An outline map of the state of Wisconsin, including its major islands and water bodies, serves as a background for the title text.

Election Administration Manual

for
Wisconsin Municipal Clerks



Wisconsin Elections
Commission

October 2016

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INTRODUCTION

Elections in the State of Wisconsin are conducted at the local level. As a municipal clerk you are entrusted with the responsibility of ensuring fair, accessible, and transparent elections. Our job at the Wisconsin Elections Commission (WEC) is to provide you with a range of resources to support you in carrying out your duties.

Many changes have occurred in the way elections are conducted in the State of Wisconsin over the past ten years. The changes have not been easy but due to the dedication, patience, and hard-work of election officials at all levels of government, we have transitioned well into the new requirements. I believe local election administration in Wisconsin is better than ever and that is a testament to the efforts of Wisconsin's dedicated municipal clerk.

The *Election Administration Manual for Wisconsin Municipal Clerks* was developed to serve as a knowledge base for the array of duties required of municipal clerks. I encourage you to reference this manual frequently and to make use of the other resources cited throughout the manual. And, as always, the WEC staff is here to provide answers and advice to assist you in fulfilling your obligations to protect the integrity of elections and ensure public confidence in the election process.

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Ann S. Jacobs	Steve King
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Federal Information - Elections Administration

Military & Overseas Voting

Federal Voting Assistance Program
Department of Defense
1777 North Kent Street
Suite #14003
Washington, DC 22209
Phone: 800-438-VOTE (8683)
email: vote@fvap.gov
Website: <http://www.fvap.gov>

Help American Vote Act (HAVA) and Other Federal Election Law

United States Election Assistance Commission
1201 New York Avenue, N.W.
Suite 300
Washington, DC 20005
Phone 866-747-1471 or 202-566-3100
FAX 202-566-3127
Website: <http://www.eac.gov>

Election Fraud

US Dept of Justice
Bond Building, 1400 New York Avenue NW, 12th Floor
Washington, DC 20005
Phone: 202-514-1421
FAX: 202-514-3003
email: AskDOJ@usdoj.gov

Voting Rights Act

Voting Section, Civil Rights Division
Room 7254 - NWB
Department of Justice
950 Pennsylvania Ave., NW
Washington, DC 20530
Phone: 800-253-3931 or 202-307-2767
Email: Voting.Section@usdoj.gov
Website: <http://www.usdoj.gov>

ACCESSIBILITY SUPPLIES & CONTACTS

Wisconsin Coalition of Independent Living Centers
3810 Milwaukee Street
Madison, WI 53714
Voice and Text: 608-444-3842
TTY: 800-362-9877
Fax: 608-242-0383
Website: <http://www.il-wisconsin.net/coalition>

Disability Rights Wisconsin
131 W. Wilson Street, Suite 700
Madison, WI 53703
Phone: 800-928-8778 or 608-267-0214
TTY: 888-758-6049
FAX: 608-267-0368
Website: <http://www.disabilityrightswi.org/index.php>

Wisconsin Board for People with Developmental
Disabilities (BPDD)
201 West Washington Ave., Suite 110
Madison, WI 53703
Phone: 608-266-7826 or 888-332-1677
Fax: 608-267-3906
bpddhelp@wi-bpdd.org

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Coalition of Wisconsin Aging Groups
2850 Dairy Drive, Suite 100
Madison, WI 53718
Phone: (800) 366-2990 or (608) 224-0606
Fax: 608-224-0607
Email: namato@cwag.org
Website: <http://cwagwisconsin.org/>

VOTING EQUIPMENT VENDORS

Dominion Voting (servicing Premier systems)
221 Hopkins Avenue
Jamestown, NY 14701
Phone: 866-654-8683
Email: contact@DominionVoting.com
Website: <http://www.dominionvoting.com>

Command Central (*Programming/Supplies*)
P.O. Box 7306
St. Cloud, MN 56302
Phone: 320-259-7027
FAX: 320-259-7028

Election Systems & Software, Inc. (ES&S)
(also servicing Premier systems)
11208 John Galt Blvd.
Omaha, NE 68137
Phone: 800-247-8683 or 877-377-8683 (option 4 for tech support)
FAX: 402-593-8107
email: info@essvote.com
Website: <http://www.essvote.com/>

Populex
420 B Airport Road
Elgin, IL 60123
Phone: 877-767-8539
Website: <http://www.populex.com/>

Sequoia Voting Systems
7677 Oakport St, Suite 800
Oakland, CA 94621
Phone: 510-875-1200
FAX: 510-875-1226
Website: <http://www.sequoiavote.com/>

CALENDAR OF ELECTION AND CAMPAIGN EVENTS

NOVEMBER 2015 – DECEMBER 2016

Spring Primary – February 16, 2016
 Presidential Preference & Spring Election – April 5, 2016
 Partisan Primary – August 9, 2016
 General Election – November 8, 2016

Note: If any deadline falls on a Saturday where you do not have regular office hours, a Sunday, or a State legal holiday, the deadline is moved to the next secular day. Wis. Stat. § 990.001(4). The below deadlines have been calculated with the assumption that your office is closed on Saturdays.

<u>DATE</u>		<u>STATUTE</u>
2015		
NOVEMBER		
16	Government Accountability Board sends Type A notice of Spring Primary on February 16, 2016, and Presidential Preference & Spring Election on April 5, 2016, to county clerks.	10.01(1), (2)(a), 10.06(1)(a) – no later than November 15
24	County clerks publish Type A notice of Spring Primary on February 16, 2016, and Presidential Preference & Spring Election on April 5, 2016.	10.01(2)(a), 10.06(2)(a) – 4 th Tuesday of November
24	Municipal clerks publish Type A notice of Spring Primary on February 16, 2016, and Presidential Preference & Spring Election on April 5, 2016.	10.01(2)(a), 10.06(3)(a), (4)(a) – 4 th Tuesday of November
30	Last day for political parties to submit list of nominees for election inspectors and special voting deputies to municipalities.	6.875(4), 7.30(4)(b), (c) – no later than November 30
DECEMBER		
1	First day for candidates to circulate nomination papers for the 2016 Presidential Preference & Spring Election.	8.05(3)(a), (4)(b), 8.10(2)(a) – December 1
1	First day for town or village governing body to set the date for caucus .	8.05(1)(a) – between December 1 and January 1
1	Municipal clerks certify the approximate number of electors in municipality to county clerks.	5.66(1) – 1 st day of the 2 nd month preceding a primary
1	Last day for electors of a village to petition for a primary .	8.11(1m)(c) – December 1
8	Last day for filing officer to receive referendum questions or petitions for referendum intended for the Spring Primary ballot.	8.37 – 70 days prior to the election
9	Deadline for filing officer to file a copy of the referendum question intended for the Spring Primary with the county clerk.	8.37 – next business day after receipt by filing officer
18	Poll lists from the February 18, 2014, Spring Primary may be destroyed .	7.23(1)(e) – 22 months after election
28	Last day (5:00 p.m.) for incumbents not seeking reelection to file Notification of Noncandidacy (GAB-163) with the filing officer. (Failure to notify will extend nomination paper deadline 72 hours for that office.)	8.10(2)(a), 120.06(6)(b) – 2 nd Friday preceding the deadline for nomination papers
31	Closing date for January continuing campaign finance report.	11.20(8)(b) – December 31

DATESTATUTE**DECEMBER**

31 Last day for **governing body to appoint election officials** for the 2016-2017 term. 7.30(4) – no later than December 31

2016

JANUARY

-	Municipal clerk publishes caucus notice , if applicable.	8.05(1)(b) – at least 5 days before the date of the caucus
2	First day for town or village governing body to hold caucus .	8.05(1)(a) – between January 2 and January 21
4	Last day for town or village governing body to set date for caucus .	8.05(1)(a) – between December 1 and January 1
5	Last day (5:00 p.m.) for candidates to file nomination papers, declarations of candidacy, and campaign registration statements for the Presidential Preference & Spring Election with filing officer.	8.05(3)(a), (4)(b), 8.10(2)(a), (5), 8.21, 8.30, 11.10(1) – 1 st Tuesday in January
8	Last day (4:30 p.m.) for all judicial candidates to file Statement of Economic Interests with Government Accountability Board.	19.43(4) – 3 rd day following the deadline for nomination papers
8	Last day for governing body of a city or village to decide upon a primary , or for electors of a city to petition for a primary , if not required by ordinance.	8.11(1)(a), (c), (1m)(a) – 3 rd day following the deadline for nomination papers
8	Deadline for filing officer to accept challenges to nomination papers .	8.07, GAB 2.07 – within 3 calendar days of the deadline to file nomination papers
-	Filing officer arranges to deliver a copy of the challenge to the challenged candidate.	GAB 2.07 (2)(a) – within 24 hours of receipt of challenge
-	Deadline for challenged candidate to file a verified response with the filing officer.	GAB 2.07(2)(b) – within 3 calendar days of the challenge being filed
12	Last day (if a primary is scheduled) for municipal governing body to designate an alternate location for requesting and voting an absentee ballot . (This location will remain in use through the Spring Election.)	6.855(1) – no fewer than 14 days prior to the time that absentee ballots are available for the election
12	Last day for filing officers to draw names of candidates by lot for placement on the Spring Primary ballot and for the Presidential Preference & Spring Election where no primary is required.	5.58(1b)(bm), (cm), (1c), (1g)(c), (2), (2m) 5.60(1)(ag), (b), (3)(b), (4)(c), (5)(ar), (6)(a) – 2 nd Tuesday in January
12	Last day for Government Accountability Board to send Type B notice information and certification of candidates to county clerks for the Spring Primary (if required) or the Presidential Preference & Spring Election (if no primary is required).	10.01(2)(b), 10.06(1)(c) – 2 nd Tuesday in January
-	County clerks send notification of election to municipal clerks as soon as possible after receipt of Type B notice from Government Accountability Board and after adding any county offices or referenda.	10.06(2)(b)

DATESTATUTE**JANUARY**

-	County clerks prepare Spring Primary ballots and send proofs to Government Accountability Board for review as soon as possible before printing.	5.72(1), 7.10(2)
-	Municipal clerks send absentee ballots to electors with valid requests on file for the Spring Primary as soon as they are available. (Any UOCAVA ballots must be recorded in SVRS)	42 U.S.C. § 1973ff-1, Wis. Stat. § 7.15(1)(cm)
15	Last day for registrants to file January continuing campaign finance reports.	11.0204(2)(c), (3)(b), (4)(c), (d), (5)(b), (c), (6)(a), (b) – January 15
18	Last day for governing body of municipality to establish location of polling places for the Spring Primary.	5.25(3) – 30 days before the election
18	Last day for governing body of municipality to pass resolution combining wards for the Spring Primary.	5.15(6)(b) – 30 days before the election
18	Last day for governing body of municipality to authorize appointment of tabulators for the Spring Primary.	7.30(3)(a) – 30 days before the election
19	County and municipal clerks publish Type A notice of referenda (if required).	10.01(2)(a), 10.06(2)(n), (3)(f), (4)(f) – 4 th Tuesday preceding the election
19	Municipal clerks publish Type E notice of absentee voting instructions for the Spring Primary.	10.01(2)(e), 10.06(3)(as) – 4 th Tuesday preceding the election
19	Last day for electors to begin to acquire residence for the Spring Primary. (Electors moving after this date may vote from their prior address.)	6.02(1), 6.10(3) – 28 days before Election Day
21	Last day for town or village governing body to hold caucus.	8.05(1)(a) – no later than January 21
-	Municipal clerk notifies in writing the two candidates receiving the highest number of votes at the caucus of their nomination. (If unnumbered seats, candidates equal to twice the number of positions to be filled shall be notified).	8.05(1)(j)1
-	Last day (5:00 p.m.) for caucus nominees to file declarations of candidacy and campaign registration statements for the Presidential Preference & Spring Election with the municipal clerk.	8.05(1)(j)2 – no later than 5:00 p.m. on the 5 th day after notification is mailed or personally delivered
-	Deadline for filing officers in municipalities using caucus to draw names of candidates by lot for placement on the Presidential Preference & Spring Election ballot.	8.05(1)(j)4 – 3 rd day after qualification of candidates from the caucus
-	Municipal clerks in municipalities using caucus to certify names of municipal candidates and any municipal referenda to county clerks for printing of ballots for the Presidential Preference & Spring Election.	10.06(3)(bm) – as soon as possible, but no later than 3 days after qualification of candidates from the caucus
25	Last day for county clerks and school district clerks to deliver ballots and supplies to municipal clerks for the Spring Primary.	7.10(1), (3), 120.06(8)(d) – no later than 22 days before the election
25	First day for special voting deputies to conduct absentee voting for residents in nursing homes and authorized care facilities for the Spring Primary. (5 working day notice required.)	6.875(6) – 4 th Monday preceding election
26	Last day for the filing officer to receive referendum questions or petitions for referendum intended for the Presidential Preference & Spring Election ballot.	8.37 – 70 days prior to the election

DATESTATUTE**JANUARY**

26	Deadline for municipal clerks to send absentee ballots to electors with valid requests on file for the Spring Primary.	7.15(1)(cm) – no later than 21 days before the election
27	Deadline for filing officer to file a copy of the referendum question intended for the Presidential Preference & Spring Election with the county clerk.	8.37 – next business day after receipt by filing officer
27	Last day for electors to register to vote by mail or by Special Registration Deputy in the Spring Primary. Mailed registrations must be postmarked no later than this date. (After this date, electors must register in person in municipal clerk's office or at the polls).	6.26(2)(a), 6.28(1) – no later than the 3 rd Wednesday before the election
28	Clerks must have the Ineligible Voter List available for in-person voter registrations.	6.29(2)(am)
28	First day for clerks to issue certificate of registration (GAB-133) to late registrants.	6.28(1), 6.29(2)(b)

FEBRUARY

1	Last day for municipal clerk to submit Annual Elections Costs Report (GAB-192) for 2015 via WEDCS.	No later than January 31 st for the preceding calendar year.
1	Poll lists from the April 1, 2014, Spring Election may be destroyed.	7.23(1)(e) – 22 months after election
1	Last day for state registrants to pay filing fee , (if required).	11.055(1), (2)
1	First day for clerks to issue absentee ballots in person in the clerk's office.	6.86(1)(b) – no earlier than 3 rd Monday preceding the election
1	Closing date for Spring pre-primary campaign finance report.	11.20(8)(a) – 15 th day preceding the election
4	Last day (if no primary was held) for municipal governing body to provide for the relocation of the absentee ballot processing and voting function. This location will remain in use through the Presidential Preference & Spring Election).	6.855(1) – no fewer than 14 days prior to the deadline for ballots to be available
-	Municipal or county clerk must publish notice of public test of electronic voting equipment at least 48 hours prior.	5.84(1) – 48 hours prior to public test
6	First day for municipal or county clerk to conduct public test of electronic voting equipment.	5.84(1) – not more than 10 days prior to the election
8	Last day for registrants to file Spring pre-primary campaign finance reports.	11.0204(2)(a) – not later than 8 days preceding the primary
8	Last day (5:00 p.m.) for special voting deputies to make arrangements with authorized care facility administrators for establishing one or more dates for conducting absentee voting for the Spring Primary.	6.875(6) – the 6 th working day before the election
9	Last day for municipal clerk to post notice of absentee voting at authorized care facilities. (Notice is posted as soon as possible after arrangements have been made, but no later than 5 working days before the time absentee voting is conducted.)	6.875(6)(a) – at least 5 working days before the visit
9	First day for municipal clerk to issue absentee ballots by agent to hospitalized electors.	6.86(3)(c) – not earlier than 7 days before the election

DATESTATUTE**FEBRUARY**

11	Last day (5:00 p.m.) for electors to request absentee ballots by mail (except for indefinitely confined electors and military electors) for the Spring Primary.	6.86(1)(b) – the 5 th day preceding the election
12	Last day (5:00 p.m.) for indefinitely confined electors and military electors to request absentee ballots by mail for the Spring Primary.	6.86(1)(b) – the Friday preceding the election
12	Last day (5:00 p.m.) to register in person at the municipal clerk's office to vote at the Spring Primary.	6.29(2)(a) – the Friday preceding the election
12	Last day (7:00 p.m.) for electors to make application in person to the municipal clerk for absentee ballots to vote in the Spring Primary (except hospitalized electors and sequestered jurors).	6.86(1)(b) – the Friday preceding the election
12	Last day (12 noon) for write-in candidates to file registration statement for the Spring Primary.	7.50(2)(em) – noon on the Friday preceding the election
15	County and municipal clerks publish a Type B notice of voting instructions and sample ballots for the Spring Primary (if required).	10.01(2)(b), 10.02, 10.06(2)(d), (3)(b) – the Monday preceding election
15	County and municipal clerks publish Type C notice of referenda (if required).	10.01(2)(c), 10.06(3)(b) – the Monday preceding the election
15	Municipal clerks publish Type D notice of the location and hours of polling places for the Spring Primary (if required).	10.01(2)(d) – the Monday preceding the election
15	Last day (5:00 p.m.) for special voting deputies to conduct absentee voting for residents in nursing homes and authorized care facilities for the Spring Primary.	6.875(6) – the Monday preceding the election
16	SPRING PRIMARY (if required).	5.02(22) – 3 rd Tuesday in February
16	Deadline (5:00 p.m.) for sequestered juror to apply for an absentee ballot and for hospitalized elector to make application by agent for an absentee ballot for the Spring Primary.	6.86(1)(b), (3)(c) – Election Day
16	Deadline (8:00 p.m.) for absentee ballots to be delivered to the polling place .	6.87(6) – Election Day
16	Election inspectors complete the returns for all votes cast at the polling place .	7.51, 7.53(1)(a) – immediately after the polls close
16	Election inspectors in municipalities that have combined wards and one polling place complete and sign the municipal canvass statement for the Spring Primary .	7.53(1)(a) – immediately after the polls close
16	Election inspectors report results of the Spring Primary to proper clerks immediately upon completion of ward/election district canvass.	7.51(4)(b), 7.60(1) – immediately after votes are tabulated
16	Deadline (8:00 p.m.) for clerk to post at his or her office and on the Internet, a statement of the number of absentee ballots the clerk has mailed or transmitted to absentee electors that have not been returned .	7.515(5) – no later than closing hour of the polls on Election Day
16	Deadline for clerk to post at his or her office and on the Internet, a statement of the number of electors who have cast provisional ballots that cannot be counted until the electors provide the necessary documentation.	7.15(15) – as soon as possible after the closing hour for all polling places in the municipality on election night

DATESTATUTE**FEBRUARY**

16	Municipal clerk must enter the information from the Provisional Ballot Reporting Form (GAB-123r) from each reporting unit into the Provisional Ballot Tracking System. (Even if no provisional ballots are issued.)	42 U.S.C. § 15482
-	County clerks prepare Presidential Preference only ballots and send proofs to Government Accountability Board for review as soon as possible before printing.	5.72(1), 7.10(2)
-	Municipal clerks send Presidential Preference only ballots to military and permanent overseas electors with valid requests on file for the Presidential Preference as soon as they are available. (Ballots must be tracked in SVRS.)	42 U.S.C. § 1973ff-1, Wis. Stat. § 7.15(1)(cm)
17	Last day for county clerk to deliver Presidential Preference Only ballots and supplies to municipal clerks for the Presidential Preference & Spring Election.	7.10(1), (3) – 48 days before the Presidential Preference
17	Municipal clerks deliver tally sheets, inspectors' statements, ballots, and applicable envelopes and materials to county and school district clerks by 4:00 p.m.	7.51(5) – the day following the election
18	Municipal clerks (in municipalities that canvass absentee ballots at an alternate location) deliver tally sheets, inspectors' statements, ballots, and applicable envelopes to county clerks by 4:00 p.m.	7.51(5), 7.52 – the 2 nd day following the election
18	Deadline for municipal clerks to send Presidential Preference only ballots to military and permanent overseas electors with valid requests on file for the Presidential Preference. (Ballots must be tracked in SVRS.)	42 U.S.C. § 1973ff-1, 7.15(1)(c), (cm) – no later than 47 days before the election
19	Deadline (4:00 p.m.) for all absentee ballots to be delivered via USPS to the municipal clerk (must be postmarked by Election Day).	6.87(6), 7.515(3) – the Friday after the election
19	Deadline (4:00 p.m.) for electors who voted provisionally to provide missing information so that their ballot may be counted.	6.97(3)(b) – the Friday after the election
22	Deadline (9:00 a.m.) for the Municipal Board of Canvassers to convene for processing late-arriving ballots and the canvass of the Spring Primary, if necessary.	7.53(1)(a), 7.53(2)(d) – no later than 9:00 a.m. on the Monday after the election
22	Deadline (4:00 p.m.) for the Municipal Board of Canvassers to finish processing late-arriving ballots and the canvass of the Spring Primary, if necessary.	7.51(5)(b) – no later than 4:00 p.m. on the Monday after the election
-	Municipal clerks certify names of municipal candidates and any municipal referenda to county clerks for printing of ballots for the Presidential Preference & Spring Election.	10.06(3)(bm) – as soon as possible, but no later than 3 days after the municipal canvass is complete
23	Deadline (9:00 a.m.) for the County Board of Canvassers to convene for the canvass of the Spring Primary, if necessary.	7.60(3) – no later than 9:00 a.m. on the Tuesday after the election
23	Deadline (9:00 a.m.) for the School District Board of Canvassers to convene for the canvass of the Spring Primary, if necessary.	7.53(3)(a) – no later than 9:00 a.m. on the Tuesday after the election

DATESTATUTE**FEBRUARY**

23	Deadline (4:00 p.m.) for the School District Board of Canvassers to complete the canvass of the Spring Primary, if necessary.	7.53(3)(a) – no later than 4:00 p.m. on the Tuesday after the election
25	Last day for county clerks to deliver statement of county canvass of the Spring Primary for judicial offices to Government Accountability Board.	7.60(5) – no later than 9 days after a primary
-	Deadline for filing officers to draw names of candidates by lot for placement on the Presidential Preference & Spring Election ballot.	5.60(1)(b), (5), (6) – 3 rd day after completion of the canvass

MARCH

1	Clerks may clear memory devices for their voting equipment from the Spring Primary if the data has been transferred to another medium to be retained for 22 months. (No further retention if the equipment was approved for use prior to January 1, 2009.)	7.23(1)(g) – 14 days after a primary.
1	Last day for chairperson of the Government Accountability Board to certify results of the Spring Primary.	7.70(3)(a) – 2 nd Tuesday following Spring Primary
1	Last day for Government Accountability Board to send Type B notice information and certification of candidates for the Presidential Preference & Spring Election to county clerks.	10.01(2)(b), 10.06(1)(e) – no later than the 1 st Tuesday in March
-	County clerks send notification of election to municipal clerks as soon as possible after receipt of Type B notice from Government Accountability Board and after adding any county offices or referenda.	10.06(2)(e)
-	County clerks prepare full ballots and send proofs to Government Accountability Board for review as soon as possible before printing.	5.72(1), 7.10(2)
-	Last day for county clerk to deliver full ballots to municipal clerks for the Presidential Preference & Spring Election.	7.10(1), (3) – 48 days before the Presidential Preference
-	Municipal clerks send full absentee ballots to all electors (except permanent overseas electors) with valid requests on file for the Presidential Preference & Spring Election as soon as they are available. (Military ballots must be tracked in SVRS.)	42 U.S.C. § 1973ff-1, Wis. Stat. § 7.15(1)(cm) – no later than 47 days before the election
7	Last day for governing body of municipality to establish location of polling places for the Presidential Preference & Spring Election.	5.25(3) – 30 days before the election
7	Last day for governing body of municipality to pass resolution combining wards for the Presidential Preference & Spring Election.	5.15(6)(b) – 30 days before the election
7	Last day for governing body of municipality to authorize appointment of tabulators for the Presidential Preference & Spring Election.	7.30(3)(a) – 30 days before the election
8	County and municipal clerks publish Type A notice of referenda (if required).	10.01(2)(a), 10.06(2)(f), (3)(bs) – 4 th Tuesday before the election
8	Municipal clerks publish Type E notice of absentee voting instructions for the Presidential Preference & Spring Election.	10.01(2)(e), 10.06(3)(bs) – 4 th Tuesday before the election

DATESTATUTE**MARCH**

8	Last day for electors to begin to acquire residence for the Presidential Preference & Spring Election. (Electors moving after this date may vote from their prior address.)	6.02(1), 6.10(3) – 28 days before Election Day
14	First day for special voting deputies to conduct absentee voting for residents in nursing homes and authorized care facilities for the Presidential Preference & Spring Election. (5 working day notice required.)	6.875(6) – no earlier than the 4 th Monday preceding the election
15	Government Accountability Board sends Type A notice of Partisan Primary on August 9, 2016, and General Election on November 8, 2016, to county clerks.	10.01(1), (2)(a), 10.06(1)(f) – 3 rd Tuesday in March
16	Last day for electors to register to vote by mail or by Special Registration Deputy in the Presidential Preference & Spring Election. Mailed registrations must be postmarked no later than this date. (After this date, electors must register in person in municipal clerk's office or at the polls).	6.26(2)(a), 6.28(1) – no later than the 3 rd Wednesday before the election
17	Clerks must have the Ineligible Voter List available for in-person voter registrations.	6.29(2)(am)
17	First day for clerks to issue certificate of registration (GAB-133) to late registrants.	6.28(1), 6.29(2)(b)
17	Ballots from the Spring Primary may be destroyed if no election contest, recount, or litigation is pending.	7.23(1)(h) – 30 days after the election
17	Last day for municipal clerk to submit their Registration and Voting Statistics Report (GAB-190NF) for the Spring Primary via WEDCS.	6.275 – within 30 days after each primary and election at which a state or national office is filled
21	Closing date for Spring pre-election campaign finance report.	11.20(8)(a) – 15 th day preceding the election
21	First day for clerks to issue absentee ballots in person in the clerk's office.	6.86(1)(b) – no earlier than 3 rd Monday preceding the election
-	Municipal or county clerk must publish notice of public test of electronic voting equipment at least 48 hours before the test.	5.84(1)
26	First day for municipal or county clerk to conduct public test of electronic voting equipment.	5.84(1) – no earlier than 10 days preceding the election
28	Last day for registrants to file Spring pre-election campaign finance reports.	11.0204(3)(a) – No later than 8 days preceding the election
28	Last day (5:00 p.m.) for special voting deputies to make arrangements with nursing home and authorized care facility administrators for establishing one or more dates for conducting absentee voting for the Presidential Preference & Spring Election.	6.875(6) – the 6 th working day before the election
29	Last day for municipal clerk to post notice of absentee voting at authorized care facilities. (Notice is posted as soon as possible after arrangements have been made, but no later than 5 working days before the time absentee voting is conducted.)	6.875(6)(a) – at least 5 working days before the visit
29	First day for municipal clerk to issue absentee ballots by agent to hospitalized electors.	6.86(3)(c) – not earlier than 7 days before the election

DATESTATUTE**MARCH**

31	Last day (5:00 p.m.) for electors to request absentee ballots by mail (except for indefinitely confined electors and military electors) for the Presidential Preference & Spring Election.	6.86(1)(b) – 5 th day before the election
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APRIL

1	Last day (5:00 p.m.) for indefinitely confined electors and military electors who are NOT on active duty away from their voting residence to request absentee ballots by mail for the Presidential Preference & Spring Election.	6.86(1)(b), (c) – Friday before the election
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1	Last day (5:00 p.m.) for electors to register to vote in the Presidential Preference & Spring Election in the municipal clerk's office.	6.29(2)(a) – Friday before the election
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1	Last day (7:00 p.m.) for electors to make application in person to the municipal clerk for absentee ballots to vote in the Presidential Preference & Spring Election (except hospitalized electors and sequestered jurors).	6.86(1)(b) – Friday before the election
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1	Last day (12 noon) for write-in candidates to file registration statement for the Presidential Preference & Spring Election.	7.50(2)(em) – noon on the Friday preceding the election
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4	County and municipal clerks publish Type B notice of voting instructions and facsimile ballots for the Presidential Preference & Spring Election.	10.01(2)(b), 10.02, 10.06(2)(g), (3)(c) – Monday before the election
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4	County and municipal clerks publish Type C notice of referenda (if required).	10.01(2)(c), 10.06(2)(g), (3)(c) – Monday before the election
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4	Municipal clerks publish Type D notice of the location and hours of polling places for the Presidential Preference & Spring Election.	10.01(2)(d), 10.06 (3)(c) – Monday before the election
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4	Last day (5:00 p.m.) for special voting deputies to conduct absentee voting for residents in nursing homes and certain other qualified facilities for the Presidential Preference & Spring Election.	6.875(6) – Monday before the election
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5	PRESIDENTIAL PREFERENCE & SPRING ELECTION for President of the United States, Supreme Court Justice, Court of Appeals Judge, Circuit Court Judge, County Nonpartisan Offices, Municipal Offices, School District Offices, and Referenda (if required).	5.02(21) – 1 st Tuesday in April
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5	Last day (5:00 p.m.) for military electors who are on active duty away from their voting residence to request absentee ballots by mail.	6.86(1)(b) – Election Day
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5	Deadline (5:00 p.m.) for sequestered jurors to apply for an absentee ballot and for hospitalized elector to make application by agent for an absentee ballot for the Presidential Preference & Spring Election.	6.86(1)(b), (3)(c) – Election Day
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5	Deadline (8:00 p.m.) for absentee ballots to be delivered to the polling place.	6.87(6) – Election Day
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5	Election inspectors complete the returns for all votes cast at the polling place.	7.51, 7.53(1)(a) – immediately after the polls close
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DATESTATUTE

APRIL

5	Election inspectors in municipalities that have combined wards and one polling place complete and sign the municipal canvass statement for the Presidential Preference & Spring Election.	7.53(1)(a) – immediately after the polls close
5	Election inspectors report results of the Presidential Preference & Spring Election to proper clerks immediately upon completion of ward/election district canvass.	7.51(4)(b), 7.60(1) – immediately after votes are tabulated
5	Deadline (8:00 p.m.) for clerk to post at his or her office and on the Internet, a statement of the number of absentee ballots the clerk has mailed or transmitted to absentee electors that have not been returned.	7.515(5) – no later than closing hour of the polls on Election Day
5	Deadline for clerk to post at his or her office and on the Internet, a statement of the number of electors who have cast provisional ballots that cannot be counted until the electors provide the necessary documentation.	7.15(15) – as soon as possible after the closing hour for all polling places in the municipality on election night
5	Municipal clerk must enter the information from the Provisional Ballot Reporting Form (GAB-123r) from each reporting unit into the Provisional Ballot Tracking System. (Even if no provisional ballots are issued.)	42 U.S.C. § 15482
5	County clerks send Type A notice of Partisan Primary on August 9, 2016, and General Election on November 8, 2016, to municipal clerks after adding any county offices or referenda.	10.01(2)(a), 10.06(2)(gm) – 1 st Tuesday in April
6	Municipal clerks deliver tally sheets, inspectors' statements, ballots, and applicable envelopes and materials to county and school district clerks by 4:00 p.m.	7.51(5) – the day after the election
7	Municipal clerks (in municipalities that canvass absentee ballots at an alternate location) deliver tally sheets, inspectors' statements, ballots, and applicable envelopes to county clerks by 4:00 p.m.	7.51(5), 7.52 – the 2 nd day after the election
8	Deadline (4:00 p.m.) for all absentee ballots to be delivered via USPS to the municipal clerk (must be postmarked by Election Day).	6.87(6), 7.515(3) – the Friday after the election
8	Deadline (4:00 p.m.) for electors who voted provisionally to provide missing information so that their ballot may be counted.	6.97(3)(b) – the Friday after the election
11	Deadline (9:00 a.m.) for the Municipal Board of Canvassers to convene for processing late-arriving ballots and the canvass of the Presidential Preference & Spring Election.	7.53(1)(a), 7.53(2)(d) – no later than 9:00 a.m. on the Monday after the election
11	Deadline (4:00 p.m.) for the Municipal Board of Canvassers to finish processing late-arriving ballots and the canvass of the Presidential Preference & Spring Election.	7.51(5)(b) – no later than 4:00 p.m. on the Monday after the election
12	Deadline (9:00 a.m.) for the County Board of Canvassers to convene for the canvass of the Presidential Preference & Spring Election.	7.60(3) – no later than 9:00 a.m. on the Tuesday after the election
12	Deadline (9:00 a.m.) for the School District Board of Canvassers to convene for the canvass of the Presidential Preference & Spring Election.	7.53(3)(a) – no later than 9:00 a.m. on the Tuesday after the election

<u>DATE</u>		<u>STATUTE</u>
APRIL		
12	Deadline (4:00 p.m.) for the School District Board of Canvassers to complete the canvass of the Presidential Preference & Spring Election.	7.53(3)(a) – no later than 4:00 p.m. on the Tuesday after the election
12	County clerks publish Type A notice of Partisan Primary on August 9, 2016, and General Election on November 8, 2016.	10.01(2)(a), 10.06(2)(h) – 2 nd Tuesday in April
15	First day for candidates to circulate nomination papers for the General Election.	8.15(1) – April 15
15	Last day for county clerks to deliver statement of county canvass of the Presidential Preference & Spring Election for judicial offices to Government Accountability Board.	7.60(5) – no later than 10 days after the election
-	County, municipal, and school district clerks issue certificates of election after expiration of time to file petition for recount and appeal of recount.	7.53(4), 7.60(6), 120.06(10)
26	Clerks may clear memory devices for their voting equipment from the Presidential Preference & Spring Election if the data has been transferred to another medium to be retained for 22 months. (No further retention if the equipment was approved for use prior to January 1, 2009.)	7.23(1)(g) – 21 days after the election.
MAY		
5	Last day for municipal clerk to submit their Registration and Voting Statistics Report (GAB-190NF) for the Presidential Preference & Spring Election via WEDCS.	6.275 – within 30 days after each primary and election at which a state or national office is filled
16	Last day for chairperson of the Government Accountability Board to certify results of the Spring Election.	7.70(3)(a) – May 15
20	Last day (5:00 p.m.) for incumbents not seeking reelection to file Notification of Noncandidacy (GAB-163) with the filing officer. (Failure to notify will extend nomination paper deadline 72 hours for that office.)	8.15(1) – 2 nd Friday preceding the deadline for nomination papers
31	Last day for filing officer to receive referendum questions or petitions for referendum intended for the Partisan Primary ballot.	8.37 – 70 days prior to the election
JUNE		
1	Last day (5:00 p.m.) for candidates to file nomination papers, declarations of candidacy, and campaign registration statements for the General Election with filing officer.	8.15(1), 8.20(8)(a), 8.21 – June 1
6	Last day (4:30 p.m.) for all state candidates to file Statement of Economic Interests with Government Accountability Board.	19.43(4) – 3 rd day following the deadline for nomination papers
6	Deadline for filing officer to accept challenges to nomination papers.	8.07, GAB 2.07 – within 3 calendar days of the deadline to file nomination papers
-	Filing officer arranges to deliver a copy of the challenge to the challenged candidate.	GAB 2.07(2)(a) – within 24 hours of receipt of challenge
-	Deadline for challenged candidate to file a verified response with the filing officer.	GAB 2.07(2)(b) – within 3 calendar days of the challenge being filed
-	Last day for filing officers to draw names of candidates by lot for placement on the Partisan Primary ballot.	5.60(1)(b), 5.62(3), (4)

DATESTATUTE**JUNE**

9	Last day for municipal governing body to designate an alternate location for requesting and voting an absentee ballot. (This location will remain in use through the November general election.)	6.855(1) – 14 days before ballots are available
10	Last day for Government Accountability Board to send Type B notice information and certification of candidates to county clerks for Partisan Primary.	10.01(2)(b), 10.06(1)(h) – June 10
-	County clerks prepare ballots and send proofs to Government Accountability Board for review as soon as possible before printing.	5.72(1), 7.10(2)
-	Municipal clerks send absentee ballots to electors with valid requests on file for the Partisan Primary as soon as they are available. (Any UOCAVA ballots must be recorded in SVRS)	42 U.S.C. § 1973ff-1, Wis. Stat. § 7.15(1)(cm)
12	Poll lists and ballots from the August 12, 2014, Partisan Primary may be destroyed.	7.23(1)(e), (f) – 22 months after the election
22	Last day for county clerks to deliver ballots and supplies to municipal clerks for the Partisan Primary.	7.10(1),(3) – 48 days before the Partisan Primary
23	Deadline for municipal clerks to send absentee ballots to electors with valid requests on file for the Partisan Primary.	7.15(1)(cm) – 47 days before the Partisan Primary
30	Closing date for July continuing campaign finance report.	11.20(8)(c) – June 30

JULY

11	Last day for governing body of municipality to pass resolution combining wards for Partisan Primary.	5.15(6)(b) – 30 days before the election
11	Last day for governing body of municipality to establish polling places for Partisan Primary.	5.25(3) – 30 days before the election
11	Last day for governing body of municipality to authorize appointment of tabulators for Partisan Primary.	7.30(3)(a) – 30 days before election
12	County and municipal clerks publish Type A notice of referenda (if required).	10.01(2)(c), 10.06(2)(g), (3)(cm) – 4 th Tuesday preceding election
12	Municipal clerks publish Type E notice of absentee voting instructions for Partisan Primary.	10.01(2)(e), 10.06(3)(cm) – 4 th Tuesday preceding the election
12	Last day for electors to begin to acquire residence for the Partisan Primary. (Electors moving after this date may vote from their prior address.)	6.02(1), 6.10(3) – 28 days before Election Day
15	Last day for registrants to file July continuing campaign finance reports.	11.0204(2)(c), (3)(b), (4)(c), (d), (5)(b), (c), (6)(a), (b) – July 15
18	First day for special voting deputies to conduct absentee voting for residents in nursing homes and authorized care facilities for the Partisan Primary. (5 working day notice required.)	6.875(6) – no earlier than the 4 th Monday preceding the election
20	Last day for electors to register to vote by mail or by Special Registration Deputy in Partisan Primary. Mailed registrations must be postmarked no later than this date. (After this date, electors must register in person in municipal clerk's office or at the polls).	6.26(2)(a), 6.28(1) – no later than the 3 rd Wednesday before the election

DATESTATUTE**JULY**

21	Clerks must have the Ineligible Voter List available for in-person voter registrations.	6.29(2)(am)
21	First day for clerks to issue certificate of registration (GAB-133) to late registrants.	6.28(1), 6.29(2)(b)
25	Closing date for Fall Pre-Primary campaign finance report .	11.20(8)(a) – 15 th day preceding the election
25	First day for clerks to issue absentee ballots in person in the clerk's office .	6.86(1)(b) – no earlier than the 3 rd Monday preceding the election
-	Municipal or county clerk must publish notice of public test of electronic voting equipment at least 48 hours before the test.	5.84(1)
30	First day for municipal or county clerk to conduct public test of electronic voting equipment.	5.84(1) – 10 days before the election

AUGUST

1	Last day for registrants to file Fall Pre-Primary campaign finance reports .	11.0204(4)(a) – no later than 8 days before the primary
1	Last day (5:00 p.m.) for special voting deputies to make arrangements with authorized care facility administrators for establishing one or more dates for conducting absentee voting for the Partisan Primary.	6.875(6) – the 6 th working day before the election
2	First day for municipal clerk to issue absentee ballots by agent to hospitalized electors .	6.86(3)(c) – not earlier than 7 days before the election
2	Last day for municipal clerk to post notice of absentee voting at authorized care facilities . (Notice is posted as soon as possible after arrangements have been made, but no later than 5 working days before the time absentee voting is conducted.)	6.875(6)(a) – at least 5 working days before the visit
4	Last day (5:00 p.m.) for electors (except for military electors and indefinitely confined electors) to request absentee ballots by mail for Partisan Primary.	6.86(1)(b) – 5 th day preceding the election
5	Last day (5:00 p.m.) for indefinitely confined electors and military electors who are NOT on active duty away from their voting residence to request absentee ballots by mail for the Partisan Primary.	6.86(1)(c), (2)(a) – Friday preceding the election
5	Last day (5:00 p.m.) for electors to register to vote in the Partisan Primary in the municipal clerk's office .	6.29(2)(a) – Friday preceding the election
5	Last day (7:00 p.m.) for electors to make application in person to the municipal clerk for absentee ballots to vote in the Partisan Primary (except for hospitalized electors and sequestered jurors).	6.86(1)(b) – Friday preceding the election
5	Last day (12 noon) for write-in candidates to file registration statement for the Partisan Primary.	7.50(2)(em) – noon on the Friday preceding the election
8	County clerks publish Type B notice of voting instructions and facsimile ballots for Partisan Primary.	10.01(2)(b), 10.02, 10.06(2)(j) – Monday preceding the election
8	County clerks publish Type C notice of referenda (if required).	10.01(2)(c) – Monday preceding the election
8	Municipal clerks publish Type D notice of the location and hours of polling places for the Partisan Primary.	10.01(2)(d) – Monday preceding the election

DATESTATUTE**AUGUST**

8	Last day (5:00 p.m.) for special voting deputies to conduct absentee voting for residents in nursing homes and authorized care facilities for Partisan Primary.	6.875(6) – Monday preceding the election
9	PARTISAN PRIMARY	5.02(12s) – 2 nd Tuesday in August
9	Last day (5:00 p.m.) for military electors who are on active duty away from their voting residence to request absentee ballots by mail.	6.86(1)(b) – Election Day
9	Deadline (5:00 p.m.) for sequestered juror to apply for an absentee ballot and for hospitalized elector to make application by agent for an absentee ballot for the Partisan Primary.	6.86(1)(b), (3)(c) – Election Day
9	Deadline (8:00 p.m.) for absentee ballots to be delivered to the polling place.	6.87(6) – Election Day
9	Election inspectors complete the returns for all votes cast at the polling place.	7.51, 7.53(1)(a) – immediately after the polls close
9	Deadline (8:00 p.m.) for clerk to post at his or her office and on the Internet, a statement of the number of absentee ballots the clerk has mailed or transmitted to absentee electors that have not been returned.	7.515(5) – No later than closing hour of the polls on Election Day
9	Deadline for clerk to post at his or her office and on the Internet, a statement of the number of electors who have cast provisional ballots that cannot be counted until the electors provide the necessary documentation.	7.15(15) – as soon as possible after the closing hour for all polling places in the municipality on election night
9	Municipal clerk must enter the information from the Provisional Ballot Reporting Form (GAB-123r) from each reporting unit into the Provisional Ballot Tracking System. (Even if no provisional ballots are issued.)	42 U.S.C. § 15482
10	Municipal clerks deliver tally sheets, inspectors' statements, ballots, and applicable envelopes and materials to county clerks by 4:00 p.m.	7.51(5) – the day after the election
11	Municipal clerks (in municipalities that canvass absentee ballots at an alternate location) deliver tally sheets, inspectors' statements, ballots, and applicable envelopes and materials to county clerks by 4:00 p.m.	7.51(5), 7.52 – the 2 nd day after the election
12	Deadline (4:00 p.m.) for electors who voted provisionally to provide missing information so that their ballot may be counted.	6.97(3) – the Friday following the election
12	Deadline (4:00 p.m.) for all absentee ballots to be delivered via USPS to the municipal clerk (must be postmarked by Election Day).	6.87(6), 7.515(3) – the Friday after the election
15	Deadline (9:00 a.m.) for the Municipal Board of Canvassers to convene for processing late-arriving ballot for the Partisan Primary.	7.53(1)(a), 7.53(2)(d) – no later than 9:00 a.m. on the Monday after the election
15	Deadline (4:00 p.m.) for the Municipal Board of Canvassers to finish processing late-arriving ballots for the Partisan Primary.	7.51(5)(b) – no later than 4:00 p.m. on the Monday after the election

DATESTATUTE**AUGUST**

16	Deadline (9:00 a.m.) for the County Board of Canvassers to convene for the canvass of the Partisan Primary.	7.60(3) – no later than 9:00 a.m. on the Tuesday after the election
19	Last day for county clerks to deliver statement of county canvass of Partisan Primary for state and federal offices to Government Accountability Board.	7.60(5) – 10 days after election
23	Last day for Government Accountability Board to send Type B notice information and certification of candidates for General Election to county clerks.	10.01(2)(b), 10.06(1)(i) – 4 th Tuesday in August
23	Municipal clerks may clear or erase memory devices for their voting equipment from the Partisan Primary, if the data has been transferred to another medium (to be retained for 22 months).	7.23(1)(g) – 14 days after a primary
24	Last day for chairperson of the Government Accountability Board to certify the results of the Partisan Primary.	7.70(3)(a) – 3 rd Wednesday following election
-	Filing officers draw names of candidates by lot for placement on the General Election ballot	5.60(1)(b) – no later than the 3 rd day after completion of the primary canvass
30	Last day for filing officer to receive referendum questions or petitions for referendum intended for the General Election ballot.	8.37 – 70 days prior to the election
31	Deadline for filing officer to file a copy of the referendum question with the county clerk.	8.37 – next business day after received by filing officer
-	County clerks prepare ballots and send proofs to Government Accountability Board for review as soon as possible before printing.	5.72(1), 7.10(2)
-	Municipal clerks send absentee ballots to electors with valid requests on file for the General Election as soon as they are available. (Any UOCAVA ballots must be recorded in SVRS)	42 U.S.C. § 1973ff-1, Wis. Stat. § 7.15(1)(cm)

SEPTEMBER

4	Poll lists and ballots from the November 4, 2014, General Election may be destroyed.	7.23(1)(e), (f) – 22 months after the election
8	Last day for municipal clerk to submit their Registration and Voting Statistics Report (GAB-190F) for the Partisan Primary via WEDCS.	6.275 – within 30 days after each primary and election at which a state or national office is filled
21	Last day for county clerks to deliver ballots and supplies to municipal clerks for the General Election.	7.10(1), (3) – 48 days before the election
22	Deadline for municipal clerks to send absentee ballots to electors with valid requests on file for the General Election.	7.10(3), 7.15(1)(c), (cm) – 47 days before the election
27	Last day for registrants to file September report.	11.0204(4)(d), (5)(c) – 4 th Tuesday in September

OCTOBER

10	Last day for governing body of municipality to establish location of polling places for General Election.	5.25(3) – 30 days before the election
10	Last day for governing body of municipality to pass resolution combining wards for General Election.	5.15(6)(b) – 30 days before the election

DATESTATUTE**OCTOBER**

10	Last day for governing body of municipality to authorize appointment of tabulators for General Election.	7.30(3)(a) – 30 days before the election
11	Municipal clerks publish Type E notice of absentee voting instructions for General Election.	10.01(2)(e), 10.06(3)(cm) – 4 th Tuesday preceding election
11	County and municipal clerks publish Type A notice of referenda (if required).	10.01(2)(c), 10.06(2)(g), (3)(c) – 4 th Tuesday preceding election
11	Last day for electors to begin to acquire residence for the General Election. (Electors moving after this date may vote from their prior address.)	6.02(1), 6.10(3) – 28 days before Election Day
17	First day for special voting deputies to conduct absentee voting for residents in nursing homes and authorized care facilities for the General Election. (5 working day notice required.)	6.875(6) – no earlier than the 4 th Monday preceding the election
19	Last day for electors to register to vote by mail or by Special Registration Deputy in General Election. Mailed registrations must be postmarked no later than this date. (After this date, electors must register in person in municipal clerk's office or at the polls).	6.26(2)(a), 6.28(1) – no later than the 3 rd Wednesday before the election
20	Clerks must have the Ineligible Voter List available for in-person voter registrations.	6.29(2)(am)
20	First day for clerks to issue certificate of registration (GAB-133) to late registrants.	6.28(1), 6.29(2)(b)
24	Closing date for Fall pre-election campaign finance report.	11.20(8)(a) – 15 th day preceding the election
24	First day for clerks to issue absentee ballots in person in the clerk's office.	6.86(1)(b) – no earlier than the 3 rd Monday preceding the election
-	Municipal or county clerk must publish notice of public test of electronic voting equipment at least 48 hours before the test.	5.84(1) – 48 hours before the public test
29	First day for municipal or county clerk to conduct public test of electronic voting equipment.	5.84(1) – no earlier than 10 days prior to the election
31	Last day for registrants to file Fall pre-election campaign finance report.	11.0204(5)(a) – no later than 8 days before the election
31	Last day (5:00 p.m.) for special voting deputies to make arrangements with authorized care facility administrators for establishing one or more dates for conducting absentee voting for the General Election.	6.875(6) – the 6 th working day before the election

NOVEMBER

1	Last day for municipal clerk to post notice of absentee voting at authorized care facilities. (Notice is posted as soon as possible after arrangements have been made, but no later than 5 working days before the time absentee voting is conducted.)	6.875(6)(a) – at least 5 working days before the visit
1	First day for municipal clerk to issue absentee ballots by agent to hospitalized electors.	6.86(3)(c) – not earlier than 7 days before the election
3	Last day (5:00 p.m.) for electors (except military electors and indefinitely confined electors) to request absentee ballots by mail for General Election.	6.86(1)(b) – 5 th day preceding the election

DATESTATUTE**NOVEMBER**

4	Last day (5:00 p.m.) for indefinitely confined electors and military electors who are NOT on active duty away from their residence to request absentee ballots by mail for General Election.	6.86(1)(b) – Friday preceding the election
4	Last day (5:00 p.m.) for electors to register to vote in the General Election in the municipal clerk's office.	6.29(2)(a) – Friday preceding the election
4	Last day (7:00 p.m.) for electors to make application in person to the municipal clerk for absentee ballots to vote in the General Election (except hospitalized electors and sequestered jurors).	6.86(1)(b) – Friday preceding the election
4	Last day (12 noon) for write-in candidates to file registration statement for the General Election.	7.50(2)(em) – noon on the Friday preceding the election
7	County clerks publish Type B notice of voting instructions and facsimile ballots for General Election.	10.01(2)(b), 10.02, 10.06(2)(m) – Monday preceding the election
7	County clerks publish Type C notice of referenda (if required).	10.01(2)(c), 10.06(2)(m) – Monday preceding the election
7	Municipal clerks publish Type D notice of locations and hours of polling places for General Election.	10.01(2)(d), 10.06(3)(d) – Monday preceding the election
7	Last day (5:00 p.m.) for special voting deputies to conduct absentee voting for residents in nursing homes and authorized care facilities for General Election.	6.875(6) – Monday preceding the election
8	GENERAL ELECTION	5.02(5) – Tuesday after the 1 st Monday in November
8	Deadline (5:00 p.m.) for sequestered juror to apply for an absentee ballot and for hospitalized elector to make application by agent for an absentee ballot for General Election.	6.86(1)(b), (3)(c) – Election Day
8	Deadline (5:00 p.m.) for military electors who are on active duty away from their voting residence to request absentee ballots by mail.	6.86(1)(b) – Election Day
8	Deadline (8:00 p.m.) for absentee ballots to be delivered to the polling place.	6.87(6) – Election Day
8	Deadline (8:00 p.m.) for clerk to post at his or her office and on the Internet, a statement of the number of absentee ballots the clerk has mailed or transmitted to absentee electors that have not been returned.	7.515(5) – no later than closing hour of the polls on Election Day
8	Deadline for clerk to post at his or her office and on the Internet, a statement of the number of electors who have cast provisional ballots that cannot be counted until the electors provide the necessary documentation.	7.15(15) – as soon as possible after the closing hour for all polling places in the municipality on election night
8	Municipal clerk must enter the information from the Provisional Ballot Reporting Form (GAB-123r) from each reporting unit into the Provisional Ballot Tracking System. (Even if no provisional ballots are issued.)	42 U.S.C. § 15482
8	Election inspectors complete the returns for all votes cast at the polling place.	7.51, 7.53(1)(a) – immediately after the polls close

DATESTATUTE**NOVEMBER**

9	Municipal clerks deliver tally sheets, inspectors' statements, ballots, and applicable envelopes and materials to county clerks by 4:00 p.m.	7.51(5) – the day after the election
10	Municipal clerks (in municipalities that canvass absentee ballots at an alternate location) deliver tally sheets, inspectors' statements, ballots, and applicable envelopes and materials to county clerks by 4:00 p.m.	7.51(5), 7.52 – 2 nd day after the election
11	Deadline (4:00 p.m.) for all absentee ballots to be delivered via USPS to the municipal clerk (must be postmarked by Election Day).	6.87(6), 7.515(3) – the Friday after the election
11	Deadline (4:00 p.m.) for electors who voted provisionally to provide missing information so that their ballot may be counted.	6.97(3)(b) – Friday following election
14	Deadline (9:00 a.m.) for the Municipal Board of Canvassers to convene for processing late-arriving ballots for the General Election.	7.53(1)(a), 7.53(2)(d) – no later than 9:00 a.m. on the Monday after the election
14	Deadline (4:00 p.m.) for the Municipal Board of Canvassers to finish processing late-arriving ballots for the General Election.	7.51(5)(b) – no later than 4:00 p.m. on the Monday after the election
15	Deadline (9:00 a.m.) for the County Board of Canvassers to convene for the canvass of the General Election.	7.60(3) – no later than 9:00 a.m. on the Tuesday after the election
15	Government Accountability Board sends Type A notice of the Spring Primary on February 21, 2017, and the Spring Election on April 4, 2017, to county clerks.	10.01(1), (2)(a), 10.06(1)(a) – No later than November 15
22	County clerks publish Type A notice of the Spring Primary on February 21, 2017, and the Spring Election on April 4, 2017.	10.01(2)(a), 10.06(2)(a) – 4 th Tuesday in November
22	Municipal clerks publish Type A notice of the Spring Primary on February 21, 2017, and the Spring Election on April 4, 2017.	10.01(2)(a), 10.06(3)(a), (4)(a) – 4 th Tuesday in November
22	Last day for county clerks to deliver statement of county canvass of General Election for state and federal offices to Government Accountability Board.	7.60(5) – 14 days after the General Election
-	County clerks issue certificates of election after expiration of time to file petition for recount and appeal of recount.	7.60(6)
29	Municipal clerks may clear or erase memory devices for their voting equipment from the General Election, if the data has been transferred to another medium (to be retained for 22 months).	7.23(1)(g) – 21 days after the election

DECEMBER

1	Last day for chairperson of the Government Accountability Board to certify results of General Election.	7.70(3)(a) – December 1
1	First day for candidates to circulate nomination papers for the 2017 Spring Election.	8.05(3)(a), (4)(b), 8.10(2)(a) – December 1
1	First day for town or village governing body to set the date for caucus.	8.05(1)(a) – Between December 1 and January 1

DATESTATUTE**DECEMBER**

1	Municipal clerks certify the approximate number of electors in municipality to county clerks.	5.66(1) – 1 st day of the 2 nd month preceding a primary
8	Last day for municipal clerk to submit their Registration and Voting Statistics Report (GAB-190F) for the General Election via WEDCS.	6.275 – within 30 days after each primary and election at which a state or national office is filled
13	Last day for filing officer to receive referendum questions or petitions for referendum intended for the Spring Primary ballot.	8.37 – 70 days prior to the election
14	Deadline for filing officer to file a copy of the referendum question intended for the Spring Primary with the county clerk.	8.37 – next business day after receipt by filing officer
17	Poll lists from the February 17, 2015, Spring Primary may be destroyed.	7.23(1)(e) – 22 months after the election
23	Last day (5:00 p.m.) for incumbents not seeking reelection to file Notification of Noncandidacy (GAB-163) with the filing officer. (Failure to notify will extend nomination paper deadline 72 hours for that office.)	8.10(2)(a), 120.06(6)(b) – 2 nd Friday preceding the deadline for nomination papers
31	Closing date for January continuing campaign finance report.	11.20(8)(b) – December 31

CANDIDATES

Summary

All candidates must meet certain qualification requirements and must also complete and file proper ballot access documents in order to gain a spot on the ballot. Municipal clerks serve as the filing officer for municipal offices. Therefore, the municipal clerk should keep detailed records of candidate filings and correspondence. Municipal offices are nonpartisan and are up for election on the first Tuesday in April. If a primary is required, the primary is held on the third Tuesday in February preceding the spring election.

Qualifications for Office

All candidates must meet the residency requirements established for the office to which he or she is seeking election.

1. City Offices: A qualified elector* of the city and residing in city at the time of election.
2. Aldermanic Offices: A qualified elector* of the city and aldermanic district, and residing in the district at the time of election.
3. Village Offices: A qualified elector* of the village and residing in village at the time of election.
4. Town Offices: A qualified elector* of the town at the time of taking office, except an assessor who is appointed under Wis. Stat. § 60.307.
5. School Offices: A qualified elector* of the school district at the time of filing a Declaration of Candidacy (EL-162). If representing an apportioned area, also a resident of that area at the time of taking office.

*A qualified elector is defined in Wis. Stat. § 6.02, as a U.S. citizen, 18 years of age or older, who has resided in the election district for at least 28 consecutive days before an election at which he or she offers to vote and who is not

disqualified by virtue of one or more of the impediments described in Wis. Stat. § 6.03.

Note: No person may hold any state or local elected office in Wisconsin if the person has been convicted of a felony in any court in the United States unless the person has been pardoned of the conviction. Additionally, no person may have his or her name placed on the ballot for any state or local elective office in Wisconsin if the person has been convicted of a felony in any court in the United States unless the person has been pardoned of the conviction (Wis. Const. Art. XIII, § 3(3)). Any person who falsely signs this statement could be convicted of a violation of Wis. Stat. § 12.13(3)(a), (am).

Ballot Access Procedure

All candidates, regardless of office sought, must complete ballot access documents. Most candidates are nominated for office through the filing of nomination papers. However, some towns and villages use the caucus procedure to nominate candidates for town or village office. All candidates, regardless of the nomination procedure used, must file two documents:

1. Campaign Registration Statement (ETHCF-1).
2. Declaration of Candidacy (EL-162).

If a candidate fails to file one or both of these forms with the municipal clerk by the deadline for filing nomination papers or by 5:00 p.m. on the fifth day after a candidate receives notification of nomination at a caucus, the clerk cannot place the candidate's name on the ballot. (If the fifth day falls on a Sunday or holiday, the deadline is extended to the next business day.)

Municipal judge candidates also need to submit a *Statement of Economic Interests* to the Wisconsin Ethics Commission in order to meet ballot access requirements. Ballot Access Checklists (ELIS-6, 7) for municipal candidates indicate this requirement and the appropriate filing deadline. Forms and instructions are available from the Wisconsin Ethics Commission's website (<http://ethics.wi.gov>) or by contacting the Wisconsin Ethics Commission at 608-266-8123.

Additionally, some municipalities may have an ethics ordinance under Wis. Stat. § 19.59(3)(b), requiring a *Statement of Economic Interests* to be filed with the local

filing officer in order to achieve ballot status. If you are unsure whether your municipality has an ethics statement requirement, you should check with your municipal attorney. If the statement is not filed by the deadline, the candidate's name will not appear on the ballot.

Clerks should make "candidate packets" available for all prospective municipal candidates. All ballot access forms and checklists are available on the Wisconsin Ethics Commission's website. Candidate packets should include the following forms:

1. Campaign Registration Statement (ETHCF-1).
2. Declaration of Candidacy (EL-162).
3. Nomination Paper for Nonpartisan Office (EL-169), if required.
4. Appropriate Ballot Access and Campaign Finance Checklists (ELIS-6, ELIS-7, ELIS-8).

Campaign Registration Statement (ETHCF-1)

Candidates may register by filing a Campaign Registration Statement (ETHCF-1) at any time, but not later than the deadline for filing nomination papers or not later than 5:00 p.m. on the fifth day after receipt of notification of nomination at a caucus. A candidate is also required to register as soon as practicable after receiving a contribution or making expenditure.

Note: A candidate who accepts contributions or makes disbursements prior to registration is in violation of campaign finance law and may be subject to a civil forfeiture. Contributions or expenditures to open a post office box, open a bank account, or produce nomination papers are allowed prior to registration as long as they are properly reported on the first campaign finance report, if the candidate is not exempt from reporting.

The following information is required on each section of the Campaign Registration Statement (ETHCF-1):

1. Candidate and Candidate Committee Information

- a. The name and address of the candidate.
- b. The title of the office the candidate is seeking.
- c. Any applicable district number or seat number.
- d. The primary and election dates.
- e. Party affiliation does not apply to municipal (nonpartisan) elections.
- f. Contact information (although not required, it is recommended that the clerk obtain contact information)

2. Political Committee Information

Not applicable to candidates. Only local referenda and recall committees register with the local clerk (see Other Registrants section). All other types of committees register with the state.

3. Committee Information

A treasurer is required. If there is not a separate treasurer, the candidate is the treasurer.

4. Principal Officers of Committee

Not required unless there are principal officers and/or custodians of accounts.

Note: This section can be used to list persons authorized to fill a vacancy in nomination in the event of the death of the candidate.

5. Depository Information

Depository information is required.* A separate campaign account is required unless the candidate serves as treasurer of the campaign and is exempt from filing campaign finance reports. In that case, a personal account may be used.

*This section may only be left blank if the clerk has a signed letter from the candidate promising that the candidate will not spend any money on the campaign.

In some cases, banks may require a completed ETHCF-1 to open a campaign account. In such a case the candidate may register without a bank account, but the ETHCF-1 must be amended within 10 days to include the depository information.

6. Certification

Must be signed by the candidate and treasurer (if there is a separate treasurer).

7. Exemption

If the candidate qualifies for exemption* from filing campaign finance reports, the appropriate box (“This candidate is eligible for exemption”) must be checked, and the candidate or treasurer must sign.

***Eligibility for Exemption:** A committee may be eligible for an exemption from filing campaign finance reports if it does not accept contributions, make disbursements, or incur loans and other obligations in an aggregate amount exceeding \$2,000 in a calendar year.

Committees on exemption may receive up to \$2,000 in a calendar year, and may spend up to \$2,000 in the same calendar year. The candidate’s contributions do count toward the total receipts of \$2,000 or less in a calendar year. If the committee exceeds the \$2,000 threshold, the committee is required to amend its registration statement to come off exemption and begin filing campaign finance reports.

Candidates who do not qualify for exemption should be directed to the *Campaign Finance Overview – Local Candidates*. The clerk must provide campaign finance forms upon request.

The campaign finance reporting exemption is only for a single calendar year. Candidate committees must reapply each year if they wish to remain exempt. Candidate committees that do not wish to continue should file a termination request (ETHCF-13).

Declaration of Candidacy (EL-162)

The Declaration of Candidacy (EL-162) may be filed at any time, but not later than the deadline for filing nomination papers or not later than 5:00 p.m. on the fifth day after receipt of notification of nomination at a caucus. A person who has been convicted of a felony cannot run for or hold public office unless he or she has been pardoned of the offense. The Declaration of Candidacy (EL-162) contains a certification that the candidate meets this requirement. **NOTE:** School District Candidates use EL-162sd.

The following information is required:

1. The candidate's name.
2. The proper title of the office the candidate is seeking, including any applicable seat, branch or district number.
3. Party affiliation does not apply for municipal (nonpartisan) elections.
4. The candidate's residential address, including number and street and municipality for voting.
5. The candidate's name in the form that the candidate wishes the name to appear on the ballot.
6. The form must be notarized or signed by a person authorized to administer oaths.

Nomination Paper Procedure

All cities and some villages and towns use the nomination paper process.

1. Nomination Papers for Nonpartisan Office (EL-169) containing sufficient signatures for the office sought must be filed, along with the Campaign Registration Statement (ETHCF-1) and Declaration of Candidacy (EL-162), not later than 5:00 p.m. on the first Tuesday in January for the Spring Election (if the first Tuesday in January is a holiday, the deadline is the next business day).

2. Nomination papers may not be circulated before December 1st in the year preceding the Spring Election.
3. Upon receipt of completed nomination papers, the municipal clerk should immediately review the filed papers to determine sufficiency. Nomination papers must be filled out correctly. In order to be sufficient, the following information is required for each section.
 - a. Review the Candidate Information (top of form). All information concerning the candidate must be completed in full before circulating this form to obtain signatures of electors, including:
 - i. Name of the Candidate as it will appear on the ballot
 - ii. Candidate's residential (physical) address (number and street and municipality for voting). *If the mailing address is the same as the residential address except for the municipality, the municipality used for mailing must also be provided.*
 - iii. Candidate's mailing address if different from residential address
 - iv. Date of Election
 - v. Title of Office (must be listed along with any branch, district, or seat number that clearly identifies the office the candidate is seeking i.e., Town Board Supervisor number, if applicable; aldermanic district number if not an at-large seat)
 - vi. Name of jurisdiction or district in which candidate seeks office. (Town of Smith, Village of Jones, City of Green, Aldermanic District 1)
 - b. Review the Signatures of Electors section. Each row should contain the following:
 - i. Signature of elector (need not be legible)
 - ii. Printed name (must be legible)
 - iii. Address including street number and name
 - iv. Municipality for voting
 - v. Complete date of signing (Date must be between the first day to circulate and the nomination paper filing deadline.)

- c. A nomination paper circulator must be a qualified elector of Wisconsin or, if not a resident of Wisconsin, a U.S. citizen, age 18 or older who would be eligible to vote in Wisconsin if he or she were a resident.

Review the Certification of Circulator for the following:

- i. Name of Circulator
- ii. Address of Circulator (number, street and municipality for voting)
- iii. Signature of Circulator (need not be legible)
- iv. Date of certification (Date must be on or after the latest date of a signer.)

- 4. The number of signatures required depends on the office sought. The Ballot Access Checklist for Municipal Candidates (ELIS-7), which includes the number of signatures required for municipal office, should be included in the candidate packet.

a. 1 st Class Cities		
Citywide offices		1,500 – 3,000
Aldersperson		200 – 400
b. 2 nd and 3 rd Class Cities		
Citywide offices		200 – 400
Aldersperson Elected At-Large		100 – 200
Aldersperson Elected by Alder District		20 – 40
c. 4 th Class Cities		
Citywide offices		50 – 100
Aldersperson		20 – 40
d. Village and town offices		
		20 – 100
e. School Districts (if nomination papers are used)		
Board of school directors		400 – 800
1 st Class Cities		
School Board Member		100 – 200
territory within a 2 nd class city		
School Board Member		20 – 100
no territory with a 1 st or 2 nd class city		

5. The municipal clerk should issue a receipt to the candidate or candidate's agent when nomination papers are filed. A sample Nomination Paper Receipt (EL-151) is available on the agency website.

Nomination by Caucus Procedure

The specific procedure for nomination by caucus is detailed in the publication, *Procedures for Nomination of Candidate by Caucus*, which is available on the agency website.

1. Only towns and villages may use the nomination by caucus procedure to determine the candidates for town or village office. Nomination by caucus is used in lieu of nomination papers and replaces the nonpartisan primary.

At the caucus, nominations for town or village office are taken from the qualified electors present, either by acclamation (voice vote) or by ballot. If necessary, the number of nominees will be reduced, to no more than twice the number of positions to be filled, by a vote of the qualified electors present.

2. The town or village board must decide the date of the caucus between December 1st and January 1st. The date of the caucus must be set between January 2 and January 21. Where possible, preference should be given to having the caucus on January 21. The caucus does not have to be on a Tuesday.
3. In addition to being nominated at the caucus, candidates must file the Campaign Registration Statement (ETHCF-1) and the Declaration of Candidacy (EL-162), not later than 5:00 p.m. on the fifth day after receipt of notification of nomination at the caucus. (If the fifth day falls on a Sunday or holiday, the deadline is extended to the next business day.)
4. Notification of nomination by caucus can be sent by certified mail or personally delivered. If personally delivered, the candidate should sign a receipt indicating that notification was received. Sample Notice of Nomination at Caucus and Receipt of Notice of Nomination are included in the *Procedures for Nomination of Candidate by Caucus* manual, which is available on the agency website.

Write-In Candidates

A candidate who wishes to run as a write-in is required to file a Campaign Registration Statement (ETHCF-1) before collecting or spending any money on the campaign no later than 12:00 p.m. on the Friday preceding the election. If the candidate has already filed an ETHCF-1 with the filing officer and subsequently decides to run as a write-in Commission staff recommend the candidate submit a short written statement to the filing officer reflecting their intent to run as a write-in. In some cases, votes cast for write-in candidates who do not file a campaign registration statement may not be counted. Please see the “Ballots” section of this manual.

Notification of Noncandidacy

An incumbent officeholder who does not intend to run again for the position he or she currently holds should file a Notification of Noncandidacy (EL-163). This alerts the public and potential candidates that the incumbent does not intend to run for re-election.

During November before the spring election, the filing officer should remind each incumbent to file a Notification of Noncandidacy (EL-163) if they do not intend to seek re-election to the office they currently hold. The Notification of Noncandidacy (EL-163) is used in municipalities using nomination papers.

Note: Filing of the Notification of Noncandidacy (EL-163) has no effect when candidates are nominated by the caucus procedure.

Filing Deadlines

1. The Notification of Noncandidacy (EL-163) is due the second Friday before the deadline for filing nomination papers.
2. If an incumbent candidate fails to file a Notification of Noncandidacy (EL-163) on time, and does not file the appropriate documents to qualify for the ballot on time:
 - a. The deadline for filing ballot access documents is extended 72 hours for that office.

- b. This means that anyone, except the incumbent, can file the required ballot access documents and sufficient nomination papers within the extension period and qualify for placement on the ballot.

Filing Officers & Recordkeeping

Municipal clerks serve as the filing officers for the following elected offices:

1. City Clerk: Mayor, City Clerk, Treasurer, Alderperson, any other elected city offices.
2. Village Clerk: Village President, Trustee, Clerk, Treasurer, Municipal Judge, any other elected village offices.
3. Town Clerk: Chairperson, Supervisor, Clerk, Treasurer, Assessor, Constable, Municipal Judge.
4. School District Clerk School Board Member

Note: Multi-jurisdictional municipal judges file with the county clerk of the largest portion of the jurisdiction served by the judge.

Note: The Milwaukee City Board of Election Commissioners serves as the filing officer for all City of Milwaukee offices, including school board.

The municipal clerk is responsible for receiving and retaining forms associated with candidates. The clerk shall create a separate file for each candidate. The following forms should be maintained in the candidate's file and kept for the applicable retention period:

1. Campaign Registration Statement (ETHCF-1)
2. Declaration of Candidacy (EL-162)
3. Nomination Paper for Nonpartisan Office (EL-169), if applicable
4. Nomination Paper receipts, if applicable
5. Receipt for Caucus Notification (Certified Mail or In-Person), if applicable

6. Campaign Finance Report (EL-2L), if required

7. Correspondence

A retention schedule entitled “Destruction of Election Materials” can be found in the *Other Materials* section of this manual.

Frequently Asked Questions

1. Are incumbents required to file ballot access documents?

Yes. All candidates including incumbents are required to file the appropriate ballot access documents for each election for which he or she is seeking office.

2. It isn't December 1st yet and a prospective candidate wants me to give him a Campaign Registration Statement (ETHCF-1). May I give it to him?

Yes, absolutely. As soon as a person decides to be a candidate, he or she is *required* to register. Therefore, candidate packets, which include the Campaign Registration Statement (ETHCF-1), should be available for candidates at all times.

3. It isn't December 1st yet and a prospective candidate wants me to give him nomination paper form (EL-169). May I give it to him?

Yes. A nomination paper form may be given to a prospective candidate at any time. The EL-169 should be included in the candidate packet.

4. What if a candidate is campaigning before the Campaign Registration Statement (ETHCF-1) is filed?

Failure of the candidate to file a Campaign Registration Statement (ETHCF-1) before collecting or spending money toward the campaign is a violation of campaign finance law, and should be reported to the WEC

However, failure to file a Campaign Registration Statement (ETHCF-1) does not affect the candidate's ballot access as long as the Campaign Registration Statement (ETHCF-1) is filed by the filing deadline.

5. What happens if no candidates qualify for ballot placement?

If no candidates properly complete and file ballot access documents in the time frame allotted, the ballot will contain only a space for a write-in candidate. (See [Procedures for Nomination of Candidates by Caucus](#) for information on this topic with respect to the caucus nomination procedure.)

6. What should I do if I believe that an individual filing ballot access documents is a convicted felon?

If it is brought to the filing officer's attention that a convicted felon has filed ballot access documents, the matter needs to be resolved in consultation with the municipal attorney. It is the position of the Wisconsin Elections Commission that the municipality should only act on information presented in the form of a sworn complaint, alleging that a candidate has been convicted of a felony and evidence is provided in support of that allegation. The municipal attorney can assist the filing officer in verifying the basis of the complaint.

Once it has been determined that a candidate or an elected official has been convicted of a felony, the municipal attorney can assist the filing officer in removing the person's name from the ballot or take appropriate steps to have the person removed from office. A formal notice should be sent to the candidate or elected official informing him or her of the filing officer's decision to remove his or her name from the ballot.

7. Should I, as clerk, check to make sure that no elected official or candidate has been convicted of a felony?

No. The municipal clerk is not required to verify that every elected official or candidate for elected public office has not been convicted of a felony for which they have not been pardoned. The clerk should rely on the sworn statement of the candidate on the Declaration of Candidacy. No action should be taken unless there is evidence in the form of a sworn complaint as described above.

8. What if our office is closed the first Tuesday in January for a holiday?

The deadline for filing ballot access documents is extended to the next business day.

OTHER REGISTRANTS

Summary

Although candidate committees will probably account for the vast majority of campaign finance registrations filed in the office of a municipal clerk, there are other types of committees that may be required to register with the municipal clerk. Under 2015 Wisconsin Act 117, political action committees and independent expenditure committees that support or oppose local candidates now register with the Wisconsin Ethics Commission. However, local referenda and recall committees still file with the municipal clerk. As a general rule, a political committee that accepts contributions, incurs obligations or makes disbursements in a calendar year in an aggregate amount in excess of \$2,500 is required to register. However, a referendum group may accept contributions, incur obligations or make disbursements in a calendar year in an aggregate amount of \$10,000 before registration is required.

Types of Committees

1. Political Action Committee (PAC): a group of two or more persons unrelated by marriage, that has the major purpose¹ of express advocacy² or uses more than 50% of its total spending³ in a 12-month period on express advocacy, expenditures made to support or defeat a referendum, or contributions to candidates, legislative campaign committees, and parties.
2. Independent Expenditure Committee: a group of two or more persons unrelated by marriage, that has the major purpose of making independent expenditures⁴ or uses more than 50% of its total spending in a 12-month period on independent expenditures and expenditures made to support or defeat a referendum.

¹ A committee's major purpose can be determined from its' organizational or governing documents, bylaws, resolutions, or campaign registration statements.

² Express advocacy means communication that contains terms such as vote for, elect, support, cast your ballot for, (candidate) for (elective office), vote against, defeat, reject, cast your ballot against; with reference to a clearly identified candidate and that unambiguously relates to the election or defeat of that candidate.

³ Total spending does not include fundraising or administrative expenses.

⁴ Independent expenditures mean expenditures for express advocacy, if the expenditure is not made in coordination with a candidate, candidate committee, candidate's agent, legislative campaign committee, or political party.

3. Referendum Committee: a group of two or more persons unrelated by marriage, that has the major purpose of supporting or defeating a referendum or uses more than 50% of its total spending in a 12-month period on activity to support or defeat a referendum, and does not receive contributions or make disbursements or contributions for the purpose of influencing or attempting to influence a candidate's nomination or election.
4. Recall Committee: a committee formed for the purpose of supporting or opposing the recall of any incumbent elected official holding a state or local office.

Registration Requirements for Committees

All candidates are required to register as soon as practicable after receiving a contribution or making expenditure, being nominated at a caucus, or submitting nomination papers. Candidates must complete sections 1 and 5 of the Campaign Registration Statement (ETHCF-1). Sections 3 and 4 are only required if there are individuals other than the candidate serving in those roles.

Committees who exceed the \$2,500 threshold and referendum groups who exceed the \$10,000 threshold are required to register by filing a Campaign Registration Statement (ETHCF-1) with the filing officer. Committees must complete sections 2, 3 and 5 of the Campaign Registration Statement (ETHCF-1).

Campaign Finance Reporting

Committees are subject to the same reporting requirements as candidates. A committee is required to file campaign finance reports unless the Campaign Registration Statement (ETHCF-1) indicates that the committee is eligible for exemption from filing reports. For more information see the "Exemption from Filing Campaign Finance Reports" section of the Campaign Registration Statement (ETHCF-1) and the *Candidates* section of this manual.

The municipal clerk is no longer required to send a reminder notice and Campaign Finance Report (ETHCF-2L) to the treasurer of each committee required to file campaign finance reports, although it remains a best practice that you may continue. If the treasurer of the committee is not the candidate, a notice may also

be sent to the candidate. The Campaign Finance Report Short Form (ETHCF-2a) may be used to certify “no activity” in a reporting period.

The document “Campaign Finance Report Dates” details the reporting periods and deadline dates for campaign finance reports and may be obtained from the agency website or by contacting the Ethics Commission. Reporting deadlines are listed in the Election and Campaign Events Calendar at the beginning of this manual.

Municipal clerks are required to compile and maintain an electronic system (e.g., a Word or Excel document) listing all reports and statements received by or required of each candidate and committee.

Municipal clerks have the responsibility to report campaign finance violations, such as failure to file reports and late filing of reports, to the Ethics Commission under Wis. Stat. § 11.0102(3)(e).

State law imposes contribution limits for committees. These amounts differ based on the size of the jurisdiction of the office.

Receiving Committee	From an Individual	From a Candidate Committee	From a PAC	From a Corporation
Referendum	No limits	No limits	No limits	No limits
Recall Committee	No limits	No limits	No limits	\$0
Local Candidate	<ul style="list-style-type: none"> • Greater of \$500 or 2% times the population in the district • Not to exceed \$6,000 • No aggregate limit 	<ul style="list-style-type: none"> • Greater of \$500 or 2% times the population in the district • Not to exceed \$6,000 • No aggregate limit 	<ul style="list-style-type: none"> • Greater of \$400 or 2% times the population in the district • Not to exceed \$5,000 • No aggregate limit 	\$0

Recordkeeping

The municipal clerk should keep a separate file for each committee. Committee files should contain:

1. Campaign Registration Statement (ETHCF-1)
2. Campaign finance reports, if required
3. Any correspondence with the committee including copies of filing notices

For more information please refer to the *Campaign Finance Overview – Local Candidates* manual. The manual and necessary forms may be obtained from the agency website or by contacting the Ethics Commission. Campaign finance questions can also be addressed to an Ethics Commission campaign finance auditor.

NOTICES

Summary

County, municipal, and school district clerks are responsible for publishing five basic election notices:

1. Type A – Notice of Election
2. Type B – Sample Ballot and Voting Instruction Notice
3. Type C – Notice of Referendum
4. Type D – Polling Place Location and Hours Notice
5. Type E – Absentee Voting Notice

Sample election notices can be found on the agency website. These samples may require modification for your municipality based on offices up for election and voting equipment used in your municipality.

Additionally, Wisconsin law requires that meetings of all state and local governmental bodies, including governmental subunits, shall be publicly noticed, held in places reasonably accessible to members of the public, and shall be open to all citizens at all times unless otherwise expressly provided by law. Election-related meetings such as Board of Canvassers, voting equipment testing, post-election audits, etc., fall under this requirement, and the municipal clerk must properly notice such meetings. If you have specific questions about requirements for open meetings notice, please consult with your municipal attorney.

Type A – Notice of Election

The purpose of this notice is to inform the public and potential candidates of the offices to be elected and inform voters of the upcoming election. This notice must include the following information:

1. Date of the election
2. Offices to be elected

3. Name(s) of the current incumbent(s)
4. Length of the term(s) and expiration date(s)
5. Beginning date for circulating nomination papers, if applicable
6. Deadline for filing nomination papers, if applicable
7. Proper location to file nomination papers, if applicable
8. Scheduling of caucus, if applicable
9. Statement on where to find district boundary information

For an election at which a referendum is to be held, the Type A Notice must include the following information:

1. Date of the election
2. Text of the referendum question
3. Statement on where to obtain a copy of the resolution directing submission of the question to the voters

Publishing

1. Spring elections: Municipal clerks publish one Type A notice for municipal offices on the fourth Tuesday in November before a spring municipal election.

If there will be any referenda voted on at the spring primary or election, municipal clerks publish a Type A Notice of Referendum on the fourth Tuesday before the spring primary or election.

2. Fall elections: County clerks publish the Type A notice for state and county elections on the 2nd Tuesday in April.

If there are statewide constitutional amendments or county referenda on the ballot, the county clerk shall publish a Type A Notice of Referendum on the fourth Tuesday preceding the partisan primary and general election.

If there are municipal referenda on the ballot, the municipal clerk shall publish a Type A Notice of Referendum on the fourth Tuesday preceding the partisan primary and general election.

3. Special municipal primary or election: Municipal clerks must publish the Type A notice at least 40 days preceding a primary and election for municipal office.
4. Special municipal referendum election: Municipal clerks must publish the Type A notice on the fourth Tuesday preceding the election.

Type B – Sample Ballots and Voting Instructions

The purpose of this notice is to inform voters of the ballot type and the candidates for which they will vote, as well as voting instructions. This notice must include the following information:

1. Applicable voting instructions for each type of voting system used
2. A copy of each type of ballot to be voted on

Layout and Format

1. The headline or caption, the introductory paragraph and the voting instructions shall be printed once at the beginning of the Type B Notice, followed by a sample of each ballot to be used at the election.
2. The sample ballots shall follow the voting instructions:
 - a. The size and style of type and the general display of the sample ballots shall conform substantially to sample ballots provided by the Wisconsin Elections Commission. However, the ballot size may be reduced for publication in the notice.
 - b. State law requires that all sample ballots must be printed on paper of a different color than the official ballots, may not be white, and must be overprinted with the word "SAMPLE".

- c. Touch screen sample ballots shall show a reduced diagram of the first screen of the touch screen voting machine and instructions to electors on how to vote on the machine.

Publishing

1. Spring elections: Municipal clerks publish the Type B notice for municipal offices and referenda on the Monday before the spring election.

If there is a municipal primary, municipal clerks publish a Type B notice on the Monday before the primary.

2. Fall elections: County clerks publish the Type B notice for state and county elections and referenda on the Monday before the partisan primary and general election.

If there are municipal referenda on the ballot, municipal clerks publish a Type B notice on the Monday before the election.

3. Special municipal election or referendum elections: Municipal clerks must publish a Type B notice on the day before the special municipal election, primary, or special municipal referendum.

Type C – Notice of Referendum

The purpose of this notice is to inform voters of a referendum question that will appear on the ballot and provide an explanation of the effect of the referendum question. This notice must include the following information:

1. Date of the election
2. Entire text of the proposed enactment
3. Question as it will appear on the ballot
4. An explanatory statement describing the effect of a “yes” or “no” vote

Publishing

1. Spring elections: If there are municipal referenda, municipal clerks publish a Type C notice on the Monday before the spring election.

If there is a municipal primary where referenda are voted on at the primary, municipal clerks publish a Type C notice on the Monday before the primary.

2. Fall elections: County clerks publish Type C notices for county and state referenda on the Monday before the partisan primary and general election.

If there are municipal referenda on the ballot, municipal clerks publish a Type C notice on the Monday before the election.

3. Special municipal election or referendum elections: Municipal clerks must publish a Type C notice on the day before a special municipal referendum.

Type D – Hours and Location of Polling Places

The purpose of this notice is to inform voters of the correct polling location and the hours during which they may cast a vote. This notice must include:

1. Location of polling places
2. Wards served by each polling place
3. Hours of polling (7:00 a.m. to 8:00 p.m.)
4. A statement about the accessibility for elderly and disabled voters for each polling place

Publishing

1. Spring elections: Municipal clerks publish the Type D notice on the Monday before the spring primary and election.
2. Fall elections: Municipal clerks publish the Type D notice on the Monday before the partisan primary and general election.

3. Special election or referendum elections: Municipal clerk must publish a Type D notice on the day before any special primary or election for national, state, county or municipal office, or special county or municipal referendum.

Type E Notice – Absentee Voting

The purpose of this notice is to inform voters of the process and deadlines for obtaining and casting an absentee ballot. This notice must include:

1. Qualifications for voting absentee
2. Procedures for obtaining an absentee ballot from the municipal clerk
3. Applicable deadlines for requesting and returning an absentee ballot
4. Any alternate site for absentee voting established under § 6.855, Wis. Stats
5. Office hours during which an elector may cast an absentee ballot at the clerk's office or an alternate site

In-person absentee voting begins on the third Monday before the primary or election and concludes on the Friday before the primary or election. The Type E Notice shall specify the hours that the municipal clerk will be available to conduct in-person absentee voting. In-person absentee voting may not be conducted before 8 a.m. or after 7 p.m., Monday through Friday. The hours may be the same each day or vary from day to day. If in-person voting will be “by appointment,” the Type E Notice must specify when the clerk will be available for appointments.

Publishing

1. Spring elections: Municipal clerks publish the Type E notice on the fourth Tuesday before the spring primary or election.
2. Fall elections: Municipal clerks publish the Type E notice on the fourth Tuesday before the partisan primary and general election.

3. Special primary, election or referendum elections:

- a. Municipal clerks publish the Type E notice on the fourth Tuesday before any special primary for national, state, county, or municipal office.
- b. Municipal clerks publish the Type E notice on the third Tuesday before any special election for national, state, county or municipal office which is not held concurrently with the spring or general election.

Summary of Publishing Dates

	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: 4 th Tuesday in November before the election	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: 4 th Tuesday before spring primary or election	Only if municipal referendum on ballot: 4 th Tuesday before the partisan primary or general election	For special municipal referendum: 4 th 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 the 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 the 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: 4 th Tuesday before the election	4 th Tuesday before partisan primary and general election	Primary: 4 th Tuesday before Election: 3 rd Tuesday before Referendum: 4 th Tuesday before	Primary: 4 th Tuesday before Election: 3 rd Tuesday before Referendum: 4 th Tuesday before

Procedures

Using Weekly Newspaper

If a weekly newspaper that is not published on Monday is used for publication, the notices required to be published the day before the election must appear in the issue that is published during the week preceding the election. Notices may be published on a Saturday or Sunday if the clerk determines that this method provides more effective notice to the public.

Combined Publications and Prorated Costs

County, municipal, and school district clerks may combine election notices where the notices contain identical information and when the levels of government share the same official newspaper. This practice reduces costs and avoids duplication. The costs for these combined notices can be prorated with the county paying for the portion of the notice covering federal, state, and county offices and municipalities and school districts paying for the portion that covers their respective local offices.

Posting in Lieu of Publication

Towns and villages may post election notices in lieu of publication where there is no newspaper published within the municipality.

1. This is done by action of the governing body and, if it changes the former manner of notices, a notice must be given of the change before it can take place.
2. The same manner of notification must be used for all notices pertaining to an election.
3. Posting must be done in at least three conspicuous locations within the municipality, or in one location within the municipality and on the municipality's website.
4. For notices required to be published within one week of the primary or election (Types B, C, and D), posting must be done at least one week before the election. For all other notices (Type A and E), posting must be done no later than the required publication dates.

5. Posting may also be done to supplement publication.

Frequently Asked Questions

1. When can jurisdictions combine their notices to save on printing costs?

Jurisdictions may combine their notices if the information on the notice is identical and when the levels of government share the same official newspaper. For example, only one Type B notice with sample ballots for each type of equipment, along with a list of candidates, districts and seats to be voted on in each municipality, needs to be published.

2. Who writes the explanatory statements for referendum questions?

For statewide referenda, the explanatory statement is prepared by the Attorney General. For county questions, the statement is prepared by the county's corporation counsel, and for municipal or school district referenda, the statement is prepared by the attorney representing the jurisdiction.

BALLOTS

Summary

County, municipal and school district clerks are responsible for preparing the ballots to be used in their respective elections. County clerks are also responsible for preparing ballots for federal and state offices and for the office of multi-jurisdiction municipal judge.

Where electronic voting equipment such as optical scan or direct recording electronic (DRE) is used, and federal and/or state and county offices are up for election as well as municipal and school district offices, the county clerk often prepares the ballots for municipal and school district offices. In these municipalities, municipal clerks are responsible for ensuring that sufficient paper ballots are available in case of equipment malfunctions, for absentee ballot requests, assisted electors, and for any other elector who may request a paper ballot on Election Day.

Procedures

Certifying the Number of Electors

Municipal clerks are required to certify to the county clerk, the approximate number of electors in their municipality no later than the first day of the second month before a primary. This number is used by the county clerk to determine the number of ballots to print for the election.

Determining Ballot Order of Candidate Names

1. The order that candidates' names will appear on the ballot is determined by drawing of lots or some other random determination (for example: drawing numbers or names out of a hat, or flipping a coin if there are only two candidates).
2. For a spring election, drawing of lots is held not later than seven days after the deadline for filing nomination papers.

- a. The drawing is done at this time for those offices requiring a primary and also for the election ballot for those offices where a primary is not required.
 - b. Following the primary for any office, the names are redrawn for that office to determine the order of names on the election ballot.
3. Where the caucus procedure is used for nominating candidates for municipal office, the drawing is held no later than the end of the third day following qualification of all candidates.
4. For a fall election, the county clerk (for county offices) and Wisconsin Elections Commission (for federal and state offices) draw for ballot order for the primary ballot not later than seven days after the deadline for filing nomination papers. Names are placed on the general election ballot following party order as certified by the Wisconsin Elections Commission.
5. When conducting the drawing of lots for placement of names on the ballot, the Wisconsin Elections Commission recommends that at least three people participate in the drawing.
 - a. The three people are generally the clerk and two other people selected by the clerk.
 - b. It is important that the drawing be properly witnessed and documented.
 - c. The documentation should include the date of the drawing for ballot order, the ballot order drawn, the signature of the people who actually drew out the names, and the signatures of the two people who witnessed the drawing.
6. It is not necessary for candidates to be present at the drawing, but as a courtesy they may be invited to attend. If all candidates are present, they may draw for themselves.
7. Drawing of lots is not required to be done at a board meeting, and should not be delayed for this reason.

Certifying Candidate Names and Referenda to the County Clerk

When the county clerk prepares the ballot:

1. Where electronic voting devices are used:
 - a. The county clerk prepares the ballots for municipal and school district offices.
 - b. The municipal and school district clerks must certify any names of candidates and any referenda to the county clerk as soon as possible following the deadline for filing nomination papers or declarations of candidacy using the EL-405, which may be found on the agency website.
2. Where a caucus is held, the names of candidates must be certified to the county clerk as soon as possible following the qualification of candidates using the EL-405, which may be found on the agency website.
3. After any primary, the names of candidates must again be certified to the county clerk as soon as possible after the canvass, using the EL-405, which may be found on the agency website.
4. The cost of programming equipment and printing these ballots is prorated among the various levels of government participating in the election.

Printing and Proofing Ballots

Clerks should ensure that sufficient ballots are printed to avoid running out on Election Day. In municipalities that use direct recording electronic (DRE) equipment, the clerk must ensure that sufficient paper ballots are provided in case of equipment malfunction and to accommodate absentee ballot requests, assisted electors, and any other person who may request a paper ballot. Each clerk responsible for printing ballots must assure that his or her printer has the most current sample ballots. It may be helpful to provide a copy of this section of the training manual to your printer.

Clerks should carefully review and proofread each ballot proof before printing to assure that:

1. The ballot used is the current form
2. The ballot contains all and only the offices up for election
3. All office titles are correct, spelled correctly, and in the correct order
4. All candidates' names are spelled correctly and are in the correct order
5. The form of each candidate's name reflects the candidate's desire as indicated on the Declaration of Candidacy
6. On optical scan ballots, the candidate names are justified so that the names are closest to the oval or arrow

It is recommended that you also proof the final product as soon as you receive it from the printer so that any errors can be identified and corrected immediately.

Delivery

In order to ensure that absentee ballots are mailed to electors who have requested them in a timely fashion:

1. Ballots must be printed and delivered to the municipal clerk at least 22 days before a February spring primary, April spring election, or special primary or election.
2. Ballots must be printed and delivered to the municipal clerk at least 47 days before a Partisan Primary and November General Election. A special Presidential Preference only ballot will also be delivered at least 47 days before the Presidential Preference Vote.

Ballot Format

Before preparing any ballots, the clerk must make sure that the most current ballot samples are used. Outdated ballot formats will not contain required statutory language and may not conform to ballot uniformity standards. The proper ballot

formats are prescribed by the Wisconsin Elections Commission and may be accessed on the agency website.

Ballot samples provided on the agency website contain virtually all offices that could appear on each ballot. It is important to note that only the offices that are up for election at any given election appear on the ballot. This means that ballot samples must be modified to eliminate any office from the ballot that is not up for election, or to add any offices that are up for election but may be missing from the sample ballot.

There are several basic requirements that apply to the preparation of all ballots, regardless of the type of election. These requirements are set out below:

Size

The size of your ballot will depend on how many offices are up for election and how many candidates there are for each office. There is no actual size requirement for a ballot, but all ballots must be of sufficient width and length to provide space for all required information to be clearly printed on them. At a partisan primary, when using hand-count paper ballots, the ballots for each separate party must be the same size.

Columns

All ballot columns must be separated by lines at least one-eighth inch (1/8") width, except for ballots used with an electronic voting system.

Type Face

The type face used on all ballots must be an easy-to-read, sans-serif font. Arial is preferred. Except for certain headings, all print must be in mixed case. In no case shall the font size be smaller than 8 point. A sample of 8 point font is given below. Larger print should be used whenever possible (for example, this manual was written in 14 point font).

8 POINT – 3.2 characters per pica
ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
1234567890

Justification

With certain exceptions, paragraphs, office titles, district, and “Vote for 1,” must be left justified. Candidate names must be left justified if using “oval” ballots, and right justified if using “arrow” ballots.

Date

The date of the election must appear on the face of the ballot beneath the title of the ballot.

Paper Weight

Wisconsin statutes set out a standard for the weight of the paper used for hand-counted ballots. The standard is 35 pounds per ream for sheets that are 24 inches by 36 inches (24”x36”). Ballots will never be that large so the weight of the paper used must be proportioned accordingly to meet this standard. Alert your printer to this requirement to ensure that paper of the proper weight is used.

Color

The law does not require ballots to be printed a specific color, but different colors can be used for each type of ballot to be used at an election.

1. The only legal requirements concerning the color of ballots are:
 - a. Paper hand-count referendum ballots must be printed on paper of a color that is different from other ballots used at the election.
 - b. At a partisan primary, paper hand-count ballots for each separate party must be printed on the same color paper and be the same size.
 - c. Sample ballots cannot be the same color as the official ballots and may not be white.
2. Paper ballot color coding:
 - a. Using different colors to distinguish one type of paper ballot from another (federal, state, county ballots, municipal ballots, school district ballots and referendum ballots) helps to ensure that the inspectors give one of each type of ballot to the voter.

- b. Color coding is particularly helpful when two reporting units share a single polling place.
 - c. Color coding makes it easier for the voter to deposit his or her ballot in the proper ballot box and also makes separating and counting of ballots much easier for the election inspectors.
3. Color coding can also be used to distinguish between ballots if the municipality uses optical scan equipment.

For example, ballots containing School District A offices and/or referenda could be a different color than the ballots containing School District B offices and/or referenda.

4. Using different color coded ballots requires coordination among county, municipal, and school district clerks to ensure that the ballot prepared by each clerk is of a different color.
5. Within WisVote, each ballot style can be given its own specific name, which appears next to the voter's name on the poll list.
 - a. For example, a ballot style for a certain school district can be named "green" to match the color of the ballot for that school district.
 - b. This helps election workers to quickly identify which type of ballot to give to the voter.

Write-in Lines and Boxes, Ovals or Arrows

1. The ballot must contain a number of write-in lines equal to the number of candidates to be elected for each office. This is true for both a primary or an election.
2. For paper ballots:
 - a. *Do not* include a box, square, arrow or oval on the write-in line.
 - b. The voter is not required to place an X or any other mark on the ballot when voting for a write-in candidate. The voter needs only to write the name of the write-in candidate.

3. For optical scan ballots:
 - a. An oval or arrow *is* required to appear next to each write-in line.
 - b. A completed arrow or filled-in oval next to a write-in line signals the tabulating equipment to deflect the ballot into the write-in compartment.
 - i. The voter is not required to complete the arrow or fill in the oval when writing in a name in order to have the vote counted.
 - ii. After the polls close, inspectors must page through the optical scan ballots that have not been deflected to the write-in compartment to locate and count any write-in votes.
 - iii. Please see *Counting Write-in Votes* in the “Ballots” section of the Election Day Manual for more information.

Ballot Endorsement

Every ballot must have an endorsement. Endorsement language is prescribed by the Wisconsin Elections Commission on the Reverse Side of Official Ballots (EL-229), which is available on the agency website.

1. The endorsement contains:
 - a. The title and date of the election
 - b. The municipality and wards applicable to the ballot: If all reporting units use the same ballot style, all reporting units may be printed on the ballot rather than printing separate ballots for each reporting unit. The clerk and inspectors must remember to mark the appropriate ward or reporting unit before issuing a ballot to a voter. A rubber stamp may also be used to apply ward numbers to the endorsement.
 - c. Spaces for the official(s) issuing the ballot to initial before giving a ballot to a voter
 - i. A space for two inspectors to initial before issuing a ballot on election day

- ii. A space for the municipal or deputy clerk to initial when issuing an absentee ballot
 - iii. A space for both SVDs to initial when conducting absentee voting in care facilities or retirement homes
 - d. A certification to be signed by a person who may assist a voter in marking the ballot
 - e. A “For Official Use Only” area where inspectors record remaking an optical scan ballot
2. For paper ballots, the endorsement appears on the reverse side of the ballot.
 3. For optical scan ballots, an endorsement section containing the Reverse Side of Official Ballots (EL-229) language, including the “For Official Use Only” section, may appear on the back of the ballot or at the bottom of any column.

Appearance of Candidates’ Names

1. All candidates’ names must be printed in the same font size, style and color.
2. The candidate indicates on the Declaration of Candidacy (EL-162) how he or she wishes his or her name to appear on the ballot.
 - a. No abbreviations, titles, quotation marks or parenthesis are permitted. A candidate may use their last name and first name or initial(s). A middle name or initial or a former legal surname may also be used.
 - b. A nickname may be used in place of or in addition to the first name. The Wisconsin Elections Commission has determined that, absent any evidence of an attempt to manipulate the electoral process, candidates are permitted to choose any form of their name, including nicknames, by which they want to appear on the ballot.
 - c. The Wisconsin Elections Commission advises the clerk to consult with the municipal attorney or corporation counsel before making a final decision to allow or not allow the use of the nickname.

The Federal Write-in Absentee Ballot for Military and Overseas Electors

Citizens living overseas and military voters often have difficulty receiving and returning ballots quickly. The Federal Voting Assistance Program (FVAP) has a write-in absentee ballot available on their website (<http://fvap.gov>) for overseas and military electors to complete if they are unable to submit an official ballot.

1. The Federal Write-In Absentee Ballot must be accompanied by a completed Declaration/Affirmation which must also include the signature of the elector and the signature of a U.S. citizen witness in order to be counted.
2. The completed and signed Declaration/Affirmation that accompanies the FWAB is also a valid absentee application for a military elector. However, if submitted by an overseas elector, the elector must have submitted a separate absentee request that is received no later than the 5th day before the election in order to count the FWAB.

For further information, please see the “Electors” section of this manual.

Note: Overseas voters only vote in federal elections and will only receive a ballot for federal offices. Military voters can vote in all elections for all offices.

Referendum Ballots

1. For paper ballots:
 - a. A separate ballot is required for referenda.
 - b. Statewide and county referenda can be placed on the same ballot as long as the ballot clearly differentiates between the state and county referenda.
 - c. A separate ballot must be prepared for municipal referenda.
 - d. A separate ballot must be prepared for school district referenda.

2. For optical scan or consolidated ballots:
 - a. There must be a separate REFERENDUM section on the ballot.
 - b. The ballot should clearly differentiate between state, county, municipal, and school district referenda.
 - c. The title of the ballot must include the language “and Referendum.”

Sample Ballots

1. Two samples of each type of ballot are required to be posted at the polling place on Election Day.
2. Sample ballots are also required to be available to persons who request them. The number of sample ballots should equal 10% of the total number of official ballots printed.
3. Sample ballots cannot be printed on white paper. They must be printed on colored paper and the color must be different than the color used for the official ballots.
4. The word ‘SAMPLE’ must be overprinted on all sample ballots.
5. The endorsement does not have to be printed on sample ballots.

Frequently Asked Questions

1. *For each office, the ballot indicates how many votes can be cast in that office. What is the proper format of that instruction?*

The number of candidates an elector is allowed to vote for, whether at a primary or an election, is the same as the number of officers to be elected. If there is only one position to be filled, such as with the office of Mayor, the instruction is “Vote for 1.” If there are three trustee positions up for election, the instruction is “Vote for not more than 3.”

2. *How many write-in lines are required?*

The number of write-in lines required is equal to the number of candidates for which the elector is allowed to vote. If there is only one position to be filled, such as with the office of Mayor, the instruction is “Vote for 1.” Therefore, one write-in line is required. If there are three trustee positions up for election, the instruction is “Vote for not more than 3.” Three write-in lines are required.

3. *In a primary, how many candidates may go on to the general election?*

The number of candidates that proceed from a primary to an election is equal to twice the number of candidates for which the elector is allowed to vote.

Examples:

If the instruction is “Vote for 1,” the two candidates receiving the highest number of votes will appear on the election ballot.

If the instruction is “Vote for not more than 2,” the four candidates receiving the highest number of votes will appear on the election ballot.

If the instruction is “Vote for not more than 3,” the six candidates receiving the highest number of votes will appear on the election ballot.

ELECTORS

Summary

Interactions with electors, both positive and negative, influence the public's confidence in the ability of election officials to administer elections in Wisconsin fairly. As a municipal clerk, it is your duty to ensure that the information provided, material disseminated and any procedure undertaken is correct. In the State of Wisconsin, a qualified elector must be registered to vote before being issued a ballot. A municipal clerk is charged with the responsibility of maintaining records to track voter registration, absentee voting, and voting through the WisVote system.

Voter Qualifications

In order to register to vote, an individual must:

1. Be a U.S. citizen
2. Be age 18 or older on or before Election Day
3. Have resided in an election district or ward for 28 consecutive days, with no present intent to move, before any election where the citizen offers to vote.

Residency

An individual's residency in a ward or municipality is determined by the individual's physical presence and present intent to reside in that location for voting purposes. In order to initially claim residency, a voter must establish a physical presence in a location with the intent to make that location his or her residence for voting purposes.

1. Temporary Presence/Absence
 - a. Residency is not lost when a person leaves "home" and goes to another location temporarily with intent to return "home." Persons who have temporarily left their homes are still residents of the "home" municipality despite their temporary absence.

- b. Residency cannot be established in any ward, town, village or city in this state while living there for temporary purposes only.
2. Intent to Return
- a. Once residency is established, a person may be temporarily absent and still be considered a resident, as long as he or she intends to return.
 - b. A person may end their residency by leaving their residence and doing something that establishes they no longer intend to reside at their old residence (e.g., registers to vote at another address). Such a person cannot continue to vote at his or her previous residence without re-establishing residency.
3. Student Status
- a. Student status is not to be used as a factor in determining residence. A student may choose to establish residency in the municipality where he or she lives to attend school or the student may consider his or her stay in the municipality to be “temporary” and intend to return to his or her former municipality.
 - b. If a student registers to vote in the municipality where he or she attends school, the student loses his or her residency in his or her prior municipality and must re-establish residency in the prior municipality before he or she would be eligible to register to vote there in another election.
4. “Part-time” Residents
- a. A person may only vote in one municipality each election. In order to vote in a municipality, a person with part-time residency in a municipality must intend that his or her physical presence in the ward or municipality establishes residence for voting purposes.
 - b. Merely owning property in a municipality is not sufficient to claim residency. A person must have established a physical presence paired with the intent to make that address their permanent residence.

5. New/Former Residents

- a. A person who has not resided in any ward in Wisconsin for at least 28 days should be advised to check with their former state of residence to inquire as to any voting options they may have as former residents of that state. Alternatively, in Presidential elections, new residents of Wisconsin may vote a Presidential-only ballot by submitting a completed [Application for Presidential Ballot \(EL-141\)](#) to either the municipal clerk in the 27 days before the election or to the election inspectors at the polling place for their new address.
 - i. The voter must also complete an [Authorization to Cancel Registration \(EL-139\)](#), which the clerk must send to the proper election official for the new resident's former municipality.
 - ii. Proof of Residence is required.
 - iii. No voter registration (EL-131) is required. The voter is not registered.
 - iv. Proof of Identification is required.
 - v. The EL-141 may be submitted no earlier than 27 days before the election and shall be received not later than 5:00 p.m. on the day before the election when delivered to the clerk's office.
 - vi. The EL-141 may also be submitted on Election Day at the polling place.
- b. If ineligible to qualify as an elector in the state to which he or she has moved, any former Wisconsin resident may vote a Presidential-only absentee ballot in their former municipality and ward of residence in any presidential election occurring within 24 months of leaving Wisconsin by submitting a completed [Application for Absentee Presidential Ballot \(EL-140\)](#) to their former municipal clerk.
 - i. No voter registration (EL-131) is completed.
 - ii. No proof of residence is required.
 - iii. Proof of identification is required.
 - iv. There is no fixed deadline for receipt of the EL-140. The EL-140 must simply be received "in sufficient time for a ballot to be mailed and returned prior to the election."

Other Common Residency Scenarios

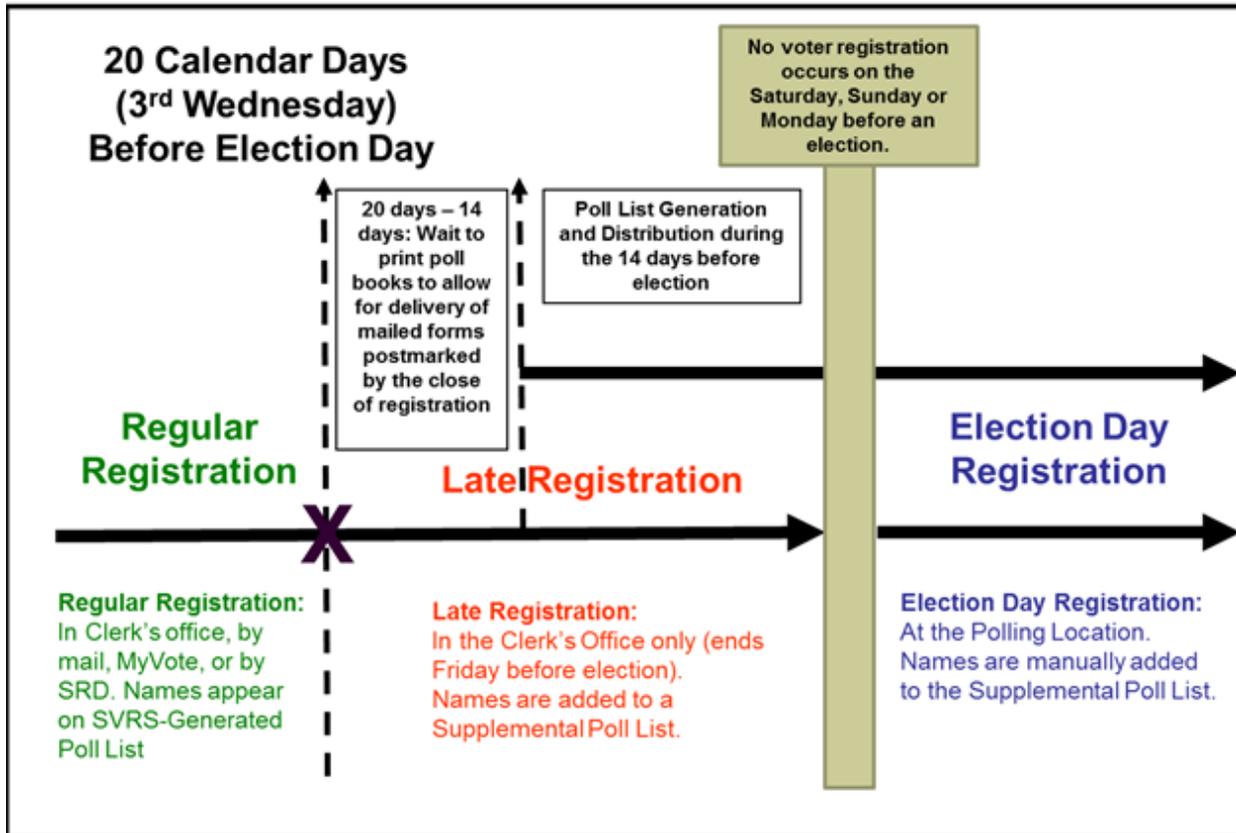
Voter Situation	Voting Location
Has moved from one ward to another in the same municipality at least 28 consecutive days before an election	In the new ward
Has moved from one municipality to another at least 28 consecutive days before an election	In the new municipality
Has moved from one ward to another in the same municipality less than 28 consecutive days before an election	In the old ward
Has moved from one municipality to another less than 28 consecutive days before an election	In the old municipality
Has moved to a different ward, or state temporarily, with intent to return	In the ward or municipality from which he or she moved
Lives in one ward or municipality and conducts business in another	In the ward or municipality where the individual lives
Lives in a public or private facility, such as a federal or state institution, county home or hospital, nursing home or group home	In the municipality where the facility is located <i>or</i> in the municipality of residence before entering the facility
Is on active duty as a member of the armed forces serving in the U.S. or overseas	In the municipality or ward of residence before entering the armed services
Is the spouse or dependent of a member of the armed forces	In the ward or municipality of residence of the military elector <i>or</i> if a Wisconsin resident, municipality or ward of residence before entering the armed services
Is a civilian overseas employee of the U.S. Government	In the municipality or ward of residence before entry into federal employment
Is a U.S. Citizen living outside the United States with no present intent to return	In the municipality or ward where they last resided or where their parent last resided before leaving the United States.

Disqualification of Electors

The following persons shall not be allowed to vote in any election:

1. Any person convicted of treason, felony, or bribery that has not been pardoned or completed the terms of his or her sentence including any term of probation, parole, or extended supervision.
2. A person who has been determined by a court to be incapable of understanding the objective of the elective process or who is under guardianship, unless the court has determined that the person under guardianship is competent to exercise the right to vote.
 - a. The court order granting guardianship should specifically declare if the person is incompetent to exercise the right to vote. If the order does not include a specific finding of incompetency to vote, the person retains the right to vote.
3. Anyone who has made or become interested, directly or indirectly, in any bet or wager depending upon the result of the election.

Voter Registration



All electors must be registered before being issued a ballot. There are four methods by which an elector may register to vote:

1. By Mail

- a. The elector must complete and sign a Voter Registration Application (EL-131), enclose a copy of the elector's proof of residence, and mail the completed application to the municipal clerk's office.
 - i. Wisconsin also accepts the [National Mail Voter Registration Form](#) and the [Federal Post Card Application](#).
 - ii. Registrants who submit incomplete voter registration applications or fail to provide a copy of proof of residence when required should be advised in writing that the registration is incomplete and how to repair the deficiency.

1. The EL-132 is a customizable template letter that a clerk should send to a voter who has not submitted proof of residence with their voter registration when required.
 2. Any insufficiency must be mailed no later than the 20th day before the election or delivered in-person no later than 5:00 p.m. the Friday before the election, or the elector can re-register on Election Day at the polls.
- b. The application must be postmarked no later than the 20th day (3rd Wednesday) before the election.
 - i. Completed applications delivered to the clerk's office by an individual other than the registrant are considered delivered "by-mail."
 - ii. A registrant who postmarks their application after the 20th day before the election should be advised in writing that their application cannot be processed until after Election Day. The registrant should also be advised of any remaining opportunities to register to vote in the coming election.
 - c. The clerk or deputy should review the application and the enclosed proof of residence to ensure the application is legible and complete before signing and dating the application.
 - d. The Wisconsin Elections Commission will mail a voter verification postcard to voter's residential address as listed on the Voter Registration Application.
2. By Special Registration Deputy (SRD)
 - a. The elector must sign a completed Voter Registration Application (EL-131) in the presence of the SRD.
 - b. The elector must present the SRD with proof of residence. The SRD must record the type, issuing entity, and the last few digits of the unique number associated with the proof of residence, if any. If such number is 7 or more digits in length, the last 4 digits must be

recorded. If the unique number is 6 or fewer digits in length, only the last 2 digits are required.

- c. The SRD should first review the application to ensure the application is legible and complete and then sign the completed application, print their name, list their unique SRD number, and date the application in the spaces provided.
- d. The SRD must deliver the application to the clerk's office by 5 p.m. the 20th day (third Wednesday) before an election or the application must be postmarked no later than the 20th day before the election.
- e. The Wisconsin Elections Commission will mail a voter verification postcard to voter's mailing address as listed on the Voter Registration Application.

3. In the Clerk's Office:

- a. The elector must sign a completed Voter Registration Application (EL-131) in the presence of the clerk or deputy.
- b. The elector must present the clerk or deputy with proof of residence. The clerk or deputy must record the type, issuing entity, and the last few digits of the unique number associated with the proof of residence, if any. If such number is 7 or more digits in length, the last 4 digits must be recorded. If the unique number is 6 or fewer digits in length, only the last 2 digits are required.
- c. The clerk or deputy should first review the application to ensure the application is legible and complete and then sign and date the completed application.
- d. For all registrations in the clerk's office after the 20th day before the election, the clerk or deputy must issue a Certificate of Registration (EL-133) to the voter, which he or she should present at the polling place before being issued a ballot.
 - i. The EL-133 is NOT available on the WEC website, but is available upon request.

- ii. The EL-133 must be issued even if the voter is also voting in-person absentee at the same time.
- e. For all registrations in the clerk's office after the 20th day before the election, the clerk or deputy must review the Ineligible Voter List to confirm that the elector will not be ineligible to vote on the day of the election.
 - i. If the name of the elector appears on the list, the clerk shall inform the elector that the elector is ineligible to register to vote per Department of Corrections.
 - ii. If the elector agrees that they are ineligible, the registration should be rejected.
 - iii. If the elector maintains that he or she is eligible to vote in the election, the clerk shall make a reasonable effort to contact the WEC to verify the elector's felony status.
 - 1. If WEC confirms the elector is eligible to vote, the clerk should document on the Voter Registration Application (EL-131) that they confirmed the voter's status with WEC and then allow the elector to proceed to register to vote.
 - 2. If WEC confirms that the elector is NOT eligible to vote or if the clerk is unable to contact the WEC, the clerk should:
 - a. Give the elector the Ineligible Voter Information Sheet that explains to the elector what they need to do to resolve the issue with the Department of Corrections.
 - b. Permit the elector to register to vote, but mark the Voter Registration Application (EL-131) and Certificate of Registration (EL-133) as "ineligible to vote per Department of Corrections."

- f. The application must be received no later than 5:00 p.m. on the 5th day before the election (Friday).
4. At the polling place on Election Day (Election Day Registration)
- a. The elector must sign a completed Voter Registration Application (EL-131) in the presence of an election inspector or Election Day special registration deputy.
 - b. The elector must present the election official with proof of residence. The election official must record the type, issuing entity, and the last few digits of the unique number associated with the proof of residence, if any. If such number is 7 or more digits in length, the last 4 digits must be recorded. If the unique number is 6 or fewer digits in length, only the last 2 digits are required.
 - c. The election official must review the Ineligible Voter List to confirm that the elector is eligible to vote on the day of the election.
 - i. If the name of the elector appears on the list, the election official shall inform the elector that the elector is ineligible to register to vote per Department of Corrections.
 - ii. If the elector agrees that they are ineligible, the registration should be rejected.
 - iii. If the elector maintains that he or she is eligible to vote in the election, the election official shall make a reasonable effort to contact the WEC to verify the elector's felony status.
 - 1. If WEC confirms the elector is eligible to vote, the election official should document on the Voter Registration Application (EL-131) that they confirmed the voter's status with WEC and then allow the elector to proceed to register to vote.
 - 2. If WEC confirms that the elector is NOT eligible to vote or if the election official is unable to contact the WEC, the election official should:

- a. Give the elector the Ineligible Voter Information Sheet that explains to the elector what they need to do to resolve the issue with the Department of Corrections.
 - b. Permit the elector to register to vote, but mark the Voter Registration Application (EL-131) as “ineligible to vote per Department of Corrections.”
- iv. If the elector wishes to vote, the inspectors shall challenge the ballot (see Election Day Issues, Challenging Voters.)
- d. The election official should first review the application to ensure the application is legible and complete and then sign and date the completed application.
- e. If the clerk’s office is in the same building as the polling place, a governing body may by resolution provide that electors who need to register to vote do so with the clerk rather than in the polling place with election inspectors. See Wis. Stat. § 6.55(2)(c).
 - i. If this option is used, a notice must be placed in the voting area directing electors who wish to register to come to the clerk’s office.
 - ii. The clerk should follow the procedures outlined above for a Clerk’s Office registration.
 - iii. In addition to the Certificate of Registration (EL-133), the registrant must also be provided a copy of their signed voter registration application (EL-131) to give the election inspectors in the voting area.
- f. The Wisconsin Elections Commission will mail a voter verification postcard to voter’s residential address as listed on the Voter Registration Application.

Completing the Voter Registration Application

Proper completion of the Voter Registration Application (EL-131) will ease the process of entering information into WisVote and ensure the voter will appear on the poll list for Election Day. It is the responsibility of the municipal clerk to notify an elector of any insufficiency in their voter registration application within 5 days, if possible. A customizable letter template ([EL-132](#)) is available for this purpose.

1. Reason for Application / County and Municipality of Residence

a. New WI Voter

- i. A voter is “new” if they are not currently registered to vote anywhere else in Wisconsin, even if they have been registered to vote in Wisconsin in the past.

b. Name Change

- i. A voter is required to update their registration if they change their legal name.
- ii. As it may take some time for a voter to receive proper documentation of their new legal name, a registered voter may continue to vote using their former name until the necessary documentation to re-register is received.

c. Address Change

- i. A registered voter is required to update their registration if they wish to vote from their new residence.

d. County and Municipality of Residence

- i. The registrant should provide their county and municipality of residence, e.g. Village of Mount Horeb, Dane County.

2. Identification Number (REQUIRED)

To complete the [Voter Registration Application \(EL-131\)](#), the elector must provide an identification number in Box 2. This does NOT require visual confirmation by the clerk or an election inspector and the elector may write down or recite the number if he or she chooses. An elector cannot be required to show his or her driver license, Department of Transportation-issued ID card, or Social Security card as a condition of registration, unless it is a document used to provide acceptable proof of residence.

a. Wisconsin Driver License or Wisconsin DOT-issued Identification Card Number

- i. If the registrant has been issued either a Wisconsin Driver License or State Identification Card that is unexpired, they must provide the number and expiration date, even if the registrant's driving privileges were revoked.
- ii. If a registrant has a Wisconsin Driver License or State Identification Card that is unexpired, but does not have the number or expiration date readily available, they may call DMV at (608) 266-1069, option 1 to look up the information.
- iii. If the registrant has either a Wisconsin Driver License or State Identification Card that is currently expired or cancelled, request the voter provide the identification number if available. The registrant must provide the last 4-digits of the Social Security Number, if any.

b. Social Security Number – Last Four Digits

- i. If the registrant has not been issued a Wisconsin Driver License or State Identification Card, or the document is expired or cancelled, the registrant must provide the last 4-digits of their Social Security Number, if any.
- ii. If the registrant does not have either a Wisconsin Driver License or State Identification Card, and also has not been issued a Social Security Number, they may indicate this by checking the box signifying they have none of these documents.

3. Current Name, Date of Birth, Contact Information, Special Statuses

a. Current Name (REQUIRED)

- i. The registrant should provide their full name as it is printed on the document they used on Line 2 unless the name on that document is no longer the current and complete name.

b. Date of Birth (REQUIRED)

- i. Month, day, and year of birth is required.

c. Contact Information

- i. Any phone or email address provided is subject to open records requests.

d. Special Statuses

- i. Military – A member of the U.S. Army, Navy, Air Force, Marine Corps, Coast Guard, Merchant Marine of the United States, Peace Corps, the commissioned corps of the Federal Public Health Service, the commissioned corps of the National Oceanic and Atmospheric Administration, civilian employees of the United States and civilians officially attached to a uniformed service who are serving outside the United States, and any spouse and dependents of the above who are residing with or accompanying them.
- ii. Permanent Overseas – A U.S. Citizen who is not disqualified from voting and is qualified to vote except for residency, but who last resided (or whose parent last resided) in Wisconsin prior to residing outside the United States.

4. Current Residential Address (REQUIRED)

- a. The registrant should provide their current home address (legal voting residence) in Wisconsin.
- b. The registrant should provide the full street name, including the type (St, Ave, etc.) and any pre- and/or post-directional (N, S, etc.)

- c. The registrant should provide the city name and ZIP code that appears on mail delivered to their residence.
- d. A P.O. Box is not acceptable as a residential address.
- e. A rural route box without a number should not be used.

5. Mailing Address

- a. If the registrant does not receive mail at the residential address, a mailing address should be provided. Failure to provide a valid mailing address may result in the voter registration being inactivated.
- b. Electors residing overseas should provide their complete overseas address where space is available.

6. Previous Name

- a. If the registrant has previously registered to vote in Wisconsin under a different name, the full previous name should be provided.

7. Previous Residential Address

- a. If the registrant has previously registered to vote in Wisconsin at a different address, the full previous address should be provided.

8. Accommodations Requested, Poll Worker Interest, Location Map

- a. Accommodations Requested
 - i. If the registrant requires any special accommodations (e.g. curbside voting, braille materials, etc.) they may make those requests here.
- b. Poll Worker Interest
 - i. The registrant may express their interest in working as an election official by checking this box.
- c. Location Map

- i. If the registrant resides somewhere without a designated address, the registrant should use this map to diagram where they reside in relation to known streets or landmarks.

9. Indications of Eligibility

- a. If the registrant answers “No” to either question, they are not eligible to vote in Wisconsin and the application should be rejected.
- b. The registrant may be 17 years old if they will be 18 years old by the time of the next election.

10. Certification Language

- a. The registrant should read this language before certifying that they are an eligible elector and have resided in the ward for at least 28 days.

11. Signature and Date, Proof of Residence, Election Day Voter Number

- a. Signature and Date (REQUIRED)

- b. Proof of Residence

- i. Type (driver license, utility bill, etc.)

- ii. Issuing Entity (WI DMV, We Energies, etc.)

- iii. Unique Number, if any

1. If the unique number associated with the proof of residence is 7 or more digits in length, the last 4 digits should be recorded here.
2. If the unique number associated with the proof of residence is 6 or fewer digits in length, only the last 2 digits are recorded here.

- iv. Election Day Voter Number (if registering on Election Day)

1. This number should also be recorded on the supplemental poll list.

12. Assistant Signature and Address

- a. If the registrant required another person to complete this form on their behalf due to a physical disability, the assistant should sign and provide their residential address here.

13. Official Signature, Date Complete and POR Received, SRD information

a. Official Signature

- i. The election official first receiving the application (SRD, clerk, election inspector) should review the form for completeness and legibility before signing.
- ii. If the application is incomplete or illegible, the election official should not sign the form.
 1. If the registrant is still available, ask the registrant to complete the missing information or print more clearly.
 2. If the registrant is no longer available, the election official should submit this form to the clerk with a note explaining the deficiency.
 3. The clerk should contact the registrant within 5 days of receipt of any incomplete or illegible applications.
- iii. If the application is being received after the 20th day before the election or on Election Day, the election official must also check the Ineligible Voter List before signing (see respective registration procedures above).

b. Date Complete and POR Received

- i. If the application is complete and the proof of residence is acceptable (see below), the election official who received the application (SRD, election inspector, or clerk) should date it.

- ii. If the application is received via mail, the clerk should date it after reviewing it for completeness and legibility.

c. SRD Information

- i. If an SRD is accepting the application from a registrant, the SRD must print their name and provide the SRD number they were assigned by the registrant's municipality.

Proof of Residence

Everyone (except military and overseas electors) who wishes to register to vote or update their voter registration must present a proof of residence to prove that the person resides at the address listed on the Voter Registration Application (EL-131). If the person is registering in-person with an election official, they do not need to provide a copy of the document; they may simply show it to the election official. Electronic versions are also acceptable. The document must contain the person's current and complete name and current and complete residential address. If the document has an expiration date, it must not be expired on the day registration is made.

The following documents constitute acceptable proofs of residence:

1. An unexpired Wisconsin driver's license or receipt for license, even if driving privileges were revoked or suspended.
2. An unexpired Wisconsin identification card or receipt for identification card.
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 registration.
6. A residential lease (NOT for voters registering by mail).

- a. A residential lease should contain:
 - i. Landlord Name
 - ii. Tenant Name
 - iii. Address Subject to Lease
 - iv. Term
 - v. Rent
 - vi. Landlord Signature
 - vii. Tenant Signature

7. A university, college or technical institute identification card (must include photo, address not required) with one of the following:
 - a. A fee payment receipt issued to the cardholder by the university, college, or technical college dated no earlier than 9 months before the date of the election.

 - b. A certified and current list of students who reside in housing sponsored by the university, college, or technical college, who are U.S. citizens, and showing the current address of the students.
 - i. This list should be provided by the university, college, or technical college and the election official must verify that the student presenting the card is included on the list.

8. A utility bill (gas, electric, water, sewer, telephone/mobile, cable/satellite TV, internet, etc.) for the period commencing not earlier than 90 days before Election Day.

9. Bank statement
 - a. Statement should reflect an account where funds are deposited.

 - b. Credit card statements are NOT acceptable, even if issued by a bank.

10. Paycheck or paystub documentation of direct deposit.

11. A check or other document issued by a unit of government.
 - a. Units of government include: federal, state, county, municipal, school district, tribal, etc.

- b. Examples of government documents (not an exhaustive list):
 - i. Vehicle registration
 - ii. BadgerCare/Medicare statements (if issued by gov't agency)
 - iii. Social Security statements (if issued by gov't agency)
 - iv. Public school correspondence
 - v. Federal student loan notices (if issued by gov't agency)
12. A signed letter 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 an occupant of a residential care facility that specifies that the occupant currently resides in the facility. A room number is not required.

Electronic Proof of Residence

1. Otherwise valid proof of residence documents presented electronically on a device such as a laptop, smartphone, or tablet are acceptable for voter registration purposes.
 - a. The standard of review should be the same whether the document is physically presented to an election official or viewed in an electronic format.
 - b. Election officials may NOT reject an otherwise valid proof of residence merely because it is in an electronic format.
 - c. If the proof of residence is presented using the registrant's electronic device, the election official may ask the registrant to expand the size of the type or image, or otherwise navigate the document or image so that the election official may view any required information (i.e., name of the registrant, address, account number, date, type of document, and issuing entity or institution).
 - d. If the document is not readable in the format presented or the election official is otherwise unable to determine that it constitutes a valid proof of residence, the election official may reject the document and require the registrant to present another proof of residence.

2. Municipal clerks are not required to provide computers or Internet access for voters to use to obtain electronic copies of proof of residence to facilitate voter registration. It is the responsibility of the registrant to show or provide a copy of their proof of residence.
3. Election officials are not required to handle a registrant's electronic device, but may do so with the registrant's permission.

Military and Overseas Voter Registration

Military and overseas voters are subject to special procedures for voter registration and are the only types of voters that are not required to provide proof of residence. All military and overseas voters and any absentee ballots issued to them must be tracked in the WisVote.

1. Overseas Electors

- a. An "overseas elector" is a United States citizen, 18 years or older, who resided (or whose parent resided) in Wisconsin before leaving the United States, and who is now living outside the U.S. with no present intent to return, and not registered to vote in any other location.

Note: If an individual is temporarily overseas on Election Day (for example, a student studying abroad), that individual may register and vote like any other absentee elector and is not considered an overseas elector.

- b. Overseas electors must register to vote during open registration. An overseas elector may use the Federal Post Card Application (FPCA) form which serves as both a voter registration application (during open registration) and an absentee ballot request for overseas electors.

The Federal Post Card Application (FPCA), also known as Standard Form 76 (SF 76), is a postage-free postcard, printed and distributed by the U.S. Department of Defense – Federal Voting Assistance Program (FVAP) for use by absentee voters covered by the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA). The FPCA is a combination registration form and absentee ballot request. The online version of the FPCA can be obtained from the FVAP website at <http://www.fvap.gov>.

Overseas electors are NOT required to provide proof of residence.

2. Military Electors

- a. A “military elector” is a member of the U.S. Army, Navy, Air Force, Marine Corps, Coast Guard, Merchant Marine of the United States, Peace Corps, the commissioned corps of the Federal Public Health Service, the commissioned corps of the National Oceanic and Atmospheric Administration, civilian employees of the United States and civilians officially attached to a uniformed service who are serving outside the United States, and any spouse and dependents of the above who are residing with or accompanying them.
- b. Military electors, under state law, are not required to register to vote. However, clerks practically must still obtain sufficient information to enter a military elector into WisVote.

This information can be obtained from the Federal Post Card Application (FPCA) form, which serves as both a voter registration application and an absentee ballot request. Therefore, by requesting an absentee ballot, a military elector practically undergoes registration. It is important to note, however, that under the law, military electors are not required to register to vote.

Military electors are NOT required to provide proof of residence

Confidential Electors

Electors who are victims of domestic abuse, sexual assault, or stalking have the option to be listed confidentially on poll lists.

Eligibility

An individual is eligible for a confidential listing in the poll list if the person:

1. Has been granted a protective order that is in effect related to either domestic abuse or harassment.

2. Is a victim of domestic abuse, sexual assault, or stalking where a person has been charged with or convicted of such an offense and the victim reasonably continues to be threatened by that person.
3. Resides in a shelter.
 - a. “Shelter” means a place where at least 4 unrelated individuals reside that provides residential shelter to individuals whose personal security is or may be threatened by family members or other persons with whom the individuals have had contact.
4. Received services from a domestic abuse or sexual assault victim services provider within the last 24 months.
 - a. The WEC regularly receives lists of eligible domestic abuse or sexual assault victim services providers. Please contact the WEC Help Desk for a copy of the list.

Request for Confidentiality

An eligible person may request a confidential listing by submitting a written request or [Request for Confidential Listing \(EL-146\)](#) to their municipal clerk along with one of the following:

1. A copy of a protective order that is still in effect.
2. A completed [Affidavit of Sheriff, Chief of Police, or District Attorney \(EL-147\)](#), dated within 30 days of the date of the request.
3. A statement signed by the operator or an authorized agent of the operator of a shelter that is dated within 30 days of the date of the request, which indicates that the operator operates the shelter and that the individual making the request resides in the shelter.
4. A statement signed by an authorized representative of a domestic abuse victim service provider or a sexual assault victim service provider that is dated within 30 days of the request.

An individual with physical disabilities who appears personally at the clerk’s office and accompanied by another elector of Wisconsin may designate the other elector to make a request for confidentiality on their behalf.

A confidential elector must still register to vote the same as any other elector.

If the individual provides the necessary documentation to obtain a confidential listing, the clerk issues an Identification Card of Protected Individual (EL-148) to the protected individual and notes the identification serial number on the voter registration form in the space provided. The ID serial number is the HINDI number assigned to the municipality plus a sequential number e.g., “13251-01.” **Note:** The Identification Card of Protected Individual (EL-148) is not available on the WEC website and can only be obtained by contacting the Wisconsin Elections Commission.

Polling Place Procedure

1. The confidential portion of the poll list will appear at the end of the poll list as a separate section containing the name of each confidential voter and their confidential voter identification number.
 - a. The confidential portion of the poll list is NOT open to public inspection.
 - b. The municipal clerk may, upon request, disclose the existence of the list, the number of electors whose names appear on the list, and the number of those electors who have voted at any point in the proceedings.
2. The confidential voter presents his or her confidential voter identification card instead of announcing his or her name at the polling place.
3. The confidential voter must still sign the poll list before being issued a ballot.
4. If voting by absentee ballot, the confidential elector provides his or her name and confidential elector identification number on the absentee certificate envelope. The confidential elector must still sign and have a witness sign the certificate envelope.

Recordkeeping

1. The confidential elector’s voter registration should be kept in a separate confidential file, ordered alphabetically by confidential elector name.

2. Confidential listings expire when any of the following occur:
 - a. When the protective order expires
 - b. When the confidential elector no longer resides in a shelter
 - c. When updated information is received from a sheriff, chief of police, or district attorney that indicates the person is no longer qualified for a confidential listing
 - d. 24 months have passed since the creation/renewal of the confidential listing
 - e. The voter changes their name or address
3. When a confidential listing expires, the clerk shall change the registration of the confidential elector to inactive unless the confidential elector files a new request for a confidential listing or applies and qualifies for a non-confidential voter registration.
 - a. Inactive confidential voter registrations must be kept confidential until destroyed under Wis. Stat. § 7.23(1)(c).
4. If the municipal clerk has notice that a confidential listing is scheduled to expire (end of the 24 month period), the clerk shall provide 30 days' notice to the confidential elector of the scheduled expiration of the listing.
 - a. If advance notice is not possible, the clerk shall notify the confidential elector upon changing their voter registration to inactive.

Document Retention Requirements

All voter registration forms are retained for four years after a voter has been inactivated or cancelled in the WisVote system.

There is no need to notify an elector when the physical form is destroyed. Voter notification occurs at the point of inactivation in WisVote. Mailings (and details regarding which situations require elector notification) can be generated by or in conjunction with WisVote. Voters are only cancelled when deceased or confirmed as registering out of state. A mailing is not required for cancelled voters.

Absentee Voting

A qualified elector who is unable or unwilling to appear at the polling place on Election Day may vote by absentee ballot.

General Application Requirements

Registered electors wishing to vote absentee must submit an absentee ballot request in writing to the municipal clerk.

A registered elector may either apply for an absentee ballot using the Application for Absentee Ballot (EL-121) form or submit a written request, as long as the request includes all the information necessary to provide the voter with an absentee ballot. The written request must include the elector's:

1. Name
2. Residential address
3. Mailing address, if different than residential address
4. Signature
5. Proof of identification, if necessary

Note: Once provided with a by mail application, the elector is exempt from subsequent proof of identification requirements for by mail voting until they change their name or address.

If an absent elector does not indicate the desired duration of the absentee ballot request, the clerk should presume the request is only for a single election.

Powers of Attorney (POA)

A Power of Attorney (POA) may submit an absentee request on behalf of their principal. However, a POA may NOT vote the ballot for their principal. A POA may serve as an assistant in all the same ways that any person may serve as an assistant (voter registration, completing the ballot, etc.) if the voter so requests.

By Mail Requests

1. Any registered elector may submit their absentee ballot request by mail.
 - a. If absentee ballots are currently available, the municipal clerk must send the absent elector a ballot within one business day of receiving the request.
 - b. If an absentee request is delivered by a person other than the registered elector (spouse, campaign volunteer, etc.) it is treated as a by mail request.
 - c. The deadline to receive a request by mail is:
 - i. Regular electors have until 5:00 p.m. on the 5th day (Thursday) preceding the election.
 - ii. Most military and indefinitely confined electors have until 5:00 p.m. on the 4th day (Friday) preceding the election to make a request.
 - iii. Hospitalized and sequestered juror electors have until 5:00 p.m. on Election Day to make a request.
 - iv. Members of a uniformed service or the Merchant Marine of the United States (and their spouse and dependents) who are away from their primary residence due to active duty have until 5:00 p.m. on Election Day to request an absentee ballot. (Federal elections only)
 - d. Registrants who submit an absentee ballot request by mail and fail to provide a copy of proof of identification when required should be advised in writing that a ballot will not be mailed to the voter until their ID is submitted.
 - i. The EL-127 is a customizable template letter that a clerk should send to a voter who has not submitted proof of identification with their absentee ballot request when required.

- ii. Any insufficiency must be received by the clerk no later than 5:00 p.m. on the 5th day (Thursday) preceding the election or delivered by the voter no later than the close of in-person absentee voting in the clerk's office before the election or the elector can vote on Election Day at the polls.

Facsimile and Email Requests

1. Any registered elector may make a written application by means of fax or email.
 - a. Fax or email requests do NOT need to contain a copy of the applicant's original signature.
 - b. The municipal clerk must act on the fax or email request within one business day of receiving the request (NOTE: only military and permanent overseas voters may *receive* a ballot by fax or email).
2. Facsimile and email requests otherwise follow the rules for by-mail requests, including providing proof of identification.

In Person Requests

1. Registered electors may apply in person in the clerk's office beginning on the 3rd Monday before the election and ending on the Friday preceding the election. No weekend or holiday requests are permitted!
2. Proof of identification must be presented. The clerk must initial the absentee certificate envelope indicating that the clerk has viewed acceptable proof of identification.

Note: Proof of identification must be presented by an elector each time they vote in person absentee in the clerk's office.

The clerk must specify in the Type E Notice the hours during which they will be available to receive in person absentee requests.

- a. In person absentee requests may NOT be received earlier than 8:00 a.m. or later than 7:00 p.m.

- b. The clerk may choose to restrict in person absentee requests to lesser hours within the 8:00 a.m. to 7:00 p.m. range, but those hours must be specified in the Type E notice.
 - c. The clerk may also choose to be available by appointment outside their normal office hours, but must specify this in the Type E notice and also indicate the time range within which appointments may be made, not earlier than 8:00 a.m. and not later than 7:00 p.m., Monday through Friday.
 3. The applicant does not need to fill out a separate written request if he or she only wishes to vote absentee for the current election. The absentee certificate envelope doubles as an absentee request when completed in person in the clerk's office.
 4. Before issuing the ballot the clerk must review the Ineligible Voter List to confirm that the elector is eligible to vote on the day of the election.
 - a. If the name of the elector appears on the list, the clerk shall inform the elector that the elector is ineligible to vote per Department of Corrections.
 - b. If the elector agrees that they are ineligible, the absentee application should be rejected and the voter registration inactivated.
 - c. If the elector maintains that he or she is eligible to vote in the election, the clerk shall make a reasonable effort to contact the WEC to verify the elector's felony status.
 - i. If WEC confirms the elector is eligible to vote, the clerk should document on the Absentee Ballot Log (EL-124) that they confirmed the voter's status with WEC and then allow the elector to proceed to vote.
 - ii. If WEC confirms that the elector is NOT eligible to vote or if the clerk is unable to contact the WEC, the clerk should:
 1. Give the elector the Ineligible Voter Information Sheet that explains to the elector what they need to do to resolve the issue with the Department of Corrections.

2. Permit the elector to vote, but mark the Absentee Certificate Envelope (EL-122) as “ineligible to vote per Department of Corrections.”
- d. On Election Day, the inspectors shall review the Ineligible Voter List and challenge the ballot if the name of the elector appears on the list and the clerk provides no contrary information (see Election Day Issues, Challenging Voters).
5. The absentee ballot is marked by the absent voter, and sealed in an Absentee Ballot Certificate Envelope (EL-122). The Absentee Ballot Certificate Envelope (EL-122) is completed and signed by the absentee voter, and witnessed by the municipal clerk or designated staff. The witness must sign his or her name and office address.
6. The ballot may not be taken from the clerk’s office.

Proof of Identification

1. Subject to limited exceptions (see below), absentee electors are required to provide proof of identification with their absentee application.

Note: The limited exceptions to the identification requirement listed below do NOT apply to electors voting in the clerk's office or the polling place. All electors who vote in the clerk's office or the polling place must present acceptable proof of identification at that time. The only exception is confidential electors.

- a. Proof of identification is limited to one of the following:

Note: The identifications listed below are valid even if expired, if the expiration date was after the most recent general election.

- i. A driver license issued by the Wisconsin DOT, even if driving privileges are revoked or suspended.
- ii. An identification card issued by the Wisconsin DOT.
- iii. A military identification card issued by a U.S. uniformed service:
 - 1) Army
 - 2) Marine Corps
 - 3) Air Force
 - 4) Coast Guard
 - 5) Public Health Service Commissioned Corps
 - 6) National Oceanic and Atmospheric Commissioned Corps
- iv. A U.S. passport book or card

Note: The identifications listed below are acceptable for voting purposes, but must be unexpired.

- v. A certificate of naturalization that was issued not earlier than two years before the date of the election at which it is presented.

- vi. A driving receipt issued by the Wisconsin DOT (valid for 45 days)
- vii. An identification card receipt issued by the Wisconsin DOT (valid for 45 days)
- viii. An unexpired identification card issued by a Wisconsin-accredited university or college valid ONLY with proof of enrollment. The card must contain the following:
 - 1) Date of Issuance
 - 2) Signature of Student
 - 3) Expiration date not later than two years after Date of Issuance
- ix. An unexpired Veterans Affairs ID Card

Note: The identification listed below is valid regardless of the expiration date.

- x. An identification card issued by a federally-recognized Indian tribe in Wisconsin.
- b. The following groups may meet the proof of identification requirement by having another person certify the voter's identity on the absentee ballot certificate envelope instead of providing proof of identification with their application (Please refer to the "Special Categories of Absentee Voters" section below):
- i. Indefinitely Confined Electors
 - ii. Electors residing in a facility served by Special Voting Deputies
 - iii. Electors residing in a facility eligible for service by Special Voting Deputies (SVDs), but were not served by SVDs.
- c. The following groups are exempt from the proof of identification requirement when voting via absentee ballot by mail (or by email or fax for military and overseas electors only):
- i. Military electors
 - ii. Overseas electors
 - iii. Confidential electors

- iv. Electors who have previously provided proof of identification with a by-mail absentee request and have not re-registered.

General Procedures

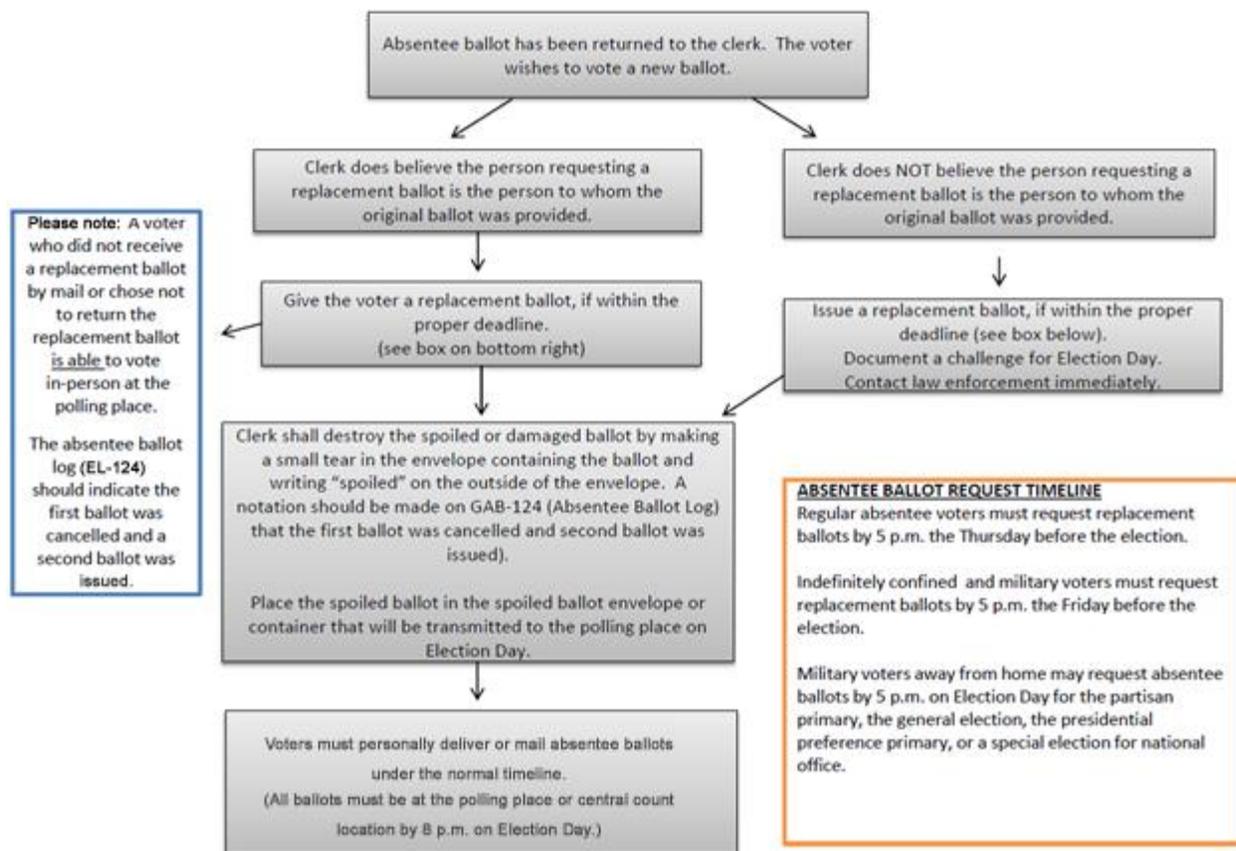
1. As soon as official ballots are available and within one business day of receiving any subsequent requests, the clerk must send the official absentee ballot to all approved absentee ballot applicants.
 - a. An absentee application is considered received when it is delivered to the clerk's mailbox/email/fax machine. This means that clerks must check every day for emailed and fax requests and every day that mail is delivered for mailed requests, regardless of what their normal office hours may be during the absentee voting period (from whenever absentee ballots are available until Election Day).
 - b. The clerk initials the certificate envelope indicating that proof of identification has been provided before sending the absentee ballot in the following situations:
 - i. A copy of the proof of identification has been provided with the application or a previous application by mail, email or fax.
 - ii. The elector is an indefinitely confined elector and the completion of the certification of witness will satisfy the proof of identification requirement.
 - iii. The voter is a military, overseas or confidential elector.
 - iv. The elector is served by Special Voting Deputies.
 1. The clerk initials the envelope after ensuring that both SVDs have signed the Certification of Witness section on the certificate envelope.
 - c. When the elector resides in an SVD-eligible facility not served by SVDs and has not applied as an indefinitely confined voter, the clerk checks the box indicating that proof of identification must be enclosed in the absentee certificate envelope or the "Certification of Care Facility Authorized Representative" section is completed.

- d. Before issuing an absentee ballot the clerk must review the Ineligible Voter List to confirm that the elector is eligible to vote on the day of the election.
 - i. If the name of the elector appears on the list, the clerk shall:
 1. Make a reasonable effort to verify the elector's felony status with the WEC.
 - a. If the WEC confirms the elector is eligible to vote, the clerk should document this on the Absentee Ballot Log (EL-124).
 - b. If the WEC confirms the elector is not eligible or the WEC cannot be contacted, continue below.
 2. Cancel the elector's absentee application.
 3. Cancel the elector's registration.
 4. Send the elector written notice that the elector is ineligible to vote per Department of Corrections (Felon Notice from WISVOTE) and that if the elector believes this action was taken in error, they must contact the clerk immediately.
 - a. With the written notice, the clerk should include a copy of the WEC's Ineligible Voter Information Sheet explaining what the elector needs to do to resolve the issue with the Department of Corrections.
 - ii. If the elector maintains that he or she is eligible to vote in the election, the clerk shall:
 1. Restore the elector's registration, but mark it as "ineligible to vote per Department of Corrections."
 2. Restore the elector's absentee application, but mark it as "ineligible to vote per Department of Corrections."

3. Issue an absentee ballot to the voter, but mark the certificate envelope as “ineligible to vote per Department of Corrections.”
- iii. On Election Day, the inspectors shall review the Ineligible Voter List and challenge the ballot if the name of the elector appears on the list (see Election Day Issues, Challenging Voters) and there is no contrary instruction from the clerk.
 1. The election inspectors shall make a reasonable effort to contact the WEC to confirm an elector’s felon status before challenging the absentee ballot.
 2. The clerk may only transmit an absentee ballot by email or fax to military or overseas electors.
 3. The clerk must initial all ballots issued in the endorsement section of each ballot under “Absentee ballot issued by.”
 4. Complete the Absentee Certificate Envelope (EL-122) by filling out the “Clerk Use Only” section with the date of the election, county, municipality, and district/ward information.
 5. Place the following materials in an Absentee Carrier Envelope (EL-120):
 - a. Cover letter (optional).
 - b. Uniform Absentee Instructions (regular, overseas, military)
 - c. Ballot(s)
 - d. Absentee Certificate Envelope (EL-122 or 122m) using the regular, FIM-A, FIM-B, or FIM-C version as appropriate. Contact your local post office if you are not certain of which to use.
 6. Mail the Absentee Carrier Envelope to the mailing address provided by the absentee elector within one business day of receiving the request.
 7. The clerk maintains the Absentee Ballot Log (EL-124).

- a. The Absentee Ballot Log (EL-124) is used to track the events that occur during the absentee ballot process (e.g. application received, ballot issued, ballot canceled, 2nd ballot issued, ballot received, ballot counted, etc.)
 - b. The Absentee Ballot Log (EL-124) enables the clerk to track any problems with the absentee certificate envelope (missing certificate, voter signature, witness signature and address, or two SVD signatures) and communicate this information to the election inspectors so they can reject the ballot if the error is not corrected by 8:00 p.m. on Election Day.
 - c. Municipal clerks who maintain their own WisVote data may also track absentee ballots and print ballot labels in WisVote.
 - d. The Absentee Ballot Log (EL-124) is sent to the polling place with the absentee ballots on Election Day.
8. An absentee ballot is marked by an absent voter, and sealed in an Absentee Ballot Certificate Envelope (EL-122). The Absentee Ballot Certificate Envelope (EL-122) is then completed and signed by the absentee voter, witnessed by an adult U.S. Citizen, and mailed or delivered in person to the municipal clerk.

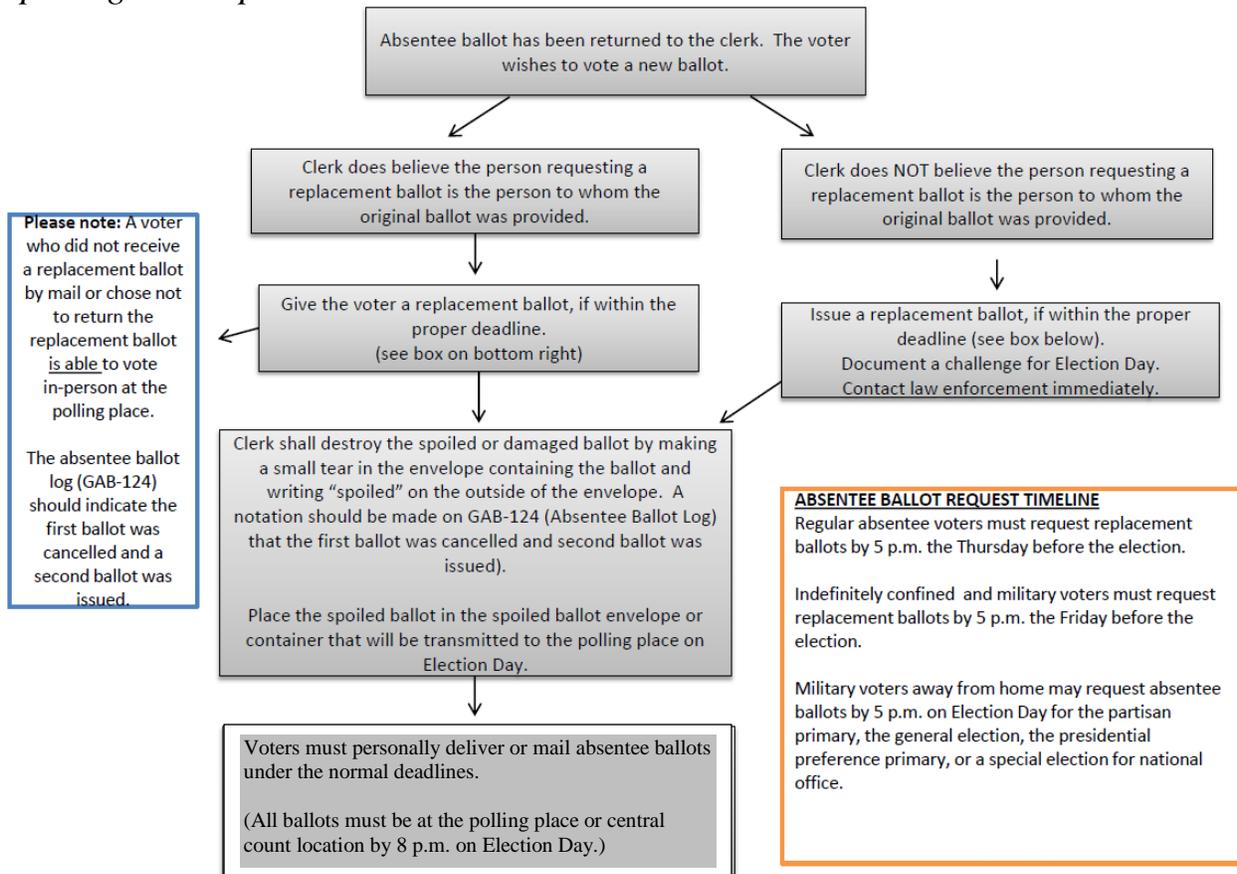
Correcting Defective Absentee Certificate Envelopes



1. The municipal clerk reviews each absentee certificate envelope when it is returned to the clerk's office for any errors (e.g. missing certificate, voter signature, witness signature and address, or two SVD signatures).
2. If there is an error, the clerk should contact the voter, if possible.
 - a. The voter has the option to correct the absentee certificate envelope in the clerk's office, by mail, or at the polling place/central count location on Election Day.
 - i. If the voter wants the original ballot mailed back to them, the clerk shall enclose the original ballot in its unopened certificate envelope along with a new certificate envelope in a carrier envelope, to send to the voter. The voter must open the original certificate envelope, verify their ballot, and seal the ballot in the new certificate envelope.

1. A voter who chose to correct the certificate envelope by mail, but did not return a corrected envelope, cannot vote in person at the polling place.
 - ii. If the voter corrects the certificate envelope in the clerk's office, the clerk shall issue a new certificate envelope to the voter. The voter must open the original certificate envelope, verify their ballot, and seal the ballot in the new certificate envelope. The voter may NOT remove the ballot from the clerk's office. The clerk may NOT serve as the witness (the original witness must be present). The original certificate envelope is then destroyed.
 - iii. If the voter corrects the certificate envelope at the polling place/central count site, the election inspectors shall issue a new certificate envelope to the voter. The voter must open the original certificate envelope, verify their ballot, and seal the ballot in the new certificate envelope. The voter may NOT remove the ballot from the voting area. The election inspectors may NOT serve as the witness (the original witness must be present). The original certificate envelope is then destroyed.
- b. The original witness must always be present to correct any certificate errors.
- c. The clerk should document any certificate errors on the Absentee Ballot Log (EL-124).

Spoiling and Replacement Ballots



1. If the applicable absentee request deadline has not yet passed for the voter and the clerk believes the person requesting the replacement ballot is the person to whom the original ballot was provided, the voter has the option to spoil their ballot (for any reason) and vote a new ballot. The voter can have a 2nd ballot sent to them by mail, they can come to the clerk’s office and vote in-person absentee, or they can vote on Election Day at the polling place. If a 2nd absentee ballot is issued, the certificate envelope should be marked “2nd ballot.”
 - a. If the clerk does NOT believe the person requesting the replacement ballot is the person to whom the original ballot was provided, the clerk shall issue a replacement ballot, document the incident for a subsequent challenge on Election Day, and contact law enforcement immediately.

- b. A clerk should “spoil” the returned original ballot by partially tearing the certificate envelope and ballot so that is unusable as a ballot, but not entirely destroyed and placing it in a Spoiled Ballots envelope.
 - c. A voter who wishes to spoil a ballot in their possession should similarly destroy the envelope/ballot.
 - d. A voter who did not receive the replacement ballot or chose not to return the replacement ballot is able to vote in-person on Election Day.
 2. The municipal clerk ensures that each absentee ballot is delivered to the correct polling place or alternate absentee ballot site on Election Day no later than 8:00 p.m.
 - a. Missing and no certificate envelope ballots should be labeled “To Be Rejected” and kept separate from the rest of the absentee ballots when delivered to the polling place.
 - b. Election inspectors should be instructed to NOT process these absentee ballots until 8:00 p.m. on Election Day so as to provide the voter with as much time as possible to fix the error.
 3. If the clerk receives an absentee ballot from an elector who is recorded as voting on Election Day, the clerk should mark the ballot “To Be Rejected” and set the ballot aside for processing by the Municipal Board of Canvassers. The clerk should also contact law enforcement immediately.
 4. If an elector with a calendar year request does not return a ballot for a spring election, general election or special election, the absentee request is canceled and the absentee elector should be notified by mail within 5 days, if possible.

Special Categories of Absentee Voters

There are additional procedures for various special categories of voters.

Indefinitely Confined Electors

1. An elector who is indefinitely confined because of age, physical illness or infirmity, or is disabled for an indefinite period may sign a statement to that effect and request that absentee ballots be sent to the elector automatically for every election until such time as the elector fails to return a ballot.
 - a. The Application for Absentee Ballot (EL-121) contains a space for the voter to indicate they qualify as indefinitely confined.

Note: The completion of the certification of witness satisfies the proof of Identification requirement for indefinitely confined electors.

- b. The envelope containing the indefinitely confined elector's ballot should be clearly marked "return service requested."
 - c. If an indefinitely confined elector does not wish to vote a ballot that has been sent to them, they should be directed to place the blank ballot in the certificate envelope and return it to the clerk's office.
 - d. If an indefinitely confined elector fails to cast and return a spring, general or special election ballot, the clerk shall send a 1st class letter or postcard informing the voter that his or her name will be removed the list unless the voter applies for renewal within the 30-day period.
 - i. Notification letters can be generated from WisVote if using the absentee functionality.
 - ii. The voter is required to submit a renewal of their absentee request in writing, but a full Application for Absentee Ballot (EL-121) is not required.
2. The clerk shall remove from the indefinitely confined list the name of each person who:
 - a. Fails to cast and return an absentee ballot and does not renew the application within 30 days.

- b. Requests their name be removed from the list.
- c. No longer qualifies for the service (upon receipt of reliable information).

Military & Overseas Electors

Military and overseas electors are covered by the federal Uniformed Overseas Citizens Absentee Voting Act (UOCAVA) as well as specific state laws. As such, they have a variety of special rules that apply to them to ensure that the elector will receive their ballot in time to vote from overseas.

Military and Overseas Absentee Applications

The general procedure for military and overseas electors to request an absentee ballot is as follows:

1. Requests must be made in writing by one of the following methods:
 - a. The Application for Absentee Ballot (EL-121)
 - b. MyVote.wi.gov (see MyVote chapter)
 - c. The Federal Post Card Application (FPCA), also known as Standard Form 76. Regular voters who are temporarily overseas may also use this form.
 - d. Any other written request (providing it gives all required information and is signed by elector). Fax or email requests are valid if received by the application deadline and do not require a copy of the applicant's signature.

Note: Military and overseas electors are exempt from providing proof of identification when voting absentee by mail.

2. Military Electors

- a. State law provides that an individual who qualifies as a military elector is not required to register (although clerks need to obtain sufficient information to enter a military elector into WisVote).

- b. Military electors may request an absentee ballot for any specific election or for all elections within the calendar year of which the request was made, until the individual otherwise requests or until one of the following occurs:
 - i. The elector no longer qualifies for military status.
 - ii. The elector has registered to vote elsewhere.
- c. Military personnel seldom notify their municipal clerk when they are relocated or when they leave the military.
 - i. This often makes keeping up with the location of military electors difficult and frustrating.
 - ii. The Federal Voting Assistance Program's (FVAP) policy with respect to divulging information about military personnel status or location has become more stringent. In light of these difficulties, the Wisconsin Elections Commission has implemented the following policy with respect to military voters:
 - 1. The clerk is required to make an effort to determine the location or status of a military elector.
 - 2. The clerk must document what efforts were taken to determine the location or status of a military elector, and the results of those efforts.
 - 3. The elector will be offered the opportunity to reapply for absentee ballots.
- d. A military elector may request an absentee ballot be transmitted via email or fax. The municipal clerk must comply with their request.

3. Overseas Electors

- a. Overseas electors are required to register, unlike military electors. They are not required to provide proof of residence. An absentee ballot

request from an overseas elector is effective for the calendar year in which the request was made.

- b. Overseas electors *only* receive ballots for federal offices (U.S. President, U.S. Senator, and Representative in Congress).
- c. An overseas elector may request an absentee ballot be transmitted via email or fax. The municipal clerk must comply with their request.

Transmitting Absentee Ballots by Facsimile or Email

Only military and overseas electors are eligible to receive their ballot via fax or email. To transmit a ballot via fax or email, the clerk should take the following steps:

1. Initial the ballot in the endorsement section under “Absentee ballot issued by”.
2. Initial and indicate the page number and total number of pages (1 of 3, 2 of 3, etc.) in the upper-right corner of each side of the ballot that contains contests.
3. Complete the Absentee Certificate Envelope (EL-122) by filling out the “Clerk Use Only” section with the date of the election, county, municipality, and district/ward information.
4. Fax or scan and send the following:
 - a. Cover letter (optional)
 - b. Uniform Absentee Instructions (Military or Overseas, as appropriate)
 - c. Each side of the ballot
 - d. The face of the absentee certificate envelope (EL-122)

Federal Write-In Absentee Ballot (FWAB)

The FWAB is a write-in ballot that is only available to military and overseas electors. The FWAB is available at military posts, U.S. embassies, and consulates

throughout the world. It may also be downloaded from the Federal Voting Assistance Program's website (<http://www.fvap.gov>).

The FWAB can be used for any elections/offices for which the elector is eligible to vote. However, if submitted by an overseas elector, the elector must have submitted a separate absentee request that is received no later than the 5th day before the election in order to count the FWAB. The FWAB counts as both an absentee request and write-in ballot for military electors and if an official absentee ballot has not already been sent to a military elector who submits a FWAB, the clerk should transmit an official absentee ballot to the elector as soon as possible.

Special Processing for Write-In Absentee Ballots

1. If received by Election Day, the official absentee ballot supersedes any write-in ballot received from the elector.
2. Whatever ballot is received on Election Day is counted and all other ballots received after Election Day will be rejected.

Hospitalized Electors

A hospitalized elector may certify that he or she cannot appear at the polling place on Election Day and appoint an agent to conduct the absentee ballot request/delivery process on the elector's behalf.

Procedure

1. The hospitalized elector may not request a ballot by agent more than 7 days before an election or after 5:00 p.m. on Election Day.
2. If the elector is not registered, the elector must complete a voter registration application and provide proof of residence.
 - a. If the hospitalized elector is unable to sign the registration due to physical disability, they may authorize an assistant to sign on his or her behalf.
 - i. The assistant must also sign his or her name as the assistant and provide his or her address.

- ii. The assistant need not be the agent.
3. The hospitalized elector must complete an absentee application and provide proof of identification.
 - a. The agent must provide his/her name, signature and address on the absentee application.
 - b. If the hospitalized elector is unable to sign the application due to physical disability, they may have an assistant sign the application.
 - i. The assistant must also sign his or her name as the assistant.
 - ii. The assistant need not be the agent.
4. The agent for the hospitalized voter delivers a completed absentee ballot application or the written equivalent to the municipal clerk for the hospitalized elector's municipality of residence.
5. An agent must provide his or her own proof of identification before the municipal clerk may issue an absentee ballot to the agent. The clerk should ensure that the identification matches the information on the application.
6. The municipal clerk issues an absentee ballot, absentee certificate envelope and uniform instructions in an absentee carrier envelope to the agent for the hospitalized elector.
7. The agent transports the absentee ballot to the hospitalized elector.
 - a. The hospitalized elector votes the ballot in the presence of a witness.
 - i. The agent or another designee of the elector may assist in filling out the ballot and should sign the ballot as the assistant.
 - b. The hospitalized elector places the voted ballot in the absentee certificate envelope, seals and signs the envelope.
 - c. The witness signs the envelope and provides his or her address.
 - i. The agent may serve as the witness.

8. The agent must deliver or mail the absentee certificate envelope.
 - a. In person delivery to the municipal clerk, to the polling place or a central count location, if there is one, must be done by 8 p.m. on Election Day.
 - b. By mail delivery to the municipal clerk must be postmarked by Election Day and received by 4 p.m. the Friday following the election.

Sequestered Jurors

If an elector indicates in his or her written request for an absentee ballot that they are a sequestered juror, the following special procedures apply:

1. The municipal clerk must receive the sequestered juror's absentee request and proof of identification no later than 5:00 p.m. on Election Day.
2. If the application is received on or before 5:00 p.m. on the Friday before the election, the clerk may mail the absentee ballot to the sequestered juror.
3. If the application is received after 5:00 p.m. on the Friday before the election:
 - a. The clerk or the clerk's agent shall immediately take the ballot to the court in which the elector is serving as a juror and deliver the ballot to the judge.
 - b. The judge shall recess court, as soon as convenient, and give the elector the ballot.
 - c. The judge shall then serve as witness for the sequestered juror and return the voted ballot to the clerk or clerk's agent.

Occupants of Residential Care Facilities and Retirement Homes

For information on the procedures for absentee voting in Wisconsin nursing homes, qualified community-based residential facilities, qualified retirement homes, qualified retirement homes, qualified residential care apartment complexes and qualified adult family homes, please reference the "*Absentee Voting in*

Residential Care Facilities and Retirement Homes” manual available on the WEC website.

Alternate Absentee Ballot Site

The governing body of a municipality may elect to designate a site to replace the office of the municipal clerk as the location from which electors of the municipality may request and vote absentee ballots.

1. The designated site shall be located as near as practicable to the office of the municipal clerk.
2. The governing body shall not later than 14 days prior to the time absentee ballots are available (47 days before each primary or election for national office, 21 days before each other primary or election) designate an alternate absentee ballot site.
3. The municipal clerk shall display notice of the alternate site in the office of the municipal clerk.
4. An alternate absentee ballot site shall be staffed by the municipal clerk or employees of the clerk.
5. An alternate absentee ballot site must be accessible to all individuals with disabilities.

Absentee Ballot Request Deadlines

The following chart outlines the specific deadlines to request an absentee ballot that apply to different types of absentee voters.

<i>Applicant</i>	<i>How received</i>	<i>Type of Election</i>	<i>Deadline</i>
Regular – Specific Election Request	Mail/Email/Fax	All	Received by 5:00 p.m. on the 5 th day before the election – Wis. Stat. § 6.86(1)(b)
Regular – Calendar Year Request	Mail/Email/Fax	All	5:00 p.m. on the Friday before the election – Wis. Stat. §§ 6.86(1)(b), (2m)
Regular	In-person	All	As indicated in the Type E notice. Not earlier than 8:00 a.m. on the 3 rd Monday before the election and not later than 7:00 p.m. on the Friday before the election. No weekend or holiday hours permitted. – Wis. Stat. § 6.86(1)(b)
Hospitalized	Mail/Email/Fax (By agent only)	All	Not earlier than 7 days before an election and not later than 5:00 p.m. on Election Day – Wis. Stat. § 6.86(3)(c)
Indefinitely confined	Mail/Email/Fax	All	5:00 p.m. on the Friday before the election – Wis. Stat. §§ 6.86(1)(b), (2)
Military (Not Away)	Mail/Email/Fax	All	5:00 p.m. on the Friday before the election – Wis. Stat. § 6.86(1)(c)
Military (Away)	Mail/Email/Fax	All elections that do not include a national office	5:00 p.m. on the Friday before the election – Wis. Stat. § 6.22(4)(b)
Military (Away)	Mail/Email/Fax	All elections for national office	5:00 p.m. on Election Day – Wis. Stat. § 6.86(1)(b)
Overseas	Mail/Email/Fax	All	5:00 p.m. on the Thursday before the election – Wis. Stat. § 6.685(2), 6.86(1)(b)
Sequestered Juror	Mail/Email/Fax	All	5:00 p.m. on Election Day – Wis. Stat. § 6.86(1)(b)
SVD facility occupant	By Special Voting Deputy	All	Received as part of a facility visit starting no later than 5:00 p.m. on the Monday before the election. Wis. Stat. § 6.875(6)(a)

Provisional Voting

In Wisconsin, provisional voting is ONLY used in three situations:

1. If a first time voter who registered by mail before April 4, 2014 failed to provide proof of residence (when required) and appears to vote at a polling place and still cannot provide proof of residence, he or she may vote provisionally.
 - a. The poll list will contain the notation “POR Required” to identify these voters.
 - b. If this individual voted absentee, the returned absentee ballot will be treated as provisional if no proof of residence has been provided. Please note the proof of residence may be inside the Absentee Certificate Envelope (EL-122).
2. If an individual who attempts to register to vote at the polling place on Election Day has been issued a Wisconsin driver license or Wisconsin state identification card, that is not expired or cancelled, even if driving privileges have been revoked or suspended, but is unwilling or unable to provide the license or state identification card number, and the lack of that number is the only missing item of information, the individual may vote provisionally.
 - a. The number is not required for a license or state identification card that has expired or been cancelled.
 - b. Wisconsin DOT/DMV maintains a Help Desk for individuals to call if they need to look up their driver license or state identification card number. The phone number is: (608) 266-1069, option 1.
 - c. Individuals who have an unexpired Wisconsin driver license or Wisconsin state identification card may NOT use the last four digits of their Social Security number to register.
3. If an elector is required to provide proof of identification and failed to provide the required proof of identification, he or she may vote provisionally.
 - a. All voters on Election Day except for confidential voters are required to show proof of identification before receiving a ballot.

- b. If an individual is unable or unwilling to provide the required proof of identification at the polling place on Election Day, he or she may vote provisionally.

There is NO other situation in which provisional voting should be used. Provisional ballots are NOT given when a voter is at the wrong polling place. If a voter appears at the wrong polling place, he or she will be directed to the proper location. Provisional ballots are also NOT given when a person is attempting to register in-person at the polling place and cannot provide the required proof of residence.

Procedure

Once it is determined a voter will vote provisionally, the following procedures are required:

1. If the elector has been issued a provisional ballot due to failure to provide their Wisconsin driver license or state-issued ID card number when registering or failure to provide proof of residence as a first time voter by mail (prior to April 4, 2014), the election inspectors must still ask the elector to provide an acceptable form of proof of identification.
1. Every provisional voter must complete a Provisional Ballot Certificate Envelope (EL-123).
2. The voter completes the certificate envelope in the presence of at least one election inspector by providing:
 - a. Full name
 - b. Complete address, including municipality and county
 - c. Date of birth
 - d. Indication of U.S. Citizenship
 - e. Date of election
 - f. Signature and date
3. The election inspector completes the certificate envelope by:

- a. Signing and dating the certificate envelope.
 - b. Indicating the type of required information (either “Proof of Residence, “Driver License or State Identification Card Number” or “Proof of Identification”) by checking the appropriate box on the certificate envelope. More than one box may need to be checked.
4. The election inspector issues a provisional voter number (PV#), which is recorded on the voter list. A voter number is NOT issued to the elector at this time and the elector does NOT sign the poll list.
 - a. This number is issued sequentially, starting with “1.”
 - b. The PV# is also recorded in six places:
 - (1) The back of the ballot
 - (2) On the Inspectors’ Statement (EL-104)
 - (3) On the Provisional Ballot Certificate Envelope (EL-123)
 - (4) On the Provisional Ballot Reporting Form (EL-123r)
 - (5) On the poll list or supplemental poll list
 - (6) On the Provisional Voting Information sheet for the elector
5. The elector votes the ballot, seals the voted ballot in the Provisional Ballot Certificate Envelope (EL-123), and returns the sealed envelope to the election inspector.
6. Election inspectors must provide the elector with the Provisional Voting Information Sheet.
7. The sealed certificate envelope (EL-123) is placed inside the Inspectors’ Certificate for Provisional Ballots Envelope (EL-108).
 - a. The election inspectors record the name of the elector, the PV#, and the reason for the provisional ballot on the Provisional Ballot

Reporting Form (EL-123r) and on the Inspectors' Statement (EL-104).

- b. The Inspectors' Certificate of Provisional Ballots Envelope (EL-108) must be kept secure throughout Election Day.
 - c. When the polling place closes, the Inspectors' Certificate of Provisional Ballots Envelope (EL-108) must be secured in a separate ballot bag with a tamper evident serialized numbered seal. The serial number shall be recorded on the signed ballot container certification attached to the bag and on the Inspectors' Statement. The bag should be marked "Provisional Ballots."
8. An elector who was issued a provisional ballot may return to the polling place before 8 p.m. to provide the missing documentation to the election inspectors. Election inspectors shall review the provided documentation to determine if it is satisfactory.
- a. If the provided documentation is not valid the election inspectors shall inform the elector and document the incident on the Inspectors' Statement (EL-104).
 - b. If the provided documentation is valid:
 - i. The elector must sign the poll or supplemental list.
 - ii. Note on the Inspectors' Statement (EL-104) that the elector provided the required documentation.
 - iii. Initial and date the Provisional Ballot Reporting Form (EL-123r) to indicate that the elector provided the required documentation.
 - iv. Election inspectors should offer the elector the option of spoiling the provisional ballot and voting a new ballot.
 - v. If the elector chooses to spoil the provisional ballot:
 1. The Provisional Ballot Certificate Envelope (EL-123) is removed from the Inspectors' Certificate of Provisional Ballots (EL-108) envelope and given to the elector.

2. The elector should remove the provisional ballot and spoil it.
 3. Document the incident and spoiled ballot on the Inspectors' Statement (EL-104).
 4. The elector signs the poll list.
 5. The elector is issued a sequential voter number, which is recorded on the poll list and noted on the Provisional Ballot Reporting Form (EL-123r) by marking "on poll list" in the column labeled "Voter Number Issued."
 6. The elector is given a new ballot.
- vi. If the elector chooses to cast the provisional ballot:
1. Note on the Inspectors' Statement (EL-104) and initial and date the Provisional Ballot Reporting Form (EL-123r) that the elector provided the required documentation.
 2. Remove the elector's Provisional Ballot Certificate Envelope (EL-123) from the Inspectors' Certificate of Provisional Ballots (EL-108) envelope.
 3. Verify that the Provisional Ballot Certificate Envelope (EL-123) has not been opened or tampered with.
 - a. If the Provisional Ballot Certificate Envelope (EL-123) has been tampered with, the election inspectors shall spoil the provisional ballot and instruct the elector to cast a new ballot.
 4. The elector signs the poll list.
 5. The elector is issued a sequential voter number, which is recorded on the poll list and noted on the Provisional Ballot Reporting Form (EL-123r) by marking "on poll list" in the column labeled "Voter Number Issued."

6. Provide the elector with the Provisional Ballot Certificate Envelope (EL-123) and instruct him or her to remove the ballot and place it in the ballot box or voting equipment.
7. Collect the used Provisional Ballot Certificate Envelope (EL-123) from the elector and place it back in the Inspectors' Certification of Provisional Ballots (EL-108) envelope.

Processing

1. A Provisional Ballot Reporting Form (EL-123r) must be completed by the election inspectors at the polling place listing all of the electors who cast a provisional ballot. The clerk must review the form and send a copy to both the county clerk and their WisVote provider if different after the close of polls on Election Day. The municipal clerk must keep a copy for his or her office. A blank Provisional Ballot Reporting Form is available on the agency website.
2. All electors who have been issued a provisional ballot must be tracked in WisVote on election night. WisVote must also be updated if/when an elector provides the missing information.
 - a. Self-Providers must enter the information into WisVote. Please see the WisVote Training Manual for details.
 - b. Reliers must provide the Provisional Ballot Reporting Form (EL-123r) to their Provider. Reliers must inform their Provider with updates if/when electors provide the missing information.
 - c. Providers must enter provisional ballot information into WisVote on election night on behalf of their reliers. Please see the WisVote Training Manual for details.
 - d. The ballot bag containing the provisional ballots must be secured in the municipal clerk's office until they are delivered to the Municipal Board of Canvassers for processing.
3. Provisional ballots are not counted until the required information (either proof of residence, driver license number, state identification card number and/or proof of identification) is provided to either the election inspectors by

8:00 p.m. on Election Day, or to the municipal clerk or deputy clerk by 4:00 p.m. on the Friday after the election.

- a. Municipal clerks must be available to receive the missing information from electors who have an outstanding provisional ballot through 4 p.m. on the Friday after the election:
 - i. Electors who need to provide their Driver License or State Identification Card Number can provide their number:
 1. Over the phone
 2. By electronic transmission
 3. By delivery (not in-person)
 4. In-person
 - ii. Electors who need to provide a proof of residence can provide their documentation:
 1. By electronic transmission
 2. By delivery (not in-person)
 3. In-person
 - iii. Electors who need to provide proof of identification must provide their ID in-person.
- b. Electors who provide their information after Election Day do not sign the poll list.
- c. When an elector provides missing provisional information after Election Day, the municipal clerk must update the EL-123r with:
 - i. The type of provisional documentation provided
 - ii. The method used to provide the missing information
 - iii. The date and time the elector provided the missing information
 - iv. The clerk's name
- d. WisVote must also be updated when an elector provides missing provisional information after Election Day.

4. If the person voting provisionally does not present the information to the municipal clerk by 4 p.m. on the Friday after the election the Provisional Ballot Certificate Envelope (EL-123) is not opened. Neither the voter nor the ballot is counted as part of the Election Day results if the missing required information is not returned by the deadline.
5. The municipal clerk should maintain communication with the county clerk regarding the number of outstanding provisional ballots.
6. After the 4 p.m. deadline on the Friday following the election, the municipal clerk transmits an updated EL-123r to the County indicating which electors provided missing information.
7. The ballot bag containing the provisional ballots should only be opened during a meeting of the Municipal Board of Canvassers.
8. The Municipal Board of Canvassers will meet to count and tally the provisional ballots for which the elector has supplied the missing information.
 - a. The Board of Canvassers will assign a voter number to the elector starting with the last voter number issued on Election Day in the appropriate reporting unit.
 - b. The voter number is recorded on the EL-123r.
 - c. The votes cast on the provisional ballot are tallied on a Tally Sheet (EL-105).
 - d. A copy of the EL-123r and the tally sheets used at the Board of Canvassers is forwarded on to the other affected Boards of Canvassers.

Frequently Asked Questions

1. Can persons convicted of a felony vote?

A person who has been convicted of a felony may not vote until the term of his or her sentence, including probation or parole, has been served.

2. *What if a person moves away but indicates that he or she has the intent to return?*

So long as he or she has not registered to vote at the new municipality, he or she may retain his or her right to vote in the former municipality.

3. *What if the elector has recently moved to the municipality?*

Individuals who have moved within the state, but have resided at their new address fewer than 28 days must vote at the polling place that served their previous residence. Individuals who have recently moved to the state and resided at their address fewer than 28 days may vote for President and Vice President only by completing the Application for Presidential Ballot – New Wisconsin Resident (EL-141).

4. *If an individual is temporarily overseas, such as for school, are they considered an overseas elector?*

No. That individual is not considered an overseas elector and is treated like any other absentee voter.

5. *Can a spouse or family member request an absentee ballot on behalf of his/her relative?*

No. The clerk is required to obtain written request from each elector before issuing an absentee ballot.

6. *Can a person other than the voter return a voted absentee ballot on behalf of the voter?*

Yes. A ballot hand-delivered to the clerk's office or polling place is considered returned by mail.

7. *Can a voter take a ballot out of the clerk's office?*

No. An elector may NOT take the ballot out of the clerk's office. However, an absentee voter may obtain and cast a ballot inside the clerk's office during the in person absentee voting hours.

8. *Rather than returning a ballot to the clerk's office, can an absentee elector deliver the ballot to the polling place?*

Yes. If the absentee elector returns the ballot to the polling place, the election inspectors must indicate that the absentee ballot was hand-delivered on the Inspectors' Statement (EL-104) and Absentee Ballot Log (EL-124).

ELECTION OFFICIALS

Summary

An election official is defined as “an individual who is charged with any duties relating to the conduct of an election.” Wis. Stat. § 5.02(4e). County, municipal and school district clerks are election officials, as are election inspectors, chief inspectors, special registration deputies (SRD), special voting deputies (SVD), tabulators, greeters, and canvass board members. Election officials perform a very important public service by enhancing the high quality and integrity of our elections. It is important that you, as a municipal clerk, ensure there are qualified and well-trained individuals for these positions. Wisconsin Statutes Chapter 7 prescribes the selection, training, and duties for election officials.

Municipal Clerks

Appointment and Qualifications

Municipal clerks are elected by the electors or appointed to their positions by the governing body of a given town, village, or city. For specific qualification and residency requirements, consult your municipal attorney.

Duties

The municipal clerk’s election duties include, but are not limited to, supervision of elections and voter registration in the municipality, equipping polling places, purchasing and maintaining election equipment, preparing ballots and notices, and conducting and tracking the training of other election officials. The municipal clerk is responsible for conducting the election in his or her municipality.

A municipal clerk may serve as an Election Day Special Registration Deputy and register voters at the polling place on Election Day without a resolution of the governing body. A municipal clerk may register voters in his or her office on Election Day if located within the same building as the polling place with a resolution of the governing body.

Training Requirement

Under Wisconsin law, each municipal clerk must attend training sponsored by the Wisconsin Elections Commission every two years. [Wis. Stat. § 7.15\(1m\)](#). In order to comply with this training requirement, municipal clerks must obtain six hours of training every two year term, beginning January 1 of even-numbered years and ending on December 31 of odd-numbered years.

All election officials are now on the same training cycle. All current clerks whose training terms would otherwise expire on December 31, 2016 have had their training terms extended to December 31, 2017.

All clerks must be initially certified by attending the Municipal Clerk Core Curriculum Training course, which counts three hours toward the six hours required in any given term. Clerks always need to earn a total of six hours during the current term in order to recertify for the next term.

Clerks must report their election training and the number of hours to the WEC using the Municipal Clerk Recertification Reporting Form which is available on the G.A.B.'s website. Training not reported using the form will not be counted towards recertification hours. Training “sponsored” by the WEC includes any training for municipal clerks that the WEC approves. This includes but is not limited to trainings given by county clerks, online trainings, and webinar sessions, either live or recorded.

Election Inspectors

Election inspectors, sometimes called “poll workers,” staff the polling place on Election Day. Election inspectors’ duties include setting up the polling place, preserving order, registering electors, recording electors, issuing ballots, monitoring voting equipment, counting votes, and properly completing the required forms.

Special note regarding election inspector appointments: It is the opinion of the Commission that election inspectors may not serve at elections where they, their spouse, or immediate family member is a candidate on the ballot or under other circumstances where a candidate’s success or failure to win election would affect the election inspector financially. Additionally, under the compatibility of offices doctrine, the general rule is that an individual may not hold two public offices or an office and a position within the same unit of government where one post is

superior to the other, so members of the municipality's governing body may not appoint themselves as election inspectors. Finally, there may be other laws that specifically prohibit certain individuals from serving as election inspectors. Clerks are encouraged to check with their local municipal attorney if they have any questions as to whether a given individual may serve. For more information see the June 20, 2016 clerk communication on this subject on the agency website.

Number of Election Inspectors

1. Each polling place should have seven inspectors.

The governing body may increase the number where more than one voting device is used or polling places are combined.

2. By ordinance, the governing body may provide for the selection of alternates or for the selection of two or more sets of inspectors to work at different times on Election Day. Alternate officials may be appointed to maintain adequate staffing of polling places.
3. The governing body of the municipality may reduce the number of election inspectors by resolution. However, no polling place may have fewer than three election inspectors.

Qualification of Election Inspectors

Election inspectors must meet the following criteria:

1. They must be nominated.

The two political parties whose candidates for governor or president received the largest number of votes in the previous general election may submit lists of election inspector nominees no later than November 30 of an odd-numbered year. When party lists are received, election inspector appointments must be made from them. When lists of election inspector nominees are not received from the political parties, appointments are made without regard to party affiliation.

As a municipal clerk, you should contact the appropriate statutory committee-person or voluntary county party chairperson before the first week in November and advise him or her of their responsibility to submit a list of nominees to the Mayor, Village President or Town Board

Chairperson. Do not hesitate to recommend election inspectors who have proven to be effective workers.

Determining Party Imbalance at Each Polling Place

- a. The party whose candidate for Governor President at the last general election received the most votes *at that polling place* (the “dominant” party) is entitled to one extra inspector.
- b. Determine party imbalance for each polling place in anticipation of receiving lists of inspector nominees from the political parties.

Example:

Republican candidate for governor received the most votes at the polling place at the last general election. Seven total inspectors are needed. Positions available: Four Republican positions and three Democratic positions.

- c. Positions identified as Republican and Democratic remain as such for the duration of the term.

When Lists are Received from One or Both Parties:

Clerks are advised to contact each party’s nominees to confirm their willingness to serve before submitting the names to the governing body for appointment.

- a. Document any nominees not willing to serve and provide the Party those names.
- b. The clerk may also inquire as to willingness to serve as a chief inspector and arrange for training for those who are interested.
 - 1) Refusal to serve as a chief inspector is not grounds for nonappointment.

Appointments must be made from the lists submitted by the parties for as long as election inspector positions are available. If party lists have been timely received, positions must be filled from the lists until the names on those lists have been depleted.

- a. Nominees must be qualified electors of the county in which they reside.
- b. The lists may also designate individuals as first choice nominees, who must be appointed first.
 - 1) First choice nominees may be designated by a symbol, such as a star, asterisk or checkmark.
 - 2) If “first choice” is not indicated, but the names are numbered, they should be appointed in numerical order.

Appointment of persons not appearing on the lists may only occur after the lists have been depleted. Note: The parties have sole discretion to determine nominee criteria.

When party lists are received, the clerk must adhere to “party imbalance” *at each polling place*. The dominant party is entitled to one more election inspector at that polling place than the other party.

Example: Five election inspectors are to be placed at a polling place. The Democratic candidate for governor or president received the most votes at the polling place at the last general election. This means that three positions are Democratic and two positions are Republican. The governing body appoints three names from the Democratic list and two names from the Republican list.

It is possible that the dominant party will differ between polling places in the same municipality.

If Lists are Received but are Insufficient:

If the Democratic and Republican parties’ lists are insufficient or the nominees decline to serve in the positions available for that party’s nominees, the remaining positions are filled without regard to party affiliation.

Example: Seven inspectors are to be placed at a polling place. The Republican candidate for governor or president received the most votes at the polling place at the last general election. This party imbalance gives the

Republican Party the extra inspector so the ratio is four Republican positions to three Democratic positions. If sufficient lists from both parties were submitted, four names would be appointed from the Republican list and three names would be appointed from the Democratic list.

However, in this example there are only three names on the Republican list and no Democratic list was submitted. The governing body appoints the three Republican names and the Mayor, Village President or Town Board Chairperson nominates other qualified individuals, regardless of party affiliation, and submits the names to the governing body for appointment to the remaining four positions.

If the Democratic Party submitted a list with two names, the two Democratic nominees and two unaffiliated nominees would be appointed along with the three Republican nominees.

The parties may supplement their initial list of nominees at any time during the term.

If No Lists are Received:

If no lists are submitted, the Mayor, Village President or Town Board Chairperson nominates other qualified individuals, regardless of party affiliation, and submits the names to the governing body for appointment. All appointments are made without regard to party affiliation.

Appointment of Inspectors by Governing Body

Appointment of inspectors must occur no later than December 31st of an odd-numbered year.

- a. The clerk submits the party lists to the governing body.
 - 1) Advise the governing body of the requirement to appoint any first choice nominees first.
 - 2) Advise the governing body if lists are insufficient so that unaffiliated inspectors may be nominated.

- b. The governing body must appoint at least as many inspectors as there are positions to be filled.
 - c. Appointments are made from the party lists until each party's positions have been filled or until the lists are depleted.
 - d. If positions remain open and the lists have been depleted, "unaffiliated" inspectors may be appointed to the remaining positions.
 - e. Additional inspectors may be appointed as alternates.
2. Inspectors must be able to read, write and understand the English language. As municipal clerk, you may administer an examination, if required by the governing body, to all persons nominated as election inspectors to prove their ability to read, write and understand the English language, and their general knowledge of the election laws.
3. Inspectors are required to receive training from the municipal clerk within the two years preceding the election event at which the inspector intends to work.
4. An inspector may not be a candidate for any office to be voted on at an election at which they serve.
5. Election inspectors must be qualified electors of the county served by the polling place in which they work.
 - a. The chief inspector(s) must be a qualified elector of the municipality, except if a qualified candidate is not available.
 - b. A high school poll worker must be a resident of the municipality.
6. The municipal clerk should identify any election inspectors appointed by one of the two major political parties. The chief inspector must ensure that any Election Day tasks which require completion by two election inspectors are represented by each party, whenever possible.

Term of Office

Election inspector terms run from January 1 of an even-numbered year through December 31 of the subsequent odd-numbered year.

Filling Vacancies

Permanent vacancies in Republican or Democratic positions are filled by the municipal clerk from the remaining names on the lists submitted by the parties or from names submitted by the parties to supplement the original lists.

Temporary vacancies created by a candidacy, illness or other temporary causes can be filled by the municipal clerk to serve for one election only.

1. A party that did not submit a list by November 30th may not submit a list of names after that deadline.
2. If there are no lists or the lists have been exhausted, the municipal clerk may fill the vacancy without regard to party affiliation.
3. If an unaffiliated inspector vacates his or her position, and the party entitled to that position has submitted supplemental names, the vacancy is filled from the supplemental list.
 - a. If no supplemental list has been submitted since the unaffiliated appointment was made, the clerk may fill the vacancy with another unaffiliated inspector.

Training Election Inspectors

1. Election inspectors are required to attend training every two years, and must have attended training within two years of any election at which they serve.
 - a. It is the responsibility of the municipal clerk to see that all election inspectors are provided with adequate training for the performance of their duties.
 - b. You may remove an inspector for failure to attend required training sessions.
 - c. Absence from training is neglect of duty, one of the grounds for dismissal.
2. The Wisconsin Elections Commission suggests, at a minimum, the clerk go over the Election Day duties listed in the Election Day manual.

Chief Election Inspectors

Designating a Chief Inspector

The municipal clerk designates one of the inspectors as chief inspector for the polling place. This individual acts as liaison between the election inspectors and the municipal clerk and is in charge of the polling place on Election Day. The chief inspector must be a qualified elector of the municipality, except when no qualified candidate is available. The chief inspector is counted in the overall odd number of inspectors at the polling place.

Although the municipal clerk ultimately designates the chief inspector, care should be taken to maintain the party imbalance

1. If all positions at the polling place have been filled from party lists, clerks are encouraged to select one of the party appointees as the chief inspector.

R R R D D or R R R D D

2. If none of the party appointees are qualified as chief inspectors, select a qualified unaffiliated inspector. (Keep party representation even.)

R R U D D

3. If you have mixture of affiliated and unaffiliated inspectors, choose any qualified inspector.
4. If it is necessary to remove an inspector in order to insert a qualified chief inspector, replace an unaffiliated inspector if possible.

Chief Inspectors: Municipal Residents vs. County Residents

Wis. Stat. §7.30(2)(a) indicates a preference for the CI to be a municipal resident, but offers an exception: "...each chief inspector shall be a qualified elector of the municipality in which the chief inspector serves. *If no qualified candidate for chief inspector is available...the person so appointed need not be a qualified elector of the municipality...*"

Again, the municipal clerk chooses the chief inspector, but the statute confines the selection to municipal residents unless no qualified municipal resident is available.

This requirement intertwined with the requirement to maintain party imbalance can be a challenge to implement.

It is recommended that you choose a chief inspector using the following priority order:

1. Affiliated municipal resident

If there is an affiliated inspector who is a resident of the municipality who is trained or willing to be trained as a CI, arrange for training and use for CI. Maintain party imbalance at the polling place.

2. Unaffiliated municipal resident

If no affiliated municipal resident is trained or willing to be trained as a CI, arrange for training of an unaffiliated municipal resident. If this means replacing an affiliated inspector, keep the party representation even.

R R U D D

3. Affiliated resident of the county

If there is no affiliated or unaffiliated municipal resident trained or willing to be trained as a CI, arrange for training a willing affiliated inspector who is a resident of the county.

4. Unaffiliated county resident

If there is no municipal resident or affiliated county resident trained or willing to be trained, arrange for training of a willing unaffiliated county resident. If this means replacing an affiliated inspector, keep the party representation even.

R R U D D

Training of Chief Inspectors

Chief inspectors are required to attend “Baseline” training in order to be initially-certified. Attending Baseline training certifies the attendee as a chief inspector for the current term. In order to recertify for the following term, a chief inspector must attend at least six hours of Wisconsin Elections Commission-approved continuing election education during the current term. (Attendance at Baseline training also counts three hours toward recertification for the following term.) Please see the agency website for a list of approved methods of accumulating hours toward recertification of chief inspectors.

The county or municipal clerk conducting recertification training for other clerks or election inspectors must submit an agenda or course outline to the Wisconsin Elections Commission for approval. Training hours of election inspectors are documented and tracked by the municipal clerk. Chief inspectors may be given a self-administered evaluation as part of training, the results of which will not affect the chief inspector's qualifications to serve.

High School Student Election Inspectors

State law permits certain qualified high school students to work at the polls on Election Day. Wis. Stat. § 7.30(2)(am). Students must be enrolled in a public, private or tribal school. Students may decide for themselves to serve as election inspectors or in response to a school sponsored initiative. Civics, government or political science teachers may see this as an opportunity for a real life learning experience. Student organizations may find this to be an attractive form of community service and an interesting learning opportunity. Allowing students to work as election inspectors provides an opportunity for students to become involved in the election process and also offers clerks another resource for filling election inspector positions. Students with foreign language skills can serve at polling places where voters may need assistance understanding the ballot, voting equipment and other election-related materials. In many locations, Hmong and Spanish speaking voters need special assistance. Municipal clerks are encouraged to work with their local high schools to enable students to serve as election inspectors.

Qualifications

A student qualifies to serve as an election inspector if the student:

1. Is 16 or 17 years of age
2. Is enrolled in grades 9 to 12 in a public, private or tribal school
3. Has at least a 3.0 grade point average or the equivalent
4. Has the written approval of the student's parent or guardian
5. Has the written approval of the principal of the school in which the student is enrolled, if the student has less than a 3.0 grade point average

6. Is a resident of the municipality of the polling place at which he or she serves

Written Authorization

Before a student may be appointed as an inspector, the municipal clerk shall obtain written authorization from the student's parent or guardian and from the principal of the school where the student is enrolled, if the student has less than a 3.0 grade point average. Upon appointment, the municipal clerk shall notify the principal of the school where the student is enrolled of the date of the election at which the student will serve.

Restrictions

1. A student may only serve as an inspector at a polling place if at least one inspector, other than the chief inspector, is a qualified elector of the municipality
2. A student may not serve as chief inspector at a polling place
3. A student serving as an election inspector may not challenge any person offering to vote

Election Registration Officials (EROs)

Appointment and Qualifications

Municipal Clerks may appoint Election Registration Officials to conduct voter registration at the polling place, at residential care facilities during the open registration period, and in the clerk's office during in-person absentee voting. An ERO must be a qualified elector of the county for the polling place, residential care facility or clerk's office at which they serve. However, a non-resident clerk or deputy clerk may serve as an ERO in case of a vacancy. EROs are appointed to a two-year term. ERO terms run from January 1 of an even-numbered year through December 31 of the subsequent odd-numbered year. The ERO is required to take the same training as election inspectors. If an ERO will be filling in for an election inspector (lunch, breaks, etc.), he or she must also be appointed as an election inspector.

Duties

EROs carry out the registration duties on Election Day. At particularly high-turnout elections, EROs ease the election inspectors' workload.

Training Requirement

EROs are required to receive training from the municipal clerk within two years of any election at which they serve and take an oath. It is the responsibility of the municipal clerk to see that EROs are provided with adequate training for the performance of their duties.

Special Registration Deputies (SRDs)

SRDs may be appointed by the municipal clerk to register voters before the registration cut-off (20 days before the primary or election).

Appointment and Qualifications

SRDs who register voters before the registration cut-off must be qualified electors of the state. SRDs must file an Application for Special Registration Deputy Appointment (EL-158) with the municipal clerk. SRDs are appointed for one election term (January 1st of an even-numbered year to December 31st of the subsequent odd-numbered year).

Duties

Once appointed by the municipal clerk, the SRD may only register individuals who reside in the municipality of the appointment. An SRD may hold an appointment in more than one municipality.

Training Requirement

SRDs must receive training and file an oath. The Wisconsin Elections Commission has developed a training curriculum for municipal clerks to use to train Special Registration Deputies.

Related Materials

Training materials are available for clerks to use to train and appoint SRDs for their municipality. Please refer to information on the agency website.

Special Voting Deputies

Special Voting Deputies (SVDs) conduct absentee voting at certain care facilities. SVDs are one of the methods by which absentee voting may be conducted in qualified care facilities.

A person who is appointed an SVD must:

1. Be a qualified elector of the county
2. Must attend training
3. May not currently be employed by the facility
4. May not have been employed by the facility within two years of the appointment
5. May not be an immediate family member of anyone currently employed by the facility or employed by the facility within two years of the appointment

Selection and Appointment

1. Nominations for special voting deputy positions may be submitted by the two dominant political parties at the same time as election inspector nominations are submitted. If no nominations are submitted, then the municipal clerk may appoint qualified electors of the municipality of his or her choosing, without regard to party affiliation.
2. The two deputies designated to conduct absentee voting at each facility should be affiliated with different political parties whenever possible.
3. SVDs are appointed by the clerk for one election cycle.

SVD Training

Special Voting Deputies are required to attend training every two years, and must have attended training within two years of any election at which they serve. The Wisconsin Elections Commission has developed a manual for clerks to use to train Special Voting Deputies. The *Absentee Voting in Residential Care Facilities and Nursing Homes* manual is available on the agency website.

Greeters and Tabulators

Greeters

Each municipality may appoint one additional inspector regardless of party affiliation to act as a greeter and substitute for other officials as necessary on Election Day. Greeters may not participate in the canvass after the polls close.

Tabulators

Not less than 30 days before an election, the governing body may, by resolution, authorize the municipal clerk to select and employ tabulators. Tabulators are to assist and be under the direction of the election inspectors after the polls close.

Oaths of Office

1. All election officials are required to take and file an oath.
2. Municipal clerks administer the oath of office at the time of appointment or at a training session to:
 - a. Election Inspectors (including Chief Inspectors)
 - b. Special Registration Deputies
 - c. Special Voting Deputies
 - d. Greeters
 - e. Tabulators
3. The oath must be filed before the commencement of the official's duties.
4. The oath is valid for the entire two-year term of the appointment.
5. Substitute inspectors may be given the oath by another inspector, preferably the chief inspector, on Election Day at the polling place.
6. The following oaths may be obtained from the agency website or directly from the Wisconsin Elections Commission.

- a. [Official Oath \(EL-154\)](#): Filed by Election Inspectors, Chief Inspectors and Election Day Special Registration Deputies, Greeters and Tabulators.
- b. [Oath of Special Voting Deputy \(EL-155\)](#): Filed by Special Voting Deputies.
- c. [Oath of Special Registration Deputy \(EL-156\)](#): Filed by Special Registration Deputies registering voters before the registration cut-off (20 days before the election).

Removing Election Officials

As municipal clerk, you have the authority to dismiss an inspector summarily if he or she is found to lack the qualifications for the position, neglects his or her duties during an election, electioneers, or commits official misconduct. However, in the interest of fairness, a hearing before the governing body is recommended before dismissal. Where it is found that an inspector has intentionally failed to properly endorse a ballot or intentionally given a voter a ballot not properly endorsed, that inspector should be suspended immediately by the chief inspector pending the filing of formal charges by the District Attorney. The chief inspector needs to inform the municipal clerk of such an action. The clerk fills the temporary vacancy for that election, and schedules a hearing before the governing body to hear the case before taking final action.

Frequently Asked Questions

1. *What if a trained election inspector is not available to work at an election, and I have to use an inspector who has not been trained within the last two years?*

In the event that a trained election inspector has an emergency and can't work on Election Day, an inspector who has not received training may be appointed to serve as an inspector, but not as a chief inspector, Special Registration Deputy or Special Voting Deputy. The appointment of an untrained individual is for a specific election only, and the untrained individual may only be appointed once in a two-year period. If the clerk is aware of the vacancy prior to Election Day, the clerk must provide some type of election training to the election inspector.

2. *What should I do if there is an emergency and I do not have a certified chief inspector?*

You should contact an Elections Specialist at the Wisconsin Elections Commission who will direct you on the actions to be taken. The Wisconsin Elections Commission recommends arrangements should be made to have alternate trained chief inspectors available in case of emergency.

3. *What is “Baseline” training?*

Baseline training is a three-hour chief inspector training course on basic election-day administration conducted by Wisconsin Elections Commission staff, by trained Wisconsin Municipal Clerks Association (WMCA) members or G.A.B.-certified clerk-trainers. Baseline training is required for initial certification as a chief inspector.

4. *I have a person who is interested in becoming a certified chief inspector. What does the person have to do to qualify as a certified chief inspector for the current term?*

The individual may accomplish certification by attending the Baseline training. Attendance at Baseline training will certify the new chief inspector for the current term. The newly-certified chief inspector is eligible to serve at all subsequent elections during the current term.

5. *My chief inspector is certified for the current term. What else must he or she do in order to recertify for the next term?*

In order to recertify for the next term, the inspector will need to accumulate six hours of Wisconsin Elections Commission-approved training during the current term.

VOTING EQUIPMENT

Summary

The proper use and security of voting equipment is integral to ensuring accuracy and maintaining voter confidence in the electoral process. Voting equipment accuracy and security has been a topic of concern for many individuals. Careful execution and documentation of the procedures detailed in this section will alleviate many concerns, and ensure that the voting equipment used in your municipality is reliable and accurate.

Voting Equipment Types

The State of Wisconsin uses a mixed voting equipment system. This means that some municipalities use hand-count paper ballots, some use optical scan equipment, and some use direct recording electronic (DRE) equipment (also known as “touchscreen”). Many municipalities use a combination of these equipment types.

1. Municipalities with a population of 7,500 or more are required to use electronic voting equipment in every ward in every election. Electronic voting equipment is equipment that tabulates votes electronically and includes optical scan and DRE. Ballot marking devices, such as the AutoMARK, do not electronically tabulate votes. Therefore, these devices are not considered electronic voting equipment.
2. All polling places must be equipped with at least one accessible voting equipment component to permit all voters to vote privately and independently. More information on accessible voting equipment can be found in the Accessibility section of this manual.

Voting Equipment Certification and Approval

Before any voting equipment manufacturer can market voting equipment in the State of Wisconsin, they must first achieve certification through a federal process and then approval through a state process.

Federal Certification

In order to achieve federal certification, a voting equipment manufacturer must:

1. Apply to the U.S. Election Assistance Commission (EAC).
2. Submit the equipment to a Voting System Test Laboratory (VSTL), which reviews all firmware, software, and hardware. The VSTL issues a report to the EAC.
3. Receive an EAC-accredited certification number. The EAC issues certification numbers after reviewing the VSTL reports and confirming that the voting equipment conforms to the Voluntary Voting System Guidelines established by the EAC.

State Approval

In order to achieve Wisconsin state approval, a voting equipment manufacturer must:

1. Submit an application to the State of Wisconsin.

No voting equipment manufacturer can apply to the State of Wisconsin unless it has received federal certification.

2. Prepare the voting system for testing by WEC staff.

The voting system is tested for three mock elections.

3. Hold a public demonstration.
4. Submit equipment to the Wisconsin Election Administration Council for review.

The Election Administration Council is comprised of municipal clerks, county clerks, and members of the disability community.

5. Receive approval at a public meeting from the Wisconsin Elections Commission permitting the use of the voting system for any election in the State of Wisconsin.

Approved Vendors

The following is a list of all manufacturers of voting equipment currently approved for use in the State of Wisconsin. Approved voting equipment version numbers and contact numbers for each of the vendors can be found on the agency website.

1. Premier Election Solutions
(Serviced by Dominion Voting or Election Systems & Software)
2. Election Systems & Software (ES&S)
3. Populex Corporation
4. Sequoia Voting Systems (Owned by Dominion Voting)
(Programming and supplies provided by Command Central)
5. Vote-PAD
(Vote-PAD is only approved for use in municipalities with populations less than 7,500 who hand-count paper ballots.)

Pre-Election Electronic Voting Equipment Testing

Wisconsin statutes require that all municipalities test the software of electronic voting equipment for correctness and accuracy. The purpose of testing electronic voting equipment is to ensure that the equipment will correctly tabulate votes for all offices and referenda.

Public Notice

The testing of electronic voting equipment, either DRE or optical scan equipment, shall be open to the public.

1. The test may not be conducted earlier than ten days before Election Day.
2. Public notice of the time and location of the testing shall be given by the clerk at least 48 hours before.

Procedure

In order to conduct a pre-election test for accuracy, the municipal clerk must create a test deck, which is a plan detailing a predetermined number of valid votes for each candidate and on each referendum. The test deck should reflect all of the required testing components described in this section.

1. Optical Scan Equipment

- a. Ballots should be marked to reflect a pre-determined number of valid votes for each candidate and referendum.
- b. Pre-marked ballots shall be run through the optical scan voting unit.
- c. The actual tabulation of the pre-marked ballots shall then be compared to the pre-determined number to verify the voting equipment is tabulating properly.

2. Direct Recording Electronic (DRE) Equipment

- a. Votes shall be cast on the DRE unit in a manner reflecting a pre-determined number of valid votes for each candidate and referendum.
- b. The printout of the tabulation of the votes cast shall then be compared to the pre-determined number to verify the voting equipment is tabulating properly.
- c. At least two individuals should participate in the DRE test to ensure votes selected on the test deck are entered correctly in the voting system.

3. Errorless Count Requirement

- a. If an error is detected during the testing, the municipal clerk shall determine the cause and correct the error.
- b. The clerk must make an errorless count before the electronic tabulating equipment is approved by the clerk for use in the election.

Note: The WEC recommends that municipalities formulate a test deck that is unique to the municipality, and refrain from using test decks provided by the manufacturer/programmer. This is to ensure any errors not discovered by the programmer will be uncovered by the clerk during the test.

Testing Components Requirement

1. Each candidate for every office, for every party, needs to be tested.
2. Overvotes need to be tested for every office and ballot measure on the ballot.
 - a. Overvotes are votes in excess of the number allowed by law.
 - b. Overvotes shall be rejected by the voting equipment.
3. Blank Ballots
 - a. Blank ballots are ballots that have no votes recorded.
 - b. A blank ballot shall be tested to ensure that they are rejected by the voting equipment and notify the elector that no votes have been recorded.
4. Write-in votes
 - a. On DRE equipment, the write-in function for each office shall be tested to ascertain that it is functioning properly.
 - b. On optical scan voting equipment, it shall be tested to determine that ballots containing write-in votes for each office are properly separated into the write-in bin.
5. Partisan Primary

The clerk shall test for one or more ballots that have votes cast for a candidate of more than one recognized party are rejected.
6. General Election

Straight party voting is only allowed for military and overseas voters on write-in absentee ballots.

Note: Straight party ballots may also be remade by election inspectors on Election Day in order to be tabulated by voting equipment or may be counted by hand.

Election Day Zero-Count Requirement

Before any ballots on Election Day have been cast on the electronic voting equipment, the election officials shall witness a test of the tabulation component by engaging the printing mechanism and securing a printed result showing a zero count for every candidate and referendum.

Security Procedures for Electronic Voting Systems

The WEC has developed a series of security procedures for electronic voting systems. These procedures should be followed for each election, recount, or for any other situation in which voting systems or memory cards must be accessed. These procedures apply to all memory devices, including, but not limited to: prom packs, memory cards, and any other removable memory devices that can be programmed or function to store and transfer ballot images or tabulation data. These procedures are intended to protect against malicious breaches to electronic voting equipment components as well as provide transparency of justifiable access.

A video tutorial on voting equipment testing and security is posted on the WEC website.

General Electronic Voting System Security Procedures

1. Throughout the life of the electronic voting system, the municipal or county shall maintain control of all memory devices and keys to the voting systems in a secure manner at all times. Document authorized access to secured components by election officials.
2. For each election, there shall be a separate, written chain-of custody record for each programmed memory devices (each memory device shall have a unique and permanent serial number) used with an electronic voting system. Each transfer shall be logged in the written chain-of-custody record.
3. For each election, the municipal clerk shall record on the Inspectors' Statement (EL-104) or other WEC approved security documentation record

which memory devices and which serialized tamper-evident seals are assigned to particular voting stations or units.

Election Day Procedures

1. Before any ballots are cast on any voting system, the integrity of the tamper-evident seals shall be verified by the chief election inspector verifying that the tamper-evident seal serial number on the Inspectors' Statement (EL-104) matches the tamper-evident seal serial number contained on the electronic voting equipment. Once the polls have closed, the chief election inspector shall perform the same verifications.
2. After the polls have closed, election officials shall print a results report before breaking any seal on the voting system and before the removal of the memory device from any piece of voting equipment.
3. Following the printing of the results report, the memory device shall be secured in a separate, tamper-evident sealed container or envelope by the chief election inspector. Alternatively, the device may remain sealed in the voting system.

Ballot Security

1. The municipal clerk of board of election commissioners shall securely maintain all ballots from the time of receipt from the printer or county clerk through delivery to the polling place.
2. A ballot container shall be considered "sealed" or "locked" only if no voted ballot may be removed from or deposited into the container, and no other form of access to the ballots inside may be gained without leaving evidence of that entry or access into the container.
3. Ballot bags shall be sealed with a tamper-evident, serialized numbered seal. The serial number shall be recorded on the signed Ballot Container Certification (EL-101) attached to the bag. Serial numbers of the seals shall also be recorded on the Inspectors' Statement (EL-104).

Alternative Security Procedures

The WEC recognizes the need for flexibility when implementing these security procedures, and acknowledges that alternative means may be used to achieve and ensure the same level of security. Therefore, the WEC will consider requests from municipalities and counties to implement alternative security procedures. The request shall describe the proposed security procedures in detail and include any documentation such as logs, flow charts, and certification forms.

Post-Election Audit

Wisconsin statutes require a post-election audit of the performance of each voting system used in the state of Wisconsin. The audit is designed to assess how electronic voting systems performed on Election Day through a hand-count of electronically tallied ballots. The audit is required following each General Election. However, nothing in these procedures prevents a municipality or county from conducting an audit after other elections or from auditing a larger number of voting machines or reporting units than those selected by the WEC or required under these procedures.

Selection

1. At least 100 reporting units will be randomly selected by the Wisconsin Elections Commission, the Wednesday following the November general election.
 - a. At least five reporting units for each type or version of voting system used throughout the state will be selected.
 - b. If five reporting units are not represented in the original 100, additional reporting units will be selected until all types or versions are represented.
2. Four contests on the ballot will be selected, including the highest office on the ballot (president or governor). The remaining three will be drawn by lot from all other contests on every ballot statewide.

Notification

1. Municipalities with reporting units selected for audit will be notified the day following the election.
 - a. The affected county clerks will also be notified.
 - b. It is the responsibility of the municipal clerk to make arrangements with the county to have election materials returned for the purpose of the audit following the county canvass. Materials needed for conducting the audit include voter lists, inspectors' statement, tally sheets, reports printed or generated by the voting systems, ballots, and any other required materials.
2. The municipal clerk and county clerk may choose to have the county conduct the audit and the county may choose to conduct the audit following the county canvass.
3. The audits must be completed within two weeks following certification of the results by the Wisconsin Elections Commission.
4. The audit is considered a public meeting and proper notice shall be posted or published no later than 48 hours in advance.

Procedure

A list of procedures, instructions, and documentation forms will be provided to municipalities selected for audit at the time of notification. Generally, the procedure for conducting a post-election audit is as follows:

1. Two individuals shall conduct independent counts of the ballots from the voting system. Note that for direct recording electronic systems, the official ballots are the voter verified paper audit trail.
2. Auditors should only count votes as the equipment would have counted them. Voter intent is not a factor. Auditors should document in the minutes any ballots where it is unclear how the voting system would count the ballot. The auditors should include in the minutes how they counted the ballot as well as all reasonable alternatives on how the machine may have counted the ballot.

3. The individual tallies shall be compared to each other and any discrepancies shall be resolved to an agreed upon final hand-count tally total. If the hand counts differ from each other, the paper records/ballots must be recounted.
4. The final hand-count tally total shall then be compared to the Election Night results tally tape and discrepancies noted.
5. Each municipality conducting an audit must submit the designated reporting form(s) and supporting documents from the audit, including tally sheets, to the WEC to indicate that the audit was completed and whether any discrepancies were found.
6. WEC staff will request that the vendor investigate and explain the reasons for any unexplained differences between the voting equipment tally and the paper record tally.
 - a. Should the vendor fail to provide a sufficient written explanation, including recommendations for preventing future occurrences, within 30 days of notification, the WEC will suspend approval of all voting systems manufactured or serviced by the vendor in Wisconsin.
 - b. This suspension will be implemented immediately, pending an appeal by the manufacturer to the Board, which must be filed within 30 days.
 - c. Investigations of discrepancies shall be open and transparent, with active involvement of interested parties.
7. Based upon the results of the audit, the WEC may, at its sole discretion, choose to re-test the voting system per EL Chapter 7 of the Wisconsin Administrative Code. The test is a condition of continuing approval of the voting system.

Frequently Asked Questions

1. What is a voter-verified paper audit trail?

Wisconsin Stat. § 5.91(18) requires that all direct recording electronic (DRE) voting systems produce a complete, permanent paper record showing all votes

cast by the elector. The voter-verified paper audit trail (VVPAT) is considered the official ballot and is to be used in a recount of each vote cast by the elector.

2. *Can we reuse memory cards?*

Nothing prohibits reuse of memory cards, though municipalities must comply with Wis. Stat. § 7.23:

“Detachable recording units and compartments for use with tabulating equipment for an electronic voting system may be cleared or erased 14 days after any primary and 21 days after any other election. Before clearing or erasing the units or compartments, a municipal clerk shall transfer the data contained in the units or compartments to a disk or other recording medium which may be erased or destroyed 22 months after the election to which the data relates. The requirement to transfer data does not apply to units or compartments for use with tabulating equipment for an electronic voting system that was approved for use prior to January 1, 2009, and that is not used in a federal election.

If a recount is pending or if the time allowed for filing a recount petition at any election or an appeal or petition for review of any recount determination or decision at an election has not expired, no materials may be destroyed until after the recount is completed and the applicable time period has expired. In addition, if there is litigation pending with respect to a recount at an election, materials may be destroyed and recording units or compartments may be cleared or erased only by order of the court in which litigation is pending. Upon petition of the attorney general or a district attorney or U.S. attorney for the affected jurisdiction, a circuit judge for the affected jurisdiction may order that specified materials not be destroyed or that specified recorders, units or compartments not be cleared or erased as otherwise authorized under this subsection until the court so permits.”

ACCESSIBILITY

Summary

Accessible polling places that ensure privacy and independence for all voters casting a ballot not only benefit elderly voters and voters with disabilities but act as a key to developing and maintaining public trust in the accessibility and transparency of the elections process for all participants. Municipalities must use polling places that are fully accessible, which includes having at least one accessible voting equipment component. Municipal clerks are required to make reasonable efforts to comply with requests for voting accommodations made by individuals with disabilities.

Polling Place Accessibility

In order to comply with this requirement, municipal clerks are required to submit a completed *Polling Place Accessibility Survey* indicating accessibility conformance. A copy of this survey is available on the agency website where it may be submitted electronically.

1. A **separate** Accessibility Survey must be completed for **every** polling place within a municipality.
2. This survey must be submitted every time there is a polling location change or addition.
3. If it is determined that a polling place is inaccessible, the municipal clerk and the governing body must determine how to make the polling place accessible, or find a new location.
4. Polling place accessibility should be reviewed periodically.

The Wisconsin Elections Commission also offers a number of suggestions that will make the voting process easier and ensure privacy for elderly people and people with disabilities. These include:

1. Making sure the polling area has adequate lighting.
2. Providing page magnifying devices and signature guides.

3. Having at least one pad of paper and a pen to communicate with individuals with hearing impairments.
4. Making seating available for elderly and disabled voters waiting in line.
5. Having signs and arrows directing voters where to check-in, register, vote a ballot, and cast a ballot.

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. This accessible component, a device approved by the Wisconsin Elections Commission to provide independence and privacy to voters with disabilities, must be available for all elections. Refer to the Voting Equipment section of this manual for more information or visit the agency website.

Procedures

1. Municipal clerks must ensure that accessible components are available to all electors to cast their ballots including:
 - a. Ensuring accessible components are located in an accessible voting booth with sufficient privacy.
 - b. Ensuring the accessible components are turned on and working.
2. Municipal clerks should ensure that election inspectors are familiar with accessible equipment and able to perform basic tasks including:
 - a. Explain to an elector how to use the equipment to cast his or her ballot.
 - b. Turn on and restart the accessible equipment (if applicable).
 - c. Change the paper roll, if necessary.
 - d. Change ink cartridge, if necessary.

Training Election Inspectors - Accessibility

Election inspectors should be instructed on how to ensure the greatest level of accessibility on Election Day.

1. Municipal clerks should review polling place set-up requirements with election inspectors.
2. Municipal clerks should ensure that election inspectors are knowledgeable about how to use all voting equipment including accessible equipment. The WEC suggests that election inspectors participate in the public test to gain familiarity with the voting equipment and security procedures.
3. Inspectors should be encouraged to view the Wisconsin Elections Commission Accessibility Training video: *This is Where We Vote* on how to provide an accessible voting experience. The video is available on the agency website.
4. Municipal clerks are encouraged to reach out to the local disability community to recruit election inspectors. If you need help in locating people with disabilities who may be interested in serving as an election inspector, contact the Wisconsin Elections Commission.
5. Municipal clerks should review the *Common Sense and Common Courtesy Checklist* with inspectors prior to Election Day. A copy of this checklist is available on the page following this section.
6. Disability Rights Wisconsin, an advocacy group for individuals with disabilities, has prepared an *Election Day Accessibility Checklist* for election inspectors. This checklist is available on the agency website.

Accessibility Contacts & Additional Resources

If you do not know exactly how to solve an issue and would like advice on affordable solutions, you may contact the Wisconsin Disability Vote Coalition, the Coalition of Independent Living Centers or the Wisconsin Elections Commission for advice. More information on accessibility can be obtained from The Access Board's American's with Disabilities Act Accessibility Guideline (ADAAG) manual, which is available at: <https://www.access-board.gov/>.

Wisconsin Elections Commission
P.O. Box 7984
Madison, WI 53707-7984
(608) 266-8005
elections@wi.gov
<http://elections.wi.gov>

Coalition of Independent Living Centers
(608) 819-1300 (voice/TTY)

Disability Rights Wisconsin (DRW)
(608) 267-0214 or (888) 758-6049 (TTY)

Wisconsin Disability Vote Coalition
Shunette Hunter, Attorney
Disability Rights Wisconsin
(608) 267-0214

ADA Checklist for Polling Places
<http://www.ada.gov/votingck.htm>



COMMON SENSE AND COMMON COURTESY

Many election inspectors have had little interaction with people with disabilities; here are a few courtesies and guidelines:

- ❖ State and federal law permits voters with disabilities to be accompanied and to receive assistance by another person in the voting booth.
- ❖ Remember that all voters deserve courteous attention in exercising their right as citizens to vote.
- ❖ Be considerate of the extra time it might take for a person with a disability or an elderly person to get things done.
- ❖ Give unhurried attention to a person who has difficulty speaking.
- ❖ Speak directly to the person who has a disability rather than just to a companion who may be accompanying him or her.
- ❖ Speak calmly, slowly, and directly to a person who is hard of hearing. Your facial expressions, gestures, and body movements help in understanding. Don't shout or speak in the person's ear. If full understanding is doubtful, try writing a note to the person.
- ❖ Pre-printed signs or a notepad should be available to assist communication with deaf or hard-of-hearing electors.
- ❖ Before pushing someone in a wheelchair, ask if you may do so and how you should proceed.
- ❖ Greet a person who is visually impaired by letting the person know who and where you are.
- ❖ Provide a guiding device such as a ruler or a signature guide for signing forms.
- ❖ When offering walking assistance, allow the person to take your arm and tell him or her if you are approaching steps or inclines or are turning right or left.
- ❖ Animals that assist people with disabilities must be admitted into all buildings. Such animals are highly trained and need no special care other than that provided by the owner.

EMERGENCY PREPAREDNESS

Summary

There are many scenarios, both natural and man-made, that warrant taking precautions and making preparations to prevent, mitigate, and recover from an emergency situation that may disrupt an election.

In 2007, the former State Elections Board prepared a report and made recommendations with respect to state, regional and local election-related contingency planning efforts and preparedness. This report covers both large-scale and limited-scope natural disasters or technological threats that may occur at or near election time. A copy of this report entitled, *Report on Election-Related Contingency Planning* can be found on the agency website:

<http://EL.wi.gov/publications/reports/election-related-contingency-planning>.

Procedures

Municipal clerks should ensure that each municipality has an Election Day emergency response plan. Contingency plans should be reviewed with election inspectors as part of the clerk's pre-election training. Efforts should be made to have back-up election inspectors that are knowledgeable of Election Day procedures and on call in the event of an illness or other unforeseen incident.

We encourage you to share these plans with your county clerk as well as with your local emergency response crews such as the police, fire, and emergency government departments.

The plans should be updated annually or more frequently as needed. A complete sample plan can be found in the *Report on Election-Related Contingency Planning* available on the agency website. These plans should, at a minimum, provide for the following:

1. Normal Operating Procedures

The plans should include a briefing on the normal election-related processes.

2. Troubleshooting For Common Emergency Scenarios

- a. The plan should provide appropriate responses to the most common emergency scenarios, such as a fire or fire alarm, inclement weather, or electrical outage.
- b. Plans should include evacuation and emergency shelter locations specific to each polling place.
- c. Contact numbers should be provided to election inspectors for local emergency response such as the police, fire, and emergency government departments, in addition to the polling locations' building maintenance personnel (if applicable) and the municipal clerk.

Note: The third page of the *Election Day* manual, "Election Day Contacts," provides space to list these numbers and should be completed before Election Day.

3. Handling of Election Materials

- a. Plans should detail the proper procedure for securing unmarked ballots, voting equipment and ballot boxes, and poll lists in an emergency situation.
- b. Responsibility for securing materials should be assigned before Election Day.

4. Alternate Polling Locations.

- a. Arrangements for alternate polling locations should be established before Election Day in the event of a permanent evacuation.
- b. Reasonable effort should be made to ensure accessibility and proximity to the original polling location.
- c. Whenever it becomes impossible or inconvenient to hold an election at the designated location (inclement weather, bomb threat, etc), the inspectors may adjourn to the nearest convenient place. The inspectors must make a proclamation of the move, and a law enforcement officer or other designated person must be stationed at

the former site to notify electors of the move. The procedure for adjournment to an alternate site is outlined in Wis. Stat. § 7.37(1).

Frequently Asked Questions

1. *What happens if an emergency occurs at the polling place on Election Day and the inspectors need to move locations?*

Wisconsin Statutes detail the procedure for adjourning to an alternate polling location in the event of an emergency. The municipal clerk should always consult with the Wisconsin Elections Commission before moving a polling location.

2. *What happens in a weather emergency? Can we close early?*

No. The polling place must remain open during regular hours (7:00 a.m. – 8:00 p.m.) and cannot be adjusted except by court order.

POLLING PLACES & SUPPLIES

Summary

Municipal clerks have a number of duties related to polling places up to and through Election Day. Specifically, municipal clerks have the responsibility to equip polling places and to prepare and deliver ballots and other supplies.

Polling Place Establishment

Law governing establishment of polling places is set forth under § 5.25, Wis. Stats. Polling places are established by the governing body of a municipality at least 30 days before any election. These locations must be accessible to all individuals with disabilities and the municipal clerk must certify to the Wisconsin Elections Commission (WEC) that all polling places used within the municipality satisfy the accessibility requirements established by the WEC.

All electors within a ward must vote at the same polling place. However, a single polling place can serve the electors of more than one ward. When two or more wards are combined for voting purposes at a single polling place the governing body must do so by resolution at least 30 days before any election.

In municipalities where the population is less than 35,000, the governing body may provide in the resolution to combine the election results for each set of combined wards. The governing body of a municipality of 35,000 or more may by resolution combine election returns of a ward with an adjacent ward if the ward has a population of 20 or less and the total population of the combined wards would not exceed that municipality's population range for wards. Election results can be combined only if electors in the combined wards vote for the same offices.

Equipping and Supplying the Polling Place

A checklist outlining what materials and set-up the municipal clerk must provide for each polling place follows this section. Each polling place must be provided with the following:

Voting Booths

- Every polling location is required to have at least one voting booth for every 200 electors who voted in the last general election.
- One booth must be at least 30 inches wide with a writing surface between 28 and 34 inches high in order to meet accessibility standards, in addition to the accessible voting equipment. Knee clearance from the floor to the underside of the booth should be at least 27 inches. Toe/knee clearance from the front to the back of the booth should be at least 19 inches.
- Booths must have a surface on which to write and be sufficiently enclosed to ensure privacy for the elector. It is important to remember that the accessible booth must also be sufficiently enclosed to ensure privacy for the elector. This can be achieved by using a privacy shield or by positioning the table so that the face of the equipment is directed away from the view of the room.
- All booths must be placed together in the same vicinity, including the booth(s) containing the accessible voting equipment.
- Booths are required to be placed apart from other activities such as signing in and registering.
- Pencils or appropriate marking pens must be provided.
- Election inspectors must be trained to set up electronic voting equipment, including accessible voting components.

Electronic Voting Systems

- All municipalities with a population of 7,500 or more are required to use electronic voting systems.
- Every polling location must have at least one piece of voting equipment that meets accessibility standards set forth by the WEC to allow individuals with disabilities to vote privately and independently.

For more information on voting equipment, please see the section in this manual on Voting Equipment.

Paper Ballots

No matter the type of voting system used, there must be a supply of paper ballots available at the polling place. This paper ballot supply is for cases in which the electronic voting equipment breaks down/malfunctions, or an elector votes provisionally, curbside is assisted, challenged, or after the normal closing time due to court order.

Ballot Boxes

- One ballot box is required for each type of ballot used in the election for municipalities using hand-count paper ballots.
- Where direct recording electronic equipment primarily is used at the polling place, a single ballot box for hand-counted paper ballots (such as absentee, assisted, and challenged ballots) is required.
- If electors from more than one reporting unit use the same polling place, there should be separate ballot boxes provided for each reporting unit.
- The boxes should be clearly labeled to indicate which ballots are to be deposited.
- There should be a suitable lock and key for each ballot box, including the discard box for partisan primary paper ballots not marked by the elector.

National Flag

The American flag must be displayed on an outside pole or in the voting area during all hours the polling place is open.

Election Laws and Manuals

- A copy of Chapters 5 through 12 of the Wisconsin State Statutes should be present at all polling locations.
- A copy of the *Election Day* manual.

Copies of these statutes and the manual can be downloaded from the agency website.

Tables and Chairs

Clerks should ensure that there are enough tables and chairs for election inspectors to conduct their work. Some electors may not be physically able to stand for extended periods of time. Chairs should also be available for these electors if they must stand in line.

Signs

- Traffic in the polling place can be improved by posting “Enter,” “Exit,” and “Voter Registration” signs.
- Signs indicating the location of an accessible entrance and marking the accessible path must be prominently posted and easy to read from the parking lot.
- Directions that instruct voters that they must give their name and address to the inspectors, provide proof of identification and sign the poll list can make the check-in process more efficient.

Observer Area

Observers are individuals who wish to exercise their right to be present at the polling place on Election Day. Anyone, other than a candidate, has a right to be at a polling place to observe the conduct of the election. Wisconsin law does not prohibit non-U.S. citizens or foreign nationals from observing the election process.

- a. A designated observation area at the polling place should permit observers to readily observe all public aspects of the voting process. When physically feasible, the observation area shall be not less than 3 feet, nor more than 8 feet from the table at which electors are announcing their name and address and being issued a voter number and the Election Day Registration table. Observers should be placed so that they can hear the announcement of names/addresses interactions of voters with election officials, but not so that they interfere with the voting process.

- b. If necessary, additional observer areas may be established in other areas of the polling place to allow for observation of other public aspects of the voting process (challenges, ballot box security, etc.)
- c. Please provide chairs for the observers. A table may also be setup, if space permits.
- d. Please provide copies of the agency's *Wisconsin Election Observers Rules-at-a-Glance* brochure. This brochure should be provided to all observers upon check-in.

More information about how to handle election observers on Election Day can be found in "Election Day Issues" section of this manual and the *Election Day* manual.

Voter Information and Notices

All of the following notices, statements, and postings should be supplied to the polling place so that they can be posted and easily read by electors entering the polling place or waiting in line to vote. All Election Day notices, statements, and postings must be printed in size 18 font or larger to ensure readability. Copies of sample voter information notices can be found on the agency website.

1. Notices: The Type B and D notices must be posted. The Type C notice must also be posted, if applicable.
2. Sample Ballots: Two copies of each type of ballot.
3. Statement of Election Fraud (EL-111): This statement sets out the laws and applicable penalties for election fraud.
4. Notice of Crossover Voting at a Partisan Primary (EL-112): This is a statement explaining the effect of crossover voting at a partisan primary and is posted at a partisan primary only.
5. Notice of Overvote (EL-113): This is a statement explaining the effect of overvoting the ballot and how to obtain a replacement ballot.

6. Notice of Crossover Voting at a Presidential Preference Vote (EL-114): This is a statement explaining the effect of crossover voting at a Presidential Preference Vote and is posted at that election only.
7. Voter Qualification Poster (EL-115): This notice explains the requirements for an individual to be a qualified elector.
8. Instructions for First-time Voters (EL-116): This notice explains the requirement for first-time voters to provide an identifying document constituting proof of residence.
9. Voting Rights (EL-117): This notice provides general information on voting rights protected by federal law.
10. Contact Information (EL-118): This posting provides electors with contact information if they have concerns with the voting process. The blank sections should be filled in before Election Day by the municipal clerk.
11. Ward Maps: A ward map clearly indicating all the wards in the municipality served by that polling place must be prominently displayed.
12. Street Directory: A street directory that indicates which streets are in each ward along with the location of the polling place in each ward is recommended.

Election Day Forms and Supplies

Election Day forms and supplies are provided by the county, municipal, or school district clerk depending on the offices on the ballot.

1. Ballots and Sample Ballots: Two sample ballots for each ballot style should be posted at the polling place. For more information on preparing ballots, see the Ballots section this manual.
2. Ballot Bags (EL-101):

A ballot bag/container should be provided for each ballot style.

- For example, for municipalities that hand-count paper ballots, there should be (per reporting unit) one ballot bag for county, state, and

federal ballots; one ballot bag for municipal ballots; one ballot bag for school district ballots; and one ballot bag for each referenda and special district ballot.

- Where optical scan or direct recording electronic ballots are used, only one ballot bag is necessary because all offices and referenda are on a single ballot card.
 - A separate ballot bag should be used for provisional ballots.
3. Envelope for Rejected Absentee Ballot Certificate Envelopes (EL-102): Election officials place all rejected Absentee Ballot Certificate Envelopes (EL-122) in this brown carrier envelope. It is returned to the clerk who provided it for that election.
 4. Envelope for Used Absentee Ballot Certificate Envelopes (EL-103): Election inspectors place all used Absentee Ballot Certificate Envelopes (EL-122) in this white carrier envelope after determining they have been properly executed and after removing the absentee ballots. The envelope is returned to the clerk who provided it for that election.
 5. Inspectors' Statement (EL-104): All challenged, provisional, damaged, defective, and rejected ballots must be documented using this form. This statement should provide an accurate account of the inspectors' decisions concerning all ballot irregularities, and describe any other occurrences or irregularities at the polling place (that may or may not affect the validity of the election).
 6. General Purpose Tally (EL-105): Inspectors or tabulators use this form in counting hand-count paper ballots and recording the number of votes cast for each candidate. This includes write-in votes, or in the case of a referendum, the yes and no votes. Where optical scan ballots are used, a tally sheet is used to count and record registered write-in votes. Note that write-in votes are recorded individually for specific situations.
 - All write-in votes should be counted for each office when there are no certified candidates on the ballot.
 - If certified candidates are on the ballot for an office, only votes for write-in candidates who registered their campaign should be counted.

Write-in candidates register their campaign by filing a campaign registration statement (EL-1) with the filing officer. There is no deadline to file the campaign registration statement.

- If a certified candidate for an office dies before the election, votes for all write-in candidates for that office are counted.
7. Poll List: The poll list is a list containing the names and addresses of registered voters in a ward or combination of wards. Each ward or combination of wards will have two poll lists, which must be maintained identically on Election Day. Election inspectors use poll lists to ensure only registered voters cast a ballot, and to capture certain information about each registered voter who receives a ballot.
- a. Providers generate poll lists from WisVote during the 14 days before an election.
 - b. Providers give the lists to relier clerks, who in turn distribute them to polling locations.
 - c. Self-provider clerks generate poll lists for their own municipalities and distribute them to their polling locations.
 - d. Poll lists consist of 4 parts:
 1. Part 1: Regular Poll List (WisVote-generated): Contains the names of all voters who register by 5 p.m. on the 20th day before the election. Confidential Voters who register by 5 p.m. on the 20th day before the election will appear on a separate page in part 1 of the poll list.
 2. Part 2: Pre-printed Supplemental Poll List (WisVote-generated): The municipal clerk may provide a printed list that contains the names and addresses of all voters who registered during late registration. Late registration is from the 19th day before the election up to 5:00 p.m. or the close of the clerk's office, whichever is later, the Friday before the election. Electors who register during this time will receive a Certificate of Registration (EL-133) to be presented at the polling place on Election Day.

Note: If a late registrant fails to present his or her Certificate of Registration (EL-133), but his or her name is on the supplemental poll list, the registrant is allowed to vote. If the individual fails to present his or her Certificate of Registration (EL-133) and his or her name does not appear on the supplemental poll list, the election inspector should attempt to contact the municipal clerk and determine if he or she has record of the elector's registration. If there is no record of the elector's registration in the clerk's office, then he or she must complete another Voter Registration Application (EL-131) and provide proof of residence before being allowed to vote.

3. Part 3: Handwritten Supplemental Poll List (EL-107): Election Inspectors must enter the name, address and Election Day voter number of all Election Day registrants onto the Handwritten Supplemental portion of the poll list. Relier clerks may use the EL-107 to enter the name and address of any voter who registers after the Provider has printed the WisVote-generated poll list. Voters who appear on the supplemental poll list are not required to present their Certificate of Registration (EL-133) before receiving a ballot.
4. Part 4: Confidential Elector List: If there are any confidential electors in the reporting unit, their names and confidential voter identification numbers will appear at the back of the poll list in a separate section. See the Confidential Electors section in the Electors chapter of this manual for more details.
8. Inspectors' Certificate for Provisional Ballots (EL-108): Inspectors use this form to record the issuance of provisional ballots. All provisional ballots should then be recorded on the Provisional Ballot Recording Form (EL-123r). The EL-123r is submitted by the municipal clerk to the county clerk and to the Wisconsin Elections Commission.
9. Election Observer Form (EL-109): Individuals who wish to observe the conduct of the election and/or election administration event should legibly

list his/her full name, street address and municipality, and the name of the organization or candidate the observer represents, if any. The observer shall also sign this form acknowledging the observer understands the rules and will abide by them. Additionally, an observer must present photo identification to an election inspector. Any type of photo identification is acceptable so long as it features a photo of the observer and the observer's name. An election official shall verify by marking on the EL-109 that the observer's name listed on the EL-109 matches the photo identification. If the information on the photo identification does not match the information on the observer log, the individual shall not be permitted to serve as an observer.

10. Order To Leave Polling Place (EL-110): In the event that a chief inspector orders an observer to leave a location, the chief inspector shall provide this written order to the observer which includes the reason for the order and the signatures of the chief inspector as well as another election inspector representing the opposite political party, if available. The chief inspector shall have sole authority to order the removal of an observer, but the other election inspector may note his or her concurrence or disagreement with the decision on the Inspectors' Statement (EL-104).
11. Election Observers Rules-At-A-Glance: This brochure is available from the agency website. It is a summary of the rules for election observers and a copy should be provided to all individuals who wish to observe the conduct of the election and/or election administration event.
12. Provisional Ballot Certificate Envelopes (EL-123): Each provisional ballot is placed in a separate provisional ballot certificate envelope. Every provisional voter must complete the certification and seal his or her ballot inside the envelope.
13. Provisional Ballot Reporting Form (EL-123r): All provisional electors information is recorded on this form including the elector's name and address, PV# issued, the reason for issuing the provisional ballot, and whether the elector voted in-person or via absentee.
14. Absentee Ballot Log (EL-124): The voter number that is issued to an absentee elector must be recorded on the poll list and on the absentee ballot log. If an absentee ballot is rejected, the reason for the rejection and the rejected ballot number is recorded on the absentee ballot log.

15. Presidential Elections: Presidential elections require two additional forms. These forms are used for individuals who moved to Wisconsin less than 28 days before a presidential election. These individuals are eligible to vote in the presidential contest only.

- a. Authorization to Cancel Registration-Presidential Election/New WI Resident (EL-139)
- b. Application for Presidential Ballot (EL-141)

Frequently Asked Questions

1. *Are polling places required to be in public buildings?*

Polling places should be in public buildings unless the governing body determines that the use of a nonpublic building better serves the needs of the voters.

2. *Do we need to have a voting booth for our accessible voting equipment or may we put it on a table that is at least 30 inches wide and between 28 and 34 inches tall?*

Voting booths are required for both paper ballots and electronic voting equipment. A table that meets accessibility width and height may be used if the table is sufficiently shielded or enclosed to ensure voter privacy. This can be achieved by using a privacy shield or by positioning the table so that the face of the equipment is directed away from the view of the room.

3. *Do election observers need to obtain a permit or pre-register with the clerk Before Election Day?*

No, there is no requirement that observers need to obtain a permit. However, if the two dominant political parties wish to have an observer accompany special voting deputies, the name of the observer must be submitted to the municipal clerk or board of election commissioners no later than the close of the business on the last business day prior to the residential care facility visit.

4. *Can a candidate ever be an observer?*

Yes. After the polls close, anyone, including the candidate, may be present to observe the public aspects of the post-election process. During polling hours, however, the candidate may not be an observer. Doors must remain open and unlocked during the counting of votes.

5. *Can family members of candidates be election observers?*

Yes, there is nothing that prohibits family members of candidates from being present at the polling place as observers. As with all observers, they cannot disrupt the operation of the polling place or attempt to influence voters. If it appears that the primary purpose of a group or individual is to disrupt or influence voting, the chief inspector should order the removal of the individuals and may contact a law enforcement officer if necessary for assistance.

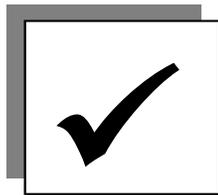
6. *Can the names of known write-in candidates be posted?*

No, names of known write-in candidates are not to be posted at the polling place. If specifically asked by a voter about write-in candidates, inspectors may give the names of known write-in candidates; however, answers must be given carefully so as not to appear to be endorsing or announcing a write-in candidate. We recommend the clerk provide the election inspectors with a list of registered write-in candidates to give to any voters that request this information.

7. *What happens if a voter presents a Certificate of Registration (EL-133) on Election Day but does not appear on the Supplemental Poll List (EL-107)?*

Election inspectors must enter the individual's name, address and Election Day voter number onto the Handwritten Supplemental portion of the poll list. The voter will not need to re-register.

Polling Place Checklist



Supplies:

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

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 (EL-111)
- FOR PARTISAN PRIMARY, Notice of Crossover Voting (EL-112, paper ballots; EL-112m, electronic voting equipment)
- Notice of Overvote (EL-113)
- FOR PRESIDENTIAL PREFERENCE, Notice of Crossover Voting (EL-114)
- Voter Qualification Poster (EL-115)
- Instructions for Mail-in Registrants and First-Time Voters (EL-116)
- General Information on Voting Rights Under Federal Laws (EL-117)
- Contact Information (EL-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 EL-104
- Verify seals and serial numbers on electronic voting equipment (optical scan) and initial verification on EL-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 book (enough room for 2 election inspectors)
- Accessible Voting Equipment powered on

ELECTION DAY ISSUES

Summary

Before Election Day, the municipal clerk has made a number of preparations to ensure a smooth Election Day. This includes preparing for delivery of ballots and supplies, posting of required notices, voting equipment testing and set-up, training of election inspectors, and developing and documenting a contingency plan for unforeseen incidents. On Election Day, the municipal clerk serves as a resource for the election inspectors for questions and troubleshooting.

Role of the Clerk on Election Day

On Election Day, the polling place is run by the chief election inspector. However, the municipal clerk should periodically inspect the polling place to monitor turn out, check supply levels, respond to news media inquiries, and handle any problems. While not in the voting area, he or she should be available to election inspectors for advice, supply requests, etc. If the municipal clerk is not available on Election Day, a deputy should be appointed to act in his or her absence.

Note: When running for re-election, municipal clerks should not be stationed at the polling place, as his or her presence casts doubt on the integrity of the election. It is the formal opinion of the Wisconsin Elections Commission that an incumbent municipal clerk should carry out his or her duties without being stationed at the polling place, or without spending extended periods of time at the polling place. EL Opinion 81-3.

Central Count Absentee Ballot Site

The governing body of any municipality may provide by ordinance that, instead of processing absentee ballots at the polling place, absentee ballots be processed and canvassed at an alternate site. Wis. Stat. § 7.52. The municipality is required to submit notification, in writing, to the Wisconsin Elections Commission on how the municipality intends to process absentee ballots at a central location and the municipality is required to consult with the Wisconsin Elections Commission staff. The municipal board of absentee ballot canvassers shall publicly canvass all

absentee ballots at all elections held in the municipality after passage of an ordinance directing alternate central count of absentee ballots.

Municipal Board of Absentee Ballot Canvassers

1. The municipal board of absentee ballot canvassers is composed of the municipal clerk, and two other qualified electors of the municipality appointed by the clerk.
2. The members of the municipal board of absentee ballot canvassers serve 2-year terms commencing on January 1 of each odd-numbered year.
3. If the municipal clerk is a candidate at an election being canvassed, the clerk may perform his or her duties on the board of absentee ballot canvassers only if the clerk does not have an opponent whose name appears on the ballot. If the clerk does have an opponent whose name appears on the ballot, the presiding officer of the municipality shall designate another qualified elector of the municipality to serve in lieu of the clerk for that election.
4. If the municipal clerk is a nonresident of the municipality, he or she may not serve as a member of the board of absentee ballot canvassers. The clerk must appoint another qualified elector of the municipality to serve in his or her place.

Public Notice

1. Any member of the public has the right to observe the meeting of the municipal board of absentee ballot canvassers.
2. Public notice of the time and location of the meeting of the municipal board of absentee ballot canvassers shall be given by the clerk at least 48 hours prior.

Procedure

At every election following enactment of a central count absentee ballot ordinance, the municipal board of absentee ballot canvassers shall, any time after the opening of the polls and before 10 p.m. on Election Night, publicly convene to count the absentee ballots for the municipality.

The municipal board of absentee ballot canvassers shall follow the same procedures, and use the same forms as are used at the polling place when processing, counting and securing absentee ballots. These procedures may be found in the “Ballots” section of the Election Day Manual.

It is the responsibility of the municipality to designate the location, appoint the municipal board of absentee ballot canvassers and coordinate the absentee ballot process.

Questions regarding the central count absentee ballot process may be directed to the Wisconsin Elections Commission staff.

Electioneering

Electioneering is any activity intended to influence voting at an election. Electioneering is prohibited during voting hours on public property within 100 feet of any entrance used by voters:

- At the clerk’s office during in-person absentee voting
- At any established alternate absentee voting location
- At a facility served by special voting deputies
- At the polling place

Note: This prohibition does not apply to electioneering on private property within 100 feet of an entrance to a polling place. The placement of election signs on private property within the 100 foot radius is permissible.

State law prohibits the distribution of election-related material at the polling place on Election Day. Election-related material is any written matter which describes, or purports to describe, the rights or responsibilities of individuals voting or registering to vote at a polling place or voting an absentee ballot at the office of the municipal clerk or an alternate site. Election-related material does not include required notices and postings by election officials.

Petitions on Election Day

It is the formal opinion of the Wisconsin Elections Commission that soliciting signatures for a petition within 100 feet of a polling place on Election Day is NOT considered “electioneering,” provided that the petition is not related to the election

at hand and does not attempt to influence the voter regarding that day's vote. For example, petitions for the recall of an elected official, the institution of referenda, or other petitions to a governing body are not considered "election-related material" and do not violate the relevant statutes on electioneering. However, petitioning inside the building containing the polling place on Election Day is considered disruptive, and is prohibited. Petitioners must not interfere with the access of voters entering and leaving the polling place. Election officials will order persons petitioning inside the building containing the polling place to leave the building, and summon law enforcement if necessary.

Observers

Anyone, other than a candidate up for election, has the right to be present to observe the conduct of the election and/or an election administration event. Observers may be present at a facility served by special voting deputies, a municipal clerk's office during in-person absentee voting, at a polling place on Election Day, at a central counting location and at a recount.

The Wisconsin Elections Commission has established Administrative Rule EL Chapter 4, establishing a set of rules for observers at polling place or other locations where votes are being cast, counted, canvassed, or recounted. A summary of the rules shall be provided to each observer. The "Wisconsin Election Observers Rules-at-a-Glance" brochure on the agency website may be used to meet this requirement.

There is no requirement for observers to obtain a permit. However, if the two dominant political parties wish to have an observer accompany special voting deputies, the name of the observer must be submitted to the municipal clerk or board of election commissioners no later than the close of the business on the last business day prior to the residential care facility visit.

All observers shall be accorded the same respect regardless of their political affiliation or non-affiliation.

A designated observation area at the polling place or other location where votes are being cast, counted, canvassed, or recounted should permit observers to hear instructions and to readily observe all public aspects of the process without disrupting the activities.

If observers are unable to hear the election inspectors and voters, they may ask for the instructions or information to be repeated. However, there is no requirement the instructions or information be broadcast at a specific volume. If space permits, observers may move within the designated observer area to better view and/or hear the interactions.

To ensure the orderly conduct of the election and/or election administration event, and if necessary due to physical limitations of the host location, an election official may reasonably limit the number of observers representing the same organization or candidate.

Management of Observers

Observers should check-in and follow directions from the election official in charge of the polling place or other location where votes are being cast, counted, canvassed, or recounted.

Location	Manager
Facility served by special voting deputies	Special voting deputies
In-person absentee voting	Municipal clerk or his/her designee
Polling place	Chief inspector or his/her designee
Central count	Municipal clerk or his/her designee
Recount	Designated member of board

Election Observer Log (EL-109)

An observer shall legibly list his/her full name, street address and municipality, and the name of the organization or candidate the observer represents, if any, on the Election Observer Log (EL-109). The observer shall also sign this form acknowledging the observer understands the rules and will abide by them. Additionally, an observer must present photo identification to an election inspector. Any type of photo identification is acceptable so long as it features a photo of the observer and the observer’s name. An election official shall verify by marking on the EL-109 that the observer’s name listed on the EL-109 matches the photo identification. If the information on the photo identification does not match the information on the observer log, the individual shall not be permitted to serve as an observer.

An observer must wear a tag or badge which reads “Election Observer,” and which shall be worn at all times the observer is inside of the polling place or other location where votes are being cast, counted, canvassed, or recounted. The name of the observer need not appear on the Election Observer tag or badge.

Observer Area – Facility Served by Special Voting Deputies

One observer from each of the two political parties whose candidate for governor or president received the greatest number of votes in the municipality, in the last general election, may accompany special voting deputies (SVDs) to residential care facilities.

Ballot Marking Area: There must be an observer area between three and eight feet of the location at which electors are making their ballots. However, this area shall not be situated to permit observers to hear any conversations between the elector and an individual who is assisting the elector in marking the ballot. Typically, the ballot marking area is in a common area of the facility. However, there may be instances when voting occurs in a resident’s room. In these instances, observers are allowed inside the resident’s room, if space permits.

If space constraints prevent the facility from accommodating an observation area within three to eight feet of the ballot marking area, the special voting deputies shall document the actual location of the observation area and the reasons why it could not be located within the three to eight feet distance.

Observers should direct questions and concerns to the special voting deputies.

The SVDs shall attach the EL-109 to the Special Voting Deputy Log of Absentee Voting Activity (EL-104SVD). The EL-109 may not be viewed by members of the public, including other election observers, during the voting day at the facility. After Election Day, a copy of the EL-109 may be obtained from the municipal clerk or board of election commissioners through a public records request.

Observer Area – In-Person Absentee Voting

Observers are allowed at the municipal clerk’s office on any day of in-person absentee voting provided the office is located in a public building. No observer is allowed behind the counter in the municipal clerk’s office.

Check-In Area: There must be an observer area between three and eight feet of the table/counter at which electors state their name and address to receive a voter number.

Voter Registration Area: There must be an observer area between three and eight feet of the voter registration table/counter.

If space constraints prevent the municipal clerk's office from accommodating an observation area within three to eight feet of the areas listed here, the municipal clerk shall document the actual location of the observation area and the reasons why it could not be located within the three to eight feet distance. In that case the municipal clerk shall provide a written explanation to the WEC as to the reasons why the distance requirement could not be satisfied, within seven days after the election.

Observers should direct questions and concerns to the municipal clerk.

The EL-109 may not be viewed by members of the public, including other election observers, during this period. It may be obtained through a public records request after the election.

Observer Area – Central Counting Location

Observers are allowed at a central counting location under Wis. Stat. § 5.86.

Counting Area: There must be an observer area between three and eight feet of the table at which the counting is taking place.

If space constraints prevent the central counting location from accommodating an observation area within three to eight feet of the areas listed here, the municipal clerk shall document the actual location of the observation area and the reasons why it could not be located within the three to eight feet distance. In that case the municipal clerk shall provide a written explanation to the WEC as to the reasons why the distance requirement could not be satisfied, within seven days after the election.

The EL-109 may not be viewed by members of the public, including other election observers. It may be obtained through a public records request after the election.

Observer Area – Polling Place

An observation area should always be established when setting up the polling place on Election Day.

Check-In Area: There must be an observer area between three and eight feet of the table at which electors state their name and address to receive a voter number.

Voter Registration Area: There must be an observer area between three and eight feet of the voter registration table.

If space constraints prevent the polling place from accommodating an observation area within three to eight feet of the areas listed here, the municipal clerk and chief inspector shall record on the Inspectors' Statement (EL-104) the actual location of the observation area and the reasons why it could not be located within the three to eight feet distance. In that case the municipal clerk shall provide a written explanation to the WEC as to the reasons why the distance requirement could not be satisfied, within seven days after the election.

Observers should direct questions and concerns to the chief inspector or his/her designee.

Election inspectors should attach the EL-109 to the Inspectors' Statement (EL-104). The EL-109 may not be viewed by members of the public, including other election observers, on Election Day. After Election Day, a copy of the EL-109 may be obtained through a public records request.

Observer Area – Recount

The recount of any election is open to any interested member of the public, including candidates and their counsel. The recount board of canvassers may limit observers to a designated area, but the observers shall be positioned so that they can see the poll lists and each individual ballot as it is counted. If there is not enough room for all observers to view the ballots as they are being counted, visual preference shall be given to the candidates or their representatives. Questions should be directed to the member of the recount board of canvassers designated to receive questions.

The EL-109 is not open to public inspection during the recount. It may be obtained through a public records request after the recount.

A recount plan adopted by the Wisconsin Elections Commission or a local board of canvassers may include additional rules governing observer conduct, provided that the recount plan is consistent with the public's right to observe the recount process and the ability of election officials to conduct the recount.

Conduct of Observers

While observers are present, they are prohibited from electioneering or interfering with the orderly conduct of the election and/or election administration event. Any observer who engages in loud, boisterous, or otherwise disruptive behavior that the election official believes threatens the orderly conduct of the activity or interferes with voting shall receive a warning from the election official. If a warning has been issued, and the offending observer continues the disorderly behavior, the election official shall order the offending observer to depart the location. If the offending observer declines or otherwise fails to comply with the election official's order to depart, the election official shall summon local law enforcement to remove the offending observer.

In the event that an election official orders an observer to leave a location, the election official shall provide a written order to the observer (EL-110) which includes the reason for the order and the signatures of the local election official as well as another local election official representing the opposite political party, if available. The local election official shall have sole authority to order the removal of an observer, but the other local election inspector may note his or her concurrence or disagreement with the decision on the Inspectors' Statement (EL-104).

When an EL-110 is completed, the municipal clerk or board of election commissioners shall notify the WEC of the incident within seven days. This notification should include a copy of the EL-110, if available, and the portion of the Inspectors' Statement which documents the incident. WEC staff will use this information to provide a summary to the Board after each election of all reported incidents.

Viewing Documents

Observers may examine the poll list so long as they do not interfere with election official responsibilities.

1. The election official determines whether it is an appropriate time to allow an observer to examine the poll list.

If voters are standing in line to have their names recorded and to receive a ballot, it is not an appropriate time to allow observers to view the poll lists.

2. The poll list must remain under the control of election officials at all times.
3. The poll list may not be handed to the observers.
4. Observers do not have the right to view the confidential portion of the poll list.
5. Observers shall not be permitted to make a photocopy of or take photographs or video of proof of residence documents, the poll list, and voted ballots.
6. All observers, regardless of affiliation, should be accorded the same treatment with respect to examining the poll lists.

Observers shall not be permitted to handle an original version of any official election document, including voter registration forms and/or proof of residence documents while voters are registering.

Prohibited Activities

Observers may not conduct any of the following disorderly activities while monitoring the conduct of the election and/or election administration event.

1. Wear clothing or buttons related to candidates, parties or referenda that are intended to influence voting at the election.
2. Interact with voters, except when asked by an elector to provide assistance in marking their ballot.

3. Watch voters mark their ballots.
4. Have conversations about candidates, parties or ballot questions.
5. Use cell phones for voice calls inside the polling area.
 - a. Text messaging is allowed.
 - b. Cell phone applications may be accessed and used.

Media

Members of the media may be present at public location hosting an election and/or election administration event but cannot interfere with the activities. Members of the media should check-in with the election official in charge of the location. This election official should document the name and affiliation of each member of the media on the Inspectors' Statement (EL-104).

Conduct of Media

1. Video or still cameras may not be used to record how any voter has voted.
2. Contact with electors in the voting area should be limited. This includes interacting with voters who are waiting in line to check-in and/or cast their ballots.
3. Interviews should be held outside of the voting area to ensure doors and entrances are not blocked and the voting process is not disrupted.

The municipal clerk should make sure that media is briefed about acceptable conduct. Members of the media are strongly encouraged to conduct the majority of their activities outside of the room where the election is being conducted. It is the responsibility of the election official to deal directly with any media person who is harassing voters.

Polling Place Accessibility Assessments

Individuals may assess accessibility requirements in Wisconsin polling places. When practical, these individuals should notify the municipal clerk or board of election commissioners at least 24 hours in advance of their intent to audit a

polling place. These individuals may work outside of the designated observer area so long as their work does not disrupt or interfere with the election. Identifying names tags and/or shirts are permitted. These individuals may use video and/or still cameras to document their findings.

Photography/Videography

Use of still or video cameras in the polling area during voting hours is prohibited. This prohibition does not apply to members of the media or polling place accessibility auditors.

Challenging Voters

When there is reason to believe that an elector does not meet the qualifications to vote, the elector may be challenged.

1. Challenges may be brought by any qualified elector of the state including an election inspector.
 - a. If an election inspector is making the challenge, a second election inspector should administer the process.
2. All challenges must be made for reasonable cause as outlined on the Challenge Documentation of the Inspectors' Statement (EL-104c). The election inspectors should use discretion when administering a challenge.
3. Inspectors should be trained on the procedure for handling challenges.
4. All challenges are recorded using the Challenge Documentation section (EL-104c) of the Inspectors' Statement (EL-104). The form lists the procedures to follow and questions used to establish the challenge.

Challenge Procedure

There is a "Challenging an Elector" video tutorial on the agency website regarding this process.

1. When a challenge is made, the challenging elector is placed under oath and asked to make a sworn statement giving the reason for the challenge.

2. The challenging elector is then questioned by the election inspector using the questions on the challenge documentation form (EL-104c) to provide reasonable support for the challenge.
3. After the challenge has been made and supported under oath, the challenged elector is placed under oath and asked to make a sworn statement in response to the challenge.
4. If the challenged elector refuses to make a statement under oath, the elector shall not be given a ballot.
5. Once the challenged elector has responded to the challenge, the challenging elector has the opportunity to withdraw his or her challenge. If the challenge is withdrawn, a ballot is issued with no special marks, a notation is made in the Inspectors' Statement (EL-104), and no mark is made on the voter lists.
6. If the challenge is not withdrawn, the election inspector administers the "Oath of Eligibility" to the challenged elector. Once the oath has been made by the elector, a ballot is issued with the voter number and "Section 6.95" marked on the back of the ballot.
7. Once the challenged elector has marked the ballot, it is placed by the elector into the ballot box. A notation "Challenged" and the reason for the challenge is made on the voter lists and the appropriate sections of the Inspectors' Statement (EL-104) are completed by the election inspector.

Frequently Asked Questions

1. Can the municipal clerk serve as an election inspector?

The Wisconsin Elections Commission does not advise that a municipal clerk serve as an election inspector. If the municipal clerk must serve as an inspector, he or she may not be a candidate on the ballot for that election. If the municipal clerk is on the ballot, he or she must find another qualified person to fill the vacancy.

2. When is a challenge appropriate?

Reasons for a challenge may include age, residency, citizenship, ability to sign the poll list, or disqualification from voting. All challenges should be made

with reasonable and appropriate support. If an election inspector believes that an individual is abusing the challenge process, they may request that the person leave the polling place. Challenges must be brought before a ballot is issued.

3. *When is a challenge unacceptable?*

Any challenge to a person's right to vote because that elector is incapable of understanding the objective of the electoral process cannot be determined at the polls. Only a court can disqualify a voter as incompetent for purposes of registering to vote or the right to vote. Such a challenge should be dismissed and an unmarked ballot issued to the elector. Any challenge based on an individual's appearance, speech or inability to speak English is also unacceptable. A notation of the alleged grounds should be made on the challenge documentation form. The challenge should be dismissed and an unmarked ballot issued to the elector.

4. *Can anyone photograph and/or videotape the activities taking place in the polling place?*

Only members of the media and polling place accessibility auditors may use still and/or video cameras in the polling place during voting hours. The use of still and video cameras by observers is prohibited.

5. *Do voters need to remove campaign buttons or t-shirts?*

It is best to permit the voter to cast his or her vote and leave. If the elector engages in electioneering or remains in the polling place as an observer, the individual should be directed to cover or remove any campaign paraphernalia he or she is wearing if the item is intended to influence voting at the election.

6. *Are exit polls allowed?*

Exit polls are permitted by Wisconsin law. However, exit polls must not be allowed to interfere with the orderly conduct of the election. The municipal clerk should make sure the media is briefed about acceptable conduct for exit polls. Electors who complain about exit polls should be informed that they need not participate.

POST ELECTION ACTIVITIES

Summary

Even though election inspectors count the votes at the polls on election night, the official results of the elections are not determined until each official board of canvassers (for the municipality, county, state, school district, or other special purpose district) has met and completed the official canvass of their respective offices. The canvass statement is the official determination of the outcome of the election. The election is not complete and no recount can be requested until the canvass has been completed. Wis. Stat. §§ 7.53(4), 9.01(1)(a) 1.

Voters who cast provisional ballots may provide whatever documentation is required no later than 4:00 p.m. on the Friday after the election in order for their provisional ballot to be counted. Wis. Stat. § 7.515 assigns the responsibility of processing and counting eligible provisional ballots to the Municipal Clerks, or Executive Directors, and the Municipal Board of Canvassers.

Composition of the Municipal Board of Canvassers (MBOC)

1. Municipalities with only one polling place.
 - a. In municipalities with one ward or where all of the wards vote at a single polling place and results are combined, the election inspectors constitute the municipal board of canvassers (MBOC).
 - b. All inspectors present at the polling place at the close of the polls complete the Board of Canvassers' Statement (EL-106) for municipal offices and municipal referenda on election night. Wis. Stat. § 7.53(1).

Likewise, the inspectors that signed the election night certification comprise the MBOC for any subsequent meeting to amend returns. However, if all of the inspectors who signed the election night certification are not available to amend returns, the clerk may replace the inspectors with a 3-member board of canvassers consisting of the clerk, the chief inspector and one other inspector.

If the clerk is a candidate at the election being canvassed or is unable to serve, the other two members shall appoint a qualified elector of the municipality to serve in place of the clerk. If one of the other members is unable to serve, the municipal clerk shall appoint a qualified elector of the municipality as a replacement.

2. Municipalities with more than one polling place.
 - a. In municipalities with two or more wards that are not combined, the municipal clerk and two qualified electors chosen by the clerk, serve as the MBOC. Wis. Stat. § 7.53(2).
 - b. They complete the Board of Canvassers' Statement (EL-106) for municipal offices and municipal referenda. If a member of the MBOC is unavailable, the clerk may designate a substitute. Wis. Stat. § 7.53(2).

In addition to these familiar duties, the MBOC are required to convene, whether or not there is a municipal election, whenever provisional ballots have been cast.

Timeline for Convening the MBOC

1. Municipalities where the Election Inspectors Comprise the MBOC.
 - a. When municipal offices and/or municipal referenda are on the ballot, the inspectors must conduct the municipal canvass and make their initial determination on election night, as usual. Wis. Stat. § 7.53(1).
 - b. The inspectors must reconvene as the MBOC no later than 9:00 a.m. on the Monday following the election to process eligible provisional ballots. Wis. Stat. §§ 7.515(6)(b) and 6.97(4).
 - i. If no eligible provisional ballots are returned, the MBOC does not need to reconvene and the clerk can certify that the election night results stand. See the EL-106P.
2. Municipalities where the Clerk and Two Others Comprise the MBOC.
 - a. When the municipal clerk and two other electors appointed by the clerk serve as the MBOC, the canvass shall begin no earlier than the time that the MBOC receives the returns from all polling places on election night

and no later than 9:00 a.m. on the Monday after the election. Wis. Stat. §§ 7.515(6)(b) and 6.97(4).

Regardless of the Composition of the MBOC...

The MBOC may convene or reconvene (in the case of the poll workers serving as the MBOC who met election night to canvass municipal results) as soon as all pending provisional ballots have been determined eligible, but no earlier than 4 p.m. on the Friday after the election and no later than 9 a.m. on the Monday after the election. **Note:** Proper 24-hour meeting notice is required.

Scenarios:

A. The MBOC is the Election Inspectors

1. **No** - Municipal offices and/or referenda
No - Outstanding provisional ballots.
 - a. The inspectors do not convene as the MBOC.
 - b. The inspectors do not reconvene as the MBOC.
2. **Yes** - Municipal offices and/or referenda
No - Outstanding provisional ballots.
 - a. The inspectors convene on election night as the MBOC to canvass the results of the municipal offices or municipal referenda and complete the EL-106 for municipal offices and referenda only.
 - b. The inspectors do not reconvene as the MBOC.
3. **Yes** - Municipal offices and/or referenda
Yes - Outstanding provisional ballots.
 - a. The inspectors convene on election night as the MBOC to canvass the results of the municipal offices or municipal referenda and complete the EL-106 for municipal offices and referenda only.

- b. The MBOC reconvenes if outstanding provisional ballots have been rehabilitated.
 - c. 24-hour open meeting notice is required.
 - d. The MBOC reconvenes no later than 9:00 a.m. on the Monday after the election to process and count provisional ballots and amend the municipal canvass.
 - i. If no provisional ballots are rehabilitated, the clerk certifies that there are no additional ballots to count, and the MBOC does not need to reconvene.
4. **No** - Municipal offices and/or referenda
Yes - Outstanding provisional ballots.
- a. The inspectors do not convene on election night as the MBOC.
 - b. The MBOC convenes if outstanding provisional ballots have been rehabilitated, or after the deadline of 4:00 p.m. on the Friday after the election has passed.
 - c. 24-hour open meeting notice is required.
 - d. The MBOC convenes no later than 9:00 a.m. on the Monday after the election to process and count provisional ballots.
 - i. If no provisional ballots are rehabilitated, the clerk certifies that there are no additional ballots to count, and the MBOC does not need to reconvene.

B. The MBOC is the Clerk and Two Other Electors

- 1. **No** - Municipal offices and/or referenda
No - Outstanding provisional ballots.
 - a. The MBOC does not meet at all.
- 2. **Yes** - Municipal offices and/or referenda
No - Outstanding provisional ballots.

- a. The MBOC meets the day after the election to canvass the results of the municipal offices or municipal referenda and complete the EL-106 for municipal offices and referenda only.
 - b. The MBOC has no reason to meet again.
3. **Yes** - Municipal offices and/or referenda
Yes - Outstanding provisional ballots.
- a. The MBOC *may* meet the day after the election to canvass the results of the municipal offices or municipal referenda and complete the EL-106 for municipal offices and referenda only.
 - i. The MBOC must adjourn until all provisional ballots are rehabilitated.
 - ii. After providing 24 hour notice, the MBOC reconvenes to process and count provisional ballots and amend the municipal canvass.
 - a) If no provisional ballots are rehabilitated, the clerk certifies that there are no additional ballots to count, and the MBOC does not need to reconvene.
 - b. Alternatively, the MBOC may wait to convene until all provisional ballots are rehabilitated or until the deadline of 4:00 p.m. on the Friday after the election has passed.
 - i. After providing 24-hour notice, the MBOC convenes to process and count provisional ballots and to canvass the results of the municipal election.
 - a) If no provisional ballots were rehabilitated, the returns must include a statement to that effect.
4. **No** - Municipal offices and/or referenda
Yes - Outstanding provisional ballots.

- a. The MBOC must convene after all outstanding provisional ballots are rehabilitated or until the deadline of 4:00 p.m. on the Friday after the election has passed.
- b. 24-hour notice is required.
- c. The MBOC convenes to process and count provisional ballots.
 - ii. If no provisional ballots are rehabilitated, the clerk certifies that there are no additional ballots to count, and the MBOC does not need to reconvene.

The 3-day period for petitioning for a recount of municipal offices and referenda does not begin until the day after the final meeting of the MBOC and the completion of the canvassing of the provisional ballots. Wis. Stat. § 9.01(1)(a) 1.

Timeline for Delivery of Election Night Returns to County, School District and Special Purpose District Clerks

The municipal clerk shall deliver all ballots, statements, tally sheets, lists and envelopes, **excluding any provisional ballots**, related to any county, school district or special purpose district election to the appropriate clerks by 4:00 p.m. on the day following each such election. Wis. Stat. § 7.51(5)(b).

Central Count Absentee Municipalities

The municipal clerk in municipalities that process absentee ballots at a central location deliver all ballots, statements, tally sheets, lists and envelopes, **excluding any provisional ballots**, related to any county, school district or special purpose district election to the appropriate clerks by 4:00 p.m. on the second day following each such election. Wis. Stat. § 7.51(5)(b).

Timeline for Delivery of Amended Returns to the Affected Boards of Canvassers

The amended returns must be delivered to the county, school district and special purpose district clerks no later than 4:00 p.m. on the Monday after the election. Wis. Stat. § 7.51(5)(b). County, school district and special purpose district boards of canvassers must meet no later than 9 a.m. on Tuesday (one week after an election.) In addition, school district and special purpose district boards of

canvassers must complete the canvass no later than 4 p.m. on the Tuesday after an election. Wis. Stat. §§ 7.53 (3)(a) and 7.60(3).

Duties of Municipal Clerks

1. On Election Night, post the number of pending provisional ballots and the number of any outstanding absentee ballots, by reporting unit, on the Internet. Wis. Stat. § 7.515(5), 2011 Act 115, Wis. Stat. § 7.15(15).
 - a. The number of outstanding absentee ballots are required to be posted, but any returned after Election Day will not be counted.
2. On Election Night, transmit the EL-123r to the clerks of any other affected level of government by reporting unit. Wis. Stats. §§ 6.97(3)(b) and 7.515(6)(a).
3. On Election Night, enter provisional ballot information {which has been recorded on the Provisional Ballot Reporting Form (EL-123r)} into the Provisional Ballot Tracking System. (If the municipality does not have web access, the WisVote provider enters this information.) 42 U.S.C. § 15482(a)(5)(B).
4. If the clerk receives an absentee ballot from an elector who is recorded as voting on Election Day, the clerk should also contact law enforcement immediately.
5. Provisional ballots are not counted until the required information, either proof of residence (voters already on poll list as “POR Required”), driver license number, state ID card number or proof of identification is provided to either the election inspectors by 8:00 p.m. on Election Day, or to the municipal clerk or deputy clerk by 4 p.m. on the Friday after the election.
 - a. Municipal clerks must be available to receive the missing information from electors who have an pending provisional ballot through 4 p.m. on the Friday after the election:
 - i. Electors who need to provide their WI driver license or state ID card number can provide their number:

1. Over the phone
 2. By electronic transmission
 3. By delivery
 4. In-person
 - ii. Electors who need to provide a proof of residence can provide their documentation:
 1. By electronic transmission
 2. By delivery
 3. In-person
 - iii. Electors who need to provide proof of identification must provide their ID in-person.
 - b. Electors who provide their information after Election Day do not sign the poll list.
 - c. When an elector provides missing provisional information after Election Day, the municipal clerk must update the EL-123r with:
 - i. The type of provisional documentation provided
 - ii. The method used to provide the missing information
 - iii. The date and time the elector provided the missing information
 - iv. The clerk's name
 - d. The Provisional Ballot Tracking System must also be updated when an elector provides missing provisional information after Election Day.
6. Continually update the EL-123r as provisional ballots become eligible to be counted, and continually enter the updated information into the Provisional Ballot Tracking System or transmit the updated information to your provider for Provisional Ballot Tracking System entry.
 7. Immediately after the 4:00 p.m. Friday deadline, transmit the final EL-123r forms to the clerks of any other affected level of government (and to your WisVote provider, if necessary).
 8. Publish a 24-hour open meeting notice and notify the MBOC of the time and location of the meeting. Notice of the meeting which includes the date,

time, place and subject matter of the meeting should be sent to the local media at least 24 hours in advance of the meeting. Wis. Stat. § 19.84.

Note: You may have observers in attendance.

9. Provide all necessary materials for the MBOC (see the Supplies Checklist in the appendix of this document).
10. Take minutes at the MBOC meeting or assign this duty.

Processing Provisional Ballots

- A. Examine all EL-123r forms to determine which voters have supplied the missing information necessary for their ballots to be processed.
- B. Verify the tamper-evident seal numbers on the ballot container holding the provisional ballots and record the findings on the Record of Activity (EL-104P).
- C. Open the ballot container holding the Election Day provisional ballots and retrieve the envelopes containing the ballots to be processed.
- D. Process one provisional ballot at a time. Examine the Provisional Ballot Certificate Envelope (EL-123) for sufficiency, following the same procedure used in processing absentee ballots.
 1. Reject the provisional ballot if the envelope is not sufficient or appears to have been tampered with.
 - a. Mark the envelope (EL-123) “Rejected.”
 - b. Write “Rejected” on the Provision Ballot Reporting Form (EL-123r) in the “voter number” column.
 - c. Record the rejection on the Record of Activity (EL-104P).
 - d. Return the unopened EL-123 to the Election Night Provisional Ballot Bag/Container.
 2. If the provisional ballot envelope is sufficient:

- a. Assign a voter number to the elector.
 - i. Look for the last voter number issued in the appropriate reporting unit and assign the next consecutive number to the voter.
 - ii. Record the number on the EL-123r.
 - b. Place the Provisional Certificate Envelope in a large envelope marked “Used Provisional Ballot Envelopes.”
 - c. Place the ballot in the “privacy container” for tally later in the process.
- E. After all provisional ballots have been processed, reconcile the number of voters with the number of provisional ballots.
1. Count the number of ballots in the privacy container to ensure the number of ballots equals the number of additional voter numbers issued for provisional ballots.
 2. Return ballots to privacy container and mix.
- F. Tally the Votes

Count and record the votes on two separate Tally Sheets (EL-105).
Reconcile the tally sheets when the counting for each office is complete.

1. Determine if any of the ballots are “Defective.”
 - a. A “Defective ballot” is a ballot for which a majority of the election inspectors agree that voter intent cannot reasonably be determined.
 - b. A ballot can be defective for some offices and valid for others. Only valid votes on each ballot are counted. The reason for the defect should be recorded on the Record of Activity (EL-104P).
 - c. A defective ballot is labeled “Defective Ballot # ___” (beginning with ‘1’), set aside and preserved.

- i. Defective ballots may be placed in an envelope marked “Defective/Objected To Provisional Ballots or”
 - ii. Bundled together and labeled “Defective Provisional Ballots”
2. Determine if any of the ballots are “Objected To.”
 - a. An “Objected To” ballot is a ballot for which a majority of the election inspectors agree that voter intent can or cannot be determined, but at least one election inspector disagrees. The reason for the objection is recorded on the Record of Activity (EL-104P).
 - b. A ballot may be “Objected To” with respect to one or more offices. “Objected To” ballots are counted if the majority agrees on intent.
 - c. An “Objected To” ballot is labeled “Objected To Ballot # ___” (beginning with ‘1’), set aside and preserved.
 - i. “Objected To” ballots may be placed in an envelope marked “Defective/Objected To Provisional Ballots or”
 - ii. Bound together and labeled “Objected To Provisional Ballots”
 - d. Bundle the counted provisional ballots together and set aside.
 - e. Announce the results of the tally of provisional ballots.

Securing and Documenting

A. Ballots

1. Place the counted provisional ballots and the Defective/Objected to Provisional Ballots in a ballot bag or container.
 - a. Secure the container with a tamper-evident seal.
 - b. Record the tamper-evident seal number on the Ballot Container Certificate (EL-101) and the Record of Activity (EL-104P)

3. Reseal the ballot container holding the Election Day provisional ballots with a tamper-evident seal.
 - a. Record the tamper-evident seal number on the Ballot Container Certificate (EL-101) and the Record of Activity (EL-104P).

B. Envelopes

1. Secure the large envelopes containing:
 - a. Used Certificate Absentee Envelopes (EL-103)
 - b. Rejected Absentee Ballots (EL-102)
 - c. Used Provisional Certificate Envelopes

C. Complete Forms and Sign any Certifications

1. Ballot Container Certificates (EL-101)
2. Rejected Absentee Ballots Envelope (EL-102)
3. Used Absentee Certificate Envelope (EL-103)
4. Used Provisional Certificates Envelope
5. Record of Activity (EL-104P)
6. Certification of the MBOC (EL-106P)
7. Tally sheets and machine tapes (EL-105)
8. Provisional Ballot Carrier Envelope (EL-108)
9. Provisional Ballot Reporting Form (EL-123r)
10. Absentee Ballot Log (EL-124)

Conducting the Municipal Canvass

Canvassing Municipal Offices and Municipal Referenda

If there were municipal offices or municipal referenda on the ballot, the MBOC will need to make the official determination of the outcome of the municipal election. Follow the Municipal Board of Canvassers instructions located in the *Election Day Manual*. The MBOC uses the Statement of the Board of Canvassers (EL-106) for this purpose.

If the MBOC has already met and completed an EL-106 and is reconvening to process and count provisional ballots, the municipal canvass will have to be amended.

3. Tabular Statement

1. Complete a new tabular statement for each municipal office and municipal referendum.
2. Record only the votes counted for provisional ballots in each office for each reporting unit.
3. Total the votes cast in each reporting unit (across) and for each candidate (down) and record the grand total for each office.

4. Summary Statement

1. Complete a new summary statement, using the information from the tabular statement, for each municipal office and municipal referendum.
2. Attach a copy of the *original* summary statement to the new summary statement.
3. Record the totals from the first summary statement next to the totals on new summary statement.
4. Add them together and determine a new grand total for each office and referenda.

5. Certification

1. Complete and sign the Certification.

Routing Materials

All materials are delivered to the municipal clerk, but should be separated as follows:

A. Municipal Clerk

1. Municipal ballots (if separate ballots) sealed in a ballot container.
2. One original of each Tally Sheet (EL-105) and one copy of the voting machine tape, if any.
3. Record of Activity (EL-104P) - *Municipal clerk will make certified copies for county, school district and special purpose district clerks.*
4. Absentee Ballot Log (EL-124) - *Municipal clerk will make certified copies for county, school district and special purpose district clerks.*
5. Provisional Ballot Reporting Form (EL-123r) - *Municipal clerk will make certified copies for county, school district and special purpose district clerks.*
6. Statement of the MBOC (EL-106P) - *Municipal clerk will make certified copies for county, school district and special purpose district clerks.*
7. Statement of the Municipal Board of Canvassers (EL-106), if required.

B. School District Clerk

1. School District Ballots (if separate ballots) sealed in a ballot container.
2. One original Tally Sheet (EL-105) of school district offices and referenda and one copy of the voting machine tape, if any.

3. One certified copy of the Inspectors' Statement (EL-104) and one certified copy of the Record of Activity (EL-104P)
4. One copy of the Provisional Ballot Reporting Form (EL-123r)
5. One copy of the Absentee Ballot Log (EL-124)
6. A certified copy of the poll list (EL-107, EL-107s)

C. County Clerk

1. Ballot containers with all federal, state, county and technical college ballots.
2. Provisional and absentee ballots sealed in separate ballot containers.
3. Election night provisional ballots resealed in the original ballot bag from election night.
4. The Rejected Absentee Ballots Envelope (EL-102)
5. The Used Absentee Certificates Envelopes Envelope (EL-103)
6. The Used Provisional Certificates Envelope
7. One Original Tally Sheet (EL-105) of federal, state, county and technical college offices and/or referenda and one copy of the voting machine tape, if any.
8. One certified copy of the Record of Activity (EL-104P)
9. One copy of the Provisional Ballot Reporting Form (EL-123r)
10. One copy of the Absentee Ballot Log (EL-124)
11. One certified copy of the Statement of the MBOC (EL-106P)

Municipal Clerk Follow-up

Municipal clerks deliver the amended returns and other documents to the county, school district and special purpose district no later than 4:00 p.m. on the Monday after the election. See Routing above.

WisVote Related Notes

1. Self-Providers

- a. After the municipal board of canvass, Self-Providers must update office holders in WisVote with new or re-elected officials for municipal offices.
- b. For more information about entering office holders in WisVote, see the WisVote manual, which is available in the WisVote Learning Center.

2. Reliers

After the municipal board of canvass, Reliers must ensure their Provider receives a copy the Certification of the Board of Canvassers or a list of municipal contest winners for entry into WisVote.

3. Providers

- a. Providers must update the officer holders in WisVote with new or re-elected officials for municipal offices in a relying municipality.
- b. Counties are responsible for entering the office holders for county and school district offices.
- c. For more information about entering office holders in WisVote, see the WisVote manual, which is available in the WisVote Learning Center.

Certificate of Election

1. The municipal clerk shall promptly issue a Certificate of Election (EL-153) to each person elected to any municipal office after the deadline for filing a petition for recount has passed, three business days following the certification by the municipal board of canvassers.
2. When a valid petition for a recount is filed, the municipal clerk may not issue the Certificate of Election (EL-153) for the office in question until the recount has been completed and the time allowed for filing an appeal has passed.
 - a. An appeal may be filed in the circuit court within five business days after completion of the recount by the board of canvassers.
 - b. If an appeal is filed in the circuit court, the municipal clerk shall not issue the Certificate of Election (EL-153) until after the appeal is decided.

Election Voting and Registration Statistics Report (EL-190F and EL-190NF)

Wisconsin statutes require that the municipal clerk complete an Election Voting and Registration Statistics Report (EL-190) within 30 days of a primary or election at which a state or national office is filled or a statewide referendum is held. The data reported on the EL-190 forms allows the WEC to complete several state and federal reporting requirements on behalf of municipal and county clerks.

The [EL-190F](#) (federal) is required for each federal election. This includes the Partisan Primary in August, the General Election in November, the Presidential Preference Election in April every four years, and any special election for federal office.

The [EL-190NF](#) (non-federal) is required whenever a state constitution office is on the ballot and there is not a federal office on the ballot. This will usually be the Spring Primary and Spring Election.

The EL-190F contains a set of questions related to permanent overseas absentee voters that is not included on the EL-190NF because permanent overseas voters are not allowed to vote in non-federal elections. Other than this additional set of questions on the EL-190F, the two forms contain all of the same questions and in the same order.

Procedure

1. Clerks must complete one Election Voting and Registration Statistics Report (EL-190) for each reporting unit. The reporting units setup in WisVote will match the reporting units in the Wisconsin Election Data Collection System (WEDCS), as well as how you report election results in the Canvass Reporting System (CRS) and how you program your voting equipment.
2. You must then enter the completed Election Voting and Registration Statistics Report(s) (EL-190) into the WEDCS.
 - a. Each municipality is responsible for ensuring that the Election Voting and Registration Statistics Report (EL-190) information is entered into the WEDCS.
 - i. Some municipalities will rely on their WisVote Provider to enter their Election Voting and Registration Statistics Report (EL-190) into the WEDCS. If you are a Relier, please communicate with your Provider to determine who enters the EL-190 into the WEDCS. If the provider is entering the information, make sure they receive your completed form with enough time to enter the information within the 30-day deadline.
 - ii. All WisVote Self-Providers must enter their Election Voting and Registration Statistics Report(s) (EL-190) in to the WEDCS themselves.
 - iii. Wisconsin State Statutes require that municipalities file the report with both the county clerk's office and the WEC. The report is officially filed with both the county and the Board by entering the information into the WEDCS.

- iv. Municipalities are not required to provide a paper copy of the report to the county clerk's office, and the WEC will not accept a paper copy of the report. You should consult with your municipal attorney regarding whether you need to retain a paper copy of the report since you can provide one at any time through the WEDCS.
3. The WEC standardized the EL-190F and EL-190NF forms at the request of clerks so that they would always be available for clerks on the WEC website. You should check WEDCS or with WEC staff before each election to determine which form, if any is required. Clerks should review the Election Voting and Registration Statistics Report (EL-190) and the [EL-190 Help Guide](#) before each election to determine what information the forms require.

Elections Cost Reports (EL-191 and EL-192)

EL-191 Election-Specific Cost Report

Every municipality and county must complete the [EL-191 Election-Specific Cost Report](#) for each Spring Election in April and each General Election in November, regardless of whether or not they are required to complete an EL-190 statistics report. You are not required to report election-specific costs for any other primary or election, unless the WEC directly asks for that information.

Each municipality and county must complete the EL-191 by entering the required information into the WEDCS, either themselves or with help from their provider, within 60 days of the election.

Only include costs on the EL-191 that related specifically to that election and do not include any costs associated with a primary.

Each question on the form lists explicit examples of what should be included with that line item. Report and explain any cost that does related specifically to only that election but does not meet any of the definitions provided on any other line item under "miscellaneous costs" on the form.

EL-192 Annual Elections Cost Report

Each municipality and county must complete the [EL-192 Annual Elections Cost Report](#), and enter the information into the WEDCS no later than January 31 for the preceding calendar year.

You should report any elections-related costs that does not relate to a specific election on the EL-192.

Like the EL-191, the EL-192 provides detailed examples of what you should include on each line item. If a cost does not relate to a specific election, but does not fit the examples on the any other line item, you should report the cost under “miscellaneous costs” on the form.

Absentee List Maintenance

Wisconsin law provides electors the option to request that absentee ballots be sent to them automatically for every election within a calendar year (or automatically for every election for indefinitely-confined voters). However, the law also requires the elector to return a ballot each time a ballot is sent to them, otherwise the application may be canceled. Clerks must reconcile their absentee ballot logs to identify voters who did not return a ballot and cancel their absentee applications accordingly.

Regular Absentee Electors - Calendar Year Requests

1. At each spring election, general election or special election, the clerk shall determine if any voters with a calendar year request failed to return a ballot.
 - a. A ballot is considered “returned” if it was returned to the clerk’s office or polling place in the certificate envelope regardless of whether that ballot was ultimately counted or rejected.
2. The clerk shall remove from the list the name of each person who:
 - a. Did not return a ballot for a spring election, general election, or special election.

- i. The canceled absentee voter may file a new absentee application with the clerk's office to receive ballots for future elections.
 - b. Requests their name be removed from the list.
 - c. No longer qualifies as an elector (upon receipt of reliable information).
3. If the cancellation is not at the voter's request, the clerk shall send a notice within 5 days of the cancellation, if possible.

Indefinitely Confined Electors

1. At each spring election, general election or special election, the clerk shall determine if any voters from the indefinitely confined list failed to return a ballot.
 - a. A ballot is considered "returned" if it was returned to the clerk's office or polling place in the certificate envelope regardless of whether that ballot was ultimately counted or rejected.
2. The clerk shall send a 1st class letter or postcard informing the voter that his or her name will be removed the list unless the voter applies for renewal within 30 days.
 - a. Renewal can be accomplished by any written notification.
3. The clerk shall remove from the indefinitely confined list the name of each person who:
 - a. Did not return a ballot for a spring election, general election or special election, was sent a 30-day notice and did not renew the application by the deadline.
 - b. Requests their name be removed from the list.
 - c. No longer qualifies as an indefinitely confined elector (upon receipt of reliable information).

- i. The clerk shall send a notice within 5 days of the cancellation, if possible.

Military and Permanent Overseas Electors

1. Military and Permanent Overseas electors may request to receive all ballots in a calendar year.
2. Military and Permanent Overseas electors' absentee applications are not subject to cancellation for failure to return a ballot.
3. Military or Permanent Overseas electors' applications may be canceled early if:
 - a. The elector requests their absentee application be canceled.
 - b. The clerk receives reliable information that the elector no longer qualifies as a military or overseas elector.
 - i. Military electors continue to be treated as military electors for 28 days after their date of discharge, termination of service, or employment that qualifies them for military elector status.
4. If the cancellation is not at the voter's request, the clerk shall send a notice within 5 days of the cancellation, if possible.

Frequently Asked Questions

1. *When may the municipal clerk issue certificates of election to winning candidates?*

The municipal clerk shall issue certificates of election once the deadline for petitioning for a recount has passed, and there is no recount or litigation pending. The clerk may either mail or personally deliver the certificates to the winning candidates.

2. *May a person serve on the board of canvassers if that person is a candidate for an office to be canvassed by that board?*

No person may serve on the board of canvassers if that person is a candidate for an office being canvassed by the board, except a municipal clerk running

unopposed that does not have an opponent whose name appears on the ballot. If the clerk is a candidate at an election being canvassed and has an opponent, the presiding officer of the municipality shall designate another qualified elector of the municipality to serve in lieu of the clerk for that election.

3. *May a relative of a candidate serve as a member of the Board of Canvassers?*

The WEC has concluded that the Ethics Code for Local Public Officials prohibits an election inspector from working at a specific election under circumstances in which a candidate's success or failure to win election would affect the inspector financially, including if a candidate is a spouse or immediate family member of the election inspector. *(Violations of the Ethics Code for Local Public Officials are enforced by local district attorneys. Therefore this opinion is advisory and is not binding on district attorneys who are responsible for making determinations based upon individual facts and circumstances.)*

4. *May the board of canvassers open a sealed ballot bag?*

During an open session of the board of canvassers, the board may open the bag to remove forms improperly placed in the ballot bag or to correct errors identified during the canvass process. The opening of bags should be clearly documented in the minutes and the bags must be resealed with a tamper-evident seal. The number of the new seal must be documented on the Ballot Bag Certificate (EL-101), in the minutes and on any security documentation.

5. *What happens if, on examination, any of the returns received are so informal or defective that the board cannot intelligently canvass them?*

If any information is incomplete or inaccurate (for example, if the number of votes does not match the number of voters on the poll list, there is no Inspectors' Statement, etc.) the board may dispatch messengers to obtain complete and correct information from inspectors and election inspectors may be called in to correct errors.

Supplies Checklist for Processing Provisional Ballots

- Paper and Pens**
- Empty Ballot Bags or Containers and Ballot Container Certificates (EL-101)**
- New Envelope for Used Provisional Certificate Envelopes**
This can be a large envelope containing a certificate similar to the EL-103.
- New Envelope for Defective/Objected To Provisional Ballots**
(Or Defective and Objected to Provisional Ballots can be bundled separately rather than placed in an envelope.)
- Record of Activity (EL-104P)**
The MBOC records any noteworthy incidents or decisions on the EL-104.
- Blank Challenge Documentation (EL-104c)**
Observers or MBOC may challenge an elector's right to vote. Please See Challenging Electors section of the Election Day manual for challenge procedures.
- New Tally Sheets (EL-105)**
Votes are tallied on duplicate original tally sheets; two tally sheets each for federal, state and county offices and referenda; municipal offices and referenda; school district offices and referenda; special purpose district offices or referenda.
- Statement of the MBOC (EL-106AP)**
A reconciliation and certification completed by the MBOC when processing of provisional ballots is complete.
- New Provisional Ballot Carrier Envelope (EL-108)**
- New Provisional Ballot Certificate Envelopes (EL-123)**
- Privacy container**
A box or other container in which processed ballots are placed and shuffled before tallying.

Election Materials from Each Reporting Unit

- Municipal copy of the poll lists (EL-107)**
For reference only.
- Provisional Ballot Reporting Form(s) (EL-123r)***
From Election Day and as processed by the municipal clerk.
- Provisional ballots secured in a ballot bag**

***NOTE: Provisional Ballot Reporting Forms on which voter numbers are recorded at the meeting of the MBOC must be retained for 22 months.**

If conducting a municipal canvass for municipal offices and referenda, please see the Election Day Manual for canvass procedures and necessary materials.

RECOUNTS

Summary

A recount is the exclusive remedy to test the right of a candidate to hold office based on the number of votes cast at an election. Any candidate voted for may request a recount of the office to which he or she was seeking election. Likewise, any elector who voted on a referendum may request a recount of the referendum. The Wisconsin Elections Commission (WEC) has prepared a detailed set of procedures for conducting recounts. Municipal clerks may obtain a copy of the *Election Recount Procedures* manual from the WEC website. A copy of the manual should be made available to all affected candidates and members of the board of canvassers.

Procedures

Recount Petition

Immediately after the election results are known, clerks should determine whether there is a possibility of a recount. While clerks are not required to inform potential petitioners of their right to a recount, they should make every effort to have the information available to interested persons. It is important to provide all individuals with the same information. The best approach is to provide an interested person with as much information as possible.

The Wisconsin Elections Commission has developed a sample Recount Petition (EL-186) that is available on the WEC website.

1. The recount petition must be filed no later than 5:00 p.m. on the 3rd business day following certification by the board of canvassers.
2. The petition must be sworn under oath.

The petition may simply allege that the petitioner believes that a mistake was made in the conduct of the election. If the petitioner wants *specific* allegations of fraud or election irregularities investigated, he or she must set forth those allegations in the petition.

Determining Recount Fees

1. If 4,000 or fewer votes are cast:

No fee is required if the difference in the total votes cast between the leading candidate and those cast for the petitioner or between the affirmative and negative votes cast at a referendum is less than 10. If the difference is at least 10 votes, a fee is required.

Note: In elections where voters are asked to vote for more than one candidate for a position, the “leading candidate” is the candidate who received enough votes to fill the last available position. For example, at a school board election where a voter is asked to select three candidates, the “leading candidate” would be the candidate who won the last seat (with the third-most votes), not the candidate who received the most votes.

2. If more than 4,000 votes are cast:

No fee is required if the difference in the total votes cast between the leading candidate and those cast for the petitioner or between the affirmative and negative votes cast at a referendum is no more than one quarter of one percent (.25%). If the difference is greater than .25%, the petitioner must pay a fee.

When a fee is required, the cost of the recount should be estimated by the clerk and pre-paid by the petitioner in cash or in another form of payment acceptable to the filing officer at the time of filing the recount petition. Wis. Stat. § 9.01(1)(ag)3.

Conducting the Recount

The proper board of canvassers shall reconvene no earlier than 9:00 a.m. on the day following delivery of notices to all candidates and no later than 9:00 a.m. on the day after the deadline for filing the petition for recount.

1. The municipal clerk may choose a substitute member to serve on the recount board of canvassers when an original member is unable to serve.
2. The board of canvassers must allow the candidates or their representatives to observe the proceedings and to raise any objections to the procedure of the recount or to the ballots on their merits.

3. The board of canvassers is responsible for insuring that the recount is conducted in an orderly manner and not interfered with by the candidates, their representatives, or the media.
4. Detailed minutes of the recount proceedings are required by law.
 - a. The minutes must include a record of objections, all offers of evidence, all exhibits, and all specific findings of fact regarding any irregularity discovered during the recount.
 - b. A copy of the minutes of any recount must be provided to the filing officer and to the Wisconsin Elections Commission.
 - c. A sample format for keeping recount minutes is set out in the *Election Recount Procedures* manual.

Tabulating Method

Unless a court orders otherwise, Wisconsin law permits the board of canvassers to decide to tabulate the results of the recount either by hand or by using automatic tabulating equipment. Wis. Stat. § 5.90(1). The board of canvassers may also count by hand for some wards while using automatic tabulating equipment to tabulate other wards.

1. The board of canvassers shall test any automatic tabulating equipment to be used before the recount.
2. Any candidate or any elector when voting at a referendum may, by the next day after the deadline for requesting a recount, petition the circuit court for an order requiring ballots to be counted by hand or by another method approved by the court.
3. If municipalities employ direct recording electronic (DRE) voting equipment, the board of canvassers shall perform the recount using the voter verified paper audit trail (VVPAT) cast by each elector, as generated by the equipment.

Appeals

1. An appeal of the recount determination may be filed in circuit court within five days after the completion of the recount.

2. The filing officer may not issue a certificate of election until the deadline for filing all appeals has passed and the election results are final.

Frequently Asked Questions

1. *If a recount fee is required, must it be collected before starting the recount?*

If the petitioner is required to pay a fee, the clerk must provide the petitioner with an estimate of the total cost of the recount and the petitioner must pay that amount at the time that he or she files the petition for the petition to be considered valid. If the actual cost of the recount is greater than the fee imposed, the petitioner shall pay any balance owed within 30 days after the clerk provides the petitioner with a written statement of the amount due. If the actual cost of the recount is less than the fee imposed, the clerk shall refund the balance within 30 days of the board of canvassers' final determination.

2. *Are recount proceedings open to the public?*

Recounts are open to the public and require proper notice under the open meetings law. Participants and observers must be allowed to view and identify all materials and ballots. However, only members of the board of canvassers may touch any of the materials or ballots. The board of canvassers is responsible for ensuring the recount is conducted in an orderly manner and not interfered with by the candidates, their representatives, or the media.

3. *Are candidates whose office is involved in recount required to be notified?*

The municipal clerk is responsible for informing all candidates of the time and location of the recount. The recount should not begin until the board of canvassers has determined that these notices have been given.

RECALL ELECTIONS

Summary

Wisconsin law permits voters to recall elected officials under certain circumstances. Recall is an opportunity for voters to require elected officials to stand for election before the end of the official's term. No petition for recall of an officer may be offered for filing before the expiration of one year after commencement of the term of office for which the officer is elected. The Wisconsin Elections Commission (WEC) staff has prepared a manual, *Recall of Local Elected Officials*, which can be found on the agency website.

Procedures

Registration Required

1. Before a recall petition may be circulated, the individual or committee seeking the recall of an elected official must file a Campaign Registration Statement (ETHCP-1) with the filing officer.
2. The Campaign Registration Statement (ETHCP-1) must clearly indicate that the committee is registering as a recall committee and identify the officeholder(s) it seeks to recall.
3. A statement of intent must be attached to the Campaign Registration Statement (ETHCP-1) form indicating:
 - a. The petitioner's intent to circulate a recall petition
 - b. The name of the officeholder(s) for whom recall is sought
 - c. The reason for the recall which is related to the official responsibilities of the officeholder(s), the same reason must appear on the petition
4. No signature on a recall petition is valid until the Campaign Registration Statement (ETHCP-1) and a statement of reasons for the recall has been filed with the filing officer.

Number of Signatures Required

1. The filing officer with whom recall petitions are filed is required to determine the appropriate number of signatures and certify that amount to any interested person on request.
2. Recall petitions must contain signatures of qualified electors equal to at least 25% of the vote cast for the office of governor at the last election in the same district or territory as that of the officeholder being recalled.

Sample Recall Petition (EL-170)

A sample Recall Petition (EL-170) has been prepared by the Wisconsin Elections Commission and is available on the agency website.

1. Any recall petition shall be identified by the words “RECALL PETITION” at the top of the form.
2. All recall petitions for local elected officials shall contain a statement of reasons for which the recall is sought. The reasons for the recall must be related to the officeholder’s official duties.
3. Petitions seeking recall of more than one elected official must be prepared and filed separately.

Circulation Time Period

A recall petition may be circulated after filing the Campaign Registration Statement (EL-1).

1. The recall petition must be filed no later than 5:00 p.m. on the 60th day commencing after registration.

After the petition has been offered for filing, no name may be added or removed.

2. Only signatures dated within the circulation period may be counted.

Candidate Eligibility

1. The official against whom the petition is filed shall be a candidate at the recall election without nomination, unless the official resigns within ten days after the certification of the recall petition.
2. In order to have their names placed on the ballot at the recall election, candidates, other than the incumbent, must file nomination papers, declarations of candidacy, and campaign registration statements no later than 5:00 p.m. on the 4th Tuesday before the election.

Recall Primary

A recall primary will be held in nonpartisan recall elections if more than two candidates compete for an office.

1. The names of the two candidates who receive the highest number of votes in the recall primary will be certified and printed on the ballot for the recall election.
2. A recall election will not be held if a candidate receives a majority (50% plus 1) of the votes at the recall primary.
3. Write-in votes are permitted only at a recall primary or at a recall election in which no primary is held.

Recall Election

1. The recall election is held on the Tuesday of the 6th week after the recall petition is certified.
2. If a primary is required, the primary is held on Tuesday of the 6th week after the recall petition is certified, and the recall election is held on Tuesday of the 4th week after the primary election.

Frequently Asked Questions

1. *May individuals petition for recall if the office holder has been in office for less than one year for the current term being served?*

No petition for recall of an officer may be offered for filing before the expiration of one year after commencement of the term of office for which the officer is elected. The officer's actual time in office is not relevant. A petition may be circulated before the expiration of one year (subsequent to registration), but may not be offered for filing until one year of the term of office has elapsed.

2. *Are filing officers required to publish a notice for recall elections like all other elections?*

Recall elections are noticed, conducted, and canvassed like all other regular elections administered by the filing officer.

3. *Who may circulate recall petitions?*

Any U.S. citizen, age 18 years or older and not disqualified from voting under the impediments listed in Wis. Stat. § 6.03, may circulate recall petitions.

OTHER ELECTION MATERIALS

Cost of Elections

The following is breakdown of who is responsible and who pays for certain election-related costs.

COST OF ELECTIONS				
Item	County Clerk is responsible <i>(for Federal, State, and County Elections and State and County Referenda)</i>	Municipal Clerk is responsible <i>(for Municipal Elections and Referenda)</i>	School Clerk is responsible <i>(for School District Elections and Referenda)</i>	Who Pays? <i>(See "Special Notes")</i>
<i>Polling Places</i>				
Establishing and changing Polling Places		X		Municipality
<i>Notices</i>				
Type A	X	X	X	Jurisdiction responsible - Can be prorated proportionately if notice is combined with other jurisdictions.
Type B	X	X	X	Jurisdiction responsible - Can be prorated proportionately if notice is combined with other jurisdictions.
Type C	X	X	X	Jurisdiction responsible
Type D		X*	X ⁺	<i>Municipality</i> --Can be prorated proportionately if notice is combined with other jurisdictions. <i>School district for special⁺ school district election event.</i>
Type E		X*	X ⁺	<i>Municipality</i> --Can be prorated proportionately if notice is combined with other jurisdictions. <i>School district for special⁺ school district election event.</i>
<i>Polling Place Notices</i>				
EL-111, EL-112, EL-114, EL-115, EL-116, EL-117, EL-118		X		Municipality

COST OF ELECTIONS				
Item	County Clerk is responsible <i>(for Federal, State, and County Elections and State and County Referenda)</i>	Municipal Clerk is responsible <i>(for Municipal Elections and Referenda)</i>	School Clerk is responsible <i>(for School District Elections and Referenda)</i>	Who Pays?
<i>Supplies</i>				
Absentee Ballot Mailing Envelopes, Certificate Envelopes and Postage		X		Municipality
Used Certificate Env. of Absentee Elector (EL-103)	X	•	❖	Jurisdiction responsible for providing materials
Certificate of Rejected Absentee Ballots Env. (EL-102)	X	•	❖	Jurisdiction responsible for providing materials
Provisional Ballot Certificate Env. (EL-102)		X		Municipality
Provisional Ballot Reporting Form (EL-123r)	X	•	❖	Jurisdiction responsible for providing materials
Inspectors' Certificate of Provisional Ballots Env. (EL-108)	X	•	❖	Jurisdiction responsible for providing materials
Inspectors' Statement (EL-104 & 104c)	X	•	❖	Jurisdiction responsible for providing materials
Write-in Candidate tally sheet (modified EL-105) 2 per reporting unit	X	X	X	Jurisdiction responsible for providing materials
Pre-printed registration list from WisVote		X		Municipality-may be prorated proportionately among jurisdictions
Election Day Reg. Voter List & Supplemental List (EL-107)	X	•	❖	Jurisdiction responsible for providing materials
Voter numbers	X	•	❖	Jurisdiction responsible for providing materials-may be prorated proportionately among jurisdictions
“Return to County” “Return to Municipality” “Return to S.D.,” Envs.		X		Municipality
<i>Ballots & Associated Materials</i>				
Paper (Hand Count)	X	X	X	Jurisdiction required to provide ballots
Optical Scan	X	X	X	Prorated Proportionately among jurisdictions
Ballot Bags w/certificate (EL-101), ties/seals, “chain of custody” documentation	X	X	X	Jurisdiction responsible (Where op scan ballots are used, cost is prorated proportionately among jurisdictions.)

COST OF ELECTIONS				
Item	County Clerk is responsible <i>(for Federal, State, and County Elections and State and County Referenda)</i>	Municipal Clerk is responsible <i>(for Municipal Elections and Referenda)</i>	School Clerk is responsible <i>(for School District Elections and Referenda)</i>	Who Pays?
<i>Labor</i>				
Election Inspectors, EROs, Tabulators SVDs, SRDs		X		Municipality for all regularly-scheduled elections* OR jurisdiction calling special election.
Board of Canvassers, Tabulators	X	X	X	Jurisdiction requiring canvass
Messengers		X (when delivering materials to county or school district)		Municipality
	X (When delivering materials back to municipality)		X (When delivering materials back to municipality)	Jurisdiction delivering materials
<i>Equipment</i>				
Voting Machines/Systems, ballot boxes, voting booths, pens, pencils		X		Municipality
Set up of machines (moving machines from one place to another)		X		Municipality
Maintenance of machines (making sure machines are in good repair; repairing when break down occurs)		X		Municipality
Preparation and programming of electronic voting systems	X			Jurisdiction Responsible (When programming includes municipal or other district offices, the municipality or district pays proportionately.)

- **Municipal Clerk** supplies (and pays for) when there are no federal, state or county elections.
- ❖ **School Clerk** supplies (and pays for) when there are no federal, state, county or municipal elections.

Special Notes:

- If no other level of government is involved in a school or special district election, *whether regularly-scheduled election*^{*} or *special election*⁺, the district shall pay for all costs of the ballots, supplies, notices and other materials. Wis. Stat. § 5.68(2).
- When a county, school district, or special purpose district holds a special election *at a time other than a regularly scheduled election*^{*}, all costs of the election are the responsibility of the jurisdiction calling the special election (all costs of the ballots, supplies, notices and other materials, *including* the cost of the polling place and election inspector(s). Wis. Stat. §§ 5.68(2), (5), 7.03(1)(bm).

* Regularly scheduled elections are the February spring primary and April spring election and, in even-numbered years, the August partisan primary and November general election.

+A Special Election is an election scheduled outside the four regularly-scheduled election days.

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Destruction of Materials

The following chart is designed to assist clerks in determining when to destroy election materials. Materials and supplies associated with an election may be destroyed according to the following chart unless there is a recount, notice of an election contest, or any contest or litigation pending with respect to the election. For specific dates please see the *Calendar of Election and Campaign Events* from the Wisconsin Elections Commission. All materials and documentation associated with a federal election must be retained at least 22 months after the election.

Materials	Destruction Date
Contents of a blank ballot box	3 business days after all canvasses are completed for an election*
Unused ballots and materials	3 business days after all canvasses are completed for an election*
Voter Serial number slips	90 days after an election
	22 months after a federal election***
Detachable recording units from electronic voting equipment	14 days after a primary
	21 days after an election**
Ballots (state, county, local offices)	30 days after an election
Ballots (federal offices)***	22 months after a federal election
Applications for absentee ballots and copies of proof of identification submitted with the application	90 days after an election
	22 months after the election for federal election ballots ***
Forms associated with the election such as tally sheets, Inspectors' Statements (EL-104), Declarations of Candidacy (EL-162), and nomination papers, incomplete EL-131s or applications lacking POR.	90 days after an election
	22 months after a federal election***
Official canvass statements	10 years after an election
Voter lists	22 months after an election
Absentee Ballot Log and Provisional Ballot Reporting Form (EL-123r)	90 days after an election when votes are not recorded by the MBOC (22 months after a federal election***)
	22 months after an election when votes are recorded by the MBOC
Cancelled registration applications	4 years after the cancellation
Election notices	1 year after the election
	22 months after the federal election***
Proofs of publication of notices and correspondence relative to publications	1 year after the election
	22 months after the federal election***

Campaign Registration Statements ⁺ , Notifications of Noncandidacy (EL-163)	6 years after termination by the registrant
Campaign finance reports	6 years after the date of receipt
Election Voting and Registration Statistics Reports (EL-190)	22 months after the election for which they were created

* Unless a petition for recounts is filed, in which case the materials must be retained.

** Before units can be cleared or erased, the information must be transferred to a disk or other recording medium and retained for 22 months. This provision applies to elections that contain a federal office. For additional information on retention requirements for electronic media please see the clerk communication dated June 9, 2010, available on the WEC website.

*** Federal offices are President of the U.S., U.S. Senator and U.S. Representative in Congress.

⁺ Candidates who are exempt from filing campaign finance reports are not required to “terminate.” Campaign Registration Statements of these candidates may be destroyed if 6 years have passed since the candidate’s name has appeared on a ballot.

Electronic Conversion of Election Records

The Legislature, in Wis. Stat. § 7.23, established a schedule for the destruction of election materials, but it did not provide in that statute, or in any other elections statute, a schedule or timetable for the conversion of elections records from “hard-copy” to electronic format or to microfiche.

The statute that authorizes the conversion of hard copies, Wis. Stat. § 19.21(4)(c), reads as follows:

(c) Any local governmental unit or agency may provide for the keeping and preservation of public records kept by that governmental unit through the use of microfilm or another reproductive device, optical imaging or electronic formatting. A local governmental unit or agency shall make such provision by ordinance or resolution. Any such action by a subunit of a local governmental unit or agency shall be in conformity with the action of the unit or agency of which it is a part. Any photographic reproduction of a record authorized to be reproduced under this paragraph is deemed an original record for all purposes if it meets the applicable standards established in §§ 16.61 (7) and 16.612. This paragraph does not apply to public records kept by counties electing to be governed by Chapter 228.

At its July 18, 2007 meeting, the former State Elections Board formally adopted the recommendation that counties or municipalities who convert their elections or campaign finance records from paper or “hard-copy” to microfilm or electronic format must retain the “hard copies” of those records for at least two years after the election immediately following the creation of those records, or for that period of time requested by the district attorney for that county or whose jurisdiction includes that municipality.

WARDS, DISTRICTS, REPORTING UNITS & ANNEXATIONS

Summary

Understanding wards and reporting units is essential to conducting elections. The district makeup of wards influences ballot styles, poll lists, voting equipment programming and reporting of election results. When a city or village annexes territory from a town, it is important to understand how the annexed territory will or will not fit into your existing ward plan.

Wards and Districts

The establishment of wards for purposes of elections and representation is provided in Wis. Stat. § 5.15. Wards are the building blocks from which congressional, state senate, assembly, county supervisory and aldermanic districts are created. All territory, even if unpopulated, must be contained in a ward.

Within a single ward, there can be only **one** of each of the following districts: congressional, state senate, assembly and county supervisory district. In cities each ward may contain only one aldermanic district. (School district boundaries do not follow ward lines, so there may be more than one school district in a given ward.)

A “district” may be one ward or a group of wards. Congressional, state senate and assembly districts are comprised of many wards and cross municipal and county lines. County supervisory districts contain wards in a number of municipalities within the county. Aldermanic districts may be made up of several wards or just one ward within a city. Large or small, all districts are built from wards.

Reporting Units

Election results are reported by “reporting units.” A reporting unit may be one ward or a group of wards. In places where the population is less than 35,000, the governing body may provide in the resolution to combine the election results for each set of combined wards. The governing body of a municipality of 35,000 or more may by resolution combine election returns of a ward with an adjacent ward if the ward has a population of 20 or less and the total population of the combined wards would not exceed that municipality’s population range for wards.

In order to combine two or more wards into one reporting unit, each ward must be made up of like districts. The reporting units for nonpartisan primaries and elections may differ from the reporting units for a partisan primary or general election. Clerks must be mindful of the district composition of the wards within their municipality. Here is an example:

City of Smith has 10 wards, divided into four aldermanic districts. The City is also located in two Assembly Districts: Assembly District 3 and Assembly District 5 (shaded wards).

Spring Primary and Election	
Aldermanic Dist.	Ward
1	1
1	2
1	3
2	4
2	5
2	6
3	7
3	8
4	9
4	10

Fall Primary and Election		
Ward	Congressional Dist.	Assembly Dist.
1	8	5
2	8	3
3	8	3
4	8	3
5	8	5
6	8	3
7	8	3
8	8	5
9	8	5
10	8	3

For the spring nonpartisan primary or election, the wards with like districts would be combined in reporting units that represent the four aldermanic districts, as illustrated above.

- Ald. Dist. 1 = wards 1-3
- Ald. Dist. 2 = wards 4-6
- Ald. Dist. 3 = wards 7 & 8
- Ald. Dist. 4 = wards 9 & 10

However, the same reporting unit plan could not be used in a fall partisan primary or election because the wards that make up each aldermanic district are in two different assembly districts, as illustrated in the Fall Primary and Election chart.

Attempting to report by aldermanic district would result in each reporting unit containing Wards in different assembly districts. (Assembly Dist. 5 wards are shaded.)

- Aldermanic District 1 = Wards 1, 2, 3
- Aldermanic District 2 = Wards 4, 5, 6
- Aldermanic District 3 = Wards 7 & 8
- Aldermanic District 4 = Wards 9 & 10

In order for the fall reporting units to contain wards of like districts, the configuration would be:

Wards 1, 5, 8, 9 (Assembly District 5)

Wards 2, 3, 4, 6, 7, 10 (Assembly District 3)

Annexation

Annexation is the process by which a city or a village acquires unincorporated territory from a neighboring town. The residents of unincorporated territory may petition the governing body of a contiguous city or village for “Direct Annexation” or “Annexation by Referendum” of the territory into the city or village. A city council or village board may also initiate annexation in several different ways, including passing an ordinance to annex a town island or territory owned by the city or village, or by passing a resolution to apply to a circuit court for approval to conduct an annexation referendum. Neighboring municipalities may also resolve a boundary dispute by a stipulation which results in property being annexed to a city or village. The result of any of these procedures is that new territory becomes a part of the annexing municipality.

For more information regarding the various methods of annexation, please refer to the “Annexation Methods” page on the Intergovernmental Relations Division’s portion of the Wisconsin Department of Administration website.

<http://doa.wi.gov/divisions/intergovernmental-relations/municipal-boundary-review/annexation/annexation-methods>

A completed annexation changes the boundaries of the municipality gaining territory and the municipality losing territory. Annexation may introduce new districts to the municipality gaining territory or eliminate districts in the municipality losing territory. While the focus of annexation by governing bodies is often accommodating future development on property that may be currently vacant, the clerks of both municipalities must be aware of the effect the annexation will have on elections and representation in their respective municipalities.

When Annexation Necessitates the Creation of a New Ward

As mentioned earlier, wards are the smallest units from which congressional, assembly, county supervisory and aldermanic districts are created. A single ward

may contain only one of each of these types of districts. All territory, even if unpopulated, must be contained in a ward.

This basic principle also applies to annexation. The municipality annexing the territory may “absorb” the annexed territory into an existing, contiguous ward only if the annexed territory is in the same congressional, assembly and county supervisory districts as the ward to which it is added. *If the congressional, assembly or county supervisory districts in the annexed territory are different from the districts in the ward to which the territory is contiguous, **a new ward must be created** for the annexed territory.*¹ Territory cannot be added to an existing non-contiguous ward, regardless of district composition, except in the case of “Island Territory.”² Island territory is defined as “...territory surrounded by water, or noncontiguous territory which is separated by the territory of another municipality or by water, or both, from the major part of the municipality to which it belongs.” Wis. Stat. § 5.15(2)(f) 3.

Determining Where Annexed Electors Vote

The annexed territory becomes part of the municipality annexing the territory. If the territory is able to be absorbed into an existing ward, voters in the newly-annexed territory will vote in the same municipal district (town, city aldermanic, or village trustee in a few cases) as the other voters in the ward. If a new ward is created, the new residents vote in the municipal district to which they are assigned. Regardless of whether a new ward is required or not, newly-annexed residents will continue to vote in the same congressional, state senate and assembly district as they did before the annexation. Whether the newly-annexed residents continue to vote in the same county supervisory district depends on whether the county adopts a revised division ordinance moving the annexed territory into the same supervisory district as the ward to which it is annexed.

¹ Only a county has the authority to redraw its county supervisory district boundaries between decennial redistricting to move residents of one county supervisory district to another. The county board *may* adopt a revised division ordinance moving the annexed territory into the same supervisory district as the territory to which it is annexed. *See* Wis. Stat. § 59.10(3)(c).

² ...Territory within each supervisory district created by the plan shall be contiguous, except that one or more wards located within a city or village which is wholly surrounded by another city or water, or both, may be combined with one or more noncontiguous wards, or one or more wards consisting of island territory as defined in s. 5.15 (2) (f) 3. may be combined with one or more noncontiguous wards within the same municipality, to form a supervisory district. Wis. Stat. § 59.10(3)(b), 2.

Transferring Voters

The clerk of the municipality losing territory must photocopy each of the original Voter Registration Applications (EL-131s) and current absentee ballot applications of the voters residing in the annexed territory. Each photocopy is marked “transferred.” If the municipality has adopted the records retention periods set forth in Wis. Stat. Sec. 7.23, the photocopied Voter Registration Applications are marked for final disposition four years from the effective date of the annexation, and the photocopied absentee ballot applications are marked for destruction 90 days (non-federal election) or 22 months (federal election) from the date of the most recent election to which the absentee ballot applications applied. If the municipality has adopted longer records retention periods than those specified in Wis. Stats. Sec. 7.23, the Voter Registration Applications and absentee ballot applications are marked for final disposition consistent with such other specified records retention period policy.

The original forms are forwarded to the clerk of the municipality gaining the territory. When the clerk of the municipality who has lost voters forwards a valid absentee ballot request to the clerk who has gained the voters, the “gaining” clerk should honor the request for subsequent elections as requested by the voter.

The clerk of the “gaining” municipality must notify the newly-annexed voters of the location of their new polling place, ward number and voting districts.

Annexation and Polling Places

If the municipality annexing the territory is required to create a new ward because of differing districts, the municipality’s governing body may adopt a resolution, pursuant to Wis. Stat. § 5.15(6)(b), combining the new ward with existing wards for purposes of voting at a common polling place. A new polling place would not be required. If the annexed territory were absorbed into an existing ward, every voter in the newly-configured ward must vote at the same polling place because every voter in any ward has to vote at the same polling place.

Notifying Governmental Units and Other Entities of Annexation

Annexation is not a process performed in a vacuum. It is important for municipal clerks to reach out to other affected entities and keep them informed throughout the

annexation process. Conversely, the municipal clerks can expect to be contacted by other agencies such as the Wisconsin Departments of Revenue (DOR), Public Instruction (DPI), Transportation (DOT) and Agriculture, Trade and Consumer Protection (DATCP).

To facilitate communication to the WEC with respect to annexations, WEC staff has developed the Annexation Checklist & Ward/Voter Information Sheet (EL-100). The EL-100 includes a guide to election administration and WISVOTE processes required upon completion of a successful annexation. This checklist and guide will help to ensure correct processes are followed, and voters are accurately represented within WISVOTE.

The following agencies must to be notified of annexations:

<u>Agency</u>	<u>Documentation</u>
WEC	Approved Annexation Ordinance and completed Annexation Checklist and Ward\ Voter Information Sheet (EL-100)
WI Dept. of Administration (D.O.A.)	Required to review annexations when: <ul style="list-style-type: none">• The annexed territory is in a county with a population of 50,000 or more;• The annexation petition is either a unanimous consent or one-half approval type of annexation.• Annexation, Attachment, Detachment Ordinances must contain:<ol style="list-style-type: none">1) Clerk’s certification that the documents are true and correct copies of originals and bear the clerk’s signature.2) Copy of the ordinance, which must include population of the property being transferred, scale map of the property showing its proximity to the current boundary of the annexing municipality, legal description of the property being transferred, and ordinance effective date. Contact D.O.A. Division of Intergovernmental Relations, Municipal Boundary Review for more information. http://doa.wi.gov/municipalboundaryreview

Affected School Districts Copy of approved annexation ordinance

County Register of Deeds Copy of approved annexation ordinance

Area Utilities Copy of approved annexation ordinance

Municipal clerks should always involve the municipal attorney during the annexation process, or consult the Wisconsin Towns Association or League of Wisconsin Municipalities about procedural or legal questions.

Frequently Asked Questions

1. *Why can't I make unpopulated annexed property part of the contiguous ward even if the districts differ? Nobody votes there anyway.*

Wis. Stat. § 5.15(6)(a) provides "...no ward line adjustment may cross the boundary of a congressional, assembly or supervisory district..." There is no provision in state law that exempts unpopulated territory from this requirement. Ensuring proper ward designation at the time of annexation prevents confusion if vacant land subsequently becomes populated.

2. *If the property being annexed is in the same districts as another ward in the municipality annexing the property, can I "absorb" the annexed property into that ward, even if the ward is not contiguous to the annexed property?*

With the exception of island territory,² the answer is "no." Property cannot be made part of an existing ward if it is not contiguous to that ward. Annexed territory can only be absorbed into an existing ward if:

- the territory being annexed is contiguous to the ward, and
- the districts of the annexed territory are the same as the contiguous ward.

3. *All of the districts in the annexed territory are the same as the contiguous ward, except the school district. Do I have to create a new ward if only the school districts are different?*

No. A new ward is not required to be created if the districts of the annexed territory are identical to the contiguous ward, except for differing school districts.

4. *The districts in the annexed territory are the same as the contiguous ward. The population in the annexed area is currently minimal, but population growth in the area is anticipated. May a new ward be created in anticipation of that expansion?*

Yes. Even though the annexed territory may be absorbed into the contiguous ward, the governing body may choose to make the territory a new ward and aldermanic district when population growth is expected.

5. *The only difference between the annexed territory and the contiguous ward is the County Supervisory district. Can't I just reassign the two voters in the annexed territory to the other County Supervisory District, rather than creating a new ward?*

No. A new ward must be created. The voters in the annexed territory remain in the Supervisory District in which they voted before the annexation unless the county board of supervisors redraws county supervisory district boundary lines to include those voters.

GLOSSARY OF ELECTION TERMS

A

Absentee Ballot: a ballot cast by a registered voter who is unable or unwilling to appear at the polling place on Election Day. An absentee ballot application or a written request with all required information must be received by the clerk before issuing an absentee ballot. The ballot must be at the polling place or central count location by 8 p.m. on Election Day with the certification properly completed in order to be counted.

Absentee Ballot Application (EL-121): a request from a qualified, registered elector to receive an absentee ballot. Voters may submit a written request in lieu of this form, as long as the request includes the voter's name, residential address, mailing address (if different from residential address), indication of the elections for which the voter desires an absentee ballot, an indication of status as a military voter (if applicable), a declaration that the voter meets the qualifications to vote, signature and date.

Absentee Voter: a registered voter who is unable or unwilling to appear at the polling place on Election Day.

Accessibility: refers to the requirement, under state and federal law, to make reasonable accommodations for elderly and disabled voters. This includes providing assistance to eliminate physical barriers to the polling place, acquiring voting equipment that enables all citizens to cast an independent and private ballot in a dignified manner and providing information that enables all citizens to fully participate in the election process. Municipalities must use polling places that are fully accessible, which includes having at least one accessible voting equipment component. Polling place accessibility is evaluated by completing a *Polling Place Accessibility Survey* for each new polling place.

Accessible Voting Equipment Component: a device approved by the Wisconsin Election Commission which provides independence and privacy to voters with disabilities.

Active Candidates: any candidate with an active registration (not terminated) on file with the filing officer. These candidates may accept contributions and make disbursements from their campaign accounts. This would include candidates required to file finance reports and those claiming the exemption from filing finance reports.

Address Change: notification given to a municipal clerk by a registered voter that they have changed their voting address or residence by submitting a new voter registration application. The municipal clerk or the municipal clerk's provider updates the WisVote to reflect the address change information provided by the voter.

Adjudicated Incompetent: refers to an individual who is disqualified from voting due to a court ruling that he or she is incapable of understanding the objective of the elective process. No individual may be denied the right to register or to vote on the basis of incompetence unless he or she has been adjudicated incompetent by a court.

Administrative Rules: rules promulgated by the agency to administer and implement Wisconsin statutes.

Audit: see Post-Election Voting Equipment Audit.

Audit Trail: see Voter-Verified Paper Audit Trail.

B

Ballot Box: refers to the container or box in which electors place their voted ballots in wards that use paper ballots. The ballot box must be secured by lock or numbered seal.

Ballot Marking Device: any technology that allows voters with disabilities and other special needs to mark a ballot privately and independently, but does not tabulate votes. Currently, the only ballot marking devices approved for use in Wisconsin are the AutoMARK and the Vote-PAD.

Board of Election Commissioners: a special board, established in every city with a population over 500,000, that carries out all election powers and duties assigned to the municipal clerk.

C

Campaign Disclosure: refers to the requirement under § 11.06, Wis. Stats., that any individual or committee who accepts contributions, incurs obligations, or makes disbursements in a calendar year in excess of \$300 (\$2500 for referenda) must make full reports of all contributions, obligations or disbursements. Candidates are required to file campaign finance reports immediately following registration, unless they have claimed the reporting exemption on their Campaign Registration Statement (EL-1).

Campaign Registration Statement (ETHCP-1): is required for ballot access. Candidates may file a Campaign Registration Statement (ETHCP-1) at any time, but not later than the deadline for filing nomination papers or not later than 5:00 p.m. on the fifth day after receipt of notification of nomination at a caucus. A candidate should register before engaging in campaign activity and before accepting contributions or making disbursements. Some political committees are also required to file a Campaign Registration Statement (ETHCP-1). More information can be found in the “Other Registrants” section of this manual.

Candidate Registration: refers to the requirement for all candidates to register by filing a Campaign Registration Statement (ETHCP-1). All candidates, regardless of the nomination procedure used, must file a Campaign Registration Statement (ETHCP-1) and a Declaration of Candidacy (ETHCP-162) for ballot access.

Canvass: to examine the Election Day records for completeness and accuracy, and make an official determination and certification of the outcome of the election.

Cast Ballot: a ballot marked by the voter to reflect his or her preference for a candidate or referendum, and placed in the ballot box.

Caucus: a method that may be used by towns and villages for nominating candidates for placement on the spring election ballot. The caucus is open to the public, but only qualified electors of the municipality may nominate and vote for candidates. A person is not required to be a registered voter in order to participate in the caucus. There is no spring primary for town or village offices when the caucus system is used. However, there may still be a spring primary conducted within the town or village for state, county or school district candidates. For more information, see the *Procedures for Nomination of Candidates by Caucus* manual, available on the agency website.

Central Count: a voting system that tabulates ballots from multiple reporting units or municipalities at a central location. Voted ballots are secured in ballot containers at the polling place. Secured ballots are then transported to the central counting location for tabulation.

Central Count, Absentee: the tabulation of all absentee ballots at a location other than the polling place. The governing body must pass an ordinance to use the separate location. The Wisconsin Election Commission must also be notified when any such ordinance is passed.

Certification of Circulator: appears at the bottom of each nomination paper and election-related petition. The circulator's complete address (including municipality of residence) must be listed in the certification. After obtaining signatures of electors, the circulator must sign and date the certification, certifying that he or she personally presented the nomination paper to each signer. Without a complete and correct certification, signatures on a nomination paper or election-related petition cannot be counted.

Certificate of Election (EL-153): an official notice sent to the winning candidate. The municipal clerk must promptly issue a Certificate of Election (EL-153) to each person elected to any municipal office after the deadline for filing a petition for recount has passed, three (3) business days following the certification by the municipal board of canvassers).

Challenged Ballot: a ballot cast by an elector whose eligibility to vote has been questioned according to the challenge process. The cast ballot is marked with the voter number and "Section 6.95."

Chief Inspector: one of the election inspectors at each polling place who directs the conduct of activities assigned to the other election inspectors. In Wisconsin, every polling place is required by Wis. Stat. § 7.30(6)(b), to have a chief inspector who has been appointed by the municipal clerk (or board of election commissioners) and has been certified as a chief inspector by the Elections Commission.

Confidential Elector: an elector who is a victim of domestic abuse, sexual assault or stalking and has made a written request to the municipal clerk to not have his or her personal information on the poll list available to public inspection.

D

Deceased List: a list generated by the Wisconsin Department of Health Services (Vital Records) that lists all recorded deaths in Wisconsin counties for a specific period of time. This is a

confidential list that is used by municipal clerks to cross-check data currently in WisVote and identifies voters that have become deceased and need to be cancelled in the WisVote system.

Declaration of Candidacy (EL-162): is required for ballot access and may be filed at any time, but not later than the deadline for filing nomination papers or not later than 5:00 p.m. on the fifth day after receipt of notification of nomination at a caucus. The Declaration of Candidacy (EL-162) is required to be notarized.

Direct Recording Electronic (DRE) Voting Equipment: a voting system that records votes by means of an electronic display provided with mechanical or electro-optical components that can be activated by the voter; that processes voter selections by means of a computer program; and that records that processed voting data in memory components.

E

Election Assistance Commission (EAC): the U.S. Election Assistance Commission (EAC) was established by the Help America Vote Act of 2002 (HAVA). The Commission serves as a national clearinghouse and resource for information and review of procedures with respect to the administration of federal elections.

Election Day Registration (EDR): refers to the ability of electors to register at the polling place on Election Day. Electors registering on Election Day must complete the Application for Voter Registration (EL-131) and provide proof of residence.

Election Inspector (also called a **poll worker**): an election official appointed by the governing body of the municipality who conducts elections under the supervision of the chief inspector and the municipal clerk. Every election inspector must view or attend one training program every two years.

Electioneering: any activity intended to influence voting at an election. Electioneering is prohibited on public property within 100 feet of any entrance to a building containing a polling place. This does not apply to private property.

End of Line Officer: an official of the municipality (may be an election inspector, special registration deputy, employee of the clerk, or police officer) designated by the municipal clerk to stand at the end of the line of individuals waiting to vote, if any, at the time the polls close at 8:00 p.m., per Wis. Stat. § 7.37(13). This person should be designated before Election Day. While this practice was previously recommended by the Elections Division, it is now a statutory requirement.

Election Registration Official (ERO): an election official appointed by the municipal clerk to register voters at the polling place on Election Day, in the clerk's office during in-person absentee voting or at residential care facilities during open registration.

F

Filing Officer: the official with whom ballot access and campaign finance documents for a particular office or referendum are filed.

First-Time Voter: an individual who has not voted in Wisconsin.

G

General Election: the election held in even-numbered years on the Tuesday after the first Monday in November to elect US Senators, Representatives in Congress, Presidential electors, State Senators, Representatives to the Assembly, District Attorneys, State Officers other than the State Superintendent of Public Instruction and Judicial Officers, and County Officers other than Supervisors and County Executives. Wis. Stat. § 5.02(5).

H

Help America Vote Act (HAVA): the Help America Vote Act of 2002 establishes requirements for voting systems used in federal elections and contains key provisions on improving access to polling places and voting systems for persons with disabilities. This law also requires a single, central list of voters under the control of the state.

I

Ineligible Voter List: a list generated by the Wisconsin Department of Corrections that identifies convicted felons currently on probation or parole who are ineligible to vote in an election. This list is required to be at all polling places on Election Day to help election inspectors identify potential ineligible voters attempting to register on Election Day.

L

Late Registration: refers to electors who registered in the clerk's office after the close of registration--the third Wednesday before the election. These electors are issued a Certificate of Registration (EL-133) from the clerk that identifies them as being properly registered, and their names may appear on the supplemental voter list. However, if the names of late registrants do not make it on to the supplemental voter list, the registrant's Certificate of Registration (EL-133) should suffice at the polling place.

Logic and Accuracy Test: a public test of automatic tabulating equipment to ascertain that it will correctly count votes for all offices and all measures. Testing must be conducted not earlier than 10 days before Election Day, and public notice is required at least 48 hours in advance of the test. The test must be conducted by processing a test deck for each candidate and on each referendum. An errorless count must be made before the automatic tabulating equipment can be approved for use in the election.

M

Mail-In Registration: electors may register to vote by mail. The elector must complete a Voter Registration Application (EL-131) and mail the completed application to the municipal clerk's office. The application must be postmarked not later than the 20th day (third Wednesday) before the election and must include proof of residence.

Military Voter: A “military voter” includes any of the following: (1) members of a uniformed service, (2) members of the merchant marine of the United States, (3) civilian employees of the United States and civilians officially attached to a uniformed service who are serving outside the United States, (4) Peace Corp volunteers, and (5) spouses or voting age dependents of the aforementioned categories who are residing with or accompanying them.

Of the various types of military voters listed above, Wisconsin law distinguishes two categories of military electors:

ACTIVE – NOT AWAY: A military elector on active duty, who IS NOT ABSENT from the residence where the member is otherwise qualified to vote due to that duty. **Note:** Even though civilian employees and Peace Corps volunteers may be serving outside the U.S. are considered “ACTIVE - NOT AWAY,”

ACTIVE – AWAY: A military elector on active duty who IS ABSENT from the residence where the member is otherwise qualified to vote due to that duty. **Note:** ACTIVE – AWAY does NOT include civilian employees or Peace Corps volunteers.

MyVote Wisconsin (<http://myvote.wi.gov>): a website developed by the Wisconsin Election Commission specifically for voters. This website allows voters to look up information regarding elections and voting in Wisconsin, including sample ballots, polling place locations, and current officeholders. Additionally, the website features an online assisted voter registration process for all electors and absentee ballot request and delivery tools for military and permanent overseas electors.

N

Nomination Papers: papers circulated by or on the behalf of a candidate seeking ballot access in municipalities that do not nominate candidates by caucus. Candidates must obtain a certain number of valid signatures to qualify for ballot access. For the spring election, nomination papers may not be circulated before December 1st and must be filed before 5:00 p.m. on the first Tuesday in January before the election.

O

Observer: an individual who wishes to exercise his/her right to be present at the polling place on Election Day.

Optical Scan: voting technology employing scanners where voters mark their choice by completing an arrow or filling in an oval. During tabulation the optical scan voting system interprets the votes using "dark mark logic," whereby the computer selects the darkest mark within a given set as the correct choice or vote. The ballot can be immediately tabulated at the polling place allowing for voters to be notified by the voting system of voting errors such as over voting.

Overseas Voter: a United States citizen, 18 years or older, who resided in Wisconsin before leaving the United States (or is an adult child of U.S. citizens who resided in this state prior to

establishing residency abroad) and is now living outside the U.S. with no present intent to return, and not registered to vote in any other location. These electors may only vote for federal offices. If an individual is temporarily overseas on Election Day, that individual may register and vote like any other absentee elector and is not considered an overseas elector. Military and overseas electors also have a right to request that their ballot be transmitted to them via email or fax, unlike regular absentee electors.

P

Paper Ballot: a ballot that the elector indicates his or her voting preference by marking an (X) in the box next to the candidate or referendum question of his/her choosing. Paper ballots are tabulated by hand.

Partisan Primary: the primary held on the 2nd Tuesday in August to nominate candidates to be voted for at the general election.

Political Action Committee (PAC): private group, regardless of size, organized to elect or defeat candidates, referenda. Political Action Committees are subject to Wisconsin's campaign finance law, and are subject to the same reporting requirements as candidates. Committees who meet or exceed the \$300 threshold are required to register by filing a Campaign Registration Statement (EL-1) with the filing officer. Referenda Groups should contact the WEC for further clarification.

Poll List (also known as "Registration List", "Voter List", or "Poll Book"): a list containing the full name and address of each registered elector; a blank column for the entry of the serial number of the electors when they vote or the poll list number used by the municipal board of absentee ballot canvassers in canvassing absentee ballots; a space for the voter's signature; an indication next to the name of each elector for whom proof of residence under Wis. Stat. § 6.34, is required; and a form of certificate bearing the certification of the administrator of the elections division of the board stating that the list is a true and complete registration list of the municipality or the ward or wards for which the list is prepared.

Post-Election Voting Equipment Audit: refers to the requirement set forth under Wis. Stat. § 7.08(6), that following each general election, the Wisconsin Election Commission audit the performance of each voting system in Wisconsin to determine the error rate of the system in counting valid ballots. Procedures for the audit are outlined in the "Voting Equipment" section of this manual.

Presidential Preference: an election held in conjunction with the Spring Election to express preferences for the person to be the presidential candidate for each party in a year in which the president and vice president are to be elected.

Proof of Identification (POI): refers to documents that verify the identity of an elector voting an absentee ballot by mail or in-person in the municipal clerk's office, or at the polling place on Election Day. For a complete list of acceptable forms of proof of identification and exceptions to the law, refer to Wis. Stat. § 5.02(6m) or the "Electors" section of this manual.

Proof of Residence (POR): refers to documents that verify the current residency of voters. All voters must provide proof of residence to register to vote. Acceptable forms of proof of residence must contain a complete name, including first and last name; and a current and complete residential address, including a numbered street address, if any, and the name of a municipality. Forms that have an expiration date must be valid on Election Day in order to constitute acceptable proof of residence at that election. For a complete list of acceptable forms of proof of residence, refer to the “Electors” section of this manual.

Provider: a municipality or county that provides election administration services in conjunction with the WisVote system for a relier municipality.

Provisional Ballot: a provisional ballot is a ballot that is marked by a voter but is not counted at the time it is cast. It is issued to a voter who is:

- 1) A first time voter who registered by mail (prior to April 4, 2014), did not provide proof of residence and is unable to provide the poll workers with documentation required by Wisconsin and federal law at the polls on Election Day. Voter is marked “POR Required” on the poll list.
- 2) Unable or unwilling to provide his or her Wisconsin driver license or state-issued ID card number when registering to vote at the polls on Election Day
- 3) Unable or unwilling to provide acceptable Photo ID at the time of voting at the polls on Election Day.

There are no other situations when a provisional ballot is issued. The ballot is only counted on election night if the required documentation is provided to the election inspectors by 8 p.m. on election night. The voter has until 4 p.m. on the Friday following the election to provide the clerk with the required documentation for the ballot to be counted.

Q

Qualified Elector: a qualified elector is defined in § 6.02, Wis. Stats., as a U.S. citizen, 18 years of age or older, who has resided in the election district for at least 28 days before any election at which he or she offers to vote (and who is not disqualified by virtue of one or more of the impediments described in Wis. Stat. § 6.03).

R

Referendum: an election at which an advisory, validating or ratifying question is submitted to the electorate.

Registration List: see “Poll List.”

Relier: a municipality that enters into an agreement with another municipality or county to provide election administration services in conjunction with the WisVote system.

Reporting Units: a ward or combination of wards used to report election results. All wards in a reporting unit must consist of identical districts that pertain to the district seats up for election (i.e., in fall elections a reporting unit must consist of the same congressional, senate and

assembly districts; in the spring, a reporting unit must consist of the same county supervisory and municipal districts).

S

Section 6.95: See “Challenged Ballot.”

Section 6.96: notation used to indicate ballots that were cast after the close of the polls pursuant to a court order. If the election inspectors are informed that a court has issued an order extending the hours that the polling place is open beyond 8:00 p.m., a voter entering the polling place after that time will also have his or her ballot marked with the notation “Section 6.96.”

Self-Provider: a municipality that provides its own election administration services in conjunction with the WisVote system.

Special Registration Deputy: Qualified electors of the state may be appointed by the clerk to register individuals outside of the clerk’s office until the third Wednesday before an election. Wis. Stat. §6.26. Special registration deputies must undergo at least one training program every two years.

Special Voting Deputy: an individual appointed by the municipal clerk or board of election commissioners to carry out absentee voting in certain residential care facilities and retirement homes. At least two special voting deputies must be appointed for each municipality in which one or more qualified residential care facilities or retirement homes are located. Special voting deputies must take the Oath of Special Voting Deputy (EL-155) before entering into his/her duties, and must undergo at least one training program every two years. See the *Absentee Voting in Residential Care Facilities and Retirement Homes* manual for more information.

Spring Election: the election held on the first Tuesday in April to elect non-partisan judicial, educational, municipal, county officers and sewerage commissioners.

Spring Primary: the primary held on the 3rd Tuesday in February to nominate nonpartisan candidates to be voted for at the spring election.

Supplemental Poll List: the Supplemental Poll List is divided into two separate sections: the Pre-Printed Supplemental Poll List and the Handwritten Supplemental Poll List. Portions of the pre-printed poll list generated from WisVote contain names of all regular and confidential voters that registered during the late registration period until the poll list was printed in preparation of Election Day. The Handwritten Supplemental Poll list will contain the names of electors who registered in the municipal clerk’s office after the pre-printed supplemental poll list is printed and will also contain the names of voters who register on Election Day.

T

Tabulator: a person selected and employed by the municipal clerk to help count votes cast by paper ballot after the close of the polls. The governing body of the municipality may authorize

the use of tabulators not less than 30 days before the election. Tabulators are under the direction of election inspectors. Tabulators may also be used to assist counting votes in a recount.

Temporary Overseas Elector: Wisconsin residents who are temporarily living outside the United States for work, school or other reasons and have the intent to return to Wisconsin.

Test Deck: a pre-audited group of ballots marked to record a predetermined number of valid votes for each candidate and on each referendum. The test deck is used to ensure that electronic voting equipment is reliable and accurate.

V

Voter List: see “Poll List.”

Voter Registration: the process by which an elector registers to vote. All electors, except for military electors, are required to register to vote. Registration is accomplished by completing the Voter Registration Application (EL-131) at the clerk’s office, by special registration deputy, by mail, or at the polling place on Election Day.

Voter Registration Application (EL-131): the form prescribed by the Wisconsin Election Commission to register an individual to vote in Wisconsin.

Voter-Verified Paper Audit Trail (VVPAT): refers to the requirement under Wis. Stat. § 5.91(18), that all direct recording electronic (DRE) voting systems produce a complete, permanent paper record showing all votes cast by the elector. The voter-verified paper audit trail (VVPAT) is considered the official ballot and is to be used in a recount of each vote cast by the elector.

W

Wisconsin Elections Commission (WEC): refers to the new agency formed on June 30, 2016 when the Government Accountability Board was split into the Wisconsin Elections Commission and Wisconsin Ethics Commission.

WisVote: a single, centralized, computerized statewide voter registration list managed by the Wisconsin Elections Commission. WisVote is used by state, county and municipal election officials to maintain a list of registered voters, manage and produce voter lists, process absentee and provisional ballots, and to manage a wide variety of other election-related activities.