

FAQs: Closing out 2013 – What Clerks Need to Know

Q: Is it ok for municipalities to combine the Notice of Election and Sample Ballots with the County to share publication costs?

A: Yes. The key to combining notices is to confirm that all the unique elements of the election are covered.

Q: Please let all of us know when you find out for sure the 22 month retention for data on prom packs for all elections. Thanks

A: Please review this clerk communication dated June 9, 2010: <http://gab.wi.gov/node/1126>

	Equipment certified prior to January 1, 2009	Equipment certified on or after January 1, 2009
Original memory device	14 days after a primary, 21 days after an election (unless recount is pending)	14 days after a primary, 21 days after an election (unless recount is pending)
Transferred data (or original device plus programming if transfer is not possible)	22 months if federal election, no requirement to transfer the data or preserve further if a non-federal election	22 months for <u>ALL</u> elections

Q: If more than 5 election inspectors are placed at a polling place... say 7, would the ratio come into play or does it only pertain to the first 5?

A: The party imbalance ratio applies to all the election inspectors.

Q: Does this law presume that at the end of each term, i.e. 12/31/2013, every position is vacant?

A: Yes. Once they resign, either you have a vacancy or someone in the seat.

Q: Must the Chief Inspector be appointed from the predominant party list?

A: No, the clerk has discretion to choose the Chief from the inspectors that are appointed.

Q: How do we download the materials?

A: Everything is on the website at: <http://gab.wi.gov/node/2980>. The materials are posted with the webinar memo under recent clerk communications. It is a PDF.

Q: What is the max number of appointees that a municipality can have?

A: Political parties may submit lists of an unlimited number of election inspector nominees. If

the lists are submitted by the deadline, appointments must be made from the lists as long as election inspector positions are available.

Q: Just curious - how many muni's use the caucus process?

A: The G.A.B. does not track how many municipalities use the caucus process.

Q: I thought the candidate had to file the GAB-1 as soon as they formed the intent to run for office. Did this change?

A: No, this did not change. You are correct. Candidates should file the GAB-1 as soon as they form the intent to run for office.

Q: Our Election Inspector Application has a spot for them to choose whether they are republican, democrat or unaffiliated. It was always on the application before I arrived here and we received a request from a political party last week to look at them. I'm thinking we should remove this option on our application - not sure why it was on there. Would the phone # and email need to be redacted from these forms? Is it necessary to keep that question on the application form in the future?

A: I would recommend sending us this one via email after the webinar as it is probably something specific to your muni and we should look at the public records aspect.

Q: The form at the top says it is filed by the deadline for filing nomination papers. That is misleading.

A: Deadline to file all ballot access paperwork in nomination paper communities (GAB-1, Declaration of Candidacy, Nomination Papers) is the deadline for filing nomination papers.

Q: Can you just have an incumbent complete another GAB-1 or GAB-162 rather than amend?

A: Yes, this is allowed. Please note: A new Declaration of Candidacy (GAB-162) is required for each election. This form only would be amended if the candidate wishes to change their name on ballot or their address.

Q: Good Morning! I registered at the last minute and I'd like a copy of the materials, but I am unable to print the documents. Thoughts?

A: You may view the materials on your computer screen.

Q: Question about school district referendums... there are typically groups that are for and against, and the school district spans into different municipalities, WHERE do these groups file their PAC GAB-1 with?

A: They would file with the jurisdiction responsible for the referendum. In this case, the school district clerk is the filing officer.

Q: Everything is grayed out to be able to print. Is there an attachment that can be sent to me?

A: Try viewing this document: <http://gab.wi.gov/node/2980>

Q: Our official paper only prints on Tuesdays & Thursdays, when should my notices be published then?

A: Please publish your election notices on Tuesdays.

Q: If there is a person on the list, do we as a town pay for their training or can we make the people who submit the list pay for their training?

A: You pay for training just as you would for any of your other election inspectors.

Q: Depository Information, we were just told that it is not related to Exemption from filing. If someone used the exemption in the last election, and they made signs for their campaign without filling the depository information out, what does the clerk do?

A: All registrants should list depository information. If registrants indicate they will not provide depository information because they will not accept contributions and/or spend any money on their campaign, please obtain a written statement to that effect and file it with the GAB-1. Registrants who claim the exemption are stating they will not accept contributions, make disbursements or incur obligations in an aggregate amount of more than \$1,000 in a calendar year or accept any contribution or cumulative contributions of more than \$100 from a single source during the calendar year, except contributions by a candidate to his or her campaign of \$1,000 or less in a calendar year. If you suspect a registrant violated these terms, report the activity to your District Attorney. All registrants should keep track of their contributions, disbursements, and obligations regardless of their exemption status. Registrants who claim exemption, then no longer qualifies for exemption should file an amended GAB-1 and check the box "This registrant is no longer eligible to claim exemption."

Q: Is there a place where we can look to see who and for how long people in our municipality are trained and certified?

A: Municipal clerks should keep track of the training provided to their election officials.

Q: I am a new clerk. I would appreciate it if you are using an acronym, please follow or preface it with the actual terms.

A: Thanks for the reminder.

Q: How do I know who to send absentee voting information to?

A: If you are a municipal clerk who is deployed or otherwise absent for an election, you need to deputize a staff person, election inspector or another individual to administer absentee voting in your place.

Q: What is an AutoMARK?

A: The AutoMARK is a ballot marking device that takes a paper or optical scan ballot and allows a voter (primarily voters with disabilities) to mark it using the machine. This marked ballot would still go in the same ballot box or tabulator that everyone else uses.

Q: When I was deployed to Iraq, Afghanistan, Korea and Germany I did not receive my local paper. How do I know who to inform of absentee voting?

A: Contact information for municipal clerks is available at myvote.wi.gov. Additionally, voters who are military or permanently overseas may request and receive an absentee ballot through the MyVote Wisconsin website.

Q: The people on this list must live in your municipality, correct?

A: Your question is about the list of election inspector nominees submitted by the political parties. At this time, yes, the people on the list must live in your municipality. There is a bill pending in the Legislature to allow election inspectors to reside anywhere in the county.

Q: Most municipalities in our area use three poll workers, this is acceptable, correct?

A: Yes, your governing body may pass a resolution to reduce the number of poll workers to no less than three.

Q: What about the recruitment of students to volunteer as poll workers?

A: High school students (age 16 and 17) may serve as poll workers. Whether they can serve without pay ("volunteer") is question for your human resources department or legal counsel.

Q: Who is submitting these lists?

A: This is question is in regards to the list of election inspector nominees submitted by the political parties. This would be the two political parties whose candidates for governor or president received the largest number of votes in the previous general election. In the case of this appointment period, the race for president is the determining race since there was no election for governor in the fall of 2012. The lists are to be submitted to the Mayor, Village President or Town Board Chairperson. (In the City of Milwaukee, the lists are to be submitted to the City of Milwaukee Board of Election Commissioners.) Though not required, the parties have been advised to also provide a copy to the municipal clerk in order to facilitate the process. Letters have been sent to the Republican and Democratic state parties reminding them of the local parties' responsibility to submit lists of poll worker nominees.

Q: Can the candidate circulate sign the nomination papers as the circulator?

A: Yes, the candidate can be the circulator of his/her nomination papers.

Q: I use split shifts for poll workers. Do the parties have to submit more names to cover both shifts? I generally use 3 poll workers per shift per election.

A: No. The political parties will submit as many names as they wish. However, if they do not submit a sufficient list to cover all of their slots, then you should do your best to have people from the list on both shifts. You may not simply staff one shift with the political party appointees and the other shift with non-affiliated poll workers. .

Q: Is GAB-2a required if a candidate claims exemption?

A: The 2a is for committees required to file campaign finance reports, but they have no activity to report for the reporting period. Candidates who claim exemption do not file campaign finance reports. .

Q: If you have individuals coming in for totaling purposes, are these people from the lists submitted by the parties?

A: No. Tabulators are not election inspectors.

Q: How do we know if a person has been convicted of a felony in another state?

A: You are not going to know, they are signing a declaration of candidacy indicating they have not been convicted.

Q: A comment not a question: When I know current inspectors want to continue working and their names are not on the list, I call the respective parties requesting the names be added.

A: Good idea.

Q: Are you saying if an incumbent runs they do not have to file a GAB-1 every time they run for the same office?

A: They will be filing an amendment to update (at minimum) the election date. They may also need to change their address, etc.

Q: Does the State have organized meetings with the webinars for the re-certification of chief inspectors anywhere or is this up to the Clerks to do with them?

A: The G.A.B. conducts live webinars and posts the webcasts for clerks to use for their own education and training their election inspectors.

Q: If we usually use half day positions if there are enough inspectors available to work, if we appoint someone from a list do they have to be allowed to work all day if they want?

A: If you can accommodate them, try to do so.

Q: So if a private citizen spends money on the candidate not with the candidate's approval or prior knowledge, do they still have to list their name and account info under #5 depository information?

A: If someone other than the candidate is spending money, they need to file a GAB-1 as an independent committee or individual. These registrants are also required to file a GAB-6. All registrants should list depository information.

Q: I like how the date is detailed on the Voter Registration Application, (M/D/YYYY). Could you please add this helpful notation to the Date of Signing column on the Nomination Paper?

A: I'll pass your comment along to staff. Thanks.

Q: Our Town Board meets on the first Tuesday of the month. If we receive a list on Dec 2nd, do we have to have a special meeting to appoint the officials?

A: No, this is the deadline for the party to submit their list; you have until the end of December to act upon that submission.

Q: OK, but if we have our board meeting on Dec 3rd, the agenda is already posted.

A: Well, then you would either need to amend that agenda to include it or have a special

meeting for that item.

Q: I may be jumping the gun, but do we have to pay the people from the party lists?

A: Same as you would pay any of your election inspectors.

Q: Do the nominees from the lists have to live in the municipality if the new bill doesn't pass?

A: Yes.

Q: Municipal Judge for the first time in April Election. Do candidates need to file form the first of January, or is that requirement for incumbents only?

A: They are required to file ballot access documents, etc.

Q: If I received a list in 2011 for a person from a party, when would that expire? Would I have to get a list by Nov. 30th again for this person to keep her on?

A: The list submitted in 2011 expires at the end of 2013. You may get a new list by Nov. 30 for the next two year period.

Q: Are reports needed forever if the candidate is not elected but has not filed as exempt?

A: If the candidate is required to file a campaign finance reports (not exempt), yes, they must continue to file even if they lost. If there is no activity on the account, they can file the GAB-2A.

Q: On the GAB-1, is an incumbent's report to run again an "amendment," yes or no?

A: Yes, it's an amendment. At minimum, they will update the election date. They may also need to update their address, contact information, etc. All of this is an amendment to the already on file GAB-1.

Q: Who signs the clerk's nomination papers if not by a notary?

A: The DOC can be signed by the clerk (or deputy) or any notary.

Q: What if no one on the party list has chief inspector training or wants to be a chief inspector?

A: That can be a problem, but you will need to get them trained. (Answered live)

Q: Do they have to keep track of spending even if they are not required to file reports? Is their spending open to public scrutiny upon open records request?

A: Yes, all candidates should keep track of their campaign finances. Please consult with your legal counsel regarding open records requests. Generally, campaign finance reports are public records.

Q: Is the December 2nd date a mail postmark date or is the postmark still November 30th?

A: If you have office hours on November 30, the political party election nominee list should be submitted to you by that date. Otherwise, the deadline is December 2. These dates are not postmarked dates. The political parties may fax the documents to you on the deadline dates, but the document must be placed in the mail with a postmark of either November 30 or

December 2 for it to be valid.

Q: Without regard to party affiliation? Does that mean... I need a worker and have assigned all of the Republican Party and have no unaffiliated left. Can I assign a Democratic worker without regard? Will that throw off the % or can I say they are working without regard to affiliation? I sometimes run out of workers in large elections.

A: Workers taken from the list are affiliated. If the Republicans or Democrats fail to submit a sufficient number of names for the slots available, then the remainder of the slots are filled with whomever who find to work. These workers are unaffiliated.

Q: I have a couple of people that I do not want on my list of poll workers for several reasons... But they insist on staying on because they like that little extra paycheck once in a while. How can I take them off...or do I have to leave them on?

A: Please contact the G.A.B. to discuss your specific situation and what options you may have.

Q: Only need to be copied if a federal election, right?

A: This is in regards to retention of voter equipment data. See previous question/answer above.

Q: Memory cards

A: This is in regards to retention of voter equipment data. See previous question/answer above.

Q: May want to communicate with the people on the list as they may not be aware they are on the list.

A: Yes, it is best practice to contact the individuals submitted by the political parties for election inspector nominees to confirm they wish to serve.

Q: How do you determine if the nominees qualify from the lists?

A: You would need to contact them to confirm their eligibility/willingness to serve.

Q: If we have more than one ward at a polling site, do we look at the party imbalance for each ward or for the site?

A: Polling place. (Answered live)

Q: Destruction of election materials - specifically voter serial number slips. We use tickets to track our voter numbers. Are we supposed to retain these used tickets?

A: Retain for same amount of time you retain materials for that type of election.

Q: Can we accept a hand-written list that is not dated or signed?

A: I believe the list needs to be signed by the authorized representative of the party, so no.

Q: Does a person have to file a noncandidacy if they resign before the end of their term and a new person is appointed to that seat?

A: Only incumbents (the person currently holding the office) who do not plan to seek re-election should file the notification of non-candidacy.

Q: The Village of Ridgeway does not have a newspaper, do we "have to" publish in the Dodgeville paper which is the paper most people in the Village purchase?

A: You have an option, if the governing body determines the Dodgeville paper is their official paper, that's where you publish, otherwise post.

Q: Is the # of signatures needed on the Nomination-Non Partisan, based on population?

A: Generally, no. For some offices, a city's class determines the number of signatures required. Please consult our ballot access checklists for details: <http://gab.wi.gov/elections-voting/candidates/local/non-partisan>

Q: If the candidate is their own treasurer, do they need to complete #3? If so, what do they need to write here?

A: They fill out box 3 of the GAB-1 and provided their contact information.

Q: Is the depository information a public record or should the account number be redacted if a public records request is made for a candidate's GAB-1?

A: We have found that personal identifiable information such as unique account numbers, it should be redacted, but talk to your attorney.

Q: If the party submits a name of an individual who was recommended in prior years but is no long mentally able to serve as a poll worker or chief inspector how do I make formal request to GAB to non-appoint?

A: A simple email will get the process going, if we need anything further we can follow up with you.

Q: For the 2012 elections, are the materials from the Spring Election & Presidential Prefer. & the August and Nov. 2012 elections the only ones we need to retain yet for 2012, because they haven't hit the 22 month mark yet? So the May & June 2012 Recall Election information can be destroyed?

A: Yes and yes.

Q: Are poll workers still required to be residents of your municipality?

A: At this time, yes. There is bill being debate in the Legislature that could change that. We'll keep you posted.

Q: Is the Nov. 30th (Dec. 2) deadline for the entire 2 year term? So next Nov. we don't have to worry?

A: Correct, only the November 30ths in odd-numbered years.

Q: So we would really have to dump our old standbys if they are unaffiliated?

A: If you get lists from both parties, yes, that can happen.

Q: What if I need 5 poll workers and the Dems & Repubs each list 2... Can I choose my Chief from the former and unaffiliated workers?

A: Yes, the chief can be unaffiliated under that scenario. (Answered live)

Q: Will the csv work in a Google calendar?

A: It should.

Q: When is the form an amendment?

A: GAB-1 can be amended from a prior filing. GAB-162 (DOC) is always a new filing for each election.

Q: We received a list 3 years ago from the parties. Do they need to submit a new list every two years or do those inspectors remain affiliated with that party forever?

A: They must submit a new list every two years.

Q: An incumbent filing a GAB-1 for new term would not be an amendment?

A: If the incumbent filed a GAB-1 before, the next election would be an amendment for them (updating the election dates if nothing else).

Q: Is there an obligation for the Clerk to do any type of background check to determine if a potential candidate has a felony conviction, or is the burden on the candidate running?

A: No.