part One:
Counting Votes at the Spring Primary, Spring Election and General Election (Rev.10/2002)

Part Two:
Counting Votes at the September Partisan Primary (Rev.8/2002)

Government Accountability Board, P.O. Box 7984, Madison, WI 53707-7984, 608-266-8005, http://gab.wi.gov gab@wi.gov

COUNTING VOTES
AT THE SPRING PRIMARY, SPRING ELECTION
& GENERAL ELECTION

Public Counting

The counting of votes is always done **publicly** after the polls close at 8:00 p.m. The counting is done by the election inspectors. The governing body of a municipality may also appoint tabulators to assist election inspectors in the counting of votes. Any person, including candidates at the election, may observe the counting of votes.

Voter Intent

When counting votes at any election, **voter intent is the controlling factor** in determining if and how a vote should be counted. When there is a question of how a vote should be counted because it is not clearly marked as the instructions on the ballot indicate, the decision is made by a majority of the election inspectors. Even though tabulators may be used to assist in the counting, the decision on how to treat a questionable ballot is made by the election inspectors. One common example of when a determination of voter intent and the validity of a ballot must be made is when an elector has overvoted for a particular office on the ballot. This ballot should be treated as an overvote for that office only. A recording is made on the Inspectors' Statement (EB-104) that a vote was not counted for that office because of an overvote. All other offices on that ballot must be counted as the voter intended.

Counting Paper Ballots

Accuracy is very essential when counting votes. Election inspectors should familiarize themselves with the proper procedures for counting votes on paper ballots as set out on pages 51-53 of the "Election Day Manual for Wisconsin Election Officials." To alleviate fatigue and assure accuracy, all election inspectors and tabulators should count votes. For each different type of ballot or for each office to be counted, the duties should be rotated among all inspectors and tabulators.

Whenever a ballot is found to be defective, is objected to, or is rejected, the ballot must be identified with a number and a notation must be made on the Inspectors' Statement (EB-104).

Counting Write-In Votes

Determining the proper way to count write-in votes raises several questions and, as in counting all votes, it is important to remember that if the voter's intent can be determined the write-in vote must be counted to reflect that intent. Another important point is that, in most cases, a write-in vote will take precedent over a vote for a person whose name is printed on the ballot for the same office.

Where marksense or optical scan voting systems are used, care must be taken to assure that write-in votes are counted when the elector fails to make a mark or connect the arrow next to the write-in line. Because the equipment will not pick up a write-in vote where there is no mark, the arrow is not connected, or the oval is not filled in, inspectors must **inspect each ballot** to determine if a write-in vote has been cast.

Following are several examples of when and when not to count write-in votes. Inspectors must also remember that all write-in votes cast for any person at the election must be listed on the tally sheet, regardless of whether or not the person is a registered write-in candidate.

The examples of when and when not to count write-in votes set out below include, but are not limited to, general situations for all elections. In addition to these situations, there are special considerations when counting votes at the general election.

GENERAL SITUATIONS

Count Write-in Votes When:

1. The name of the person is misspelled, but the intent of the voter can be reasonably determined.

2. The name of the person is abbreviated, but the intent of the voter can be reasonably determined.

3. The name of the person contains a wrong initial or an initial is omitted.

4. Only the last name of a person is written in. If the person is a registered write-in candidate, and/or the intent of the voter can be reasonably determined.

5. An X or other mark is omitted. An X or any other mark is not required in order to cast a write-in vote.

6. A sticker contains only the name of a person and is placed on a ballot. The vote is counted for the person named for the office listed in the space where the sticker is placed.

7. A sticker contains only the name of a person and is placed in the margin. Voter intent must be determined. If the person named on the sticker has filed a campaign registration statement indicating the office sought, the vote should be counted for the person named on the sticker for the office.

8. A sticker contains the name and the office the person is seeking and is placed on the face of the ballot other than in a particular office space. This vote is counted for the person for the office listed on the sticker.

9. The instructions to voters are "Vote for one", and the voter makes an X or other mark in the box to the right of a name that is printed on the ballot and also writes in another person's name for the same office, only the write-in vote is counted. This is not an overvote.

10. The instructions to voters say "Vote for not more than two", and the voter makes an X or other mark in the box to the right of two names that are printed on the ballot and also writes in another person's name, only the write-in vote is counted. This is not an overvoted ballot.

11. In a nonpartisan election, a candidate's name is printed on the ballot for an office and the voter writes in that candidate for another office. The vote is counted for the office where the write-in occurs.

12. The name of a person, who has filed a campaign registration statement indicating the office sought, is written in under an office other than the one indicated on the campaign registration statement. The vote counts for the person for the office where the name is written.

13. A sticker containing the name of a candidate and the office sought is placed under a different office than the one indicated on the sticker. The vote counts for the person named on the sticker for the office under which the sticker is placed.

Do Not Count Write-in Votes When:

1. A name is misspelled or abbreviated and the intent of the voter can not be reasonably determined.

2. A write-in sticker is placed on the endorsement (back) side of a paper ballot.

3. A write-in sticker is found in the ballot box and is not attached to any ballot.

4. The instructions on the ballot are "Vote for one" and the name of more than one person has been written in for a single office. This is an overvote and no votes are counted for that office.

5. The instructions on the ballot are "Vote for One" and the name of more than one person has been written in and a vote has also been cast for a candidate whose name is printed on the ballot for the same office. This is an overvote and no votes are counted for that office.

6. In the general election, when a candidate's name is printed on the ballot for an office and the voter writes in that candidate's name for a different office.

GENERAL ELECTION

When counting votes at a General Election it is important to remember that all votes are counted for the person for the office in which the elector has cast the vote. If a name is written in by the elector the party affiliation does not matter when it comes to determining the number of votes cast for that person. All votes cast for an individual, for the same office, are added together even though they may have been written in under different party columns on the ballot.

Straight Party Voting

At a General Election electors have the option of casting a straight party vote for all the candidates of a designated political party, or casting individual votes for candidates of their choice. A straight party vote cannot be cast for candidates listed in the Independent column. An elector must cast votes individually for Independent candidates. Straight party votes are cast in one of the following ways:

1. Where paper ballots are used, by making an **(X)** in the circle at the top of the selected party column. There is no circle in the Independent column, because a straight party vote is not allowed here.

3. Where marksense or optical scan voting systems are used, by connecting the arrow or filling in the oval next to the selected party designation.

When a straight party vote has been cast, an elector may still vote individually for candidates of his or her choice under another party column. When an elector casts an individual vote for a candidate of a party different than the straight party vote, the individual vote must be counted for that office. A vote is also counted for all other offices under the straight party column selected by the voter.

When a straight party vote has been cast and the elector also marks individual votes for certain candidates within that same party, the straight party vote should be determined as the voter's intent and a vote must be counted for all candidates under that party column.

When voting for Governor and/or Lieutenant Governor:

If an elector writes in the name of a candidate for governor, but does not write in a name of a candidate for lieutenant governor, a vote is counted for the candidate for governor.

If an elector writes in the name of a candidate for lieutenant governor, but does not write in a name of a candidate for governor, a vote is counted for the candidate for lieutenant governor.

However a write-in vote for governor shall not be added to the votes of the same candidate if there are different combinations of governor/lieutenant governor. For example:

- a write-in vote for Mary Jones for governor and Samuel Smith for lieutenant governor may not be added to a write-in vote for Mary Jones for governor with a different candidate for lieutenant governor or no candidate for lieutenant governor.

- a write-in vote for Mary Jones for governor and Samuel Smith for lieutenant governor may not be added to a write-in vote for Samuel Smith for lieutenant governor with a different candidate for governor or no candidate for governor.

- a write-in vote for Mary Jones for governor may not be added to a write-in vote for Mary Jones for governor with a different candidate for lieutenant governor.

- a write-in vote for Samuel Smith for lieutenant governor may not be added to a write-in vote for Samuel Smith for lieutenant governor with a different candidate for governor.

In these situations, the write-in votes are listed separately on the tally sheet for each combination of candidates.

When voting for President and Vice President of the United States:

An elector casting a write-in vote for President and Vice President must designate the presidential candidate of his or her choice. A vote for a candidate for President only will be counted. If the elector casts a write-in vote for only a candidate for Vice President, the vote will not be counted.

This information was prepared by the staff of the Government Accountability Board, and represents the staff's view of the application of the law set out in s.7.50(2), Stats., to the general situations described. Election inspectors and candidates should review the law or consult an attorney about any specific application of the law. Any questions should be directed to an elections specialist, 608-266-8005.

H:\PROCEDURES\Counting_springpri_gen elections. (Rev.08/2008)

COUNTING VOTES AT THE SEPTEMBER PARTISAN PRIMARY

Public Counting

Counting votes is always done publicly after the polls close at 8:00 p.m. Counting is done by the election inspectors. The governing body of a municipality may also appoint tabulators to assist election inspectors with counting votes. Any person, including candidates at the election, may observe the counting of votes.

Voter Intent

When counting votes, voter intent is the controlling factor in determining if and how a vote should be counted. When there is a question of how a vote should be counted because the vote is not clearly marked as the instructions on the ballot indicate, the decision is made by a majority of the election inspectors. Even though tabulators may be used to assist in counting, the decision on how to treat a questionable ballot is made by the election inspectors. One common example of when a determination of voter intent must be made is when an elector has overvoted a particular office on the ballot. This ballot should be treated as an overvote for that office only. A record is made on the Inspectors' Statement (GAB-104) that a vote was not counted for that office because of an overvote. All other offices on that ballot must be counted as the voter intended.

Counting Paper Ballots

Accuracy is very essential when counting votes. Election inspectors should familiarize themselves with the proper procedures for counting votes on paper ballots. See pages 19-21 of the "Election Day Manual for Wisconsin Election Officials." To alleviate fatigue and assure accuracy, all election inspectors and tabulators should count votes. The duties should be rotated among all inspectors and tabulators for each different type of ballot or for each office to be counted.

Whenever a ballot is found to be defective, is objected to, or is rejected, a notation must be made on the Inspectors' Statement (GAB-104).

Counting Write-In Votes

Determining the proper way to count write-in votes raises several questions. It is important to remember that if the voter's intent can be determined, the write-in vote must be counted to reflect that intent. Another important point is that, in most cases, a write-in vote will take precedence over a vote for a person whose name is printed on the ballot for the same office.

Where optical scan voting systems are used, care must be taken to assure that write-in votes are counted when the elector fails to make a mark or connect the arrow next to the write-in line. Because the optical scan equipment will not pick up a write-in vote where there is no mark or the arrow is not connected, inspectors must inspect **each** ballot to determine if a write-in vote has been cast.

Following are several examples of when and when not to count write-in votes. Inspectors must also remember that all write-in votes cast for any person at the election must be listed on the tally sheet, regardless of whether or not the person is a registered write-in candidate.

The examples of when and when not to count write-in votes set out below include, but are not limited to, general situations for all elections. In addition to the general situations there are special considerations where punch card electronic voting systems are used, and when counting votes at partisan primaries and general elections.

GENERAL SITUATIONS

Count Write-in Votes When:

1. The name of the person is misspelled, but the intent of the voter can be reasonably determined.

2. The name of the person is abbreviated, but the intent of the voter can be reasonably determined.

3. The name of the person contains a wrong initial or an initial is omitted.

4. Only the last name of a person is written in. If the person is a registered write-in candidate, and/or the intent of the voter can be reasonably determined.

5. An X or other mark is omitted. An X or any other mark is not required in order to cast a write-in vote.

6. A sticker contains only the name of a person and is placed on a ballot. The vote is counted for the person named for the office listed in the space where the sticker is placed.

7. A sticker contains only the name of a person and is placed in the margin. Voter intent must be determined. If the person named on the sticker has filed a campaign registration statement indicating the office sought, the vote should be counted for the person named on the sticker for the office.

8. A sticker contains the name, the political party and the office the person is seeking and is placed on the face of the ballot other than in a particular office space. This vote is counted for the person for the political party and office listed on the sticker.

9. The instructions to voters are "Vote for one", and the voter makes an X or other mark in the box to the right of a name that is printed on the ballot and also writes in another person's name for the same office, only the write-in vote is counted. This is not an overvote.

10. The name of a person, who has filed a campaign registration statement indicating the office sought, is written in under an office other than the one indicated on the campaign registration statement. The vote counts for the person for the office where the name is written.

11. A sticker containing the name of a candidate and the office sought is placed under a different office than the one indicated on the sticker. The vote counts for the person named on the sticker for the office under which the sticker is placed.

Do Not Count Write-in Votes When:

1. A name is misspelled or abbreviated and the intent of the voter can not be reasonably determined.

2. A write-in sticker is placed on the endorsement (back) side of a paper ballot.

3. A write-in sticker is found in the ballot box and is not attached to any ballot.

4. The instructions on the ballot are "Vote for one" and the name of more than one person has been written in for a single office. This is an overvote and no votes are counted for that office.

5. The instructions on the ballot are "Vote for One" and the name of more than one person has been written in and a vote has also been cast for a candidate whose name is printed on the ballot for the same office. This is an overvote and no votes are counted for that office.

OPTICAL SCAN VOTING SYSTEMS

At a September partisan primary, an elector may vote for candidates of only one political party or for candidates on the independent ballot. For this reason, electors casting votes on an optical scan or optical scan electronic voting system may select a party preference. Selecting the party of choice will not prevent crossover voting, but it is a safeguard so that a voter will not lose all votes if he or she does crossover. Write-in votes are not permitted on the independent ballot.

Count Write-in Votes at a Partisan Primary When:

1. The voter writes in the name of a registered write-in candidate, but does not include the party and/or the office.

2. A sticker contains the name, political party and office the person is seeking and is placed anywhere on the face of a optical scan ballot other than in a particular office space. This vote is counted for the person, party and office listed on the sticker.

3. The voter has written in the name of a person for an office, and has also voted for a person whose name is printed on the ballot for the same office. This is not treated as an overvoted ballot. In this case, the name written in must be counted and the vote for the person whose name is printed on the ballot is not counted.

4. A candidate's name is printed on the ballot for one office and the voter writes in that candidate's name for another office for the same party.

Do Not Count Write-in Votes at a Partisan Primary When:

1. The voter has selected a party preference choice, and then writes in the name of a person for an office in a different political party section. This creates a crossover vote for that office only, and the write-in vote is not counted.

2. The voter has not selected a party preference, but has cast votes in one political party, and then writes in the name of a person and a different party creating a crossover vote. In this case, the entire ballot is not counted.

3. A candidate’s name is printed on the ballot for an office and is written in for an office on the ballot of a different political party.

This information was prepared by the staff of the Government Accountability Board, and represents the staff's view of the application of the law set out in §7.50(2), Wis. Stats., to the general situations described. Election inspectors and candidates should review the law or consult an attorney about any specific application of the law. Any questions should be directed to an elections specialist, 608-266-8005.

H:\PROCEDURES\Counting_Sept Partisan Pri (rev.08/2010)

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.)

- ❑ **New Inspectors' Statement (GAB-104)**
  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.

- ❑ **New Provisional Ballot Carrier Envelope (GAB-108)**

- ❑ **New Provisional Ballot Certificate Envelopes (GAB-123)**

- ❑ **Privacy containe**r
  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.