



Wisconsin Elections Commission

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Amd. 2 - Amendments are in bold italics.

MEMORANDUM

TO: Wisconsin County Clerks and the Milwaukee County Election Commission
Wisconsin Municipal Clerks and the Milwaukee City Election Commission

FROM: Diane Lowe, Lead Elections Specialist
Wisconsin Elections Commission

DATE: April 6, 2020

SUBJECT: Processing Absentee Hand-Count Consolidated, Separate Party Ballots at the April 7, 2020 Election

I apologize for the tardiness of this memo. This memo contains a brief tutorial for your election inspectors regarding the treatment of absentee ballots when both party ballots have been returned.

Background

The Spring Election and Presidential Preference Vote is a nonpartisan election with a partisan contest added. Because of the partisan office, there must be a ballot for each party participating in the Presidential Preference Vote. A voter may vote for only one candidate in one party, which means the voter must choose one party ballot on which to vote. The voter is entitled to vote for all nonpartisan offices and referenda, so regardless of which party ballot is chosen, the ballot lists the nonpartisan offices and referenda.

Most absentee voters will return only the voted ballot. However, other voters will return both party ballots. In some cases, one ballot will be marked and the other blank. In other cases, both ballots may be marked. The following is a guide to processing absentee ballots when a voter returns both party ballots.

Processing Absentee Ballots Throughout the Day

After a certificate envelope is found to be sufficient, open the envelope and remove the ballot(s).

- If the voter returned both ballots, but only one is voted.
 - Place the unvoted ballot in the discard box.
 - Place the voted ballot in the ballot box.

- If the voter returned both ballots and both are voted.
 - Staple both ballots together and place in the ballot box.

Wisconsin Elections Commissioners

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Counting the Stapled Ballots

Treat partisan contest separately from the nonpartisan contests.

The nonpartisan offices ARE NOT disqualified because votes in the partisan contest cannot be counted due to overvote or crossover vote.

- Leave the ballots stapled together.

Note: An election-day voter may fold both ballots together and place them in the ballot box. If both ballots are voted, staple them together. If one ballot is not voted, place it in the discard box.

- First, examine the Presidential Preference contest on both ballots.
 - If the voter marked only one candidate in one party, record the vote.
 - If the voter marked more than one candidate in one party, no vote is counted.
 - If the voter casts a vote in both parties, no vote is counted.
- Next, count the votes for the nonpartisan contests. *Voters may distribute their votes for nonpartisan offices in unexpected ways.*
 - The voter may vote for nonpartisan contests on only one ballot.
 - The voter may vote for some nonpartisan contests on one ballot and the rest on the other ballot.
 - *If the voter votes for the same candidate on the same contest on both ballots or votes “Yes” or “No” for a referendum on both ballots, the vote is counted once.*
 - *If the voter votes for different candidates on the same contest on both ballots or votes differently on each ballot for the same referendum, no vote counts for that office or that referendum.*
- Place both ballots (still stapled together) in the ballot bag *when counting is performed and completed on April 13, 2020*

If you have questions about this process, please contact me at 608-266-3276 or diane.lowe@wisconsin.gov.