

## **APPOINTING ELECTION INSPECTORS AND BALLOT ACCESS PROCEDURES**

Municipal clerks have the responsibility of providing their governing bodies with lists of election inspector nominees for appointment to the 2018-2019 term. This webinar will address the nomination procedure, including the submission of lists by the county's primary political parties. We will also review ballot access procedures utilizing the filing of nomination papers or the caucus system and answer some common questions about residency requirements for elected officials.

**Wednesday, November 1, 2017**

**10:00 a.m. – 11:00 a.m.**

### **Program Presenters**

Wisconsin Elections Commission Staff

### **Agenda**

- **Training Requirements for the 2018-2019 Term**
- **Appointing Election Inspectors from Lists Submitted by Political Parties**
- **Nomination Paper Review Procedures**
- **Using the Caucus System for Nomination of Candidates**
- **Residency Requirements for Elected Officials**



# WISCONSIN ELECTIONS COMMISSION

212 EAST WASHINGTON AVENUE, 3RD FLOOR  
POST OFFICE BOX 7984  
MADISON, WI 53707-7984  
(608) 261-2028  
ELECTIONS@WI.GOV  
ELECTIONS.WI.GOV



COMMISSIONERS

BEVERLY R. GILL  
JULIE M. GLANCEY  
ANN S. JACOBS  
JODI JENSEN  
VACANCY

MARK L. THOMSEN, CHAIR

ADMINISTRATOR MICHAEL HAAS

**DATE:** September 25, 2017

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

**FROM:** Allison Coakley  
Training Coordinator

**SUBJECT:** Local Election Official Training

The spring elections are right around the corner, so please take a moment to review the following reminders about local election official certification and training requirements. Please contact me if you have any questions: [allison.coakley@wi.gov](mailto:allison.coakley@wi.gov) or (608) 261-2033.

## Training Terms

- For training purposes, municipal clerks are currently in the 2015-2017 term and chief inspectors are currently in the 2016-2017 term. Starting next year, both municipal clerks and chief inspectors will be in the same training term, 2018-2019, 2020-2021, etc.
- Both municipal clerks and chief inspectors must complete at least six hours of election training by December 31, 2017 to recertify for the 2018-2019 term.

## Municipal Clerks

- New municipal clerks are required by state law to take the three-hour Municipal Clerk Core (MCT Core) training class before their first election to be considered certified to conduct elections in the current term. We have customarily offered this class using live webinars presented by Wisconsin Elections Commission staff and in-person training classes conducted by Commission-certified clerk-trainers. A list of current classes and online registration is available on our website: <http://elections.wi.gov/clerks/education-training/schedule>.
- Due to the large number of new municipal clerks this year, we will offer an additional MCT Core training opportunity using a recorded version of the presentation. This training will be posted in the WisVote Learning Center for clerks to review at their convenience before December 31, 2017. The MCT Core presentation will be posted by mid-October and new clerks will be notified when it is available. All clerks who started office after January 1, 2017 were notified of this policy change in an emailed communication in August.
- Municipal clerks must either report their training using the form on our website or enter it directly into WisVote for review and approval: <http://elections.wi.gov/forms/mct-hours-reporting>. A list of approved election training reported by municipal clerks and recorded in WisVote will be posted by early November so clerks can compare their records to ours

and provide an update, correct an error or simply take and report additional training hours before the end of the year.

### Chief Inspectors

- New chief inspectors are required by state law to take the three-hour Baseline Chief Inspector training class before their first election to be certified to conduct elections in the current term. This type of training is also offered using in-person certified clerk-trainers and live webinars conducted by Commission staff.
- Municipal clerks must track the training taken by their chief inspectors and other local election officials.
- Several classes are currently posted and we anticipate new classes will be added after Commission staff has completed the October 12 training session for a new class of certified clerk-trainers. Check the schedule periodically:  
<http://elections.wi.gov/clerks/education-training/schedule>.
- We will be conducting a live Baseline Chief Inspector training webinar for new chief inspectors in January in preparation for the February Primary. This class will be posted well in advance of the scheduled date so clerks can plan accordingly.

### Election Inspectors, Election Registration Officials (EROs):

- December 31, 2017 is the end of the current term of election inspectors (poll workers). At a meeting in December, the municipal governing body is charged with appointing election inspectors for a two-year term which begins January 1, 2018 and ends December 31, 2019.
- State law requires the municipal clerk to provide some type of election training for election inspectors and EROs every two years. State law does not prescribe the length of the training or the curriculum, but does dictate that EROs should be trained in the same manner in which you train your election inspectors.

### 2017-2018 Webinar Series

- We recently posted a new election administration training webinar schedule for the upcoming election cycle, starting with a *New Clerk Orientation* session on October 4:  
<http://elections.wi.gov/node/5196>.
- We also posted a new WisVote webinar training series for self-providers and providers of the WisVote system: <http://elections.wi.gov/node/5250>.
- Training can be taken in any order you like. Recorded presentations from our earlier webinar training series are available for viewing on our website:  
<http://elections.wi.gov/clerks/education-training/webinars>.

## ELECTION OFFICIALS' TRAINING REQUIREMENTS

Election Official	Current term	Required training for <u>new</u> official to be certified to conduct elections for the term.	Required training for <u>new</u> official to be recertified for the next term.	Required training for <u>currently-certified</u> official to recertify for the next term	Next term	Documents to be submitted to the WEC	Required training if certification is lost by required number of hours by the end of the term	Examples of activities that count toward recertification (please visit the WEC website for a complete list)
<b>Municipal Clerk</b>	1/01/15-12/31/17	3-hour municipal clerk core training class by first election	MCT Core plus three hours of election-related training – for a total of six hours - by the end of the term	Six hours of approved election-related training	1/01/18-12/31/19	Recertification reporting form	3-hour MCT Core plus three hours of election-related training by the first election	<ul style="list-style-type: none"> <li>• Baseline Chief Inspector training</li> <li>• WEC staff presentations</li> <li>• WisVote training</li> <li>• Election administration/ WisVote webinar sessions</li> <li>• Training conducted by a county or municipal clerk</li> </ul>
<b>Chief Inspector</b>	1/01/16-12/31/17	3-hour baseline chief inspector training class by first election	CIT Baseline plus three hours of approved election-related training – for a total of six hours - by the end of the term	Six hours of approved election-related training	1/01/18-12/31/19	Agenda for recertification training as administered by clerk and approved by WEC	3-hour CIT Baseline plus three hours of election-related training by the first election	<ul style="list-style-type: none"> <li>• Training conducted by a county or municipal clerk</li> <li>• Webinar election administration sessions</li> <li>• Voting equipment training or pre-election testing (1 hour per 2-year term)</li> </ul>
<b>Regular Election Inspectors EROs SVDs</b>	1/01/16-12/31/17	Clerk is required to conduct some type of election training every two years.	No recertification	No recertification	1/01/18-12/31/19	None	None	<ul style="list-style-type: none"> <li>• Training conducted by a county or municipal clerk</li> <li>• Webinar election administration sessions</li> </ul>



# WISCONSIN ELECTIONS COMMISSION

212 EAST WASHINGTON AVENUE, 3RD FLOOR  
POST OFFICE BOX 7984  
MADISON, WI 53707-7984  
(608) 261-2028  
ELECTIONS@WI.GOV  
ELECTIONS.WI.GOV



COMMISSIONERS

BEVERLY R. GILL  
JULIE M. GLANCEY  
ANN S. JACOBS  
JODI JENSEN  
VACANCY

MARK L. THOMSEN, CHAIR

ADMINISTRATOR MICHAEL HAAS

## MEMORANDUM

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

**FROM:** Michael Haas  
Elections Division Administrator

Diane Lowe  
Lead Elections Specialist

**DATE:** September 7, 2017

**SUBJECT:** Appointment of Election Inspectors from Lists Submitted by Political Parties

December 31, 2017 marks the end of the current term of election inspectors (poll workers). This means that unless your current inspectors are reappointed by your governing body, they will cease to be election inspectors. At a meeting in December, but not later than December 31, 2017, the municipal governing body shall appoint election inspectors for a two-year term which begins January 1, 2018 and ends December 31, 2019. Wis. Stat. § 7.30(4)(a). At the time your governing body makes inspector appointments for the coming term, **all current inspector positions are considered vacant and available for appointment.**

### Submission of Inspector Nominee Lists by Political Parties

No later than November 30, 2017, the two major political parties whose candidates for governor or president at the last general election received the largest number of votes at an *individual polling place* (generally, the Republican and Democratic parties) may submit a certified list of election inspector nominees to the municipal governing body. The party whose candidate received the largest number of votes at each polling place is entitled to one more inspector than the party whose candidate received the next largest number of votes at that polling place. For inspector appointments made this December, the election used to determine the two dominant parties and which party is entitled to the extra poll worker at each polling place is the November 8, 2016 Presidential Election. Wis. Stat. §7.30(2)(a).

**Example:** Five election inspectors are to be placed at a polling place. Donald Trump received the most votes at the polling place in November 2016. The Republican Party may nominate three people and the Democratic Party may nominate two people. The parties are entitled to 3 and 2 inspectors respectively. Each party may submit the names of nominees equal to at least the number of inspectors to which each party is entitled.

In addition to being a qualified elector of the county in which the municipality in which they serve is located, being able to read and write the English language, and otherwise being capable and of good understanding, each party may establish additional criteria that a prospective nominee must meet in order to be included on the list submitted by the party. This may include a requirement to be a member of the party or to belong to an organization affiliated with the party.

Currently, the Republican and Democratic Parties are actively working to assemble and submit lists of election inspector nominees to as many municipalities as possible. You may receive a public records request from one or both parties asking you to provide the names of your current inspectors and their party affiliations. Your list of current inspectors is an open record and subject to open records law. Any current inspectors who were appointed from a party list must have their party affiliation listed by their name. Current inspectors who were not appointed from party lists must be indicated by the word “unaffiliated” by their name. Providing a list of your current inspectors and their party affiliations, if any, may encourage the parties to nominate experienced inspectors.

**No inspector on your list should be listed with a party affiliation unless that inspector was appointed from a party-submitted list.** Do not insist that inspectors who were not nominated by a party disclose their political party leanings to you.

#### Delivery/Transmission of Lists

Wis. Stat. § 7.30(4), provides that the lists are to be submitted to the Mayor, Village President or Town Board Chairperson. (In the City of Milwaukee, the lists are to be submitted to the City of Milwaukee Board of Election Commissioners.) Though not required, the parties have been advised to also provide a copy to the municipal clerk in order to facilitate the process. It is a good practice for the chief elected official to share the list with the Clerk upon receipt. In addition, if the party submits its list to the Clerk’s office, the Clerk should forward it to the chief elected official or notify the party that it is required to do so. Letters have been sent to the Republican and Democratic state parties reminding them of the local parties’ responsibility to submit lists of poll worker nominees. Copies of the letters accompany this correspondence.

The deadline for submission of lists by the Parties is Thursday, November 30, 2017. Lists of inspector nominees may be submitted by personal delivery or electronically (by fax or email) no later than close of business on the deadline. If the list is submitted electronically, the list containing the original signature(s) of the appropriate party affiliate must follow, postmarked no later than the November 30<sup>th</sup> deadline. Wis. Admin. Code EL § 6.04.

#### If Lists are Received from One or Both Parties

When lists of election inspector nominees are submitted by one or both Parties, appointments must be made from the lists submitted by the Party for as long as election inspector positions are available. *Current inspectors may not be reappointed unless their name appears on a party list, the party list is insufficient, or no party list is received.*

If party lists have been timely received, positions must be filled from the lists until the names on those lists have been depleted. The lists may also designate individuals as “first-choice” nominees, who must be appointed if they qualify and so long as positions are available. If the governing body has good cause not to appoint an individual whose name is submitted as a “first-choice” nominee, it may request the WEC authorize non-appointment, and may not decline to appoint such individual until receiving the WEC’s authorization. Wis. Stat. §7.30(4)(e).

#### If Lists are Received but are Insufficient

If a Party’s list is insufficient to fill the positions available for that party’s nominees, the remaining positions are filled without regard to party affiliation (unaffiliated inspectors).

Example: Seven inspectors are to be placed at a polling place. Hillary Clinton received the most votes at the polling place in November 2016. If sufficient lists from both parties were submitted, four names would be appointed from the Democratic list and three names would be appointed from the Republican list. However, in this example there are only *three* names on the Democratic list and no Republican list was submitted. The governing body appoints the three Democratic names and the Mayor, Village President or Town Board Chairperson nominates other qualified individuals, regardless of party affiliation, and submits the names to the governing body for appointment to the remaining four “unaffiliated” positions. If the Republican Party submitted a list with two names in this example, then only two unaffiliated positions would be appointed.

#### If No Lists are Received

If no lists are submitted, the Mayor, Village President or Town Board Chairperson nominates other qualified individuals, regardless of party affiliation, and submits the names to the governing body for appointment. All appointments are made without regard to party affiliation.

While qualified electors of the county may be nominated and appointed, qualified electors of the municipality are to be given preference when the governing body appoints without regard to party affiliation. Wis. Stat. §7.30(4)(c).

Municipalities may require appointed individuals to comply with standard personnel policies and requirements, such as the submission of contact information and documents necessary to process compensation. If you are unsure whether such a requirement adds an impermissible qualification for nominated individuals, you may seek guidance from WEC staff.

Please refer to the Election Official section of the [Election Administration Manual](#) for additional information. If you have questions, please contact the WEC Help Desk at (608) 261-2028, or [elections@wi.gov](mailto:elections@wi.gov). Thank you.



## **FAQs: Appointment of Election Inspectors from Party Lists**

**Q: The clerk memo states their current list of election inspectors is subject to open records law. Is there a specific form or format in which the request for the list is made that will improve the probability of compliance?**

A: The public records law does not mandate the use of any specific form when a request is made. If a municipal clerk does not comply with a request for the list of current election inspectors, the requestor may contact our office or seek compliance under the public records law.

**Q: Is it reasonable to expect the information of current election inspectors provided by clerks to be complete? Such as containing contact information and including all names, whether they are political party appointees or not?**

A: If you request the names of all current election inspectors, you should get the names of everyone who was appointed an inspector in December 2015, whether they were political appointees or not. If there have been appointments since December 2015, those names should appear also and if the appointment came from a party list, the party with which the appointment was affiliated. The public records law states that a public authority shall not provide access to information concerning the home address, email address, or home telephone number of an employee unless the employee authorizes release of such information, so it is possible the list may not contain that contact information.

**Q: How should political party nominees for SVDs and absentee ballot canvassers be submitted to ensure their inclusion in the appointments?**

A: These lists should be separate from the lists of inspectors. Or, if you submit one list, list the nominees under the categories for which you are nominating them. The submission process is the same. Nominees for the board of absentee ballot canvassers must be qualified electors of the municipality but nominees for SVDs may reside in the same county. The party whose candidate for governor or president prevailed at the last general election in the municipality (currently the 2016 Presidential Election) is entitled to the extra canvasser. Wis. Stat. § 7.52(1)(b).

**Q: How will party balance for Election Day EROs who also handle ballots and for specialized poll workers who exclusively process absent ballots at polling sites be handled?**

A: Election-day EROs have one job, which is to register voters. However, the ERO could also be appointed as an alternate inspector (provided the municipality has an ordinance that allows for alternates) who would take over when another inspector takes a break. During that time, he or she is no longer serving as an ERO. When the absent inspector returns, the alternate inspector resumes the duties of the ERO.

“Specialized Poll workers” are simply election inspectors who have been assigned to a particular duty. They are part of the odd number of inspectors assigned to the polling place. Whenever a task is required to be conducted by more than 1 inspector, party imbalance must be considered. If there are 7 polling workers (example: 4 Republicans and 3 Democrats) and 1 Republican and 1 Democrat process absentee ballots, 1 Republican and 1 Democrat handle the

poll lists, that leaves 2 Republicans and 1 Democrat to issue ballots, monitor the voting equipment and register voters—tasks that do not require more than 1 person.

Note: Greeters are not appointed with regard to party affiliation and are not included when counting the number of inspectors.

**Q: With nominees allowed to come from the county of residency, can the same person be nominated on multiple municipal lists?**

A: Yes, and one person can be appointed by more than one municipality. The party representative submitting the list must certify on the list that they have contacted each nominee and that each nominee has agreed to serve as an election official. This means that the nominee must agree to have their name submitted to multiple municipalities.

**Q: Can SVDs and absentee ballot canvassers be nominated from the county of residence as well?**

A: Nominees for a Board of Absentee Ballot Canvassers (BOABC) must be qualified electors of the municipality. Special voting deputies may reside in the same county.

**Q: Since the political parties are allowed to add names to their original lists at any time, will the supplemented names to the original list of nominees be given priority in making assignments for the remaining vacant designated party positions, or for any vacant position, regardless of party affiliation?**

A: Whether an inspector position is considered Republican, Democratic or Unaffiliated is determined at the December meeting of the governing body when appointments are made. If there are insufficient names on the list received on November 30<sup>th</sup> to fill the number of positions to which the party is entitled, the remaining positions are filled by unaffiliated inspectors.

If there is a vacancy in a position that had been filled by a party appointee, the position is filled from any additional names the party may have submitted after November 30<sup>th</sup>. A vacancy in a position that was filled with an unaffiliated inspector due to a lack of names on the original should be filled from the list of additional names submitted by the party, if that will maintain the partisan imbalance. Supplemental lists submitted prior to Nov. 30<sup>th</sup> are treated as part of the original list of nominees. Names submitted after that date are only used to fill vacancies.

**Q: What is the procedure when submitting additional names to a party's original list? To who is the list submitted?**

A: To the same authority to which the original list was submitted. See the chart posted at <http://elections.wi.gov/node/5217>. In the City of Milwaukee, the list must be provided to the Municipal Board of Election Commissioners.

**Q: Is there a difference in procedure when a political party supplements its list before vs. after the initial appointment by the municipal governing body in December?**

A: Supplemental lists submitted prior to Nov. 30<sup>th</sup> are treated as part of the original list of nominees. Names submitted after that date are only used to fill vacancies.

**Q: If some positions remain vacant after the initial appointment by the municipal governing body, will the supplemented names to the political party lists receive priority for assignment by the clerk?**

If a position remains vacant because the party entitled to the position did not submit sufficient names and there were no unaffiliated inspectors to place in the position instead, this leaves the party without representation in that position. Therefore, if the party submits a supplemental list, the list should be used to fill that position.

If due to lack of names on the party list, an unaffiliated inspector was appointed to fill the party position, and the position later became vacant, the supplemental list from the party should be used to fill the position. If there are no more names remaining from the original or supplemental list, the position is again filled with an unaffiliated inspector.

**Q: If all the names on a political party list are to be assigned to positions, what impact does the designation of “first choice nominee” have on the process?**

A: If there are 5 positions to which a party is entitled and the party submits 10 names, the governing body can choose whichever 5 they wish from the list. If first-choice nominees are indicated, the governing body must select those names first.

**Q: If there are more names on a list than “positions available” and the clerk has permission through an ordinance to establish different working hours for different officials, does the clerk have the authority to arbitrarily divide an election official position between all the nominees/appointees from a party list, giving each person “a shift” to work, sometimes for only 1 -2 hours during election day?**

A: The intent of the law that provides for shifts of election inspectors is intended to lessen the hours the inspectors must work, not to give everyone whose name was submitted a chance to work. Most ordinances specify the duration and time of each shift. If shifts are used, each shift should reflect the proper party imbalance if inspectors from each party are available.

**Q: In the letters to the political parties and in the statutes, it states that appointment without regard to party affiliation may be made if not enough names were submitted by the political parties, but the clerk memo states “all appointments are made without regard to party affiliation”. Which is correct?**

A: The statements were intended to be synonymous, in that an appointment made without regard to party affiliation may or may not result in an appointee with a party affiliation. The clearer phrase is that appointments to fill vacancies “may be made without regard to party affiliation.” A vacancy caused by lack of names on the list submitted by November 30<sup>th</sup> should be filled with a name that was added later, if the party is entitled to the position.

**Q: Is there any difference in the process when nominating election officials to municipalities located on Native American Reservations?**

A: No.

**Q: It has been reported that some municipal clerks plan to have training sessions this fall, before election inspectors have been appointed to their positions. How can this happen?**

A: Municipal clerks may conduct training at any time. The current inspectors' terms do not end until December 31<sup>st</sup>. However, the governing body or clerk cannot use non-attendance at a training held before appointment as a reason to not appoint a political party nominee.

**Q: With inspectors being nominated from the county of residence, is there reciprocity in training between municipalities?**

A: A municipal clerk can choose to accept training attended by an inspector while serving in another municipality.

**Q: What is the procedure for addressing problems that may arise during this process?**

A: Document any problems encountered and contact the WEC.

# Appointment of Inspectors from Party Lists and Selection of a Chief Inspector

## I. Determine Party Imbalance at each Polling Place

- A. Party whose candidate for President at the November 8, 2016 election received the most votes *at that polling place* is entitled to one extra inspector.
- B. Determine party imbalance for each polling place in anticipation of receiving lists of inspector nominees from the political parties. Example:
  - Republican candidate for governor received the most votes at the polling place. Seven total inspectors are needed. Positions available:
    - Four Republican positions
    - Three Democratic positions.
- C. Party imbalance at each polling place remains for the duration of the term.
  - 1. Positions determined to be Republican remain Republican positions for the duration of the term.
  - 2. Positions determined to be Democratic remain Democratic positions for the duration of the term.

## II. Receive Lists from Parties (Must be received no later than November 30<sup>th</sup> of an odd-numbered year.) Inspectors may be from the municipality or from the county in which the municipality is located.

- A. Check for “first-choice” nominees. Names with a “first choice” indication must be appointed first. Alert governing body to this requirement.
  - 1. If “first choice” is not indicated, but names are numbered, appointments must be made in order of numbering.
- B. Contact nominees to ensure willingness to serve.
  - 1. Inquire as to willingness to be trained as chief inspector. If any are willing to be trained, arrange for training.
    - a. Provide inspectors with opportunities for training including WEC-conducted Chief Inspector Training (CIT) webinars.
- C. Alert Party in writing of any nominee not willing to serve or be trained as CI.

## III. Appointment of Inspectors by Governing Body (No later than December 31<sup>st</sup>)

- A. Submit lists of party nominees to governing body.
  - 1. Advise governing body of requirement to appoint any first-choice nominees and numbered nominees in order of numbering.
- B. Submit list of unaffiliated nominees, if there are any.
- C. Governing body must appoint at least as many inspectors as there are positions to be filled (see party imbalance determined in 1B.)
  - 1. Additional inspectors may be appointed as alternates or “back up.”

- D. Appointments are made from the party lists until each party's positions have been filled or until the lists are exhausted.
  - 1. If positions remain open and the lists have been exhausted, "unaffiliated" inspectors may be appointed to the remaining positions.
- E. Whether an inspector nominated by a party has been trained or is willing to be trained as a Chief Inspector is not relevant to the appointing process.
- F. Inspectors serve for 2-year term (1/1/2018 – 12/31/2019).

**IV. Clerk Assigns Inspectors to Each Polling Place According to the Party Imbalance at that Polling Place and Selects a Chief Inspector (CI) for Each Polling Place**

- A. If any party-affiliated inspectors are willing to be trained as Chief Inspectors, arrange for them to attend training.
- B. If all positions at the polling place have been filled from party lists, select a trained CI whose name was submitted by a party.

**R R (R) D D            or            R R R (D) D**

- C. If all positions at the polling place have been filled from party lists, **R R D D D** but there are no affiliated inspectors who are trained as chief inspectors or willing to be trained as chief inspectors, select a trained unaffiliated inspector. (Keep the party representation even.)

**R R (U) D D**

If you have mixture of affiliated and unaffiliated inspectors, **R R U U D** choose either a trained affiliated inspector or a trained unaffiliated inspector. If you have to replace an inspector to insert a trained CI, replace an unaffiliated inspector.

**R R (U) U D**

**V. CI from the Municipality vs. CI from the County**

- A. Wis. Stat. §7.30(2)(a) indicates a preference for the CI to be a municipal resident, but offers an exception: "...each chief inspector shall be a qualified elector of the municipality in which the chief inspector serves. *If no qualified candidate for chief inspector is available...the person so appointed need not be a qualified elector of the municipality...*"

**1. First Choice – Affiliated municipal resident**

If there is an affiliated inspector who is a resident of the municipality who is trained or willing to be trained as a CI, arrange for training and use for CI. Maintain party imbalance at the polling place.

**2. Second Choice – Unaffiliated municipal resident**

If no affiliated municipal resident is trained or willing to be trained as a CI, arrange for training of an unaffiliated municipal resident. If this means replacing an affiliated inspector, keep the party representation even.

**R R (U) D D**

**3. Third choice – Affiliated resident of the county**

If there is no affiliated or unaffiliated municipal resident trained or willing to be trained as a CI, arrange for training a willing affiliated inspector who is a resident of the county.

**4. Fourth choice – Unaffiliated county resident**

If there is no municipal resident or affiliated county resident trained or willing to be trained, arrange for training of a willing unaffiliated county resident. If this means replacing an affiliated inspector, keep the party representation even.

**R R (U) D D**

- B. Provide inspectors with opportunities for training including WEC-conducted Chief Inspector Training (CIT) webinars.

**VI. Filling Vacancies**

- A. A party that submitted a list by November 30<sup>th</sup> may supplement the list at any time during the term.
- B. The supplemental list is used only to fill vacancies which exist at the time the supplemental list is submitted or which occur after the list is submitted. The supplemental list is not used to replace an unaffiliated inspector who was originally appointed to one of the positions available to the political party.
- C. When a vacancy occurs, the position is filled from the remaining names on the original party list or a supplemental list of the party who is entitled to that position.
- D. If there are no names remaining on the list submitted by the party that is entitled to that position, and no supplemental names have been submitted by the party, the clerk may appoint an unaffiliated inspector to fill the vacancy.
- E. If an unaffiliated inspector was appointed to fill a vacancy, and the unaffiliated inspector vacates the position, the vacancy is filled from names submitted by the party entitled to that position after the appointment of the unaffiliated inspector
1. If no names have been submitted since the unaffiliated appointment was made, the clerk may fill the vacancy with another unaffiliated inspector.



# NOMINATION PAPER FOR NONPARTISAN OFFICE

Candidate's name (required); no titles may be used. <b>Erin Rogers</b>		Candidate's municipality for voting purposes (required) <input type="checkbox"/> Town <input checked="" type="checkbox"/> Village <input type="checkbox"/> City <b>Ashwaubenon</b> <small>(name of municipality)</small>	
Candidate's residential address (required) No P.O. box addresses Street, fire, or rural route number; box number (if rural route); and name of street or road <b>1014 Dafodil Drive</b>		Election date (required) Do not use primary date. Mo/Day/Year <b>April 3, 2018</b>	
Candidate's mailing address, including municipality for mailing purposes (required if different than residential address or voting municipality)		Type of election (required) <input checked="" type="checkbox"/> spring <input type="checkbox"/> special	
State (required) <b>WI</b>		Zip code <b>54115</b>	
Branch, district or seat number (required if applicable) <input type="checkbox"/> Branch <input type="checkbox"/> District <input type="checkbox"/> Seat		Name of jurisdiction or district in which candidate seeks office (required) <b>Ashwaubenon School District</b>	
<b>School Board member</b>			

I, the undersigned, request that the candidate, whose name and residential address are listed above, be placed on the ballot at the election described above as a candidate so that voters will have the opportunity to vote for  him or  her for the office listed above. I am eligible to vote in the jurisdiction or district in which the candidate named above seeks office. I have not signed the nomination paper of any other candidate for the same office at this election.

The municipality used for mailing purposes, when different than municipality of residence, is not sufficient. The name of the municipality of residence must always be listed.

Signatures of Electors	Printed Name of Electors	Residential Address (No P.O. Box Addresses) Street and Number or Rural Route <small>(Rural address must also include box or fire no.)</small>	Municipality of Residence Check the type and write the name of your municipality for voting purposes.	Date of Signing Mo/Day/Year
	Ronald Smith	21 Easy Street	<input type="checkbox"/> Town <input type="checkbox"/> Village <input checked="" type="checkbox"/> City Green Bay	12/2/2017
	Mary Johnson	179 North St.	<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City G.B.	12/7/17
	Franklin Davis	West Ave	<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City "	12/3/17
	Jan Jaso	10 Franklin Court Apt. 203	<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City	12/3/2017
	Bull Johnson	3012 Oriole Lane	<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City De Pere	12/4/17
	Sally Simmons	42 Yankee Way	<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City Green Bay	12/4/17
	John Wells	21 Pirate Lane	<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City Ashwaubenon	12/5/17
	Ted Thompson		<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City Green Bay	12/5/17
	Robert Robins	14 Brewer Court	<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City Milwaukee	12/5/17
	Erin Rogers		<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City Ashwaubenon	12/6/2017

### CERTIFICATION OF CIRCULATOR

I, Theodore Thompson (Name of circulator) certify: I reside at 101 Main Street, Green Bay (Circulator's residential address - include number, street, and municipality)

I further certify I am either a qualified elector of Wisconsin, or a U.S. citizen, age 18 or older who, if I were a resident of this state, would not be disqualified from voting under Wis. Stat. §6.03. I personally circulated this nomination paper and personally obtained each of the signatures on this paper. I know that the signers are electors of the jurisdiction or district the candidate seeks to represent. I know that each person signed the paper with full knowledge of its content on the date indicated opposite his or her name. I know their respective residences given. I intend to support this candidate. I am aware that falsifying this certification is punishable under Wis. Stat. § 12.13(3)(a).

12/6/2017 (Date) Fred Thompson (Signature of circulator)



# Wisconsin Elections Commission: Nomination Paper Review Guidelines

## Process Overview

- Use a red pen to mark up the petition during the review process.
- Circle any piece of information on the petition page that is missing or problematic.
- Make a red check to the right of the row to indicate a signature should not be counted.
- Make a red question mark (?) to note questionable signatures that have been counted or to note omitted information on signature line where that signature is still able to be counted.
- Write the number of signatures counted on the upper, right-hand corner of each sheet.

## Step 1: Review the Header

**Overview:** The header of each petition page must contain all the required candidate information. If any of the required information is missing, or incorrect, no signatures on that page can be counted.

Required information:

1. Name of candidate
2. Residential address of candidate
  - a. Street number and street name (P.O. box addresses are not acceptable)
  - b. Municipality for voting purposes
  - c. State
3. Type of election
4. Election date
5. Title of office sought
6. Branch, district or seat number of office sought (if applicable)
7. Name of district in which candidate seeks office

Other information:

1. Mailing address (only required if different than residential address or voting municipality)
2. Zip code (may be present but not required)

## Step 2: Review the Certification of Circulator

**Overview:** The Certification of Circulator section is completed after the signatures on that page have been collected. Each petition page must contain all the required circulator information, the circulator's signature and a certification date that is on or

after the latest date of a signer. If any of the required information is missing or incorrect, no signatures on that page may be counted. If missing circulator information can be determined from another section of the petition page, the signatures on that page should be counted. Most often this occurs when a circulator is also the candidate or has signed that page as an eligible elector.

**Residency of Circulator:** The circulator does not need to reside in the district represented by the candidate, nor do they need to be a resident of Wisconsin. All circulators must be otherwise eligible to register to vote in Wisconsin (18 years of age, U.S. citizen, not serving any portion of a sentence for a felony offense). They do not need to be registered to vote in Wisconsin or any other state to circulate nomination papers.

Required information:

1. Name of circulator - Signatures on the page should be counted if the circulator printed their name on the line meant for their signature.
2. Address of circulator
  - a. Street number, street name and municipality - If missing circulator address, including municipality, can be determined from another section of the petition page, the signatures on that page should be counted.
  - b. State and zip code are not required.
3. Date (month/day/year) – All signatures must be dated within the circulation period. No signatures should be counted on a page where any portion of the date is missing.
4. Signature of circulator – Signatures on the page should be counted if the circulator signed on the line that should have the printed name.

### **Step 3: Review the Body of the Petition**

Required information:

1. Signature of elector
  - a. Signature does not need be legible.
  - b. Electors may sign with an “X” or other mark if that is their usual signature.
  - c. Signature does not need to be cursive.
2. Printed name of elector
  - a. A printed name must be present in addition to the signature of the elector.
  - b. If a possible printed name can be determined, the signature should be counted.

- c. If a printed name cannot be determined, the signature should be struck from the petition.
3. Residential Address
- a. Street name and street number or rural route are required.
  - b. Rural address must also include box or fire number.
  - c. P.O. boxes are only allowed if they are listed in addition to the residential address information. Signatures where only a P.O. box has been provided should be counted if the municipality of residence is entirely in the district. Mark with a question mark.
  - d. Ditto marks are allowed if they follow a valid address and the signer is using those marks to indicate they also reside at that address.
  - e. If all or part of the required address information of a signer is missing but residency can be determined by information found in another section of that specific petition page, that signature should be counted. This generally occurs when the signer is also the candidate and/or the circulator and the missing information is in the header or the certification section. Indicate on the petition page where that information is located.
4. Municipality of Residence
- a. Municipality listed must be within the district represented by the candidate.
  - b. Abbreviations are allowed (e.g. “FDL” for Fond Du Lac or “Milw” for Milwaukee).
  - c. Ditto marks are allowed if they follow a valid municipality and the signer is using those marks to indicate they also reside in the municipality.
  - d. The Town/Village/City check box does not need to be checked.
  - e. If the municipality of residence was provided in the Residential Address field, the signature should be counted.
  - f. If the municipality information of a signer is missing but residency can be determined by information found in another section of that specific petition page (most likely in the header or the Certification of Circulator), that signature should be counted. Indicate on the petition page where that information is located.
5. Date of Signing
- a. A complete date includes the month/date/year.
  - b. Date must be within the circulation period.
  - c. Date must be on or before the date the page was certified by the circulator.

- d. Ditto marks are allowed if they follow a valid date and the signer is using those marks to indicate they also signed on the same date. If ditto marks are used for the date of the last signer, the signature can be counted if it follows a valid date.
- e. A missing date can be bracketed ([ ]) if valid and complete dates appear on the line above and the line below the signature line with the missing date.
- f. If the date of the first or last signer is incomplete, it cannot be bracketed, and that signature should not be counted.

#### **Step 4: Count the Signatures**

- 1. Sort the petition by the number of valid signatures on each page before determining the final number of valid signatures.
- 2. Place the pages with 10 counted signatures on top, followed by the pages with 9, etc.
- 3. Use a tally sheet or calculator to determine the number of valid signatures on the petition.
- 4. Determine if the number of valid signatures is sufficient for the office sought. Use the appropriate Ballot Access Checklist to determine the signature threshold for the office sought:
  - a. County Non-partisan Candidates                      ELIS-3
  - b. School District Candidates                              ELIS-5
  - c. Municipal Candidates                                      ELIS-7
  - d. County Partisan Candidates                              ELIS-16
  - e. Multi-jurisdictional Judge Candidates                      ELIS-18

4

**NOMINATION PAPER FOR NONPARTISAN OFFICE**

Candidate's name (required); no titles may be used.  
**Erin Rogers**

Candidate's residential address (required) No P.O. box addresses  
 Street, fire, or rural route number, box number (if rural route), and name of street or road  
**1014 Dafodil Drive**

Candidate's mailing address, including municipality for mailing purposes (required if different than residential address or voting municipality)  
 State (required) Zip code  
**WI 54115**

Candidate's municipality for voting purposes (required)  
 Town **Ashwaubenon**  
 Village  
 City

Election date (required) Do not use primary date.  
 Mo/Day/Year **April 3, 2018**

Title of office (required)  
**School Board member**

Name of jurisdiction or district in which candidate seeks office (required)  
**Ashwaubenon School District**

I, the undersigned, request that the candidate, whose name and residential address are listed above, be placed on the ballot at the election described above as a candidate so that voters will have the opportunity to vote for  him or  her for the office listed above. I am eligible to vote in the jurisdiction or district in which the candidate named above seeks office. I have not signed the nomination paper of any other candidate for the same office at this election.

The municipality used for mailing purposes, when different than municipality of residence, is not sufficient. The name of the municipality of residence must always be listed.

Signatures of Electors	Printed Name of Electors	Residential Address (No P.O. Box Addresses) Street and Number or Rural Route (Rural address must also include box or fire no.)	Municipality of Residence Check the type and write the name of your municipality for voting purposes.	Date of Signing Mo/Day/Year
<i>Erin Rogers</i>	Ronald Smith	21 East Street	<input type="checkbox"/> Town <input type="checkbox"/> Village <input checked="" type="checkbox"/> City <b>Green Bay</b>	12/2/2017
<i>Mary Johnson</i>	Mary Johnson	179 North St.	<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City <b>G.B.</b>	12/7/17
<i>Franklin Davis</i>	Franklin Davis	West Ave	<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City	12/3/17
<i>Jan Jaso</i>	Jan Jaso	10 Franklin Court Apt. 203	<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City	12/3/2017
<i>Bull Johnson</i>		3012 Oriole Lane	<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City <b>De Pere</b>	12/4/17
<i>Sally Simmons</i>	Sally Simmons	42 Yankee Way	<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City <b>Green Bay</b>	12/4/17
<i>John Wells</i>	John Wells	21 Pirate Lane	<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City <b>Ashwaubenon</b>	12/5/17
<i>Ted Thompson</i>	Ted Thompson		<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City <b>Green Bay</b>	12/5/17
<i>Robert Robins</i>	Robert Robins	14 Brewer Court	<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City <b>Milwaukee</b>	12/5/17
<i>Erin Rogers</i>	Erin Rogers		<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City <b>Ashwaubenon</b>	12/6/2017

**CERTIFICATION OF CIRCULATOR**

I, Theodore Thompson (Name of circulator) certify: I reside at 101 Main Street, Green Bay (Circulator's residential address - include number, street, and municipality.)

I further certify I am either a qualified elector of Wisconsin, or a U.S. citizen, age 18 or older who, if I were a resident of this state, would not be disqualified from voting under Wis. Stat. §6.03. I personally circulated this nomination paper and personally obtained each of the signatures on this paper. I know that the signers are electors of the jurisdiction or district the candidate seeks to represent. I know that each person signed the paper with full knowledge of its content on the date indicated opposite his or her name. I know their respective residences given. I intend to support this candidate. I am aware that falsifying this certification is punishable under Wis. Stat. § 12.13(3)(a).

12/6/2017 (Date) *Fred Thompson* (Signature of circulator)



# PROCEDURES FOR NOMINATION OF CANDIDATES BY CAUCUS

For Use by Clerks

Rev. August 2017

**Wisconsin Elections Commission**  
P.O. Box 7984  
Madison, WI 53707-7984

Phone: (608) 261-2028  
FAX: (608) 267-0500  
E-mail: [elections@wi.gov](mailto:elections@wi.gov)  
Website: <http://elections.wi.gov>

## **Introduction**

The caucus is a method that may be used by towns and villages for nominating candidates to be placed on the Spring Election ballot. The caucus is open to the public, but only qualified electors of the municipality may nominate and vote for candidates. A person is not required to be a registered voter in order to participate in the caucus. A caucus cannot be used for nominating candidates for the office of Town Sanitary District Commissioner or Multi-Jurisdictional Municipal Judge. Nomination papers must be used by candidates for these offices.

There is no spring primary for town or village offices when candidates are nominated by caucus. However, there may still be a spring primary held within the town or village for state, county or school district office.

## **Who May Nominate Candidates at a Caucus?**

Only qualified electors of the municipality may nominate and vote for candidates at a caucus. Any person who is a United States citizen, 18 years of age or older, who has resided within the municipality for at least 10 days before the caucus is a qualified elector. The voter list from a previous election or voter information from the MyVote Wisconsin website (<https://myvote.wi.gov/en-us>) may be used as an aid in determining if a person qualified as an elector in the municipality at the last election. Any person whose name does not appear on the voter list or the MyVote Wisconsin website may be asked to provide some type of documentation to establish that the individual is a qualified elector of the municipality. A qualified elector of the municipality may nominate themselves as a candidate for office.

## **When to Hold the Caucus**

Between December 1 and January 1 preceding a spring election, the governing body of a town or village nominating candidates by caucus must decide the date on which the caucus will be held. The caucus must be held between January 2 and January 21. The deadline to hold a caucus is not extended if January 21 falls on a weekend. When possible, preference should be given to having the caucus on January 21. The caucus is not required to be conducted on a Tuesday. [Wis. Stat. § 8.05 \(1\)\(a\)](#).

## **Public Notice of the Caucus**

The municipal clerk must give proper public notice of the caucus. This is accomplished by posting a notice in the clerk's office and by publishing a notice in a newspaper at least 5 days before the date of the caucus. This notice must contain the location, date, and time of the caucus. [Wis. Stat. § 8.05 \(1\)\(b\)](#).

Where a newspaper is not published within the municipality, clerks can meet the publishing requirement by posting the notice of the caucus in at least three locations within the municipality. [Wis. Stat. § 10.05](#). When posting is used, the notices must be placed no later than 5 days before the date of the caucus. The notices must be posted in 3 places within the municipality where they are most likely to be seen by electors, or in one location within the municipality and on the municipalities website.

## **Who Presides at the Caucus?**

The caucus is conducted by the town board chairperson or the village president as long as the chairperson or president is not a candidate at the Spring Election. The municipal clerk serves in an administrative capacity and usually takes the minutes. A sign-in sheet of all attendees is recommended so they can be contacted if the caucus is reconvened. If the chairperson or president is a candidate, he or she must call for an election of officials to conduct the caucus. This can be done either by ballot or acclamation. The electors must also select two tellers to canvass the vote for each office to be nominated at the caucus. [Wis. Stat. § 8.05 \(1\)\(c\)](#).

### **Who is Eligible to be Nominated as a Candidate?**

A candidate for a village office must be a qualified elector and an actual resident of the village at the time of the election. [Wis. Stat. § 61.19](#). A candidate for a town office must be a qualified elector of the town at the time of taking office, except an assessor who is appointed under [Wis. Stat. § 60.307](#). [Wis. Stat. § 60.30\(2\)](#). A candidate does not have to be a qualified elector or resident of the village or town at the time of the caucus. A candidate may be nominated for more than one municipal office. There is no requirement that a candidate be a registered voter in the municipality.

### **Procedures for Nomination**

Nominations are made separately for each office that will appear on the Spring Election ballot. This can be done in one of two ways: by taking nominations from the floor (“acclamation”), or by conducting a vote by secret ballot. The method to be used should be announced by the chairperson before asking for nominations, in case there are objections to using that method to nominate candidates. Incumbents must be nominated at the caucus and follow the same ballot access procedures as any other municipal candidate. Incumbents are not automatically nominated or placed on the ballot.

When nominations are taken from the floor, each nomination must receive a second. After each nomination is made and seconded, the caucus chairperson must ask, “Are there any more nominations?” and if hearing none, must announce, “Nominations are closed.” [Wis. Stat. § 8.05 \(1\)\(d\)](#). The chairperson should ensure that all eligible attendees have the opportunity to nominate a candidate if they wish to do so.

If nominations are made by conducting a secret ballot, the tellers will distribute a piece of paper to each elector, which will serve as a ballot. The electors will be instructed to write in the name of his or her nominee for the office. The ballots will then be collected and tallied by the tellers.

Whichever method is used for making nominations, the names of the persons nominated will be announced by the caucus chairperson. A flip chart or chalkboard may be used to record the names of the nominees. Only those persons nominated will be voted on at the caucus, if voting is necessary.

**For those offices where only one person is to be elected** and only one or two candidates are nominated, there is no need to conduct a vote. If more than two persons have been nominated, a vote must be conducted at the caucus to reduce the number of candidates to two. If a vote is required, the caucus chairperson will announce the names of all candidates. Each elector at the caucus is entitled to **vote for one** candidate. The **two candidates receiving the highest number of votes** are nominated and certified to the municipal clerk by the caucus chairperson and tellers. [Wis. Stat. §§ 8.05 \(1\)\(f\), \(g\), \(h\)](#).

Nominations for the offices of town supervisors elected to unnumbered seats, or nominations for the offices of village trustee should be considered together. If more than twice the number of candidates to be elected is nominated, a vote is conducted to reduce the number of candidates to twice the number of seats to be filled. **Each elector at the caucus is entitled to vote for as many candidates as there are seats to be filled at the election.**

For example, if three village trustees are to be elected, each person can vote for three candidates. The six candidates who receive the most votes at the caucus will be nominated and certified to the municipal clerk by the caucus chairperson and tellers.

## **In Case of a Tie**

If two or more candidates receive an equal number of votes, but not the greatest number of votes, so that only one of the candidates with equal votes may advance to the election, the tie between the candidates with equal votes may be broken either by drawing lots or by conducting another vote. The method by which a tie is broken should be agreed upon at the beginning of the caucus.

## **Notification of Nomination to Candidates**

As soon as the nominated candidates are certified by the chairperson and tellers to the municipal clerk, the clerk is responsible for notifying the candidates, in writing, of their nomination. The clerk must also inform each candidate of the requirements to file a Campaign Registration Statement (ETHCF-1) and a Declaration of Candidacy (EL-162). [Wis. Stat. §§ 8.05 \(1\)\(j\), 8.21, 11.05](#). Candidates for municipal judge must also be informed of the requirement to file a Statement of Economic Interests with the Wisconsin Ethics Commission. [Wis. Stat. §§ 8.05 \(1\)\(j\), 19.43\(4\)](#). A copy of the Campaign Registration Statement (ETHCF-1) and the Declaration of Candidacy (EL-162) should be provided by the clerk to each nominated candidate. Forms are available on the agency website: <http://elections.wi.gov/forms>.

If any of the nominated candidates are present at the caucus, the municipal clerk can provide them with a written notice, the Campaign Registration Statement (ETHCF-1), and the Declaration of Candidacy (EL-162). Because the candidates are to receive a notification of nomination in writing, it is suggested that the clerk prepare a notification form that can be completed at the caucus with the name of the candidate and the office to which he or she was nominated. The clerk should also prepare a receipt that can be dated and signed by the candidate stating that he or she received a written notice of nomination at the caucus. A sample Notification of Nomination and a sample Receipt of Notification of Nomination can be found at the end of this booklet.

If a candidate is not present at the caucus, the written notification, the Campaign Registration Statement (ETHCF-1) and the Declaration of Candidacy (EL-162) should be delivered to the candidate as soon as possible. Delivery can be made in person or by mail. If the written notification is delivered in person, the clerk should use a prepared receipt that can be dated and signed by the candidate. If the notification is mailed, it should be sent by certified mail. Certified mail will provide the clerk with a receipt showing the date that the notification was received by the candidate.

*It is important to have a receipt.* If the notification is *personally delivered*, the candidate has 5 days after the date personal delivery is made to file the necessary forms with the clerk. The 5-day period begins the day after the date indicated on the receipt.

If the notification is *mailed*, the candidate has 5 days after the date the notification was received by the candidate to file the necessary forms with the clerk. The 5-day period begins the day after the date on which the notification was received by the candidate (as indicated on the certified mail receipt). If the 5<sup>th</sup> day falls on a Saturday, a Sunday or a holiday, the deadline is 5:00 p.m. on the next business day.

## **Notification of Noncandidacy**

An incumbent may voluntarily file a Notification of Noncandidacy to put everyone, especially the clerk, on notice that he or she does not intend to be a candidate at the upcoming spring election. For this reason, the municipal clerk may want to send the Notification of Noncandidacy form to all incumbent officeholders whose term of office is up at the next election. However, the candidate is not required to complete and file the Notification of Noncandidacy, and neither the filing, nor the non-filing has any legal effect.

Because a Notice of Noncandidacy is of no effect in caucus procedures, **if an incumbent is not nominated at the caucus**, no 72 hour extension will apply even if the incumbent did not file a Notice of Noncandidacy.

If an **incumbent nominated at the caucus** fails to return the completed Campaign Registration Statement (ETHCF-1) and Declaration of Candidacy (EL-162) within 5 days after receiving written notification by personal delivery, or within 5 days after the date written notification was received by the candidate, the deadline for filing the forms by other candidates nominated at the caucus for that office will be extended an additional 3 days. The extension applies whether or not the incumbent has filed a Notification of Noncandidacy. **The 3-day extension does not apply to the incumbent.** [Wis. Stat. § 8.05\(1\)\(j\).](#)

### **Qualifications for Ballot Placement of Candidates**

In order to qualify for ballot placement, each candidate nominated at the caucus is required to complete and file the two forms listed below. The candidate must file these forms with the municipal clerk no later than 5:00 p.m. on the 5<sup>th</sup> day after receiving written notification that he or she has been nominated for office. (See previous section.) The municipal clerk or someone appointed by the clerk must be available until 5:00 p.m. on the 5<sup>th</sup> day following the candidate's receipt of the written notice.

- ❑ Campaign Registration Statement (ETHCF-1)
- ❑ Declaration of Candidacy (EL-162)

A candidate for municipal judge must also file a Statement of Economic Interests with the Wisconsin Ethics Commission no later than 4:30 p.m. on the 5<sup>th</sup> day after receiving written notification that he or she has been nominated. This form may be obtained from the Wisconsin Ethics Commission, 212 E. Washington Avenue, 3<sup>rd</sup> Floor, Madison, WI 53707-7984, (608) 261-2028, <http://ethics.wi.gov>.

If a candidate fails to file any of the required forms within 5 days after receipt of written notification, the candidate does not qualify for ballot placement and the clerk cannot place the candidate's name on the ballot. [Wis. Stat §§ 8.05 \(1\)\(j\), 8.21, 8.30\(2\), \(3\)](#). When a candidate fails to file the required forms on time, the clerk should treat that failure as a declination of nomination. If no candidates for an office qualify for ballot placement, the ballot will contain only a space for a write-in candidate. Clerks are encouraged to remind candidates of the filing requirement as the deadline approaches to avoid allegations that the requirements were not clear.

### **Selecting Order of Candidates on the Ballot**

No later than the end of the third day following the qualification of candidates, the municipal clerk must conduct a drawing of lots for each office to determine the order in which the candidates' names will be placed on the Spring Election ballot. [Wis. Stat. § 8.05 \(1\)\(j\)](#). The drawing of candidate order does not require a public meeting notice. Candidates may attend, but the clerk is not required to notify or invite them to the drawing. Municipal clerks are advised to document the drawing of ballot order in writing and to not conduct the drawing alone.

### **Reconvening the Caucus**

The town board chairperson or the village president may reconvene the caucus to correct a procedural error. The caucus can also be reconvened to nominate a candidate for a position for which no candidate was nominated at the original caucus, or when no candidate nominated at the original caucus qualifies for a position. The reconvened caucus must be held within 10 days of the date of the original caucus, and public notice must be given in the same manner as notice of the original caucus. [Wis. Stat. § 8.05](#)

(1)(k). The reconvened caucus may be held after January 21<sup>st</sup>, as long as that day is within 10 days of the original caucus and proper notice has been given. The only office(s) addressed at a reconvened caucus are those where a procedural error occurred or where there were no nominations. The clerk shall notify the attendees of the original caucus to inform them if the caucus is reconvened. For further information, contact an elections specialist at the Wisconsin Elections Commission at (608) 261-2028 or [elections@wi.gov](mailto:elections@wi.gov).

### **Wisconsin Elections Commission**

P.O. Box 7984  
Madison, WI 53707-7984  
(608) 261-2028  
FAX: (608) 267-0500  
[elections@wi.gov](mailto:elections@wi.gov)  
<http://elections.wi.gov>

### **Frequently Asked Questions**

1. Does Wisconsin's photo ID law apply to caucus procedures?  
No. The attendee may need to provide some type of documentation that proves he or she is a qualified elector of the municipality in order to nominate candidates.
2. Can members of the governing body nominate candidates?  
Yes, any qualified elector of the municipality may nominate candidates at the caucus.
3. Can a person who was nominated at the caucus but not selected run as a registered write-in candidate?  
Yes. Any qualified elector can run as a registered write-in candidate.
4. If a candidate fails to submit the required documents by the deadline, can a person who was nominated but not selected be chosen as a replacement?  
Not automatically. The caucus would have to be reconvened to take nominations for that office.
5. What is a teller?  
A teller is a person selected at the caucus to count the votes if necessary.
6. What if the clerk is not available on the deadline to receive the ballot documentation through 5:00 p.m. on the 5<sup>th</sup> day?  
The clerk should appoint someone to be available through the deadline.
7. What if the municipal clerk is on the ballot?  
The municipal clerk can be present at the caucus and nominate candidates. The clerk's duties at the caucus are only administrative.
8. Is the clerk required to notify candidates that their name will not be on the ballot due to not submitting the required documentation by the filing deadline?  
No, but it's recommended that the clerk inform candidates if they fail to qualify for ballot status.

**S A M P L E**

**NOTICE OF NOMINATION AT CAUCUS**

I, \_\_\_\_\_, clerk of the (Town or Village)  
*(insert name of town or village clerk)*

of \_\_\_\_\_, certify that \_\_\_\_\_  
*(insert name of town or village)* *(insert name of nominee)*

was nominated for the office of \_\_\_\_\_,  
*(insert name of office and district or number, if any)*

at the caucus held on \_\_\_\_\_.  
*(insert date of caucus)*

A Campaign Registration Statement (ETHCF-1) and a Declaration of Candidacy (EL-162) are enclosed with this notification. These forms must be completed by the nominee and returned to the clerk's office within five days of receipt of this written notification.

Date \_\_\_\_\_  
*(insert date of issuing notice)*

\_\_\_\_\_  
*(Signature of Town or Village Clerk)*

S A M P L E

RECEIPT OF NOTICE OF NOMINATION

Written notice of nomination at the caucus was received by me on

\_\_\_\_\_  
*(insert date of receipt)*

I understand that my name will appear on the ballot **only if** the Campaign Registration Statement (ETHCF-1) and Declaration of Candidacy (EL-162) forms, enclosed with this notice, are completed by me and filed with the municipal clerk by

5:00 p.m. on \_\_\_\_\_.  
*(insert date of filing - 5 days after this receipt)*

\_\_\_\_\_  
(Signature of Nominee)

## **Wisconsin Candidate Eligibility**

### **Candidate, age, residency, and special requirements**

**United States Senator**: 30 year of age, a citizen of the United States for 9 years and an inhabitant of the state at the time of the election. Article I, Section 3, U.S. Constitution.

**Representative in Congress**: 25 years of age, a citizen of the United States for 7 years and an inhabitant of the state at time of election. Article I, Section 2, U. S. Constitution.  
(Representative need not be a resident at the time he/she files nomination papers and executes declaration of candidacy. 61 Atty. Gen. 155).

**Governor and Lieutenant Governor**<sup>†</sup>: A qualified elector\* of the state at the time of taking office. Article V, Section 2, Wis. Constitution.

**Attorney General**: A qualified elector\* of the state at the time of taking office.

**State Representative Office**<sup>†</sup>: A resident for one year within the state and a qualified elector\* of the district at the time of taking office. Article IV, Section 6, Wis. Constitution. 65 Atty. Gen. 165.

**Supreme Court Justice**<sup>†</sup>: Licensed to practice law in Wisconsin for 5 years immediately prior to the election and a qualified elector\* of the state at time of election. Article VII, Sections 10, 24, Wis. Constitution.

**Court of Appeals Judge**<sup>†</sup>: Licensed to practice law in Wisconsin for 5 years immediately prior to the election and a qualified elector\* of the appeals court district at the time of election. Article VII, Sections 10, 24, Wis. Constitution.

**Circuit Court Judge**<sup>†</sup>: Licensed to practice law in Wisconsin for 5 years immediately prior to the election and a qualified elector\* of the circuit at the time of election. Article VII, Sections 7, 10, 24, Wis. Constitution.

**District Attorney**<sup>†</sup>: Licensed to practice law in Wisconsin and a resident of the prosecutorial unit (county) at the time of taking office. Wis. Stat. § 978.02.

**County Supervisor (including Milwaukee)**<sup>†</sup>: Resident and qualified elector\* of district at the time of filing nomination papers. Wis. Stat. § 59.20(1).

**Other County Office**<sup>†</sup>: A qualified elector\* of the county at the time of filing nomination papers. Wis. Stat. § 59.20(1).

**Aldersperson (including Milwaukee)**<sup>†</sup>: A qualified elector\* of the city and, if aldermanic district, a qualified elector\* of the district and actually residing in the district at the time of election. Wis. Stat. §.62.09(2)(a).

**Other City Office (including Milwaukee)**<sup>†</sup>: A qualified elector\* of the city and an actual resident of the city at the time of election. Wis. Stat. § 62.09(2)(a).

**Village office**<sup>†</sup>: A qualified elector\* and an actual resident of the village at the time of election. Wis. Stat. § 61.19.

**Town Office**<sup>†</sup>: A qualified elector\* of the town at the time of taking office, except an assessor who is appointed under Wis. Stat. § 60.307. Wis. Stat. § 60.30(2).

**School Board Member (At-Large)**<sup>†</sup>: A qualified elector\* of the school district at the time of filing a Declaration of Candidacy. Wis. Stat. §§ 120.06(2), (6)(b)2.

**School Board Member Representing an Apportioned Area**<sup>†</sup>: A qualified elector\* of the school district at the time of filing a Declaration of Candidacy and a resident of the apportioned area at the time of taking office (4<sup>th</sup> Monday in April). Wis. Stat. §§ 120.05(1)(d), 120.06(2), (4).

<sup>†</sup>No person may hold any state or local elected office in Wisconsin if the person has been convicted of a felony in any court in the United States unless the person has been pardoned of the conviction. No person may have his/her name placed on the ballot for any state or local elected office in Wisconsin if the person has been convicted of a felony in any court in the United States unless the person has been pardoned of the conviction. Article XIII, Section 3 (2), (3), Wis. Constitution.

\*Qualified elector is defined in Wis. Stat. § 6.02, as a U.S. citizen, 18 years of age or older, who has resided in the election district for at least 10 consecutive days before any election at which he or she offers to vote (and who is not disqualified by virtue of one or more of the impediments described in Wis. Stat. § 6.03).

### **Terms-Federal Offices**

The terms of the President and Vice-President begin and end at noon on the 20<sup>th</sup> day of January. The terms of U.S. Senators and Representatives in Congress begin and end at noon on the 3<sup>rd</sup> day of January. Article XX, Section 1, U.S. Constitution.

### **Terms-State Offices**

State Senator, Representative to the Assembly, District Attorney, and County Offices.

The terms for these offices begin and end on the first Monday of January. Article XIII, Section 1, Wisconsin Constitution

State Superintendent of Public Instruction.

The term for this office begins and ends on the first Monday in July. Article X, Section 1, Wisconsin Constitution.

Supreme Court – August 1 Article VII, Sec. 4 Wisconsin Constitution

(Last revised September 2017)