



# Wisconsin Elections Commission

## Canvass

January 24, 2018

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### Agenda

<ul style="list-style-type: none"> <li>▶ Purpose of the Canvass</li> <li>▶ Duties of the Municipal Clerk</li> <li>▶ Municipal Board of Canvassers (MBOC)               <ul style="list-style-type: none"> <li>○ Purpose and Members</li> <li>○ Timeline</li> <li>○ Canvass Report (EL-106)</li> <li>○ Tabular Statement</li> <li>○ Verify Tamper-Evident Seals</li> <li>○ Processing Provisional Ballots (EL-106P)</li> <li>○ Routing Materials</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▶ Reporting and Posting Election Night Results</li> <li>▶ Delivery of Election Materials to County Clerk</li> <li>▶ County Board of Canvassers (BOC)               <ul style="list-style-type: none"> <li>○ Purpose, Members &amp; Timeline</li> <li>○ Process of Conducting the Canvass</li> <li>○ Proofing Procedures</li> <li>○ Provide Canvass Results to WEC</li> <li>○ Mistakes in County Canvass</li> <li>○ Canvass Issues Identified During 2016 Recount</li> </ul> </li> </ul>
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### Purpose of the Canvass

- The purpose of the canvass process is to review and certify the results of primaries and elections and to make the official determination of the outcome of state, county or local election events.
- The canvass process should be designed to identify incorrect vote totals and correct those results before certification
- Results should be proofed before submission so that errors can be identified and corrected before certification.
- Recounts should not be the mechanism where election results are corrected!

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### Duties of the Municipal Clerk

- ▶ Publish a 24-hour open meeting notice and notify the MBOC of the time and location of the meeting
  
- ▶ Publish a 24-hour open meeting notice for the meeting of the Local Board of Canvassers (LBOC) to perform certain duties, such as reconciling poll lists and counting votes

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### Duties of the Municipal Clerk

- ▶ Provide MBOC with all necessary materials
- ▶ Enter provisional ballot information into the Provisional Ballot Tracking System (or deliver to WisVote provider)
- ▶ Post the number of provisional ballots on the Internet
- ▶ Take minutes of the MBOC meeting or delegate this duty
- ▶ Transmit the EL-123r to the clerks of any affected level of government
- ▶ After the 4 pm Friday deadline, transmit the final EL-123r forms to the clerks of any other affected level of government

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### Municipal Board of Canvassers (MBOC)

- ▶ Election results are not complete until certified by the Board of Canvassers
- ▶ Required only for municipal offices or referenda
- ▶ Municipalities with only one reporting unit
  - Election inspectors constitute the Board of Canvassers
- ▶ Municipalities with more than one reporting unit
  - Municipal clerk and two other qualified electors of the municipality appointed by the clerk



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### Timeline of the MBOC

- ▶ Municipalities where the election inspectors comprise the MBOC
  - When municipal offices and/or municipal referenda are on the ballot, must conduct the canvass on election night
  - Inspectors must reconvene as the MBOC no later than 9 am the Monday following the election to process any provisional ballots
- ▶ Municipalities where the clerk and two others comprise the MBOC
  - When the clerk and two other electors appointed by the clerk serve as the MBOC, the canvass must begin no earlier than the time that the MBOC receives all returns from all polling places on election night and no later than 9 am the Monday following the election

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### Canvass Report

- ▶ The MBOC must complete the Canvass Report (EL-106)
- ▶ Tabular Statement
  - Lists all votes received by each municipal reporting unit for a particular office
- ▶ Summary Statement
  - List vote totals cast for each office
- ▶ Certification Statement
  - Signed by the MBOC that all canvass documents are true and correct




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### EL-106

**Tabular Statement of Votes Cast**

\_\_\_\_\_, WI  
(insert municipality and county; if county canvass insert county only)

(type of election) \_\_\_\_\_ Election - \_\_\_\_\_ (date of election)

(For County Use Only)

For a Partisan Primary, insert political party \_\_\_\_\_

Office:		
Reporting Units:	Candidates:	Scattering <small>(for Counties only)</small>

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### Verify Tamper-Evident Seals

- ▶ The MBOC shall verify that the tamper-evident serial numbers from the voting equipment have been recorded on the Inspectors' Statement (EL-104)
- ▶ Members to verify five (5) Inspectors' Statements or 10% (whichever is greater) of the total statements that have been initialed by the Chief Election Inspector.
- ▶ Noted in minutes

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### Processing Provisional Ballots

- ▶ The MBOC must meet to tally any provisional ballots
  - This must occur no later than 9:00 a.m. the Monday following the election, but may begin as soon as all outstanding provisional ballots are accounted for.
  - If there are no outstanding provisional ballots, the MBOC proceeds normally to certify tallies or canvass as required.
  - The MBOC does not need to reconvene if the clerk certifies that no provisional ballots were received from the time of the initial canvass and 4 pm the Friday after the election.
- ▶ Municipalities with only one reporting unit may use a "mini-MBOC" to tally provisional ballots
  - This mini-MBOC consists of the clerk, chief inspector and one other inspector
- ▶ A Canvassers' Statement is NOT required unless you are determining local offices

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### EL-106P

**STATEMENT OF THE MUNICIPAL CLERK  
IF NO PROVISIONAL BALLOTS WERE REHABILITATED BETWEEN 6 P.M.  
ELECTION NIGHT AND 4 P.M. ON THE FRIDAY AFTER THE ELECTION**

Reconciliation of Provisional Ballots Processed

(Date of Primary or Election) \_\_\_\_\_ Reporting Unit: \_\_\_\_\_ (If multiple Reporting Units)

No provisional ballots were rehabilitated. Election night results stand.

**\*CERTIFICATION OF MUNICIPAL CLERK**

I, the undersigned, certify that I am the Municipal Clerk for \_\_\_\_\_

I certify that no provisional ballots were rehabilitated after the close of the polls and before 4 p.m. on the Friday after the election. I further certify that the results of the municipal election certified on Election Night by the Municipal Board of Canvassers are the official election results.

\_\_\_\_\_, Clerk (Date)

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## Routing Materials



Materials should be separated as follows:

### Municipal Clerk

- Municipal Ballots
- Tally Sheet original and copy of voting machine tape, if any
- Record of Activity (EL-104P)
- Absentee Ballot Log (EL-124)
- Provisional Ballot Reporting Form (EL-123r)
- Statement of the MBOC (EL-106P)
- Statement of the Municipal Board of Canvassers (EL-106), if required.

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## Routing Materials (con't)

### School District Clerk

- School District Ballots (if separate ballots)
- Tally Sheet original of any school district offices and copy of voting machine tape, if any
- Certified copy of the Inspectors' Statement (EL-104)
- Copy of the Provisional Ballot Reporting Form (EL-123r)
- Copy of the Absentee Ballot Log (EL-124)
- Certified copy of the signed poll list

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## Routing Materials (con't)

### County Clerk

- Ballot Containers with all federal, state, county and tech college ballots
- Cured Provisional ballots sealed in a separate container
- Election night provisional ballots resealed in the original ballot bag
- Rejected Absentee Ballots Envelope (EL-102)
- The Used Absentee Certificates Envelopes Envelope (EL-103)
- The Used Provisional Certificate Envelope
- Original tally sheet of federal, state, county and tech college offices and/or referenda and one copy of the voting machine tape, if any
- Certified copy of the Record of Activity (EL-104P)
- Copy of the Provisional Ballot Reporting Form (EL-123r)
- Copy of the Absentee Ballot Log (EL-124)
- Certified copy of the Statement of the MBOC (EL-106P)

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### Reporting and Posting Election Night Unofficial Results

- ▶ The county clerk's office must remain open to receive and post results on election night
- ▶ The county clerk should develop and document procedures for making results public
- ▶ Election results must be posted on the county website by reporting unit
- ▶ Other suggestions for making results public
  - Posted outside of office or in media area using tally sheets, machine tapes, etc.

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### Delivery of Election Materials to the County Clerk

- ▶ The municipal clerk ensures that materials are delivered to the county clerk no later than 4 pm the day following the election.
  - Municipal Returns Checklist sample
- ▶ Before the canvass meeting, sort materials, examine for completeness and flag any errors
- ▶ If any returns are so informal or defective that the board will not be able to intelligently canvass them, direct the municipality to remedy defects

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### County Board of Canvassers (BOC)

- ▶ The BOC certifies the results of primaries and elections for federal, state, county offices and referenda
- ▶ The BOC makes the official determination of the outcome of county election events
- ▶ The BOC is composed of the county clerk and two qualified electors of the county appointed by the clerk
- ▶ The BOC shall meet not later than 9 a.m. on the Tuesday following each election to publicly examine the election returns

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### Process of Conducting the Canvass

1. Ensure that all materials are present and assign tasks to BOC and county staff
2. Review the poll list (#voters vs #votes)
3. Proof data against original results
4. Review Write-In Votes
5. Review Inspectors' Statements, electronic vote records and tally sheets
6. Consider Provisional Ballots
7. Complete the Canvass Statement
8. Delivery of the County Canvass



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### Proofing Procedures

- ▶ Review the undervote rate for top of the ballot and high profile contests (should be less than .5%)
- ▶ Compare vote totals down ballot to see if any vote total anomalies exist
- ▶ Ensure that votes for write-in candidates, where applicable, have been tallied and reported
- ▶ If the BOC identifies an error in a municipal canvass, they can contact the clerk or the poll workers for that municipality for explanation
- ▶ Review Inspectors' Statements, results tapes and tally sheets for accuracy

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### Provide Canvass Results to WEC

- ▶ Enter votes in the Canvass Reporting System and proof them before certifying!
- ▶ Typos and errors erode public trust in the process and should be avoided
- ▶ Ensure that votes for third-party candidates and write-in candidates (where appropriate) are included in the results
- ▶ Modernized Canvass Reporting System will be launched in 2018 and will be incorporated into WisVote

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### Mistakes in County Canvass

- ▶ The BOC may petition the Wisconsin Elections Commission to reopen and correct the canvass
- ▶ The petition must be received prior to the close of business on the day the WEC receives the last BOC return from that district or jurisdiction
- ▶ The WEC may direct the canvass to be reopened if it's in the public interest to do so

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### Canvass Issues Identified During the 2016 Recount

- ▶ Significant typos in results certified in CRS - upwards of 400 votes in some cases
- ▶ Canvass certified with double-counted votes in one ward
- ▶ Voting equipment not recognizing valid marks on absents ballots (high undervote rates)
- ▶ Canvass results certified from incorrect tally sheets (candidate votes transposed, totals incomplete or incorrect)
- ▶ Canvass certified without votes for third party candidates and registered write-ins

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## Thank You!

Questions?

Email: [elections@wi.gov](mailto:elections@wi.gov)

Elections Helpdesk: 608-261-2028

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