Municipal Clerk Training

CORE CURRICULUM COURSE
2015-2017

Ver. 9 20 16

Introductions & Course Logistics

- Speakers
- Questions
- Breaks
- Manuals
- Note-taking

Course Goals

- Candidates
- Other Registrants
- Notices
- Ballots
- Electors
- Election Officials
- Voting Equipment
- Accessibility
- Emergency Planning
- Polling Places/Supplies
- Election Day Issues
- Post-Election Activities
- Recounts
- Recalls

Certificates & Certification

- **Make sure you signed in!**
- **Certificate (either issued by clerk-trainer or WEC)**
- **Fill in:**
  - Your Name
  - Course Number
  - Date

SECTION 1 OF 15

CANDIDATES

Qualifications for Office

- **Candidate must be:**
  - A U.S. Citizen
  - At least 18 years old
  - Resided for at least 10 days in:
    - the City or Village by time of election, or
    - the Town by time of taking office
  - Not adjudicated incompetent to vote
  - Not convicted of a felony for which he or she has not been pardoned

Ballot Access Requirements

- **Candidate Packets**
- **Notification of Noncandidacy**
- **Filing requirements**
  - All Candidates must file:
    - Campaign Registration Statement (ETHCF-1)
    - Declaration of Candidacy (EL-162)
    - Nomination Papers – (if required)*
      - Non-Partisan Nomination papers (EL-169)
      - Printed name requirement
- ***Towns and Villages that use caucus**

Filing Officers & Recordkeeping

- **Filing Officers**
  Municipal Offices & Referenda:
  - Municipal Clerks
  - Milwaukee Board of Election Commissioners
- School District Offices & Referenda:
  - School District Clerk
- Multi-Jurisdictional Judges:
  - County Clerk

- **Recordkeeping**
  - Remember to maintain a separate file for each candidate
  - Records may be destroyed according to "Destruction of Materials" schedule

QUESTIONS?

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SECTION 2 OF 15

OTHER REGISTRANTS

Types of Committees

- **Political Action Committees (PAC)**
- **Recall Committee**
- **Referendum Committee**
- **Independent Expenditure Committee (IEC)**

Registration Requirements

- **Individuals or committees who exceed the $2,500 ($10,000 for referenda) threshold are required to register (file an ETHCF-1) with the filing officer.**
- **Independent Committees and Individuals are required to file an Report and Oath of Independent Expenditures (ETHCF-7).**

Campaign Finance Reporting

- **Committees are subject to the same reporting requirements as candidates.**
- **Best practice is for the Municipal clerk to send reminder notice and EL-2 to the candidate and treasurer of each committee required to file campaign finance reports.**
- **Report campaign finance violations to the WEC**

Recordkeeping

- **Keep a separate file for each committee**
  - Campaign Registration Statement (ETHCF-1)
  - Campaign Finance reports, *if required*
  - Correspondence, including filing notices

QUESTIONS?

SECTION 3 OF 15

ELECTION NOTICES

Types of Election Notices

- **Type A – Notice of Election and/or Referendum**
  - Notifies public and potential candidates of offices to be elected, referenda and date of upcoming election
- **Type B – Sample Ballot Notice**
  - Includes sample ballots and voting instructions
- **Type C – Notice of Referendum**
  - Informs voters if there are referendum questions and the effect of voting yes or no to any referenda
- **Type D – Polling Place/Hour Notice**
  - Informs voters of the correct polling place and hours
- **Type E – Absentee Voting Notice**
  - Informs voters of process for voting absentee ballots.

Type E Notice Sample

	Spring Elections	Fall Elections	Special municipal primaries, elections, or referenda	Special primary, election, or referenda for national, state, or county
Type A	For spring municipal elections: 4th Tuesday in November before	Published by County Clerk	For municipal offices: 40 days before the primary or election	Published by County Clerk
Type A: Notice of Referendum Election	If referenda voted on for spring primary or election: 4th Tuesday before spring primary or election	Only if municipal referendum on ballot: 4th Tuesday before the Partisan Primary or general	For special municipal referendum: 4th Tuesday before referendum election	Published by County Clerk
Type B	For spring primary or election: Monday before primary or election	Only if municipal referendum on ballot: Monday before election	Day before the election	Published by County Clerk
Type C	If municipal referendum on ballot: Monday before the election	Only if municipal referendum on ballot: Monday before election	Day before the election	Published by County Clerk
Type D	Monday before the election	Monday before the election	Day before the election	Day before the election
Type E	For spring primary or election: 4th Tuesday before the election	4th Tuesday before Partisan Primary and general election	Primary: 4th Tuesday before Election: 3rd Tuesday before Referendum: 4th Tuesday before	Primary: 4th Tuesday before Election: 3rd Tuesday before Referendum: 4th Tuesday before

Procedures

- Using a weekly newspaper

- Combining Costs

- Posting in lieu of publishing

QUESTIONS?

SECTION 4 OF 15

BALLOTS

Who Prepares Ballots?

- *County Clerks*:
  - federal, state and county offices and referenda
- *Municipal Clerk:*
  - municipal offices and referenda
- *School District Clerks:*
  - School district offices and referenda

Certification to County Clerk

- **When county clerk prepares the ballots, the municipal clerk must certify the following to the county clerk:**
  - the number of electors
  - municipal candidate names and referenda

Ballot Order of Candidate Names

- Determined by drawing of lots
- Conducted no later than 7 days after nomination paper filing deadline
- Conducted publicly
- Suggested that 3 persons participate in drawing
- Document drawing procedure

Printing & Proofing Ballots

- Ensure a sufficient number of ballots
- Ensure that ballots are proper format
- Basic Requirements
  - Easy to read-no smaller than 8 pt. font
  - Can be any color
  - Sample ballots may not be white
  - Write-in Lines
  - Boxes, Ovals, Arrows
  - Ballot Endorsement

PROOF!
PROOF!
PROOF!

QUESTIONS?

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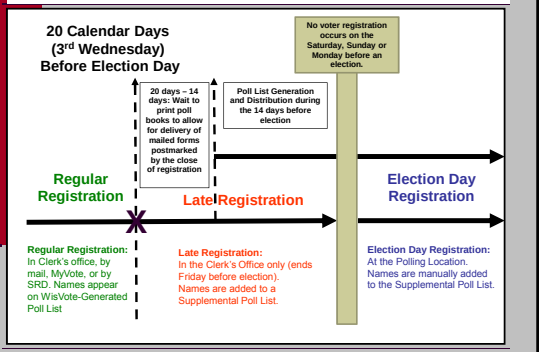
SECTION 5 OF 15

ELECTORS

Qualifications & Registration

- **Who is a qualified voter?**
- **Registration**
  - How
  - Where
  - When

Registration Timelines



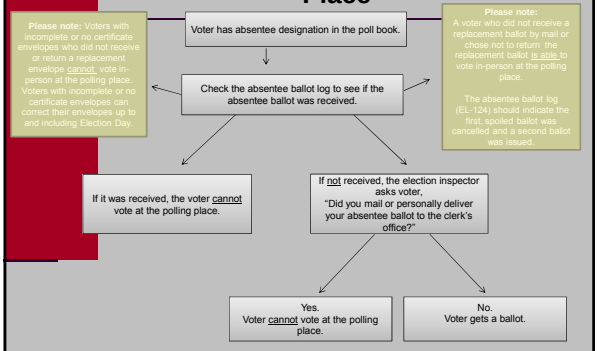
Proof of Residence

1. An unexpired Wisconsin driver's license or receipt for license.
2. A Wisconsin identification card issued by the Department of Transportation or receipt for identification card that has not been cancelled.
3. Any other official identification card or license issued by a Wisconsin governmental body or unit.
4. Any identification card issued by an employer in the normal course of business and bearing a photo of the card holder, but not including a business card.
5. A real estate tax bill or receipt for the current year or the year preceding the date of the election.
6. A residential lease which is effective for a period that includes registration (Not for voters registering by mail).
7. A university, college or technical institute identification card (must include photo) ONLY if the voter provides a fee receipt dated within the last 9 months or the institution provides a certified housing list to the municipal clerk .
8. A gas, electric, water, sewer, telephone/mobile, cable/satellite TV, internet service statement (utility bill) for the period commencing not earlier than 90 days before the date of registration.
9. Bank statement.
10. Paycheck or paystub documentation of a direct deposit.
11. A check or other document issued by a unit of government.
12. A statement on public or private social service agency letterhead identifying a homeless voter and describing the individual's residence for voting purposes.
13. A contract or intake document from a residential care facility that indicates that the registrant currently resides at the facility. (Room number not required.)

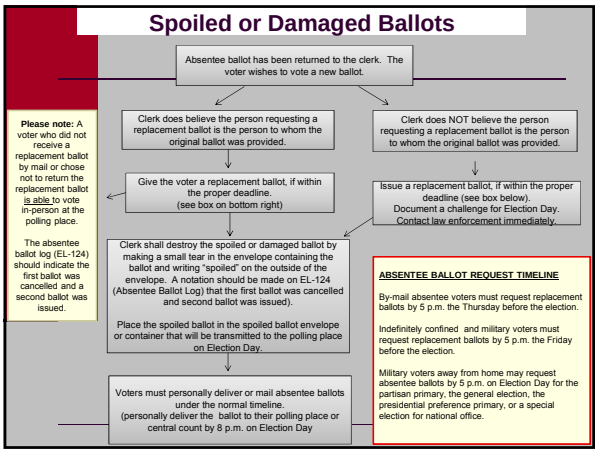
Absentee Voting

- **Who can vote absentee?**
- **How does a registered voter request an absentee ballot?**
- **How often must a voter apply for an absentee ballot?**
- **When must the ballot be returned?**
- **When do I use the Ineligible Voter List?**

Absentee Voters and the Polling Place



Spoiled or Damaged Ballots



Proof of Identification

- **Proof of Identification is generally required from all absentee applicants**
- **Types of Acceptable Proof of Identification (the following documents must be unexpired or expired after November 6, 2014):**
  - WI Driver License or WI State-Issued ID card
  - Military ID (includes retired military card)
  - Passport (book or card)

Proof of Identification (con't)

- **Types of Acceptable Proof of Identification**
  (the following types of documents must be unexpired):
  - Certificate of naturalization (not issued earlier than two years before the election)
  - Receipt for DL or State ID (valid for 45 days)
  - A veteran's photo ID issued by the Veterans Health Administration of the federal Department of Veterans Affairs.

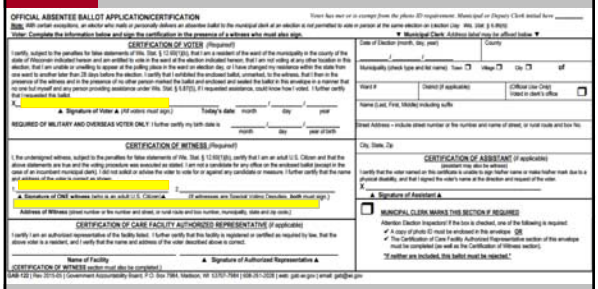
  (the following types of documents can be expired):
  - University, College, or Tech College photo ID (with proof of enrollment)

  (the following type of document is valid regardless of expiration date):
  - A Tribal ID

Proof of Identification (con't)

- **Exceptions (absentee only!):**
  - An elector who has previously supplied proof of identification with their absentee application and has not moved or changed their name.
  - Military electors (active)
  - Permanently Overseas electors
  - Confidential electors
- **Substitute Documentation Allowed From:**
  - Indefinitely confined electors
  - Electors served by Special Voting Deputies (SVDs)
  - Electors in certain care facilities not served by SVDs (e.g. retirement homes)
  - Electors who have had to surrender their license.

Absentee Certificate Envelope


OFFICIAL ABSENTEE BALLOT APPLICATION/CERTIFICATION

CERTIFICATION OF VOTER (Required)

CERTIFICATION OF WITNESS (Required)

CERTIFICATION OF CARE FACILITY AUTHORIZED REPRESENTATIVE (if applicable)

CERTIFICATION OF ASSISTANT (if applicable)

MUNICIPAL CLERK MARKS THIS SECTION IF REQUIRED

Absentee Tracking in WisVote

- **State law requires the clerk to update WisVote or inform their WisVote provider within 48 hours whenever one of the following occurs:**
  - Receipt of an absentee ballot application.
  - Mailing of an absentee ballot.
  - Receives a voted absentee ballot back from a voter.
- **48 hour timeline does include Sundays or legal holidays.**

Military & Overseas Absentee

- **Definitions:**
  - Military Elector: Uniformed service, merchant marine, civilian employee of US, Peace Corps, or spouse or dependent
  - Overseas Elector: U.S. citizens, resided in WI before leaving US, no intent to return, not registered elsewhere
  - Exempt from proof of identification requirements
- **Requesting an Absentee Ballot**
  - FPCA, EL-121, MyVote Wisconsin (myvote.wi.gov), or other written request

Provisional Voting

- **When can a person vote provisionally?**
  - First-time Voter who registered by mail before **April 4, 2014** and was unable to provide Proof of Residence
  - An Election Day Registrant unable or unwilling to provide Wisconsin Driver License or State-Issued ID number
  - An Election Day Voter who does not provide proof of identification when required
- **Procedures for Clerks**

Confidential Voters

- **Who is a qualified Confidential Voter?**
- **Clerk procedures for Confidential Voters**
  - Written request for confidentiality
  - Exempt from proof of identification requirements
  - Identification Card of Protected Individual (EL-148)

QUESTIONS?

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SECTION 6 OF 15

ELECTION OFFICIALS

Who is an Election Official?

- **An individual charged with any duties relating to the conduct of an election**
  - County, municipal and school district clerks
  - Deputy county and municipal clerks
  - Election Inspectors (including Chief Inspector)
  - Special Registration Deputies (SRDs)
  - Election Registration Officials (EROs)
  - Special Voting Deputies (SVDs)
  - Tabulators
  - Greeters
  - Canvass Board Members

Chief Election Inspectors

- **Run polling place on Election Day**
- **Must be certified!**
  - Attend initial "Baseline" Chief Inspector Training
    - Self-assessment to be developed by WEC (not required)
  - Maintain certification by earning 6 hours every election cycle
  - **Municipal Clerk must keep track of Chief Inspector Certification!!**

Election Inspectors

- **7 inspectors required at each polling place**
  - May be increased by the governing body
  - May be decreased by resolution - no less than 3!
  - Must always be odd number
  - Chief Inspector is included in the total number
- **Qualifications**
  - **Receive training**
  - Read, write and understand English
  - May not be a candidate at the election
  - Qualified elector of the county (does not include chief inspector or high school poll workers)
  - WEC opinion: can't be an local elected official

Appointments

- **By Party Affiliation**
  - 2 dominant political parties may submit lists of election inspector nominees by Nov.30 (odd-numbered year)
  - Appointments must be made from the lists for as long as positions are available
  - Majority Party = 1 more inspector
- **Regardless of Party**
  - When no lists are received

  OR

  - Lists are insufficient

Who Appoints?

- **Governing body** *(Town or Village Board or City Council)*
  - in December of odd-numbered years, for a 2-year term
- **Municipal Clerk - Filling Vacancies**
  - Names must be taken from lists, if provided
  - No lists? Appointment is "unaffiliated"
- **Municipal Clerk - Temporary Vacancies**
  - appointment is for one election only

Other Election Officials

- **High School Student Election Inspectors**
- **Greeters**
- **Tabulators**

Special Registration Deputies (SRDs)

- Operate in Open Registration Only
- Municipal Appointment
- Two year term
- SRDs are being eliminated with the implementation of online voter registration
  - No later than Spring 2017.

Election Registration Officials (EROs)

- **Replaces Election Day Special Registration Deputies**
  - May register voters at care facilities during open registration
  - After the close of registration may register voters at the clerk's office during in-person absentee.
  - On Election Day may be used to register voters at the polling place.
- **Two year term**
- **Should receive training at least once every two years on voter registration duties.**

Special Voting Deputies

- **For residential care facilities and retirement homes.**
- **Must use TWO Special Voting deputies when conducting absentee voting at qualified locations**
- **Appointed for one election cycle**
- **Must undergo training**

Party Affiliation & Inspector Duties

- **If political party lists have been submitted**
  - If Election Day duty requires two election inspectors (ie. voter check-in, curbside voting, remaking ballot, etc.), the chief inspector must assign an equal number, when possible, from each party
    - Includes appointment of SVDs, when possible, by the clerk
  - Only the chief inspector and one other inspector, with a party affiliation different than the chief inspector's party affiliation, if available, may secure the ballot container

Election Official Terms

- **All election officials are now on the same training cycle (1/1/even – 12/31/odd)**
  - Municipal clerks and members of boards of canvassers who were up in 2016 have had their terms extended to December 31, 2017.
- **High school election inspectors: appointed for 1 election only**
  - HS inspectors cannot be a chief inspector or challenge a voter.

Oaths

- **All inspectors are required to file an oath before commencement of his or her duties.**
- **Valid for entire 2-year term**
- **EL-154**
- **EL-155**
- **EL-156**

QUESTIONS?

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SECTION 7 OF 15

VOTING EQUIPMENT

Equipment Types & Certification

- **Hand-count paper ballots**
- **Optical scan (mark sense)**
- **Direct recording electronic (DRE)**
- **Ballot marking devices (AutoMARK)**

- **Federal Certification**
  - Election Assistance Commission (EAC)
  - Independent Testing Authority (ITA)
- **State Approval**
  - 3 mock elections
  - Public demonstration
  - Board determination

Pre-Election Testing

- **Test all voting equipment for correctness and accuracy before every election**
  - Notice published at least 48 hours before test
  - Not earlier than 10 days before election
- **Test Deck**
  - Predetermined number of votes for each candidate and referendum
- **Errorless Count Requirement**
- **Zero-Count Requirement**

Administrative Rule Chapter 5: Ballot and Electronic Voting System Security

- Ensure public confidence in the electoral process
- Protect against malicious breaches to electronic voting equipment components and ballots.
- Provide transparency of justifiable access to voting equipment components.

Ballot Security

- Ballot bags shall be sealed with a tamper-evident serialized numbered seal.
- Tamper-evident serial number needs to be recorded on signed ballot container certification (EL-101) attached to the bag.
- Serial numbers of the seals shall be recorded on the Inspectors' Statement (EL-104)

Memory Device Security

- Applies to prom packs, memory cards or any other removable memory device programmed to store and transfer ballot data.
- For each election, the municipal clerk shall keep written chain-of-custody record for each memory card and record all transfers in the written chain-of-custody record.
- Each memory device shall have a unique permanent serial number.

Electronic Voting Equipment Security

- For each election, on the Inspectors' Statement (EL-104) the municipal clerk shall record which memory device and serialized seals are assigned to particular voting station or units.
- Chief Election Inspector verifies the serialized tamper-evident seal matches the number on the Inspectors' Statement (EL-104) and initials before the polls open and after the polls close.

Inspectors' Statement (EL-104)

Municipal Clerk provides the following information:

Voting Unit Number _____001_____
Memory Device Serial Number _____001-101_____
Tamper-Evident Seal Serial Number
_____395149_____

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 _____

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_____.

Using the Override Function

- The override function can now be used in the event of a crossover voted or overvoted ballot
- The decision to allow for the use of the override function on the optical scan equipment is up to each municipality
- If the override function is used, each instance should be marked on the Inspectors' Statement (EL-104). The notation should also include the reason why the function was used (i.e. overvote, crossover vote)

Overvoted Ballots

- **Overvote = voted for more candidates than allowed within a single contest**
  - If voter is present, provide an opportunity for the voter to spoil and vote another ballot (up to 3).
- **Overvoted ballots may be "remade" or "overridden"**
  - If voter is not present or has used up all 3 chances, election inspectors review the ballot for voter intent, if intent cannot be determined (e.g. actually voted for too many candidates) election inspectors may override or remake.
  - Should consistently use override OR remake process.
  - When remaking an overvoted ballot, no votes from the overvoted contest are carried over to the duplicate ballot.

Crossover Ballots

- **Crossover = voting in more than one party's partisan primary on the same ballot**
- **May be saved by "party preference" option**
- **Crossover votes can be overridden if a municipality decides to allow for the use of the override function on optical scan equipment.**
  - Inspector can advise voter to mark a party preference so that party's votes are counted
  - Elector can spoil and vote a new ballot (up to 3)
  - If voter is not present or used up 3 chances, remake or use the override function on the optical scan equipment to process the ballot.

Remaking Ballots

- **Some ballots may need to be "remade" on Election Day**
  - Voter circled names on ballot, damaged ballot, etc.
  - Remake to reflect voter intent so machine can accurately count the votes.
    - Overvoted contests are not carried over (left blank)
    - Crossover ballots are remade without votes in any partisan contest.
- **Election Inspectors must announce that a ballot is being remade & why**
  - Select a reason for remaking the ballot in the endorsement section of the ballot
  - Ballots are labeled "Original Ballot # (serial number)" and Duplicate Ballot # (same serial number) in the endorsement section of the ballot.

Remaking Ballots (con't)

- **Note on the Inspectors' Statement (EL-104)**
  - "OV" to identify overvoted ballots
  - "DM" to identify damaged ballots
  - "OT" to identify ballots remade for other reasons
- **Insert "remade" ballot into tabulating device**
- **Bundle "defective" ballots together and place in Original Ballots Envelope**
- **Original Ballots Envelope is placed in ballot container**

Post-Election Audits

- **Following each November general election, audit voting equipment to ensure accuracy**
- **Four contests on ballot selected**
- **Two individuals conduct independent counts of the ballots**
- **Tallies compared to each other**
- **The final hand-count tally should be compared to the Election Night tally tape**

QUESTIONS?

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SECTION 8 OF 15

ACCESSIBILITY

Polling Place Accessibility

- **Polling Place Accessibility Survey**
  - Must be completed for EVERY polling place
  - Must be completed every time you change or add a polling place
- **Other Recommendations**

Accessible Voting Equipment

- **All polling places must be equipped with at least one accessible voting component to permit all voters to vote privately and independently!**
- **Procedures**
  - Location of Equipment
  - Training of Election Inspectors

Training & Contacts

- **Resources for training inspectors on Accessibility:**
  - Access to Voting, Access to Democracy
  - Common Sense & Common Courtesy Checklist
  - Election Day Accessibility Checklist
- **Contacts**
  - WEC
  - Independent Living Centers (ILCs)
  - Disability Rights Wisconsin (DRW)
  - Americans with Disabilities Associations (ADA)

QUESTIONS?

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SECTION 9 OF 15

EMERGENCY PLANNING

Emergency Preparedness Planning

- **Report on Election-Related Contingency Planning – January 2007**
- **Findings:**
  - Many municipalities already have plans
  - Many areas where you can improve on plans
- **Examples of importance**
  - City of Madison

Creating A Plan

- **Create A Plan**
  - Normal Operating Procedures
  - Common Emergency Situations
  - Contact Numbers
  - How to Handle Election Materials
  - Alternate Polling Locations
- **Share Your Plan**
  - Election Inspectors
  - County Clerks
  - Local Emergency Crews

QUESTIONS?

SECTION 10 OF 15

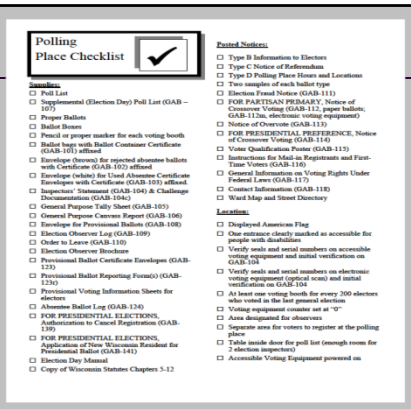
POLLING PLACES/SUPPLIES

Polling Places and Supplies

- **Governing Body establishes polling places**
  - at least 30 days before any election
- **Requirements**
  - Physical location must be accessible
  - All electors within a ward vote at same polling place
  - Single polling place can serve electors of more than one ward
- **Combining Wards – Resolution Required!**

Polling Places and Supplies (cont.)

- **Equipping the Polling Place**
  - Voting Booths & Equipment
  - Ballot Boxes (must be locked or secured)
  - National Flag (outside or inside)
  - Observer Area(s)
  - Information, Notices and Posters
  - Forms and Supplies
  - Miscellaneous



Polling Place Checklist

Supplies:

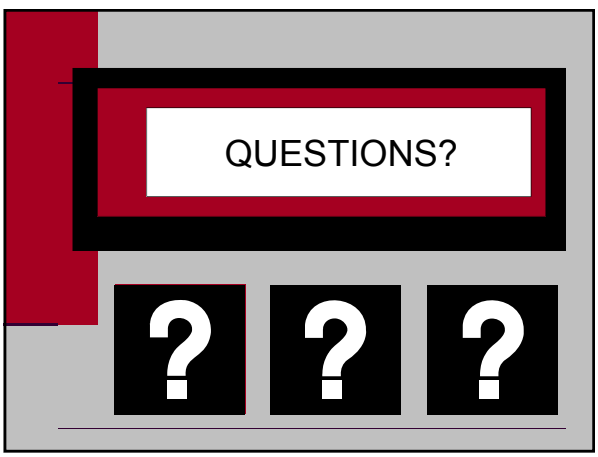
- ☐ Poll List
- ☐ Supplemental (Election Day) Poll List (GAB – 107)
- ☐ Proper Ballots
- ☐ Ballot Boxes
- ☐ Pencil or proper marker for each voting booth
- ☐ Ballot bags with Ballot Container Certificate (GAB-101) affixed
- ☐ Envelope (brown) for rejected absentee ballots with Certificate (GAB-102) affixed
- ☐ Envelope (white) for Used Absentee Certificate Envelopes with Certificate (GAB-103) affixed
- ☐ Inspectors' Statement (GAB-104) & Challenge Documentation (GAB-104c)
- ☐ General Purpose Tally Sheet (GAB-105)
- ☐ General Purpose Canvass Report (GAB-106)
- ☐ Envelope for Provisional Ballots (GAB-108)
- ☐ Election Observer Log (GAB-109)
- ☐ Order to Leave (GAB-110)
- ☐ Election Observer Brochure
- ☐ Provisional Ballot Certificate Envelopes (GAB-123)
- ☐ Provisional Ballot Reporting Form(s) (GAB-123c)
- ☐ Provisional Voting Information Sheets for electors
- ☐ Absentee Ballot Log (GAB-124)
- ☐ FOR PRESIDENTIAL ELECTIONS, Authorization to Cancel Registration (GAB-139)
- ☐ FOR PRESIDENTIAL ELECTIONS, Application of New Wisconsin Resident for Presidential Ballot (GAB-141)
- ☐ Election Day Manual
- ☐ Copy of Wisconsin Statutes Chapters 5-12

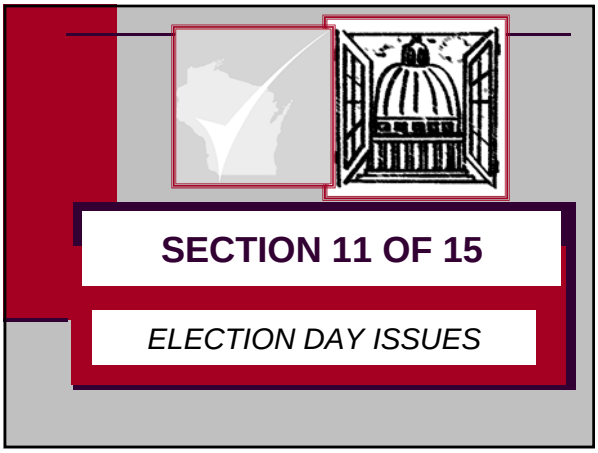
Posted Notices:

- ☐ Type B Information to Electors
- ☐ Type C Notice of Referendum
- ☐ Type D Polling Place Hours and Locations
- ☐ Two samples of each ballot type
- ☐ Election Fraud Notice (GAB-111)
- ☐ FOR PARTISAN PRIMARY, Notice of Crossover Voting (GAB-112, paper ballots; GAB-112m, electronic voting equipment)
- ☐ Notice of Overvote (GAB-113)
- ☐ FOR PRESIDENTIAL PREFERENCE, Notice of Crossover Voting (GAB-114)
- ☐ Voter Qualification Poster (GAB-115)
- ☐ Instructions for Mail-in Registrants and First-Time Voters (GAB-116)
- ☐ General Information on Voting Rights Under Federal Laws (GAB-117)
- ☐ Contact Information (GAB-118)
- ☐ Ward Map and Street Directory

Location:

- ☐ Displayed American Flag
- ☐ One entrance clearly marked as accessible for people with disabilities
- ☐ Verify seals and serial numbers on accessible voting equipment and initial verification on GAB-104
- ☐ Verify seals and serial numbers on electronic voting equipment (optical scan) and initial verification on GAB-104
- ☐ At least one voting booth for every 200 electors who voted in the last general election
- ☐ Voting equipment counter set at "0"
- ☐ Area designated for observers
- ☐ Separate area for voters to register at the polling place
- ☐ Table inside door for poll list (enough room for 2 election inspectors)
- ☐ Accessible Voting Equipment powered on





Role of the Clerk on Election Day

- **The clerk should NOT serve as an inspector**
- **Chief inspector is in charge of polling place, not the clerk!**
- **Clerk should be available for advice, supplies, etc.**
- **Clerk should periodically inspect the polling place**

Voter Registration and the Clerk

- **If the clerk wishes to register voters at the polling place on Election Day, self-appoint as an ERO**
  - Clerk cannot be a candidate on the ballot
  - If the clerk is registering voters in his or her office located in the same building as the polling place, must have a resolution of governing body.

Central Count Absentee Ballot Site

- **Governing body may pass an ordinance that allows absentee ballots to be centrally processed and canvassed at a site other than the polling place.**
- **Once the ordinance is in place, all absentee ballots for all elections are publicly processed and canvassed at the alternate site.**

Challenging Voters

- When there is reason to believe that an elector does not meet the qualifications to vote, the elector may be challenged.
- Challenges must have a basis.
- All Challenges are recorded on the EL-104c section of the EL-104.

Challenging Voters (cont.)

- Who can challenge an elector's right to vote:
  - Any qualified elector of Wisconsin (this includes election inspectors)
- Where can I find the challenge procedures?
  - Challenge procedures are set out on the EL-104c.

Election Observers

- Anyone, other than a candidate up for election, has the right to be present at the polling place to observe the conduct of the election.
- Establish observer area(s) when setting up polling place
- Observers may examine the poll list so long as they do not interfere with election inspectors' responsibilities

Photography/Videography

- **The use of cameras and/or recording equipment at a polling place is <u>not</u> permitted.**
- **Photographs and video recordings of the poll book and voted ballots are prohibited.**
- **Cell phones or other mobile devices may not be used for verbal communication, but texting is allowable.**

Electioneering

- **Electioneering is:**
  - any activity intended to influence voting at an election (ie: distribution of election-related material).
  - prohibited on public property within 100 feet of any entrance to a polling place.
- **Electioneering is not:**
  - election signs on private property
  - soliciting signatures for an unrelated petition outside the polling place
  - bumper stickers

QUESTIONS?

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SECTION 12 OF 15

POST-ELECTION ACTIVITIES

Election Night Reporting

- **Municipal clerks are required to make the returns from the polling places in their municipality public on Election Night.**
- **Municipal clerks are also required to forward on the returns from each ward or reporting unit to the county clerk within two hours of tabulation.**
- **County clerks are required to post these returns to their website within two hours of receipt.**

Post-Election Provisional Processes

- **The clerk must enter the information from the EL-123r on Election Night into the system provided by EL.**
  - If you rely on another municipality or the county for WisVote service, you must transmit this information to them on Election Night.
- **The clerk must post at their office and on the Internet the number of outstanding absentee and provisional ballots.**
  - If the municipality does not have a website, please work with your county or another municipality to post this information to the Internet.

Post-Election Provisional Processes

- **The clerk must be available the Wednesday – Friday following the election to receive provisional voter information.**
  - If you do not have regular office hours on any of these days, the clerk must post a notice at their office of how they can be contacted. This should also be included in the Provisional Voting Information Sheet.
  - The clerk may deputize another individual to receive provisional voter information on their behalf if they are not available.

Municipal Board of Canvassers (MBOC)

- **Election results are not complete until certified by the Board of Canvassers**
- **Required only for municipal offices**
- **Municipalities with only one polling place**
  - Election Inspectors constitute Board of Canvassers
- **Municipalities with more than one polling place**
  - Municipal clerk and two other qualified electors of the municipality appointed by clerk
  - Nonresident municipal clerk cannot be a member of the MBOC

Processing Late Arriving Absentee and Provisional Ballots

- **The Municipal Board of Canvassers (MBOC) must meet to tally any provisional ballots.**
  - This must occur no later than 9:00 a.m. the Monday following the election, but may begin as soon as all outstanding provisional ballots are accounted for.
  - If there are no outstanding provisional ballots, the MBOC proceeds normally to certify tallies or canvass as required.
  - The MBOC do not need to reconvene if the clerk certifies that no provisional ballots were received from the time of the initial canvass and 4 pm the Friday after the election.
- **Municipalities with only one reporting unit may use a "**mini-MBOC**" to tally provisional ballots.**
  - This mini-MBOC consists of the clerk, the chief inspector and one other inspector.
- **A Canvassers' Statement is NOT required unless you are determining local offices.**

Canvass Report

- **The Municipal Board of Canvassers must complete the Canvass Report (EL-106).**
- **Tabular Statement**
  - Lists all votes received in each municipal reporting unit for a particular office
- **Summary Statement**
  - List vote totals cast for each office
- **Certification Statement**
  - Signed by board of canvassers that all canvass documents are correct and true

Verify tamper-evident seals

- **The Municipal Board of Canvassers shall verify that the tamper-evident serial numbers from the voting equipment have been recorded on the Inspectors' Statement.**
- **Members to verify five (5) Inspectors' Statements or 10% (whichever is greater) of the total statements have been initialed by the Chief Election Inspector.**
- **Noted in minutes**

Certificate of Election

- **Issued to each candidate elected to any municipal office.**
- **Only issued after the deadline for filing a petition for recount has passed.**
  - Three business days following certification by the board of canvassers.
- **Do not send out certification if valid recount petition is filed.**
  - Wait until after the recount has been completed and the time for appeal has passed.

Statistics and Cost Reporting

- EL190F – Statistics report for each federal election (Due 30 days after)
- EL190NF – Statistics report for each state level election (Due 30 days after)
- EL-191 – Election specific cost report (Due 60 days after)
- EL-192 – Annual elections cost report (Due January 31 for the preceding calendar year)

QUESTIONS?

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SECTION 13 OF 15

RECOUNTS

Filing a Recount Petition

- **Petitioning for a Recount:**
  - Any candidate voted for may request a recount
  - Any elector who voted on a referendum may request a recount of the referendum
- **Petitioner must file a valid recount petition with the municipal clerk.**
  - Recount petition must be filed within three (3) business days following certification of board of canvassers

Recount Procedures

- **Notify the candidates**
- **Conduct the Recount**
- **Voting Equipment**
- **Appeals**

QUESTIONS?

SECTION 14 OF 15

RECALL

Filing a Recall Petition

- **Campaign Registration Statement (ETHCF-1)**
  - Must be filed before signatures may be obtained
  - Must indicate reason for recall

- **Recall Petition (EL-170)**
  - Must contain 25% of the vote cast for governor
  - Must be filed by 5:00 p.m. on the 60th day after registration
  - Every petition must indicate reason for recall

Recall Procedures

- **Candidate Eligibility**
  - Office holder being recalled does not have to file ballot access documents
  - Other candidates must file ballot access documents, including nomination papers
- **Recall Primary**
  - Held if more than two candidates compete for an office
- **Recall Election**
  - Recall elections are noticed, conducted, canvassed like all other elections

QUESTIONS?

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SECTION 15 OF 15

OTHER ELECTION MATERIALS

Cost of Elections

- **Who is responsible for ensuring certain requirements are accomplished?**
- **Who is financially responsible for certain requirements?**
- **Including:**
  - Polling Places
  - Notices
  - Polling place supplies and notices
  - Ballots
  - Labor
  - Equipment

Destruction of Election Materials

- You don't have to keep everything forever! Retention guide will help keep your office a little neater!
- Longest retention time is for canvass reports—10 years after the election for which they were created

QUESTIONS?

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ADDITIONAL RESOURCES

NEED HELP??

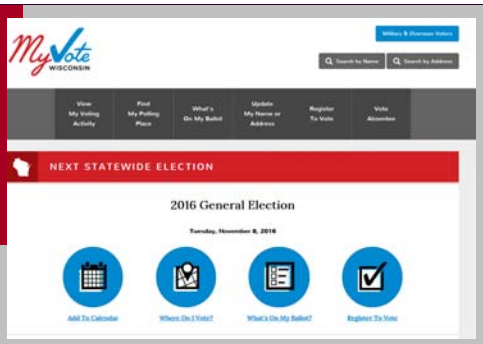
Additional Resources - Website

http://elections.wi.gov/

Recent Clerk Communications

http://elections.wi.gov/clerks/recent-communications

https://myvote.wi.gov



Additional Resources - Manual

All of the information presented today is reviewed in detail in your Election Administration Manual for Municipal Clerks.

As always, the Wisconsin Elections Commission staff is ready and willing to answer your questions. Contact information is listed in the directory of your manual.

QUESTIONS?

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Thank You!

Your certificate will be issued by your clerk-trainer or emailed to you!!