August Partisan Primary

July 20, 2022

August Partisan Primary

Agenda

- Overview
- Party Preference
- Crossover and Overvoted Ballots
- Counting Write-In Votes
- Remaking and Overriding Ballots
- Reminders

August Partisan Primary

Overview

- There is always an August Partisan Primary.
- The partisan primary has been in place in WI since 1915.
- Votes are cast for candidates in one political party.
- There has been no straight party ticket voting since 2011, but there is a party preference option.
- The party order on the ballot is determined by which party received the most votes in the last gubernatorial election.

Party Preference

August Partisan Primary

Party Preference

- In the Partisan Primary, voters may vote in only ONE party's primary.
- If a voter chooses a party preference, votes cast in that party will be counted. Votes cast in any other party will not be counted.
- If a voter does not choose a party preference, and votes in more than one party, no votes will be counted (except for nonpartisan contests or referenda, if present).
- Voters must still vote for individual candidates.

August Partisan Primary

Party Preference Examples

Special Instructions for Voting in a Partisan Primary

In the Partisan Primary:
- You may vote in only ONE party's primary
- If you choose a party, votes cast in that party will be counted. Votes cast in any other party will not be counted
- If you do not choose a party, and you vote in more than one party, no votes will be counted

You must vote for individual candidates

Party Preference Section

Choose a party in which to vote

Fill in the oval next to your party choice like this: ● Choose only ONE

- Democratic
- Republican
- Libertarian
- Constitution

Special Instructions for Voting in a Partisan Primary

In the Partisan Primary:
- You may vote in only ONE party's primary
- If you choose a party, votes cast in that party will be counted. Votes cast in any other party will not be counted
- If you do not choose a party, and you vote in more than one party, no votes will be counted

You must vote for individual candidates

Party Preference Section

Choose a party in which to vote

Complete the arrow next to your party choice, like this: ◀━━ Choose only ONE

- Democratic ◀ ━
- Republican ◀ ━
- Libertarian ◀ ━
- Constitution ◀ ━

Partisan Primary Ballot Selection and Marking Instructions

August 9, 2022

The Partisan Primary is a nomination process. Voting in this primary is your opportunity to express to one party of your choice which of the party's candidates you recommend for placement on the General Election ballot.

Voting in a Partisan Primary

1. **Choose a party:**

   You may only vote on **ONE** party's ballot. If you vote on more than one party's ballots, your votes will not count

   ✓ Choose **ONE** party ballot on which to vote
   ✓ Remove your selected party's ballot from the packet

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Party Preference – General Rules

- At a partisan primary, another facet is added to counting votes scenarios— if the voter selected a Party Preference.

- Selecting a party preference will preserve the votes cast in the selected party even if the voter crosses over and votes for candidates in another party.

- Casting votes for candidates of only one party, is the same as selecting a party preference. For paper ballot municipalities, voting on only one ballot is choosing a party preference.

- If no party preference is selected, and the voter **marks more than one party's ballot**, no votes will count.

August Partisan Primary

Party Preference – General Rules

- If no party preference is selected, and the voter marks only one party's ballot, but on that same party ballot writes in the name of a ballot candidate or registered write-in candidate of another party, all votes are counted except the write-in vote.

- Regardless if a party preference is selected, the name of a ballot candidate or registered write-in candidate of Party X written on a Party Y ballot will never count.

- Within the same party, a voter may write in the name of a ballot candidate or registered write-in candidate for an office under a different office, but it is counted only if there are no ballot candidates for the different office or if a ballot candidate has died.

Crossover and Overvoted Ballots

August Partisan Primary

Crossover Votes

- A ballot with a crossover vote is a ballot where the voter has not selected a party preference and has voted in more than one party, which is prohibited by state law.

- A ballot where the voter has not selected a party preference and has written in a ballot candidate from another party is not a crossover vote.

August Partisan Primary

Choose a Party Primary	Republican Party Primary	Constitution Party Primary
○ Democratic	**Congressional**	**Congressional**
○ Republican	**Representative in Congress**	**Representative in Congress**
○ Constitution	**District** _	**District** _
	Vote for 1	**Vote for 1**
Democratic Party Primary	○ Mary Kay Place	○ Write-in
Congressional	○ Sunny Skies	**Legislative**
Representative in Congress	○ write-in:	**State Senator**
District.	**Legislative**	**District**
Vote for 1	**State Senator**	**Vote for 1**
● John Jones	**District** _	○ Write-in
○ Sandy Beach	**Vote for 1**	**Representative to the Assembly**
○ write-in:	○ Steve Berry	**District** _
Legislative	● Kassie Kloss	**Vote for 1**
State Senator	○ write-in:	○ Write-in
District	**Representative to the Assembly**	
Vote for 1	**District** _	Registered write-in:
○ Norman Foreman	**Vote for 1**	
● Randi Rainbow	○ Charlie McCarthy	Barny Fife, Republican CD
○ write-in:	○ Edgar Bergen	
Representative to the Assembly	○ write-in:	
District		
Vote for 1		
● Mortimer Snerd		
○ write-in:		

11

August Partisan Primary

Examples – Is this a Crossover Vote?

Choose a Party Primary	Republican Party Primary	Constitution Party Primary
● Democratic	**Congressional**	**Congressional**
◯ Republican	**Representative in Congress**	**Representative in Congress**
◯ Constitution	District _	District _
	Vote for 1	Vote for 1
Democratic Party Primary	◯ Mary Kay Place	◯ Write-in
Congressional	◯ Sunny Skies	**Legislative**
Representative in Congress	◯ write-in:	**State Senator**
District.	**Legislative**	District
Vote for 1	**State Senator**	Vote for 1
● John Jones	District _	◯ Write-in
◯ Sandy Beach	Vote for 1	**Representative to the Assembly**
◯ write-in:	◯ Steve Berry	District _
Legislative	● Kassie Kloss	Vote for 1
State Senator	◯ write-in:	◯ Write-in
District	**Representative to the Assembly**	
Vote for 1	District _	Registered write-in:
◯ Norman Foreman	Vote for 1	
● Randi Rainbow	◯ Charlie McCarthy	Barny Fife, Republican CD
◯ write-in:	◯ Edgar Bergen	
Representative to the Assembly	◯ write-in:	
District		
Vote for 1		
● Mortimer Snerd		
◯ write-in:		

August Partisan Primary

Overvotes

- An overvoted ballot has at least one instance in which the elector has voted for more than the maximum number of selections allowed in a contest.

- Election inspectors may be required to remake ballots with overvotes.

- A contest is not considered an overvote if the election inspectors, after reviewing the ballot, are able to determine voter intent.

August Partisan Primary
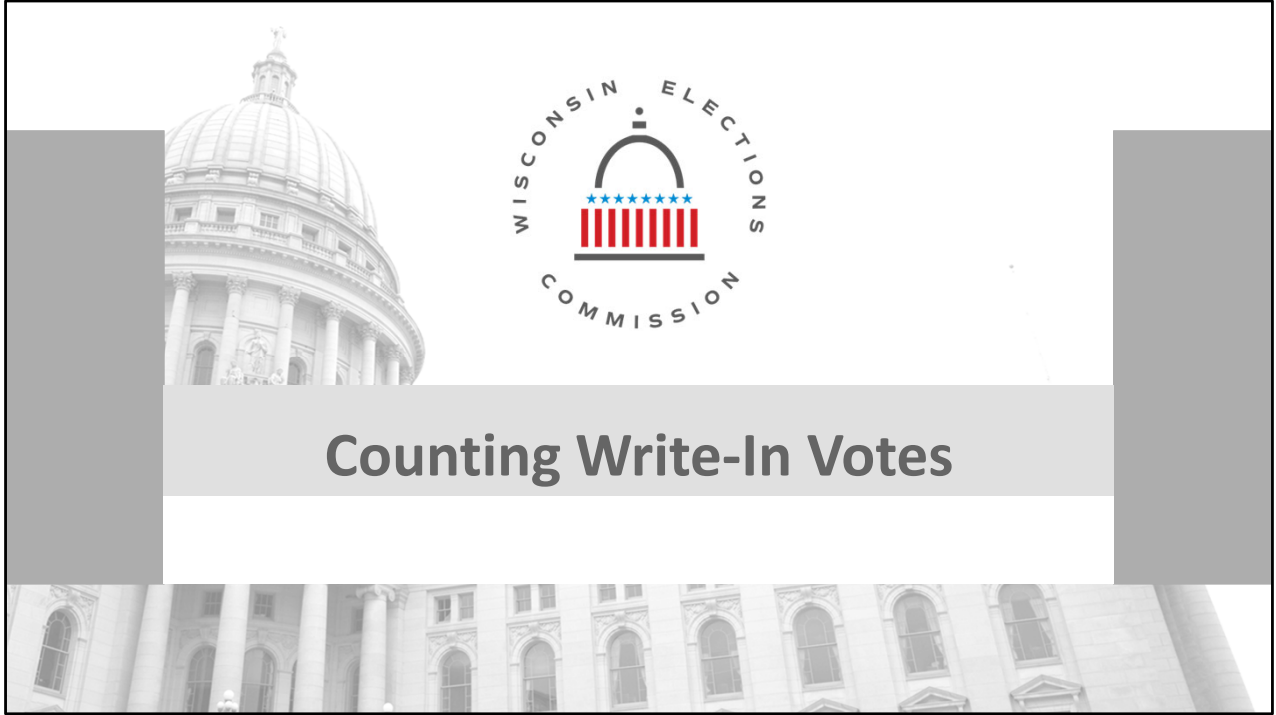
Examples – Is this an Overvote?

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Examples – Is this an Overvote?

Choose a Party Primary	Republican Party Primary	Constitution Party Primary
⬭ Democratic	**Congressional**	**Congressional**
⬭ Republican	**Representative in Congress**	**Representative in Congress**
⬭ Constitution	District _	District _
	Vote for 1	Vote for 1
Democratic Party Primary	⬤ Mary Kay Place	⬭ Write-in
Congressional	⬤ Sunny Skies	**Legislative**
Representative in Congress	⬭ write-in:	**State Senator**
District.	**Legislative**	**District**
Vote for 1	**State Senator**	**Vote for 1**
⬭ John Jones	District _	⬭ Write-in
⬭ Sandy Beach	Vote for 1	**Representative to the Assembly**
⬭ write-in:	⬭ Steve Berry	**District** _
Legislative	⬤ Kassie Kloss	Vote for 1
State Senator	⬭ write-in:	⬭ Write-in
District	**Representative to the Assembly**	
Vote for 1	**District** _	Registered write-in:
⬭ Norman Foreman	Vote for 1	
⬭ Randi Rainbow	⬤ Charlie McCarthy	Barny Fife
⬭ write-in:	⬭ Edgar Bergen	
Representative to the Assembly	⬭ write-in:	
District		
Vote for 1		
⬭ Mortimer Snerd		
⬭ write-in: *Richard Wick*		

Counting Write-In Votes

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Voter Intent

- Wis. Stat. § 7.50(2)(d): When write-in votes may be counted vs. ballot candidate votes.

- Wis. Stat. § 7.50(2)(em): When write-in votes may be counted for registered vs. non-registered candidates.

- The Four Principles for Determining Eligibility of Write-In Votes.

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The Four Principles for Determining Eligibility of Write-In Votes

1. If the number of ballot candidates for a given office is equal to or greater than the number seats to be filled—
   Only votes for registered write-in candidates are eligible for counting.

2. If there are fewer ballot candidates for a given office than the number of seats to be filled—
   All write-in votes are eligible for counting.

3. If there are any ballot candidates for a given office and one or more has passed away—
   All write-in votes are eligible for counting.

4. If there are enough write-in votes to fill the number of seats up for election (regardless of the eligibility of the write-in votes)--
   Votes for ballot candidates may not be considered.

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Examples – Counting Votes

Choose a Party Primary	Republican Party Primary	Constitution Party Primary
⬭ Democratic	**Congressional**	**Congressional**
⬤ Republican	**Representative in Congress**	**Representative in Congress**
⬭ Constitution	**District _**	**District _**
	Vote for 1	**Vote for 1**
Democratic Party Primary	⬭ Mary Kay Place	⬭ Write-in Barny Ffe
Congressional	⬤ Sunny Skies	**Legislative**
Representative in Congress	⬭ write-in:	**State Senator**
District.	**Legislative**	**District**
Vote for 1	**State Senator**	**Vote for 1**
⬭ John Jones	**District _**	⬭ Write-in
⬭ Sandy Beach	**Vote for 1**	**Representative to the Assembly**
⬭ write-in:	⬭ Steve Berry	**District _**
Legislative	⬤ Kassie Kloss	**Vote for 1**
State Senator	⬭ write-in:	⬭ Write-in
District	**Representative to the Assembly**	
Vote for 1	**District _**	Registered write-in:
⬭ Norman Foreman	**Vote for 1**	
⬭ Randi Rainbow	⬤ Charlie McCarthy	Barny Fife, Republican CD
⬭ write-in:	⬭ Edgar Bergen	
Representative to the Assembly	⬤ write-in:	
District		
Vote for 1		
⬭ Mortimer Snerd		
⬭ write-in:		

19

August Partisan Primary

Examples – Counting Votes

Choose a Party Primary	Republican Party Primary	Constitution Party Primary
⬭ Democratic	**Congressional**	**Congressional**
⬤ Republican	**Representative in Congress**	**Representative in Congress**
⬭ Constitution	**District _**	**District _**
	Vote for 1	**Vote for 1**
Democratic Party Primary	⬤ Mary Kay Place	⬭ Write-in
Congressional	⬭ Sunny Skies	**Legislative**
Representative in Congress	⬤ write-in: Good old Barny	**State Senator**
District. _	**Legislative**	**District _**
Vote for 1	**State Senator**	**Vote for 1**
⬭ John Jones	**District _**	⬭ Write-in
⬭ Sandy Beach	**Vote for 1**	**Representative to the Assembly**
⬭ write-in:	⬤ Steve Berry	**District _**
Legislative	⬭ Kassie Kloss	**Vote for 1**
State Senator	⬭ write-in:	⬭ Write-in
District _	**Representative to the Assembly _**	
Vote for 1	**District _**	Registered write-in:
⬭ Norman Foreman	**Vote for 1**	
⬭ Randi Rainbow	⬭ Charlie McCarthy	Barny Fife, Republican CD
⬭ write-in:	⬭ Edgar Bergen	
Representative to the Assembly	⬭ write-in:	
District _		
Vote for 1		
⬭ Mortimer Snerd		
⬭ write-in:		

August Partisan Primary

Examples – Counting Votes

Choose a Party Primary	Republican Party Primary	Constitution Party Primary
◯ Democratic	**Congressional**	**Congressional**
◯ Republican	Representative in Congress	Representative in Congress
◯ Constitution	District _	District _
	Vote for 1	Vote for 1
Democratic Party Primary	⬤ Mary Kay Place	◯ Write-in
Congressional	◯ Sunny Skies	**Legislative**
Representative in Congress	◯ write-in:	State Senator
District.	**Legislative**	District
Vote for 1	State Senator	Vote for 1
◯ John Jones	District _	◯ Write-in
◯ Sandy Beach	Vote for 1	Representative to the Assembly
◯ write-in:	◯ Steve Berry	District _
Legislative	⬤ Kassie Kloss	Vote for 1
State Senator	◯ write-in:	◯ Write-in
District	Representative to the Assembly	
Vote for 1	District _	Registered write-in:
◯ Norman Foreman	Vote for 1	
◯ Randi Rainbow	◯ Charlie McCarthy	Barny Fife, Republican CD
◯ write-in:	◯ Edgar Bergen	
Representative to the Assembly	⬤ write-in: **Mortimer Snerd**	
District		
Vote for 1		
◯ Mortimer Snerd		
◯ write-in:		

August Partisan Primary

Examples – Counting Votes

Choose a Party Primary	Republican Party Primary	Constitution Party Primary
● Democratic	**Congressional**	**Congressional**
○ Republican	**Representative in Congress**	**Representative in Congress**
○ Constitution	**District _**	**District _**
	Vote for 1	**Vote for 1**
Democratic Party Primary	○ Mary Kay Place	○ Write-in
Congressional	○ Sunny Skies	**Legislative**
Representative in Congress	○ write-in:	**State Senator**
District.	**Legislative**	**District**
Vote for 1	**State Senator**	**Vote for 1**
● Bob Dylan	**District _**	○ Write-in
● write-in: Bob Dylan	**Vote for 1**	**Representative to the Assembly**
Legislative	○ Steve Berry	**District _**
State Senator	○ Kassie Kloss	**Vote for 1**
District _	○ write-in:	○ Write-in
Vote for 1	**Representative to the Assembly _**	
● Norman Foreman	**District**	Registered write-in:
○ Randi Rainbow	**Vote for 1**	
○ write-in:	○ Charlie McCarthy	Barny Fife, Republican CD
Representative to the Assembly	○ Edgar Bergen	
District _	○ write-in:	
Vote for 1		
● Mortimer Snerd		
● write-in:		

Remaking and Overriding Ballots

August Partisan Primary

Remaking Ballots

- Ballots may need to be "remade" on Election Day by the election inspectors.
- Reasons to remake a ballot may include:
  - Voter made a mistake (overvoted, crossover vote)
  - Voting equipment cannot "read" the ballot
  - Voter marked the ballot incorrectly, for example, used red pen or circled a candidate
  - Voter didn't fill in circles or arrows for a write-in on ballot
  - Ballot was damaged

August Partisan Primary

Remaking Ballots

- Two election inspectors participate in the process
  - If party-affiliated inspectors are working, use one of each party
- Inspectors announce that a ballot is being remade and why
- Inspectors note a reason in the endorsement section of the ballot
  - Overvoted (OV)
  - Damaged (DM)
  - Other   (OT)
- Ballots labeled original ballot #(serial number) and duplicate ballot #(serial number)
- Both inspectors initial the ballots in the endorsement section

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Remaking Ballots – Endorsement Section

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Remaking Ballots

- Inspector transfers votes based on voter intent from the original ballot to the duplicate ballot
- Note on the Inspectors' Statement why the ballot had to be remade
- The remade ballots are inserted into the tabulator
- The original ballots are bundled together, marked and placed in the "Original Ballots Envelope."
- The "Original Ballots Envelope" is placed in the ballot container

August Partisan Primary

Overriding Ballots

- Election Inspectors may use the override function of the optical scan voting equipment when voter intent cannot be determined if the use is approved by the municipality.
- The voting equipment will not count votes for overvoted contests, but bill count votes for all other properly marked contests.

August Partisan Primary

Overriding Ballots – Absentee Ballots

- Inspector inserts the ballot without inspection into tabulating equipment and machine displays warning message
- Inspector selects the option to return ballot
- Inspectors review the ballot to determine voter intent
    - If voter intent can be determined, ballot is remade
    - If voter intent cannot be determined, the ballot is not remade
- Inspector reinserts the ballot into the tabulating equipment and casts the ballot using the override function
- Inspector notes the override and the reason for it on the Inspectors' Statement

August Partisan Primary

Overriding Ballots – Voter is Present

- The voter inserts the ballot into tabulating equipment and machine displays warning message
- The inspector assigned to monitor the voting equipment should explain the warning message to the voter
  - Overvoted ballot: casting a ballot with the override function will result in no votes counted for the overvoted contest(s), votes for other contests will be counted
  - Crossover ballot: casting a ballot that contains a crossover vote will result in no votes counted for any partisan office, but votes for nonpartisan contests would be counted
- The voter is informed that they can spoil the ballot and vote another ballot (up to three) or cast the ballot as is. Inspector notes the override and the reason for it on the Inspectors' Statement

August Partisan Primary

Overriding Ballots – Voter is Present

- The voter inserts the ballot into tabulating equipment and machine displays warning message
- The inspector assigned to monitor the voting equipment should explain the warning message to the voter
  - Overvoted ballot: casting a ballot with the override function will result in no votes counted for the overvoted contest(s), votes for other contests will be counted
  - Crossover ballot: casting a ballot that contains a crossover vote will result in no votes counted for any partisan office, but votes for nonpartisan contests would be counted
- The voter is informed that he or she can spoil the ballot and vote another ballot (up to three) or cast the ballot as is. Inspector notes the override and the reason for it on the Inspectors' Statement

Reminders

August Partisan Primary

Reminders…

- Ballots
  - Permanent Overseas voters receive the federal-only ballot
  - Military, Temporary Overseas, and all other voters receive the full ballot.
- Review the ballot with election workers, including various ballot styles.

- Have election workers participate in the pre-election testing of voting equipment, so they know how it works. Election inspectors need to be trained on how their voting equipment operates, how to turn it on, jams and other troubleshooting.

- Prepare a list of any registered write-in candidates for the August Primary. Election workers may only share the list of registered write-in candidates if asked by a voter.

- Election inspectors should not speculate or offer information to voters about who may have dropped out of a contest if they appear on the ballot.

August Partisan Primary

Reminders…

- The absentee ballot log should be updated as necessary and sent to the polls.
- Check the absentee ballot log for every voter. If a voter has returned an absentee ballot, they may not vote at the polls.
- The address on the photo ID does not have to be current.
- Inspectors need to go through the ballots when the polls close to determine if there were any write-in votes not counted by the voting equipment.
- A write-in vote does not have to have the oval or arrow next to it filled in on an optical scan ballot. A voter can indicate their intent though other means, such as simply writing in the candidate's name or circling a candidate on the ballot.

August Partisan Primary

Reminders…

- Inspectors need to practice counting votes as part of their pre-election training. Including:

  - Determining voter intent

  - Registered vs unregistered write-ins

  - Review "Counting Votes" Manual:
    https://elections.wi.gov/resources/manuals/counting-votes-manuals

- Good luck in August!

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Thank you!

For further information, contact the WEC.
PH: 608-266-8005 Email: elections@wi.gov

Examples – Answers

Slide 11: The voter did not select a party preference and cast votes for candidates in two parties. This is a crossover vote and will not be counted.

Slide 12: The voter selected a democratic party preference, so votes for other parties are ignored. The votes cast for the democratic party candidates will be counted and the vote cast for the republican candidate will be ignored. This is not a crossover vote.

Slide 14: This is not an overvote. The registered write-in vote is counted. The voter only is entitled to one vote in this contest so ballot candidates may not be considered. The voting equipment registered this as an overvote and did not count either vote. Adjust the tape to add a vote for Barny Fife.

Slide 15: This is an overvote. The voter cast a ballot for two ballot candidates. The voting equipment registered this as an overvote and did not count either ballot.

Slide 19: The voter selected a republican party preference, so votes for other parties are ignored. The voter cast a vote for a party candidate for representative to the assembly and also filled in the oval for a write-in but did not write-in a name. The blank write-in is not counted, but the voting equipment registered this as an overvote and did not count either vote. Adjust the tape to add a vote for Charlie McCarthy.

Slide 20: The voter selected a republican party preference, so votes for other parties are ignored. The voter cast votes for two candidates in the congressional race: Mary Kay Place and Good Old Barney. This is a situation where the election inspectors need to determine voter intent. If they believe Good Old Barney is the registered write-in candidate Barny Fife, the vote for Barny is counted. The voting equipment would have registered this as an overvote and did not count either vote. Adjust the tape to count a vote for Barny Fife.

Slide 21: The voter did not select a party preference and voted mainly for republican candidates. However, the voter wrote in a democratic ballot candidate, Mortimer Snerd, on the republican ballot for representative to the assembly. The vote is not counted. This is not a crossover vote.

Slide 22: The voter selected the democratic party preference, so votes for other parties are ignored. The voter cast a vote for ballot candidate Bob Dylan and also wrote Bob Dylan in as a write-in candidate. Votes for write-ins are not considered in this contest as there is a ballot candidate, but regardless, Bob can only receive one vote per voter. The voting equipment registered this as an overvote, so the tape should be adjusted to give Bob a vote. In the representative to the assembly contest, the voter cast a vote for a ballot candidate and filled in the oval for a write-in without listing a name. The vote counts for Mortimer Snerd. The voting equipment registered this is an overvote, so the tape should be adjusted to give him a vote.