

Government Accountability Board

State of Wisconsin

212 E. Washington Ave., Third Floor • Madison, WI 53703 • gab@wi.gov • (608) 266-8005 • Help Desk (608) 261-2028 • <http://gab.wi.gov>

FOR IMMEDIATE RELEASE:
October 24, 2012

FOR MORE INFORMATION, CONTACT:
Michael Haas, 608-266-0136

Military and Overseas Ballot Lawsuit Resolved

MADISON, WI – The Wisconsin Government Accountability Board announced today it has resolved a lawsuit filed last week by the Romney for President Committee regarding the late transmission of a small number of absentee ballots to military and permanent overseas electors.

Federal law requires military and permanent overseas voters to have at least 45 days to receive and return their ballot in time for it to be counted. On October 18, G.A. B. Director Kevin Kennedy issued an order extending the time for ballots to be returned in four municipalities that sent out ballots with less than 45 days of transit time. Following that action by G.A.B., the parties have filed a stipulated order dismissing the lawsuit.

The Government Accountability Board has been represented by the Wisconsin Department of Justice, which assisted in obtaining the dismissal of the case. “We appreciate the thorough and prompt work of the Department’s attorneys in representing our interests and resolving this matter,” said Kennedy, the state’s chief elections official.

“The resolution of this lawsuit is recognition of the G.A.B.’s attention to detail in working with the small number of Wisconsin’s 1,851 municipal clerks who missed the deadline for transmitting ballots to military and overseas voters who had requests on file,” Kennedy said.

“Out of 4,400 military and overseas ballot requests on file before the deadline, only four ballots went out with less than 45 days of time for the voter to receive, mark and return the ballot,” Kennedy said. “Of those four, two ballots have already been voted and returned. We will continue to work diligently with the clerks and voters to ensure those remaining ballots get returned on time and are counted.”

Last year, the State of Wisconsin changed its election laws and its Partisan Primary date from September to August to comply with the new federal Military and Overseas Voter Empowerment (MOVE) Act and ensure that these voters have enough time to get their ballots back home to be counted. Federal law requires a minimum of 45 days, and State law now requires 47 days.

Kennedy’s orders to three of the four municipal clerks who transmitted ballots late extended the time period for receiving those ballots until 4 p.m. Monday, November 12, rather than 4 p.m. Friday, November 9. One order extended the deadline for receipt of the completed ballot to 4 p.m. on Thursday, November 15. The Board also ordered municipal and county clerks to cooperate to ensure that ballots returned on time are counted, and to notify the Board when the four ballots are returned.

As of October 22, Wisconsin's military and permanent overseas voters had requested 6,807 absentee ballots, and 1,892 have been returned.

In addition to receiving ballots directly from clerks, many of the military and overseas voters received their ballots online through the G.A.B.'s new My Vote Wisconsin website (<http://myvote.wi.gov>), which was launched in September with the assistance of a \$1.9 million grant from the Department of Defense's Federal Voting Assistance Program (FVAP), noted Nat Robinson, Elections Division administrator.

"This new system ensures that our men and women in the armed services and U.S. citizens living abroad can receive their ballots in time to be marked, returned and counted," Robinson said.

###

The Government Accountability Board (G.A.B.) is responsible for administration and enforcement of campaign finance, elections, ethics and lobbying laws in Wisconsin. The G.A.B. is made up of six non-partisan, former judges and is supported by an agency of non-partisan staff members.