

PROCEDURES FOR COUNTY BOARDS OF CANVASSERS

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County Board of Canvassers

Purpose of the County Board of Canvassers is to certify the results of the elections and makes the official determination of election or primary winners.

The meeting of the Board of Canvassers is open to the public and is **subject to the state open meeting law**. 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. An individual must be designated to take minutes of the meeting.

Not later than 9 a.m. on the Tuesday following each election for federal, state and county offices or referenda, the county board of canvassers shall open and publicly examine the returns. Wis. Stats. § 7.60 (3).

Members of the Board of Canvassers Wis. Stats. § 7.60(2)

- The county clerk and two qualified electors of the county appointed by the clerk constitute the county board of canvassers.
- A member may not be a candidate at an election being canvassed by the board.
 - If the clerk is a candidate, the clerk may serve if he or she has no opponent whose name appears on the ballot.
- One of the members must be affiliated with a political party other than that of the county clerk.
- The county political parties may provide the county clerk with a list of individuals nominated to serve on the county board of canvassers. If lists are submitted, the county clerk must appoint the members from the lists.
- The county canvass board members serve 2-year terms which commence on January 1 of each odd-numbered year.

Milwaukee County: *In Milwaukee County, the County Board of Election Commissioners serves as the County Board of Canvassers.*

Vacancies in the Board of Canvassers – Wis. Stats. § 7.60(2)

- The county clerk must designate a deputy clerk who will perform the clerk's duties as a member of the board of canvassers in the event that the county clerk's office is vacant, the clerk cannot perform the duties, or the clerk is an opposed candidate at an election being canvassed.
- If the county clerk and deputy clerk are both unable to perform their duties, the county executive, or the county board chairperson if there is no county executive, shall designate another qualified elector of the county to perform the clerk's duties.
- If a member other than the clerk cannot perform the duties, the clerk shall appoint another qualified elector of the county to serve.
- A member who is appointed to fill a *permanent* vacancy serves for the unexpired term of the original member.

Milwaukee County: In the case of a temporary vacancy in the Milwaukee County Board of Canvassers, the executive director of the County Board of Election Commissioners shall serve as a member of the board of canvassers to fill the vacancy.

Municipal Returns

NOTE: The county clerk's office must remain open to receive and post all returns on election night. Wis. Stats. § 7.60(1)

The municipal clerk ensures that the following items are delivered to the county clerk no later than 4:00 p.m. on the day following the election. Where absentee ballots are canvassed at a central location, the municipal clerk delivers the following items to the county clerk no later than 4:00 p.m. on the 2nd day following the election. Wis. Stats. § 7.51(5)(b).

- The ballot bags (or containers) containing all federal, state, county and technical college ballots.
- The brown carrier envelope GAB-102 containing rejected absentee ballots.
- The white carrier envelope GAB-103 containing used certificate envelopes from absentee voters.
- One copy of the Inspectors' Statement GAB-104.
- One original machine tape and one Tally Sheet GAB-105 for presidential, congressional, state, legislative, judicial, and county, offices and state, county and technical college referenda.
- One original voter list including the supplemental lists. If returns have not been received from any election district or ward in the county, the county board of canvassers shall dispatch a messenger and the person having them shall deliver the returns to the messenger. Wis. Stats. § 7.60(3).
- The Inspectors' Statement of Provisional Ballots Envelope (GAB-108) sealed in a ballot bag or container excluding any absentee ballots received after closing hour on election night and any provisional ballots.

If, on examination, any of the returns received are so informal or defective that the board of canvassers cannot intelligently canvass them, the board of canvassers shall direct the municipality to complete or remedy the defects. The county board of canvassers may adjourn for no more than 2 days while waiting for the returns to be completed or corrected. Wis. Stats. § 7.60(3).

Accurate and detailed Canvass Board meeting minutes must be kept.

Process of Conducting the Canvass

The following are suggested procedures for how the County Board of Canvassers should conduct the canvass.

- 1. Make sure that the required materials from each municipality have been gathered.***
- 2. Number of Voters vs. Number of Votes***

For each reporting unit, check to see that there is not a large difference between the total number of voters and the number of votes cast for the office that would have garnered the largest number

of votes at that election. For example, in a presidential election, the total number of voters should be compared to the total number of votes cast for the office of President of the United States. This is an important step in the process because a large drop off between these two numbers might signal a problem with the voting equipment. Additionally, the board of canvassers shall examine the Voter Statistics section of the Inspectors' Statement to ensure no large discrepancies are evident.

THE NUMBER OF VOTES CAST SHOULD NEVER EXCEED THE NUMBER OF VOTERS!

3. *Proof data against original results.*

If municipalities modem results to the county, or if the county must manually enter the results received from the municipalities into a computer system, it is important to proof the compiled data from the computer system to the original results received from the municipality.

4. *Write-in Votes*

The votes for non-ballot candidates need not be listed by write-in candidate. The votes for non-ballot candidates (write-in votes) may be compiled into one scattering column for each office.*

If the Government Accountability Board has notified the county of registered state or federal write-in candidates, the votes for these write-in candidates must be listed on a separate document. **However, the votes for these candidates must still be included in the scattering column.**

NOTE: The procedure for reporting write-in votes may change when the SVRS Canvass Application is in place.

If the county has registered write-in candidates, the votes for those candidates should be recorded separately.

**Write-in votes are NOT allowed for independent candidates in a partisan primary. Please DO NOT include a scattering column for independent candidates at a partisan primary.*

5. *Review Inspectors' Statements, electronic vote records and tally sheets*

Review tally sheets for accuracy. Where electronic equipment is used, review the tapes for any adjustments made on the tapes and review write-in tally sheets. If inspectors have added electronic votes and hand-count votes together, check the addition.

The County Board of Canvassers must verify that the tamper-evident serial numbers from the voting equipment have been recorded and initialed by the Chief Election Inspectors on at least 10 Inspectors' Statements (GAB-104). All Inspectors' Statements shall be verified in a recount.

6. *Provisional Ballots*

If a municipal clerk notifies the county board of canvassers that a provisional voter has timely provided the necessary information in order for the voter's ballot to be counted, the Provisional

Certificate Envelope containing the provisional voter's ballot shall be removed from the Inspectors' Statement of Provisional Ballots carrier envelope (GAB-108). The ballot is removed from the certificate envelope, the votes are added to the affected candidates' totals, the voter is assigned the next voter number, and his or her name is added to the poll list. A record of additional votes cast is maintained for each affected reporting unit in each municipality. The record is transmitted to each affected municipal clerk so that he or she may adjust the municipal records. Additional votes for federal or state offices must be reported in writing to the

G.A.B. Additional votes for the office of Multi-jurisdictional Judge are transmitted to the appropriate county clerk. Additional votes for Technical College District Offices are transmitted to the clerk of the Technical College.

7. *Completing the Canvass Statement*

When the tally sheets, voter lists and inspectors' statements have been reviewed, and corrections, if any, have been made, a canvass statement is prepared in duplicate. The official canvass statement (GAB-106) contains three separate sections; the Tabular Statement of Votes Cast, the Summary Statement and the Certification. A sample of the GAB-106 is available at the end of this manual.

Tabular Statement of Votes Cast

The Tabular Statement of Votes Cast is a detail of the number of votes cast for each candidate in each ward or combination of wards for each federal, state and county office or referendum. Write-in votes are summed together in one scattering column for each office.* If any votes are rejected, the board of canvassers shall specify the reasons in the minutes.

****Referenda results are reported by "yes" votes and "no" votes. There is no scattering column for a referendum.***

Summary Statement

The summary statement is a summary of the Tabular Statement of Votes Cast. Each statement shall state the total number of votes cast in the county for each office; the names of all ballot candidates for each office, the number of votes cast for each candidate in each office, the number of scattering votes cast in each office, and the number of votes cast for and against any question submitted at a referendum.

Certification of the Board of Canvassers

The certification is signed by the three members of the County Board of Canvassers.

8. *Delivery of the County Canvass*

The board of canvassers shall file one complete statement in the office of the county clerk or board of election commissioners.

When canvassing federal and state offices, the SVRS Canvass Application must be used to transmit the data electronically to the G.A.B. An original, signed Canvass Statement (including the Tabular Statement, Summary Statement and Certification), printed from the SVRS Canvass Application, must also be delivered to the G.A.B. The application may also be used to record and report county canvass data.

Immediately following the canvass, the county clerk or board of election commissioners shall deliver, or send by 1st class mail, a certified copy of the statement (tabular statement, summary statement and certification with original signatures) to the Government Accountability Board and to the filing officers for the other governmental levels or offices as follows:

<u>Offices to be Canvassed</u>	<u>Filing Officer to Whom Canvass is Delivered</u>
Federal and State Offices	Government Accountability Board*
County Offices	Retained by County Clerk
Technical College District Offices	Clerk of the Technical College
Multi-jurisdictional Municipal Judge	Clerk of the County Having the Largest Portion of the Population in the Jurisdiction Served by the Judge.

Mistakes in County Canvass

The board of canvassers may petition the Government Accountability Board to reopen and correct the canvass upon discovery of a material mistake in the canvass of an election for state or national office. The petition must be received prior to the close of business on the day the Government Accountability Board receives returns from the last county board of canvassers with respect to that district or jurisdiction. The Government Accountability Board shall direct the canvass to be reopened and corrected if it determines that the public interest so requires. If the Government Accountability Board directs the canvass to be reopened, the board of canvassers shall reconvene and transmit a certified corrected copy of the canvass statement to the Government Accountability Board. Section 7.60 (5)(b), Wis. Stats.