

WISCONSIN ELECTIONS COMMISSION

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DATE: February 19, 2018

TO: Wisconsin County Clerks
Wisconsin Municipal Clerks
Milwaukee County Election Commission
City of Milwaukee Election Commission

FROM: Michael Haas
Interim Administrator

SUBJECT: Weather-Related Issues and the Spring Primary

In advance of the February 20, 2018 Spring Primary, we have received many questions about how inclement weather may impact the administration of the election. We are aware of a significant weather-related event that may impact many communities and make it difficult to conduct the election tomorrow. This communication outlines some of the questions we have been receiving and provides guidance on the preparations that should be made in advance of tomorrow to ensure that all polling places in Wisconsin will be open and capable of serving voters. In addition, we would also like to refer clerks to the [Contingency Planning and Election System Security report](#) that was issued in 2016.

- **Question:** Can an election be postponed or rescheduled?
Answer: The Commission cannot postpone or reschedule an election due to a potential weather-related event. The only possible way an election could be postponed or rescheduled would be if the Governor “determines that an emergency resulting from a disaster or the imminent threat of a disaster exists.” If an emergency is then declared, the Governor could issue an executive order if “necessary for the security of persons and property.” The Commission is not aware of any instance where the Governor has issued a weather-related Executive Order that impacted Election Day.
- **Question:** Will the Spring Primary be rescheduled?
Answer: The Commission cannot reschedule the Spring Primary. Election dates are determined by Wisconsin state law and local elections officials should proceed with their preparations for Election Day in anticipation that the election will be held as scheduled.
- **Question:** What if we cannot get the polls open on time at 7:00 a.m.?
Answer: All polling locations are required to open at 7:00 a.m. In very rare circumstances, a polling place’s hours could be extended by order of a judge if it is determined that voters did not have proper access to the polls during the regular voting hours. Local clerks should be in contact with their municipal attorney if an issue arises that does not allow for the timely opening of polls on Election Day or if it becomes necessary to petition the court for extended

voting hours. Local clerks should also notify the WEC if they believe an extension of time for a polling location is necessary or if they need assistance with drafting requests.

- **Question:** What if my election inspectors cannot make it to the polling place for Election Day?
Answer: You are required to have at least three election inspectors at each polling place during voting hours. This number should include one certified chief election inspector. It may be necessary to use emergency appointments to meet your election inspector requirements on Election Day.
- **Question:** What is the process for emergency appointment of election inspectors?
Answer: The municipal clerk has the authority to fill vacancies by temporary appointment. They can simply issue an appointment letter that describes the circumstances that require the appointment and have each emergency appointee sign the oath.
- **Question:** Can we close a polling place either entirely or early on Election Day due to the threat of inclement weather?
Answer: No, voting hours are set by state law and all polling places are required to be open from 7:00 a.m. until 8:00 p.m. No polling places should be closed early and municipalities should work with their public works resources to create an adequate snow and ice removal plan for Election Day.
- **Question:** What do we do if we lose power at a polling place?
Answer: Each municipality should have a contingency plan that accounts for situations such as a power loss at one or more polling places. Optical scan voting equipment includes a battery backup that allows the equipment to operate without direct access to power. Each system has features that regularly save election data so that it can be recovered in the event of a power loss or equipment malfunction. Optical scan ballots may also be hand-counted after the polls close if there are issues that impact the ability to use the voting equipment to tabulate election results.
- **Question:** How do we transmit election results without power?
Answer: Your contingency plan should include procedures on how to transmit election results to the county in the event of a power failure. The Canvass Reporting System has call in sheets available for use if a power outage does not allow for the electronic transmission of results. In addition, optical scan tabulators include a battery backup that allows the equipment to operate and transmit results without direct access to power.
- **Question:** What resources are available to assist with weather-related issues on Election Day?
- **Answer:** Local election officials should consult with local law enforcement who may be able to provide transportation to and from the polling place for election inspectors. Local and county public works departments may also be able to assist with snow and ice removal at polling places.

Thank you for your diligence and dedication to administering elections in Wisconsin. We know that the expected inclement weather will be a challenge for many municipalities and we would be happy to assist with any questions that you may have. WEC staff will be available from 6:00 a.m. until 11:00 p.m. on Election Day to answer questions and assist with any election-related issues. If you have questions, or if staff can be of assistance, please contact the Help Desk at 608-261-2028 or elections@wi.gov.