

FAQs: Special Voting Deputies & Absentee Voting

Q: The act states that the clerk "shall send two special voting deputies." Is there any reason we could not send four at our larger facilities?

A: As long as they are working in pairs, it's not a problem.

Q: Can the clerk act as an SVD?

A: Yes, the clerk can appoint his or herself.

Q: Where does spouse fit?

A: Relative: a spouse or individual related within the 1st, 2nd or 3rd degree of kinship.

Q: So do the individuals need to sign the elector decline of ballot form when SVDs visit at a primary?

A: No, the SVDs fill out that information.

Q: Can we send a 3rd SVD as an 'assistant' with the other two SVDs to act as the person who would be the SVD to assist the voter should they request it, including reading the ballot? Or, would you recommend we send 4 SVDs if we want more than 2?

A: SVDs should work in pairs, but you could send someone to assist who is not appointed as an SVD. This individual cannot perform any SVD functions.

Q: What if a voter moves from their senior apartment into a care facility with less than 28 days of residence at the same time that the SVDs are conducting voting at the facility. So the person, if they are re-registered wouldn't have lived at the SVD facility for 28 days. Where would they vote or how would they get their ballot?

A: If they have not established residency in the facility, from their previous address.

Q: Can someone other than an SVD be sent prior to the close of registrations to register voters at the facility?

A: Yes, a Special Registration Deputy, trained and appointed by the municipal clerk.

Q: Is the GAB-126 REQUIRED, or is it an optional form? If they decline to vote, must they fill out the GAB-126?

A: We developed this form at the request of clerks and we advise all clerks to use it for uniformity sake.

Q: Why does the voter have to fill out a GAB-121 when they want to vote absentee? I thought the Certification on the Absentee Envelope suffices.

A: If they request ballots for more than one election, indefinitely confined voter, calendar year voter. The certificate envelope is for one election only.

Q: Why does the Voter have to fill out a GAB-121 when they want to vote absentee? I thought the Certification on the Absentee Envelope suffices.

A: The certificate envelope serves as an absentee application and envelope for one election only during In-person absentee in the clerk's office. Voters requesting absentee ballots for more than one election, indefinitely confined voters, etc., must use the GAB-121.

Q: What if the voter does not come to the area of where the voting is taking place... How will the SVDs know they want to maintain their status if they have no contact with that voter?

A: A voter with an absentee request on file who does not come to the common area should be visited in their room to determine if they wish to maintain their status.

Q: Had a voter registered at a designated care facility say they go south for the winter and are not at the facility or in the city during the absentee voting period. They want their ballot mailed to them where they are vacationing. I told them I can't do that anymore. Correct?

A: Correct.

Q: I thought SVDs could not visit on weekends and holidays, but I heard David say something different. May SVD voting occur on weekends, or only on the "working days" listed?

A: SVDs can visit at any time during the eligible period, starting the third Monday before an election through Monday before the election, including weekends and holidays.

Q: We have a care facility with different levels of care or no care in a part of the facility. They do not want to give us the names and addresses of the residents in the independent living section of the complex. They want to give us apartment numbers instead. We assume that they still need to give us the names and addresses instead of just apartment numbers. Are we correct? Second, is that list of residents and addresses a public record that we need to retain with our other election related documents?

A: That's okay since you indicated the street address is the same for all of them. Keep the lists with your election materials for the required length of time.

Q: If the SVDs visit the facility twice and someone was not available to vote, do we mail an absentee ballot to them like we do with nursing homes?

A: Yes, for all types of care facilities visited twice by SVDs.

Q: What if voter is unresponsive?

A: You should visit the care facility twice; if the voter is unable to vote both times, mail the ballot to the voter.

Q: Will SVRS be updated to allow users to designate the type of facility the voter is a resident of when entering a voter registration?

A: In the live webinar, Lila referred to the Absentee Application. On the absentee application in SVRS, clerks can utilize the Nursing Home field to include any facility they would like. The Nursing Home record links to a contact record, which can be created for a retirement home, for example.

The question, however, was really referring to the Voter Record. Currently, there is not a field for the facility name. Voter addresses can easily be sorted/filtered by Address, however. This would group together all voters with the same street addresses. If you need any assistance on this, either using the Voter grid or running a Voter Listing report, please call the G.A.B. Help Desk and we'll gladly go through the options.

Q: Can't the SVDs initial all ballots? Otherwise you are giving them live ballots.

A: You are issuing live ballots, hence the requirement for a sealed ballot bag. The clerk initials all ballots with a voter request on file; SVDs initial any ballots issued to voters who wish to vote absentee and don't have a request on file.

Q: Can a blind voter use a signature stamp to sign their registration form, absentee request, and absentee envelope?

A: Yes.

Q: What if a voter refuses to allow an observer in their room?

A: It is the voter's personal property and they can refuse access if they so choose.

Q: Can a person working in the clerk's office, not a resident of the municipality, act as a SRD?

A: No, an SVD must be a qualified elector of the municipality.

Q: What do we do if we have someone who was provided a ballot by the SVD and they chose not to vote - it is returned to the office as unvoted and scanned that way, then that person comes to the clerk's office and wants to vote? This can become a problem - especially on the absentee ballot log where there is a duplicate listing for that voter.

A: Answered live.

Q: How do we record those declined ballots - as they have been issued before the SVDs go to the care facility - do we just cancel the ballot and leave the application alone?

A. This is a good question, and we know SVRS does not currently have an ideal status-reason. Here are some things to consider:

- These ballots should be marked on the GAB-104SVD form as unvoted ballots
- The voter should be listed on the GAB-126 (Elector Decline of Ballot form)
- These ballots should not be sent to the polling place to be counted or rejected.
- If this voter shows up at the polling place to vote, they should be allowed to since they did not "return" a ballot.
- These ballots should be counted on the GAB-190 as Issued but not returned.
- These ballots should not be counted as outstanding absentee ballots for the purposes of canvassing.
- Finally, in SVRS, the ballots may either be left as *Issued – Ballot Not Returned* or be *Cancelled – Ballot Not Returned*. Either method is fine, as long as you are consistent about it, so that you can accurately assess your counts for the GAB-190s, etc.
- Also, if the voter signs the GAB-126 as wishing to remain on the indefinitely confined list, the Absentee Application does not need to be cancelled. It should remain Active for future elections.

Q: Is there a deadline of when the political parties may submit a list for SVDs?

A: Yes, November 30 of an odd-numbered year. If they have submitted a list, they can supplement the list if needed during the following term for SVDs.

Q: Are these lists separate from the Election Inspector lists submitted by the parties in odd numbered years? So if the party submitted a list of Election Inspectors but not a list of SVDs, does that mean that they cannot supplement the SVD list throughout the two years?

A: Correct.

Q: How to handle/steps to take when nursing home director refuses visit by SVDs? Feels residents are not capable of voting.

A: We can contact the nursing home director on your behalf and advise the director of state law.

Q: How can I print this packet?

A: The materials are available in the same location as the webinar access information under Recent Clerk Communications: <http://gab.wi.gov/node/3362>

Q: Just to clarify, if the clerk is appointed and does not live in municipality, they can NOT be appointed as a SVD?

A: Correct as we interpret the statutes.

Q: Do you have to post a notice that a Special Registration Deputy will visit a care facility?

A: No, but it would be a good idea to post something at the care facility ahead of time so the residents are aware of it.

Q: What is "POR #" for a lease?

A: There is not a number. If the POR does not have an associated account number, you do not have to list a number.

Q: Will the GAB-126 be available on the website?

A: Yes, it has been posted.