

FAQs: What's New for the 2015 Elections?

Q: Hi, I submitted my report for training last week. In completing the form online, I could only access the first page and could only list 6 hours of training, the requirement. I have completed more than the 6 required hours, I have completed 41 hours of training.

A: You only need to report a minimum of six hours of election training to recertify for the 2015-2016 term. It's up to you if you want to report more training hours by submitting another form.

Q: Hi, For the Feb. 2012 election and for a period of time prior to the Nov. 2014 election, we had to obtain photo ID for voters. Are we responsible for saving these documents/making a record of these documents in case the photo ID law is reinstated? If we are required to document this, what information must be retained... name, address, expiration date?

A: Yes, you retain the copy of the identification and keep it with the voter registration form or in another designated file.

Q: We had problems with determining whether a document presented by a voter for voter registration on Election Day. Could you outline the questions an election inspector needs to ask themselves to determine whether a particular document meets the standards? If we understood the reasoning behind the acceptance of some forms of proof of residence and not accepting some forms, it would help. Proof of insurance... homeowners and vehicular insurance posed a problem. These are unacceptable because a landlord could hold the insurance on the home and a parent could hold the insurance on a vehicle for their son and both of the above would not be tied to the residence of the payer of the insurance policies. Correct?

A: First, they should check the list of acceptable forms of proof of residence. If the form is determined to be an acceptable form of POR, the election inspector needs to confirm that it lists the voter's full name and residential address. If there is an account number on the POR, it should be listed on the registration form with the type of POR and the issuing entity.

Proof of insurance is not acceptable POR even if it had the voter's name and address on it. It is not on the list of acceptable forms. And proof of insurance is not issued by a unit of government, so it does not fall under "document issued by a unit of government..." The list of acceptable forms of POR is set statutorily by the state legislature.

Q: So, if a voter presented their acceptable photo voter ID when it was required, and the clerk noted that it was noted, does the clerk's documentation of this meet the future requirement? We don't have a copy of the record.

A: If they provided a copy of their proof of identification with their absentee ballot by mail request, you are required to retain a copy because they don't have to show it to you again unless they change their name and/or address. Anyone voting in-person absentee or at the polls on Election Day has to show proof of identification every time they vote, so retaining a copy is not required.

Q: In-person voter registration accepted for 18-year who could barely sign their name. The father, the guardian, signed as the assistant for the registration and for the in-person absentee voting. The Deputy Clerk, who processed this, felt very uncomfortable. She did not believe that the 18-year new voter could understand any of the registration form or ballot content. We have been trained that we are not to serve as judges of mental competency. Who is to determine this?

A: Incompetency to vote can only be adjudicated by a court of law, so you are correct that clerks and election inspectors may not determine this voter is incompetent to vote.

Q: Are clerks supposed to verify each address using a phone book, utility program, etc.?

A: No, you not required to verify, but may do so if you wish.

Q: Are you saying the POR has to be original?

A: POR can be a copy when presented by mail or in person.

Q: Can the clerk assign another person in their office to receive the Non-Can papers if the clerk is not available Dec. 26?

A: Yes.

Q: If you want the name as it is on the driver's license, shouldn't that be stated on the voter registration form?

A: It is stated in section 2 of the instructions on the reverse of the GAB-131.

Q: What is the form number for the new nomination form?

A: GAB-169 (Nonpartisan Office).

Q: Just to be clear, nomination papers are for municipalities that do not have caucus, correct?

A: Correct.

Q: Is there a G.A.B. form for Receipt of Notice of Nomination? I have looked on the G.A.B. website and cannot find one.

A: The [Nomination Paper Receipt \(GAB-151\)](#) you would give to candidates who file nomination papers is available on the GAB website in the forms section. The Notice of Nomination at Caucus and Receipt of Notice of Nomination do not have form numbers, but can be found at the end of the [Caucus Procedures Manual](#).

Q: If we have met the 6.0 hours requirement, should we still report all of the other classes that we have taken?

A: You don't have to; once you have reported a minimum of six hours of approved election training you have recertified for the 2015-2016 term.

Q: Does the circulator have to be the candidate or can it be a representative of them, and how does that play out practically on the bottom of the nomination papers as far as signatures?

A: The circulator can be the candidate or a representative of the candidate. The circulator does not need to be a resident of the district, but must be otherwise qualified to vote. The circulator is required to provide their name, address (including municipality of residence), date, and signature at the bottom. The only time it matters that the candidate is also the circulator is if the circulator omits address information, as that may then be inferred from the candidate address information in the header.

Q: If we know of individuals who we know no longer live in the Town but are on the poll list, what should we do if we are a Relier? Thanks.

A: It is very difficult to say with certainty that a person does not live in your municipality as residence can be preserved through intent to return. However, if you are sure that the person does not live at the address they are registered at, you can handle it several ways:

- (1) If you have reliable information that the person has moved to a new address outside the municipality, you can send them a 1st class letter stating the source of your information and that you will be cancelling their voter registration in your municipality in 30 days based on that information.
- (2) If you have a reasonable basis to believe the voter no longer resides at the address indicated on their voter registration form, you can have your election inspectors challenge the ballot on Election Day. This challenged ballot will still be counted, but will be marked and preserved in the event of a recount where the person's residence can be examined more thoroughly.
- (3) If a person has evidence beyond a reasonable doubt that the person does not qualify to vote in your municipality, any registered elector of the municipality may challenge the person's registration before Election Day by submitting to the clerk an affidavit stating that the elector is not qualified and setting forth the reasons therefor. The clerk is then required to notify the challenged elector and schedule a meeting within one week of the notification. At the meeting, the clerk shall hear both sides and if the clerk believes the challenger has shown that the challenged elector is not qualified beyond a reasonable doubt, the clerk may cancel the challenged elector's registration.

Q: Can we begin receiving GAB-121 forms for the 2015 election year now, or do they need to wait until after January 1st?

A: You can receive them, but they have to indicate that they are for elections in 2015 either by specific election, or indicating calendar year 2015.

Q: How long do we need to keep Voter Registrations we receive by mail without POR?

A: 90 days after a nonfederal election; 22 months for a federal election.

Q: So the time and place doesn't need to be part of the Type D?

A: It's on the Type D Notice as your polling place information.

Q: Someone I know asked me what they could use as Proof of Residence - having moved over 6 months ago to another municipality. After discussing the options they had, they opted for

their Certificate of Registration on their vehicle; it has the date it is registered, as well as their current address. They were turned away, saying it was not a valid document. Is this a valid document?

A: Yes, a certificate of registration is issued by the WI Department of Transportation, which is a unit of government.

Q: When will address verification cards for the November election be mailed by the G.A.B.?

A: They are sent out on a weekly basis as you or your provider enters voter registrations.

Q: Do we have to retain Voter Registration forms received without POR now that the November election is over?

A: 22 months for a federal election.

Q: If I say by appointment even between 8 a.m. and 5 p.m., can I say I can't make an appointment at 4 p.m. if per chance I happen to have a doctor's appointment come up on that day?

A: If you say you are available between those hours by appointment, you are expected to be available during those hours.

Q: Our County publishes the Type D for the municipalities. So the only time that we need to add the blurb about the MBOC convening is when there is a local/municipal race; otherwise, we just need to add the local board of canvass piece, correct?

A: Correct.

Q: So permanent absentee voters who provided photo ID voluntarily or who voluntarily submitted it with their absentee ballots - we don't have to retain those photo IDs, correct?

A: Indefinitely confined voters who voluntarily provided ID with their absentee request should have that copy of ID preserved in the event that at some point in the future they are no longer qualified as indefinitely confined and would need to provide ID.

Q: So should indefinitely confined absentee voters who voluntarily provided photo IDs be checked in SVRS as having provided it?

A: Yes.

Q: Comment - you might want to review the military instructions on My Vote WI - military voters are returning their ballots sealed up inside unmarked envelopes with the certification page inside with the ballot - instead of leaving the certification page outside of the absentee ballot envelope. Or maybe they are just not reading the directions.

A: They are not reading the instructions, but I will pass it along. Thanks.

Q: Not a question but a comment. The MyVote system ROCKS especially on Election Day. :)

A: Thanks!

Q: Some bank statements redact all but the last 4 numbers of the account number. Is that acceptable?

A: Yes. If the bank statement comes that way it is fine. However, the voter may not redact the account number before showing it to election officials.

Q: Can you please repeat that date for clerk training?

A: Training taken from January 1, 2013 to December 31, 2014 to recertify for 2015-2016. We will be conducting a 3-hour Municipal Clerk Core training webinar on December 18, 2014 from 9 am – 12 pm for new clerks and clerks who lost their certification.

Q: So if they have their driver's license to register to vote, are we NOT supposed to use it? Are they supposed to provide a different form?

A: No, if it's current and valid they can use it as POR. The key is that they are not required to use the driver's license. We see many voters report that election officials are insisting on seeing the driver's license as POR.

Q: But they said that we are supposed to tell the voter that we do not want to see their driver's license, so I'm confused?

A: If they are using it for POR you need to see it. If they are only supplying the identification number on the voter registration application in section 2, you do not have to see it.

Q: Should we be updating the SVRS record with the photo IDs we currently have on file?

A: Yes.

Q: When a nursing home calls my office after the SVDs visited for absentee voting the date before the election, can I as Municipal Clerk go, or do I need two people to go again to that nursing home?

A: No, Monday before the election is past the absentee ballot request deadline. And, the municipal clerk can never go alone. Voting must always be conducted by 2 SVDs.

Q: Using the P.O. Box (mailing address) doesn't make sense to me. We are aware of people who live outside the municipality but use the mailing address that is within the municipality.

A: It's acceptable to use as an address if it can be determined that the P.O. Box is fully within the municipality or district.

Q: Aren't two forms of POR required when it is a student of a university using a university tuition receipt, etc. (Student ID and Tuition or recent Book receipt)?

A: Yes, but we have also determined that voters can use just a tuition fee receipt if issued by a public university as it is a unit of government.

Q: Are we required to stay open until 5:00 on December 26th or can we call all of our candidates to see if they will be filing if we normally close at 4:30 p.m.?

A: The clerk or designee must be available. Post a sign with contact information if you won't actually be in the office.

Q: How do we handle the HAVA check when someone used an old driver's license number when they changed their name and haven't updated their license and used something else for proof of residence for their voter registration? Should they have only used their social security number?

A: If the license isn't revoked, suspended or expired, they should list the number.

Q: If an incorrect POR was provided on Election Day when an elector was registering and we have tried to contact them multiple times to get the correct info... how should we handle putting this in SVRS and recording a vote for our GAB-190's are correct?

A: Record the vote, go into the voter record and inactivate the voter record. Contact the voter and advise that they need to submit acceptable POR.

Q: Does POR have to prove the 28 day requirement?

A: No. The voter certifies that he or she has resided at least 28 days at their address by signing the voter registration application.

Q: The guide pertains to other election petitions also, correct? For example, direct legislation petitions?

A: General procedures, yes. There are some differences.

Q: Is it illegal as Clerk to sign the nomination papers of a Town Chair or Town Supervisor, or just "frowned upon?"

A: Legally, yes they can.

Q: GAB-151 is a WI nomination paper receipt, which is on your website.

A: Thanks.

Q: We have been using the Absentee Voting Rules Overview from the G.A.B. website which states the deadline for requests for absentee ballots by mail from a regular absentee voter is 5:00 p.m. the Thursday before the election, but the Election Administration Manual includes a different chart that states this same type of voter gets until 5:00 p.m. the Friday before the election if they request ballots for the entire year. This is confusing since the Voting Rules Overview doesn't list this deadline. Also, because many people requesting ballots for the November election choose this because they didn't know the election date, but don't want ballots for the whole year, but they get until Friday to request; this doesn't seem right.

A: Yes, we understand. The Friday deadline for requesting absentee ballots for the calendar year is a "wrinkle" that we became aware of and will be updating our materials.

Q: If a clerk's in-person absentee voting hours end at 7:00 p.m. Monday-Friday, how would he/she handle an absentee request AFTER 5:00 p.m. on the Friday before the election from a voter who is not registered in his/her municipality?

A: The clerk can register voters on the Friday before the election until 5:00pm or the close of business, whichever is later. If you are open until 7pm for absentee, you could continue to take voter registrations until 7pm.

Q: Does in-person registration end at 5:00 p.m. the Friday before an election?

A: Or the close of business on the Friday before the election, whichever is later.

Q: Could we get response back from help desk when an email is sent? I sent a critical problem re: SVRS last week. No one let me know if it was corrected but it seemed to be later in the day. I also asked if I was only one with wrong voters being recorded because this would be very problematic, and no response.

A: We will bring this to their attention, thanks.

Q: Even though workers were trained to do so, they did not get Authorization to cancel registrations for voters moving in from out of state. Should I send those out anyway or just let it go?

A: This form is only for presidential elections for persons voting a Presidential Only ballot.

Q: If we have a verbal confirmation that incumbents are running or have dropped off papers, do we have to stay until 5:00 p.m. on December 26th?

A: Yes, stay or "be available;" verbal confirmation is not enough.

Q: Is the Notification of Noncandidacy required for towns that use the caucus method?

A: The GAB-163 is not required, but can be helpful.

Q: We have 3 open seats in April. Can an elector sign up to 3 candidates' papers?

A: Yes.

Q: If they offer photo ID, can the clerk make a copy for the future?

A: No, not while the law is under order from the U.S. Supreme Court.

Q: That individual could not register to vote with a P.O. Box.

A: Correct.

Q: Do you pay your poll workers from the exact time they show up and until they walk out the door; also testing, canvassing?

A: That's between you and your election inspectors.