

# State of Wisconsin \ Government Accountability Board

212 East Washington Avenue, 3<sup>rd</sup> Floor  
Post Office Box 7984  
Madison, WI 53707-7984  
Voice (608) 261-2028  
Fax (608) 267-0500  
E-mail: [gab@wisconsin.gov](mailto:gab@wisconsin.gov)  
<http://gab.wi.gov>



JUDGE VICTOR MANIAN  
Chairperson

KEVIN J. KENNEDY  
Director and General Counsel

## MEMORANDUM

**DATE:** February 17, 2016

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

**FROM:** Michael Haas, Elections Division Administrator  
David Buerger, Elections Specialist

**SUBJECT:** Spring Election and Presidential Preference Ballots

As you may know, Wisconsin law requires absentee ballots to be sent to registered electors with valid absentee ballot requests on file for the Presidential Preference Primary no later than 47 days before the election. [Wis. Stat. § 7.15\(1\)\(cm\)](#). This year this deadline falls on February 18, 2016. As the Spring Primary will be held on February 16, 2016, and the canvass of that election may go as late as March 1, 2016, the Government Accountability Board is directing election officials to take the follow action.

1. County clerks provide “Absentee Presidential Preference Only” ballots to each municipal clerk in their county no later than February 17, 2016.

“Absentee Presidential Preference Only” ballots are official ballots listing only the office of President of the United States. A sample “Absentee Presidential Preference Only” ballot for this purpose (GAB-204) is located at <http://gab.wi.gov/forms/ballots>. County clerks must insert the candidate names from the amended Certification of Ballot Placement sent on February 8, 2016. The “Absentee Presidential Preference Only” ballot may take the form of a machine-readable optical scan ballot, a hand-count paper ballot with multiple sheets (one sheet for each party) or, since this is strictly an absentee ballot, a consolidated paper ballot (one sheet for all parties). For this election, county clerks may provide a PDF of the Presidential Preference ballot. If using a hand-count paper ballot, the “Absentee Presidential Preference Only” ballots are assembled with the instruction sheet on top, followed by the Republican ballot, followed by the Democratic ballot and stapled together at the bottom. *A consolidated Presidential Preference ballot may not be used as the official ballot for the Spring Election.*

2. Municipal clerks are required to send this special “Absentee Presidential Preference Only” ballot to each military and permanent overseas voter with a valid absentee request on file who has requested their ballot by mail, fax, or email no later than February 18, 2016. If a military or permanent overseas voter submits an absentee request after February 18, the “Absentee Presidential Preference Only” ballot must be sent within one day of the request. If a municipality has a request on file from a military or permanent overseas voter to receive their absentee ballot by mail, the municipal clerk will need to print a copy of the PDF ballot and mail it to the voter.
3. All military and permanent overseas absentee ballots must be tracked in WisVote. The WisVote functionality to track both the Presidential Preference ballot and the full official ballot is being finalized at this time, and additional instructions regarding tracking both ballots in WisVote will be posted in the next couple of days.

4. The deadline for the G.A.B. to certify the canvass of the Spring Primary is no later than March 1, 2016. Once the canvass of the Spring Primary is concluded and the winners are certified, county clerks will prepare the full official ballot for the Spring Election. Because of the short timeframe between the Spring Primary and the Spring Election, it is impossible to comply with the statutory requirement that full official ballots be transmitted to regular absentee voters 47 days in advance of the Spring Election. Therefore county clerks must provide official Spring Election ballots to each municipality in their county as soon as possible following the G.A.B.'s certification. In optical scan municipalities, the official spring ballot will include the office of President plus judicial, county, and local contests. Municipalities using hand-count paper ballots may consolidate the judicial and local contests onto one ballot. However, the presidential ballot must be printed separately and may not be consolidated. See [GAB-204i](#), [GAB-204R](#), [GAB-204D](#).
5. Municipal clerks are required to send the full official Spring Election ballot to every registered elector with a valid absentee request on file (except permanent overseas electors) as soon as possible after receiving the ballots from the county. Military electors who previously received the "Absentee Presidential Preference Only" ballot must also be sent the full official ballot. The municipal clerk should mark these certificate envelopes with a notation such as "full" so that the envelope can be distinguished from the envelope sent with the "Absentee Presidential Preference Only" ballot. The full official ballot sent to military electors must also be tracked in WisVote. This means that a military elector may have multiple active ballots in WisVote at once.
6. If a military voter returns both the "Absentee Presidential Preference Only" ballot and official full ballot by Election Day, the election inspectors should count the official full ballot and reject the "Absentee Presidential Preference Only" ballot. If a military voter returns only the "Absentee Presidential Preference Only" ballot by Election Day, that ballot should be held at the clerk's office and not sent to the polls on Election Day. If the official full ballot arrives by 4:00 p.m. on April 8<sup>th</sup> with a postmark no later than Election Day the Municipal Board of Canvassers should count the official full ballot and reject the "Absentee Presidential Preference Only" ballot. Only if the official full ballot is not received by April 8<sup>th</sup> deadline should the "Absentee Presidential Preference Only" ballot be counted.
7. Hand-count paper versions of the "Absentee Presidential Preference Only" ballot may be either tallied by hand or remade onto machine-readable optical scan ballots and placed in the optical scan tabulator to be counted. If being remade, election inspectors should follow the remaking process as described on [pages 98-101 of the Election Day Manual](#).

If you have questions with respect to this memorandum, please contact the Government Accountability Board Help Desk at (608) 261-2028 or [gabhelpdesk@wi.gov](mailto:gabhelpdesk@wi.gov).