

State of Wisconsin\Government Accountability Board

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JUDGE THOMAS H. BARLAND
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MEMORANDUM

DATE: November 4, 2011

TO: All County Clerks
The Milwaukee County Board of Election Commissioners

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

SUBJECT: Type A Notice of 2012 Spring Election and Presidential Preference Vote and Other Information

This memo contains information about the Type A Notice of the 2012 Spring Election and Presidential Preference Vote, the notification of noncandidacy deadline, and write-in absentee ballots for the Spring Election.

TYPE A NOTICE OF 2011 SPRING ELECTION AND PRESIDENTIAL PREFERENCE VOTE

The enclosed Type A Notice of the Spring Election and Presidential Preference Vote to be held on **April 3, 2012**, is the first indication that we are entering a presidential election year! Remember that the presidential preference vote is like a partisan primary in that the voter will be given the ballots of all the parties participating in the presidential preference, but may vote only on one ballot. Candidate names for the Presidential Preference will be certified no sooner than January 31, 2012 (the deadline for persons wishing to have their name placed on the Presidential Preference ballot to file a petition with the Government Accountability Board).

In addition to Notification of the Presidential Preference Vote, the Type A Notice contains all judicial offices to be elected throughout the state. Please select the judicial offices that are up for election in your county, and add any county offices, multi-jurisdictional municipal judges and/or referenda. The combined Type A Notice of the 2012 Spring Election and Presidential Preference Vote must be published by all county clerks on November 22, 2011. Whenever a weekly newspaper is used for publication, the notices appear in the newspaper's closest preceding issue.

Please send a copy of the Type A Notice to each municipal clerk. **Municipal clerks are required to publish a Type A notice of municipal offices on the same date, November 22, 2011.**

Note: If a Circuit Court Judge resigns on or before December 1, 2011, that office will be up for election at the 2012 Spring Election. If a vacancy occurs during this period, we will contact the affected county clerks with an amended Type A Notice. If appointments are made in Dane County Branches 8 or 11 or in Racine County, Branch 5, an amended notice will be sent to those counties

Note to Brown and Portage Counties: Judge McKay and Judge Fleishauer have submitted resignations that are not effective until December 1 and November 29, respectively. Therefore, until the effective date of their resignations, they remain the incumbent in their respective offices. After the resignation effective dates, the Type A Notice must be amended to reflect the vacancy.

EXPLANATION OF COUNTY EXECUTIVE/SUPERVISOR TERM EXPIRATION DATES

COUNTY EXECUTIVE

The expiration date of the term for the office of County Executive, is April 16, 2012. County Executives take office on the third Tuesday in April, which is April 17, 2012.

For Milwaukee County, the expiration date of the term for the office of County Executive is May 6, 2012. County Executive in Milwaukee County takes office on the 1st Monday in May, which is May 7, 2012.

COUNTY SUPERVISOR

The expiration date of the term for the office of County Supervisor is April 16, 2012. County Supervisors take office on the third Tuesday in April, which is April 17, 2012.

For Milwaukee County, the expiration date of the term for the office of County Supervisor is April 15, 2012. County Supervisors in Milwaukee County take office on the 3rd Monday in April, which is April 16, 2012.

The statutes do not definitely state when these terms officially end. They simply state when the term begins. If, due to your county's procedures, you are more comfortable with the expiration date of the term being the same as the date the new term begins, you may use that date.

OFFICES TO BE ELECTED AT 2012 SPRING ELECTION

Court of Appeals, District 1 - This office appears on the judicial ballot in the county of Milwaukee.

Court of Appeals Judge, District 2 - This office appears on the judicial ballot in the counties of Calumet, Fond du Lac, Green Lake, Kenosha, Manitowoc, Ozaukee, Racine, Sheboygan, Walworth, Washington, Waukesha, and Winnebago.

Court of Appeals Judge, District 3 - This office appears on the judicial ballot in the counties of Ashland, Barron, Bayfield, Brown, Buffalo, Burnett, Chippewa, Door, Douglas, Dunn, Eau Claire, Florence, Forest, Iron, Kewaunee, Langlade, Lincoln, Marathon, Marinette, Menominee, Oconto, Oneida, Outagamie, Pepin, Pierce, Polk, Price, Rusk, St. Croix, Sawyer, Shawano, Taylor, Trempealeau, Vilas and Washburn Counties.

Court of Appeals Judge, District 4 - This office appears on the judicial ballot in the counties of Adams, Clark, Columbia, Crawford, Dane, Dodge, Grant, Green, Iowa, Jackson, Jefferson, Juneau, La Crosse, Lafayette, Marquette, Monroe, Portage, Richland, Rock, Sauk, Vernon, Waupaca, Waushara, and Wood.

Circuit Court Judge - This office appears on the judicial ballot in the counties of Ashland, Brown, Buffalo, Calumet, Clark, Dane, Door, Eau Claire, Kenosha, Manitowoc, Menominee, Milwaukee,

Oneida, Outagamie, Pepin, Portage, Racine, Richland, Rock, St. Croix, Sauk, Shawano, Sheboygan, Walworth, Washington, Waukesha, Waupaca, Winnebago and Wood.

ADDITIONAL INFORMATION *(Please share this information with your municipal clerks.)*

State Referendum Questions – At this time, there are no state referendum questions for the April 3, 2012 Spring Election. However, the legislature *currently* has until February 21, 2012 (*or January 24, 2012 if SB116 passes as presented to the Governor*) to direct that a referendum question be placed on the ballot, so the possibility still looms. §8.37, Wis. Stats. We will monitor the activity of the legislature and keep you informed.

Deadline for Notification of Noncandidacy (GAB-163) - The deadline for filing the notification of noncandidacy for the 2012 Spring Election is Friday, December 23, 2011, at 5:00 p.m. If your office is closed on that day due to the holiday, the deadline is at 5:00 p.m. on the next business day. This applies to state, county, municipal, and school district filing offices.

Write-in Absentee Ballots for Military and Overseas Electors

Note: If SB116 is signed by the Governor as presented, State Write-in Ballots will no longer have to be sent to military and overseas voters. At the writing of this memo, the bill has not been signed and there is a possibility this provision could be eliminated from the bill. We will keep you posted on the status of this provision. *Until you hear otherwise, please proceed with mailing write-in ballots to your military and overseas voters.*

The following link provides access to the spring write-in ballots to be used for the Spring Primary and the Spring Election. The write-in ballots are located at the end of the ballot list; GAB-232 thru GAB-241. <http://gab.wi.gov/forms/ballots> Please provide these ballots or the website link to your municipal clerks, along with the Type A Notice.

- *The Presidential Preference Vote (in April) requires a separate write-in ballot (GAB-241), and uses the same write-in back (GAB-240) as the other write-in ballots.*
- When you prepare the Spring Primary write-in absentee ballot, only offices to be voted for at the Spring Election should be listed on the ballot. Presidential Preference *is not* listed.
- All write-in absentee ballots must be printed with the proper endorsement on the back of the ballot (GAB-240).

Write-in absentee ballots are sent only to military and overseas electors who have filed a written request for an absentee ballot no later than 30 days before the election. For the February primary, write-in ballots are sent as soon as contests are known. Write-in ballots for the April Election are sent beginning 90 days before the April 3 election (January 4). Military absentee electors are entitled to vote for all offices up for election. Overseas electors are those who are permanently living overseas with no present intent to return to the United States. *Overseas electors can vote for federal offices only* and should be sent only the Presidential Preference write-in absentee ballot.

If you have questions or comments regarding this memorandum, please contact the Help Desk at (608) 261-2028 or gabhhelpdesk@wi.gov.

Attachments: “Notice of Presidential Preference Vote and Judicial, County Executive and County Supervisor Election” (Type A Notice)