

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

DEAN KNUDSON, CHAIR
BEVERLY R. GILL
JULIE M. GLANCEY
ANN S. JACOBS
JODI JENSEN
MARK L. THOMSEN

INTERIM ADMINISTRATOR MEAGAN WOLFE

Wisconsin Elections Commission's Presentation

to the

LEAGUE OF WISCONSIN MUNICIPALITIES Clerks, Treasurers & Finance Officers Institute

Thursday, June 14, 2018

1:00 p.m. – 4:15 p.m.

Chula Vista Resort
2501 River Road
Wisconsin Dells, WI 53965

AGENDA

1:00 p.m. – 4:15 p.m.
(15 minute break)

Greetings

2018 Elections Commission Activities

Richard Rydecki, Elections Supervisor
Diane Lowe, Lead Elections Specialist
Bill Wirkus, Elections Specialist

- Legislative Update
- Election Security
- Counting Votes at the Partisan Primary
- Canvass Process
- UOCAVA Deadlines
- Political Party Election Mailings
- Badger Book Project
- ERIC Supplemental List and Upcoming Mailing

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
DEAN KNUDSON
MARK L. THOMSEN, CHAIR

INTERIM ADMINISTRATOR MEAGAN WOLFE

DATE: April 27, 2018

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

FROM: Richard Rydecki
Elections Supervisor

Robert Williams
Elections Specialist

SUBJECT: Wisconsin Act 326: Elected Officials as Election Inspectors

[Wisconsin Act 326](#) (Act 326) was enacted on April 16, 2018, making changes to statutes related to the standards for election inspectors in Wisconsin Statutes, Chapter 7. Pursuant to a long standing legal opinion from the Government Accountability Board and upheld by the Wisconsin Elections Commission, local elected officials have been prohibited from being appointed as election inspectors.

Under Act 326, the rules regarding this prohibition have been relaxed. Act 326 amends [Wisconsin Statutes, Chapter 7.30\(2\)\(a\)](#) so that local elected officials are now allowed to be appointed as election inspectors without having to vacate the local public office. However, in first class cities, the prohibition remains in effect. Act 326 is effective as of April 18, 2018. On or after that date, clerks may appoint local elected officials as election inspectors at the beginning of a new term or to fill election inspector vacancies in the interim.

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
DEAN KNUDSON
MARK L. THOMSEN, CHAIR

INTERIM ADMINISTRATOR MEAGAN WOLFE

MEMORANDUM

DATE: For the May 24, 2018 Commission Meeting

TO: Members, Wisconsin Elections Commission

FROM: Meagan Wolfe
Interim Administrator, Wisconsin Elections Commission

Prepared and Presented by:

Tony Bridges
WisVote Specialist

Riley Willman
Election Administration Specialist

SUBJECT: Elections Security Staff Update

I. Introduction

In March 2018, the Wisconsin Elections Commission (WEC) received a \$6,798,318 grant award to improve the administration of elections for Federal office, which includes technology enhancements and election security improvements to its systems, equipment, and processes used in federal elections. State law requires compliance with the §16.54 process for a state agency to accept federal funds and this process involves several steps. An initial step was completed when the agency received written confirmation from the Department of Administration with approval for the acceptance of the grant money on April 24, 2018.

II. Request for Six Federally-Funded Positions

The Wisconsin Elections Commission granted staff authority to explore and make purchases regarding security-related software and request the creation of six federally-funded positions at its April 18, 2018 meeting (at a cost not to exceed \$600,000 annually). Position authority may be granted through the §16.54 process and the hiring of the six project program positions will allow the WEC to implement and achieve the grant's goals and objectives, and to comply with the terms and conditions of this grant.

The Wisconsin Elections Commission requested the creation of 6.0 full-time equivalent 48-month federal project positions from the Department of Administration (DOA) on May 9, 2018. A draft position description for each position was submitted for consideration as part of the agency's request. If approved, these positions would be federally funded from June 1, 2018 – June 1, 2022. The six requested positions are as follows:

1. Information Technology Project Manager
2. Elections Security Trainer
3. Elections Data Specialist
4. Information Services Technical Services Professional
5. Voting Systems Specialist
6. Grants Accountant

Staff awaits approval of the positions from DOA, and will work to fill the positions in advance of the 2018 fall election cycle if that approval is granted. Once the position authority has been granted, agency management plans to circulate the draft position descriptions and a proposed strategy for incorporating and utilizing new staff for comment and input by commission members and existing staff.

III. Technical Implementations

In addition to the ongoing support that the WEC provides local election officials, staff is also pursuing several different options to improve technical controls that secure access to WisVote and other critical systems. These are combinations of software and hardware that make it more difficult for malicious or simply careless actions to jeopardize the safety of WEC systems and data. The Commission approved the agency incurring expenditures regarding these technical upgrades at its meeting on April 18, 2018 and staff has provided updates on these projects below.

A. Multi-Factor Authentication

Multi-Factor Authentication (MFA) is an important technology in preventing malicious access to user accounts. Proper implementation of MFA can prevent an attacker from gaining access to a user account, even after they have stolen the user's password. The WEC is working to implement MFA as a log-in requirement for WisVote as a means to safeguard the large number of accounts with access to the system. However, the large number of users and lack of central control over those users, as well as the way in which WEC systems integrate with DET systems, present unique technical and logistical challenges for implementation. WEC staff, in discussions with DET to determine the best and most expedient way to implement MFA. DET has assigned WEC a project manager to assist with the implementation of this protocol. They have proposed a solution, but DET does not believe it can be implemented in time for the August Partisan Primary but does believe a solution can be implemented prior to the November General Election. Staff is pursuing that option, while researching short-term alternatives that can be used for the August Partisan Primary.

B. Active Directory Federated Services

The WEC uses an industry-standard authentication technology called Active Directory to manage user accounts and passwords that allow access to WisVote. Active Directory works seamlessly within a network for server access, but to provide access to a website like WisVote, it requires an intermediary service called Active Directory Federated Service (AD FS). Currently, WisVote uses an AD FS server operated by DET. This setup allowed WisVote to launch in accordance with the 2016 deployment schedule, and currently relieves WEC of some development and maintenance requirements. However, it also ties the authentication of WisVote users to the authentication of several other State of Wisconsin systems. This configuration makes it harder for WEC developers to

make any changes to the log-in process for WisVote. WEC staff is investigating the development of a standalone WEC AD FS server which would allow the agency to more readily customize many details of the log-in process from branding to permitted encryption ciphers, and may also simplify MFA implementation and the tracking and maintenance of user agreements. A server request for this project has already been submitted to DET and system testing is planned to determine how challenging the proposed customizations will be.

C. Clerk Emails

DET manages the email systems for state employees, including all WEC staff. DET employs a number of security controls on those emails, including Cisco Email Security (commonly referred to by its former name of Ironport), which protect users from malicious emails. DET blocks hundreds of thousands of malicious emails each day using this system so that they never reach the end user, and therefore are never able to compromise any systems or users. The majority of clerks, however, do not have this level of protection on their email systems. WEC staff and DET are working on providing a solution that would enable all users of the WisVote system to have an email address that is routed through these security systems, dramatically reducing the risk to clerks and the WisVote system from social engineering and malware. Conversations with DET and clerks on this topic are in the initial stages, and both sides are enthusiastic about this move. Staff expects to communicate options to clerks soon.

D. Centralization of Web Applications

The WEC provides access to several web applications for clerks and for the general public. Several of these systems have previously been designated as high-security systems and are maintained within the state network on virtual servers provided by DET. This setup affords them a high degree of initial security, including strong perimeter security, protection against bandwidth attacks (DDOS), top-tier endpoint security, third-party penetration testing, and more. However, some sites that had not previously been designated high security have been hosted by a third-party vendor. Based on a number of factors, including a reassessment of the impact of malicious modification of those sites, WEC staff has decided that those sites should be hosted on the state network as well. This change will require a significant amount of coordination with the current service provider to avoid disruptions during the transition, and staff expects to complete the transition this fall.

E. Vulnerability Scanning

Agency servers exposed to the internet are regularly scanned by the Department of Homeland Security for known vulnerabilities, and servers within the state network are regularly scanned by DET. However, DHS does not do internal scanning, and DET does not currently provide the agency with comprehensive reports regarding the results of scanning efforts. Staff has made arrangements with DET to increase the scope and accuracy of the internal scans, and to provide reports on the results directly to WEC staff for review. The first trial of this scan is expected to be complete by May 24.

IV. Local Election Official Security Training and Communications Update

Staff is currently in the planning stages of implementing a new and robust election security training program to be rolled out in June 2018. These trainings and materials are being implemented in conjunction with the security training material being prepared by staff for the WisVote Learning Center, as well as agency technological initiatives.

A. Local Election Official Security Training

In March of 2018, Wisconsin Elections Commission staff attended an election security training and tabletop exercise hosted by the **Defending Digital Democracy project at Harvard Kennedy School of Government's Belfer Center in Boston, Massachusetts.** At the event, WEC staff worked with election officials from across the United States to learn about election security best practices, as well as to participate in a tabletop exercise (TTX) that simulated potential real-life security-related events that can occur leading up to Election Day.

The purpose of a TTX is to provide participants experience in election official roles different from their own and to make participants aware of the various types of potential incidents that could arise on Election Day. These incidents are scripted before being introduced into the simulation and cover a wide variety of topics and severity, ranging from weather-related issues that could potentially impact polling places, to larger cybersecurity incidents that would require working with IT professionals. Throughout the TTX, participants can test their continuity plans against the incident injects in a low-stress environment to determine their efficacy. In addition to creating and improving continuity plans, a goal of the TTX is for participants to see how they can successfully implement measures to prevent election security incidents from occurring.

WEC staff saw value in participating in an election security TTX, and concluded that Wisconsin county and municipal election officials would benefit from both the training and simulation exercise. **WEC staff has created an elections-security train-the-trainer program in partnership with Wisconsin county clerks to reach as many of the 1,853 municipal clerks as possible.** The train-the-trainer program was designed to provide training and experience with election security materials to the county clerks who would then train their municipalities using the materials and staffing resources provided by the WEC. WEC staff has created eight regions throughout the state and has organized a training and TTX opportunity in each region starting in June. This schedule was designed to ensure that all county clerks could attend a regional training and have adequate time to conduct a training of their own with the municipal clerks in their county and region.

WEC staff is conducting a training and TTX event in Madison on May 31 with county clerks from 17 different counties from across the state. After these clerks have participated in the TTX, WEC staff has asked for the participants to help facilitate the trainings occurring in their region for county clerks who did not attend the training and TTX event in Madison. This approach will additionally allow for the facilitating clerks to get experience leading an elections security TTX. WEC staff will also work with the county clerks on how to improve the training and materials to make the regional training as effective as possible. WEC Staff has five regional trainings currently scheduled for June and is working on scheduling additional events ahead of the fall election cycle.

B. Communications Plan

Maintaining communication with key election security officials and the public during an election security incident presents many challenges. Frequently, incident details evolve as more information is learned, and it is vital that local election officials keep key officials and the public updated on developments. WEC staff understands that time is of the essence when handling an election security incident, and is developing a plan to assist local election officials in communicating effectively and quickly in the event of a potential incident.

WEC staff will prepare communication materials and contingency plan templates that will be useful to clerks throughout the election administration process. Feedback from the recent election security survey that was sent to county clerks indicated that clerks have found WEC-produced templates and step-by-step guides helpful and efficient resources. **A security communications template and guide will be created by WEC staff that allows for the local election officials to quickly outline the appropriate contact information for resources in the event of a potential security question or incident. The goal of these guides and templates are to help local election officials have a high-level understanding of best practices when communicating during an incident, as well as to reinforce that WEC staff are a resource for clerks to contact if they have questions or need assistance in resolving an incident.**

C. Monitoring and Distributing Security Alert Information

WEC staff has been partaking in cyber defense webinars from the Multi-State Information Sharing and Analysis Center (**MS-ISAC**) and the Elections Infrastructure Information Sharing and Analysis Center (**EI-ISAC**). These organizations have been identified as a key cyber security resource by the Department of Homeland Security for their ability to bring together election security officials from various states. The updates and information that comes from the MS-ISAC and EI-ISAC webinars assume a large knowledge about information technology and cybersecurity practices. WEC staff has made the decision that the MS-ISAC and EI-ISAC updates will be monitored by staff who will then send pertinent information to the local election officials to ensure that information is getting to all involved officials in a timely and productive manner.

V. Collecting Feedback from Key Election Security Partners

As WEC staff works on implementing security trainings and publishing guides for local election officials before the August and November elections, there are additional plans to implement a second phase to keep Wisconsin's elections safe and secure. WEC staff is currently in the process of creating an avenue for key election security partners such as DHS, DET, county clerks, municipal clerks, and members of the public to provide feedback on how the HAVA security funds should be spent.

Municipal and county clerks in Wisconsin have differing access to in-office security and IT resources, and WEC staff will solicit feedback from the local election officials on how to best provide election security assistance. Keeping Wisconsin elections secure will require high levels of collaboration between WEC staff and key election security partners to ensure needs are being met.

In March, WEC staff sent a survey to county clerks to ask for information about their current election security programs before planning a statewide training program. A similar approach will occur after the

WEC staff conducts regional security trainings and tabletop exercises around the state to improve training and to maximize the effectiveness of future elections security communications and events. Feedback will be solicited after every training event so that participants can provide local election official perspective on the WEC-led training programs. Additionally, ideas and input will be solicited from local election officials and key election security partners unable to attend WEC-led trainings on how they believe the WEC can effectively use the HAVA security funds.

To keep local election officials involved in future election security developments, WEC staff plans on inviting county clerks to collaboratively review and provide suggested edits to election security publications to ensure the materials are as useful as possible to a variety of local election officials. Once feedback is received, WEC staff will disperse the security publications for all clerks so that they can work to prevent a security incident from occurring, and understand quick and clear next-steps to take in the event of a potential security incident.

Personal Computer Security Checklist

Computer/Laptop Security

<input type="checkbox"/> Is your operating system up-to-date	Windows and Apple operating systems will have settings that allow the automatic download of patches and updates. Allowing automatic installation of the updates is up to you, but at least enable to auto-download and notify.
<input type="checkbox"/> Do you have an antivirus installed	<p>For Windows-based systems, Windows Defender is adequate. Avast is a highly-rated program with versions for multiple operating systems (Mac, Windows & Android). Kaspersky is also highly-rated but has been banned from Federal networks due to security concerns.</p> <p>As with your OS, make sure your antivirus remains up-to-date.</p>
<input type="checkbox"/> Are the applications you use up-to-date	Not all programs have an auto-update option when a newer version is available and you may need to check on your own. If a developer no longer supports a program you use, consider finding a replacement.
<input type="checkbox"/> Have you rebooted your computer recently	While some updates don't require a restart to take effect, a majority will. For updates that require a restart, you will generally get a notification to this effect. If you leave your computer on when not in use, get in the habit of restarting on a regular basis to make sure everything is truly updated.

<input type="checkbox"/> Is your information securely backed-up	<p>A new trend in malware is ransomware. These attacks will encrypt all the data on your hard drive and will demand payment to provide the decryption key. Without this key, your data is lost forever. If you have your data backed-up, you can wipe the hard drive and reinstall. There are online back-up services and you can also buy desktop hard drives to do the same – make sure the back-up is not connected to your computer or it will be encrypted as well.</p>
---	--

Web Browser Security

<input type="checkbox"/> Do you have an ad-blocker installed	<p>Malicious advertisements are increasingly being used to infect computers. There are multiple, reputable, options for ad-blockers depending on the browser you are using. Adblock Plus is available for Internet Explorer, iOS, and Firefox. uBlock Origin is available for Chrome, Firefox, Safari, Opera, and Edge (Windows 10 browser).</p>
<input type="checkbox"/> Is your web browser up-to-date	<p>Yes, this is a theme. Browsers are updated to fix exploits and improve operation often. Enable automatic downloads of updates and restart your browser after installation.</p>
<input type="checkbox"/> Use private windows	<p>Most browsers will come with a privacy-browsing option: InPrivate browsing for IE, Incognito for Chrome, etc. Familiarize yourself with these options and use them when accessing sensitive information. Private windows prevent malicious code in other tabs from “seeing” or interfering with what you are doing in a private window.</p>

<input type="checkbox"/> Use https:// when available	<p>Https is a secure, encrypted connection from your computer to a website. Many services offer encrypted and unencrypted versions of their website and most will default to secure https when you are on the login screen. You can confirm if you are viewing the encrypted website by the presence of a green lock icon or seeing https in the web address. While https will not protect your information on an already-compromised computer, it will prevent someone from snooping on the connection between your computer and a website. If you do not see the green lock, you can manually enter https:// as part of typing a URL to force the secure connection if it is available. There is also an extension called HTTPS Everywhere that is available for Chrome, Firefox, Opera, and Edge that forces the use of the encrypted option on supported websites.</p>
<input type="checkbox"/> Disable Flash	<p>Flash is a popular vector to attack computers. If you cannot disable Flash, at least set it to “Ask first” – this will prevent flash from running automatically when a webpage loads. In most browsers this is a default setting, but check to make sure it is enabled.</p>

Password Security

<input type="checkbox"/> Don't reuse passwords	<p>The use of the same password across multiple services means if any of those services are compromised, hackers can get into those other accounts as well. Make sure every password is unique to the service/site you are using it for.</p>
<input type="checkbox"/> Don't answer security questions	<p>Security questions are often publicly available information – mother's maiden name, elementary school, etc. If the information is out there, someone can use it to “recover” your password without needing to place malware on your computer. If a site insists on providing such answers, don't answer truthfully.</p>

<p><input type="checkbox"/> Use multi-factor authentication when available</p>	<p>Many services are moving towards providing some sort of multi-factor authentication – Facebook and Gmail are such examples. The second authentication factor will prevent someone from accessing your information even if they have your username and password. In some cases, sites will notify you of the attempted login which will alert you to the potential compromise.</p>
<p><input type="checkbox"/> Use long passwords</p>	<p>Increasing password length from 8 characters to 9 increases the amount of time needed by an automated password cracker from minutes to hours. Adding a 10th character will up that time to days. It is highly recommended that you make sure passwords are 12 characters or more. Even if a website or service doesn't require special password security (symbols or numbers), get in the habit of doing so anyway.</p>
<p><input type="checkbox"/> Consider using a password manager</p>	<p>We choose poor passwords because we need to think of them and make them easy to remember. A password manager removes both of these concerns. There are secure online options like LastPass or 1Password that encrypt your passwords locally before saving them to the cloud. There are local password managers like Keepass that will save everything to your machine so you do not have to worry about cloud security, but you will need it separately on each device you use. You will still need a strong master password for access, it's easier to come up with and remember one strong password than fifteen.</p>

COUNTING VOTES AT THE PARTISAN PRIMARY

Statutory Authority

The information in this document was prepared by the staff of the Wisconsin Elections Commission and represents the staff's interpretation of the application of the law set out in Wis. Stat. § 7.50(2), to the general situations described. Election inspectors and candidates should review the law or consult an attorney about any specific application of the law. Any questions about the information contained in this document should be directed to the Wisconsin Elections Commission Help Desk at 608-261-2028 or via email at elections@wi.gov.

Public Counting

Counting votes is always done **publicly** after the polls close at 8:00 p.m. Vote counting is done by the election inspectors. The governing body of a municipality may also appoint tabulators to assist election inspectors with counting votes. Any person, including candidates at the election, may observe the counting of votes.

Voter Intent

When a voter has marked a ballot in a way that does not clearly indicate his or her voting objective, the election inspectors must attempt to determine the voter's intention. All inspectors must be part of the determination process, and the majority must agree that the voter's intention can or cannot be determined. Even though tabulators may be used to assist in counting, the decision on how to treat a questionable ballot is made by the election inspectors.

One common example of when a determination of voter intent must be made is when it appears an elector has overvoted an office on the ballot. If the majority of the inspectors agree that the voter's intention can be determined, the vote for that office is counted as the majority decided. If the majority of the inspectors agree that a determination of intent cannot be made and the office has truly been overvoted, the ballot is treated as an overvote for that office only. A record is made on the Inspectors' Statement (EL-104) that a vote was not counted for that office because of an overvote. All other offices on that ballot must be counted if voter intent can be determined.

Defective, Objected-to and Rejected Ballots

Whenever a ballot is found to be defective, is objected to, or is rejected, the ballot must be identified with a number and set aside. A notation must be made on the Inspectors' Statement (EL-104).

- | | |
|---------------------|---|
| Defective Ballot: | A ballot that is damaged, overvoted or otherwise difficult or impossible to determine voter intent. |
| Objected-to Ballot: | A ballot on which one or more offices are defective and a minority of inspectors disagree with the intent determination of the majority. |
| Rejected Ballot: | An absentee ballot which does not contain the signature of the voter and the signature and address of a witness. A ballot is also rejected if the certificate envelope contains more than one marked ballot of the same type. |

Again, when there is a question on how a vote should be counted because the choice(s) is not clearly marked as prescribed by the instructions on the ballot, the decision is made by a majority of the election inspectors.

Counting Paper Ballots

Accuracy is essential when counting votes, especially when counting is done manually. Election inspectors should familiarize themselves with the proper procedures for counting votes marked on hand-count paper ballots as set out in the Counting Ballots section of the *Election Day Manual for Wisconsin Election Officials*. To alleviate fatigue and assure accuracy, all election inspectors and tabulators should be involved in counting votes. The duties should be rotated among all inspectors and tabulators for each different type of ballot or for each office to be counted. There are examples of marked ballots with a special emphasis on handling write-in votes further on in this manual.

At a partisan primary, a voter may vote only in one party's primary. The voter marks only one party's ballot and deposits it in the locked or sealed ballot box. The unused ballots are placed in a locked or sealed discard box or container. When counting ballots, if two or more party ballots are folded together or a certificate absentee envelope contains more than one party ballot, examine the ballots carefully. If more than one ballot is marked, no ballot may be counted. The ballots are marked "crossover" and placed in the "Original Ballots" envelope. In the case of an absentee voter, the ballots are returned to the certificate envelope and marked "rejected-crossover."

Special Considerations Where Optical Scan (OS) Voting Systems are Used

Write-in Votes

Since the law does not require a voter to mark a square, arrow or oval to vote for a write-in candidate, care must be taken to assure that write-in votes are counted when the elector fails to mark a square/arrow/oval next to the write-in line, *if* the write-in vote is eligible to be counted. (See the Counting Write-in Votes section of this manual.) Likewise, it is equally important to ensure that write-in votes counted by the equipment are eligible to be counted.

The decision-making capability of optical scan equipment is limited. The voting equipment "decides" a vote based on its assessment of the marks placed on the ballot by the voter. The optical scan voting equipment will not "see" a write-in vote when the square/arrow/oval has not been marked. (Companies currently marketing OS equipment claim the ability to program the equipment to widen the optical eye path to include a name written in, but this feature has not been tested by the WEC). The OS voting equipment cannot differentiate between registered and non-registered write-in candidates, nor is it able to determine whether write-in votes are eligible to be counted. Therefore, inspectors must **examine each ballot** to determine if a write-in vote has been cast and if that vote has been counted properly or improperly. See the "Counting Votes/Optical Scan Ballots" section of the *Election Day Manual for Wisconsin Election Officials*.

Adjusting the Machine Tape

In a case where a voter has marked the square/arrow/oval next to a ballot candidate and has also written in a name but did not mark the square/arrow/oval next to the write-in line, the equipment will "see" only the vote for the ballot candidate and record that vote. In this case, the

inspectors must adjust the machine tape to subtract one vote from the ballot candidate's total and then determine the eligibility of the vote for the write-in candidate. See the "Counting Votes/Optical Scan Ballots" section of the *Election Day Manual for Wisconsin Election Officials* and the "Write-in Votes" section of this manual.)

*Overvoted Ballots – If voter intent **can be determined***

When an optical scan ballot has been overvoted **but the intent of the voter can be determined, the ballot must be remade**. Two election inspectors transfer the votes onto a new ballot, duplicating the votes as they were marked by the voter on the original ballot, except that the office(s) that has been overvoted is marked to reflect the intent of the voter. The original ballot is assigned a serial number, starting with one, and labeled "Original Ballot 1." The duplicated ballot is marked with the same serial number and labeled "Duplicate Ballot 1." The duplicate ballot is put through the electronic equipment and the original ballot is preserved in the Original Ballots envelope.

*Overvoted Ballots – If voter intent **cannot be determined***

When an optical scan ballot has been overvoted **but voter intent cannot be determined**, the overvoted ballot is remade* by two election inspectors exactly as the voter marked the original ballot, except that the overvoted office(s) is left blank. The original ballot is assigned a serial number, starting with one, and labeled "Original Ballot 1." The duplicated ballot is marked with the same serial number and labeled "Duplicate Ballot 1." The duplicate ballot is put through the electronic equipment and the original ballot is preserved in the original ballots envelope.

*If the optical scan equipment has an "override" feature, and the municipality has been approved to utilize the override feature, a ballot for which intent cannot be determined may be overridden. The voting equipment will not count votes for overvoted contests, but will count votes for all other properly marked contests.

Crossover Ballots

A crossover occurs when the voter has cast votes in more than one party and has not selected a party preference. No votes are counted for partisan contests in this case and the ballot must be remade or overridden.

The remade ballot is a blank ballot or only contains votes for non-partisan contests. As with overvoted ballots, the original ballot is assigned a serial number, starting with one, and labeled "Original Ballot 1." The duplicated ballot (blank ballot) is marked with the same serial number and labeled "Duplicate Ballot 1." The duplicate (blank) ballot is put through the electronic equipment and the original ballot is preserved in the original ballots envelope.

If the optical scan equipment has an "override" feature, and the municipality has been approved to utilize the override feature, a crossover ballot may be overridden. The voting equipment will not count any votes for partisan contests.

Whenever a ballot is remade or overridden, the action must be recorded on the EL-104 Inspectors' Statement.

For further instructions, see the "Processing Overvoted and Crossover Voted Ballots" section of the *Election Day Manual for Wisconsin Election Officials*.

WRITE-IN VOTES AT A PARTISAN PRIMARY

Determining Eligibility of Write-in Votes

Counting votes in an office where write-in votes are present can be complicated and requires a step-by-step approach to systematically separate which write-in votes are “eligible” for counting and which are “ineligible.” The following four principles will assist you in determining write-in vote eligibility and whether also marked ballot candidates can be considered.

The Four Principles of Counting Write-in Votes

1. If one or more ballot candidates of a specific party are listed under a given office—
Only votes for registered write-in candidates are eligible for counting.
2. If one or more ballot candidates of a specific party are listed under a given office, but one or more are deceased—
All write-in votes are eligible for counting.
3. If there are no ballot candidates of a specific party listed under a given office—
All write-in votes are eligible for counting.
4. If there is at least one write-in vote cast, (*regardless of the eligibility of the write-in vote*)—
No votes for ballot candidates may be considered.

Using this partisan primary ballot example, determine how this office should be counted by answering the four questions that follow the example. (The answers can be found in the four principles listed above.)

Sugar Cookie Party	
Governor Vote for 1	Ballot instructions
<input type="radio"/> Pillsbury Dough Boy	
<input type="radio"/> Betty Crocker	
<input type="radio"/> Cookie Monster	
<input checked="" type="radio"/> <u>Grommet</u>	(Grommet is a registered write-

3 ballot candidates for a 1-seat office.

Question 1: How many votes is the voter entitled to cast? (Refer to the ballot instructions.)

- One. The instructions are “Vote for 1.” The voter has marked 4 candidates, which is 3 too many.

Question 2: Are all write-in votes eligible for counting or only votes cast for registered write-in candidates? (Refer to Principle 1.)

- There is 1 position to be filled and 3 ballot candidates. Only votes for registered write-in candidates are eligible to be counted.

Question 3: *Is the write-in candidate registered?*

- Grommet is a registered write-in candidate. The vote for Grommet is counted.
- The voter is entitled to no more votes.

Since Grommet's vote has been counted, the following question is not necessary, but the answer has still been provided.

Question 4: *Regardless of eligibility for counting, are there enough write-in votes to fill the seats up for election? (Refer to Principle 4.)*

- Yes. There is 1 position to be filled and 1 write-in vote.
- Ballot candidates may not be considered.

Final result:

- There are 4 votes marked for this office. The voter is only entitled to one vote.
- Only the write-in vote for Grommet is counted.
- The voting equipment has recorded this office as overvoted—no votes were recorded.
- No adjustment to the tape is required.

Note: *If Grommet were not a registered write-in candidate, the vote for Grommet would not be counted. And since there is a write-in vote for this Vote for 1 office, ballot candidates cannot be considered. In this case no votes would be counted.*

Here is another example that involves adjusting the machine tape:

Chocolate Chip Cookie Party	
Governor	
Vote for 1	Ballot instructions
<input type="radio"/> Missy Fields	
<input checked="" type="radio"/> Chip Ahoy	
<input type="radio"/> Sugar Sprinkle	
<input type="radio"/> <u>Cocoa Bean</u>	(Cocoa is a registered write-in candidate.)

Question 1: *How many votes is the voter entitled to cast? (Refer to the ballot instructions.)*

- One. The instructions are "Vote for 1." The voter has marked 1 candidate and written in a candidate.

Question 2: *Are all write-in votes eligible for counting or only votes cast for registered write-in candidates? (Refer to Principle 2.)*

- There is 1 position to be filled and 3 ballot candidates. Only registered write-in candidates are eligible to be counted.

Question 3: *Is the write-in candidate registered?*

- Yes. Cocoa Bean is a registered write-in candidate. The vote for write-in candidate Cocoa Bean is counted.
- The voter is not entitled to any more votes.

The following question is not necessary, but the answer has still been provided.

Question 4: *Regardless of eligibility for counting, are there enough write-in votes to fill the seats up for election? (Refer to Principle 4.)*

- Yes. There is 1 position to be filled and 1 write-in vote.

Final Result

Machine Tape

Governor

M. Fields 45
C. Ahoy 33 (-1)
S. Sprinkle 15
wr-in 0 (+1)

- The write-in vote for Cocoa Bean is counted.
- The voting equipment has recorded a vote for the ballot candidate, Chip Ahoy.
- The inspectors must adjust the tape by subtracting a vote from Chip's total.
- The reason for the adjustment is recorded on the Inspectors' Statement (EL-104).

More examples of counting vote for offices that contain write-in votes and involve adjusting the tape may be found at the end of this manual.

Write-in Vote Irregularities

When a voter casts a write-in vote in a manner inconsistent with the ballot instructions for casting a write-in vote, or the write-in vote is deficient to cause the inspectors to question the voter's intent, the vote is described as "irregular." An irregularity can be caused by failure of the voter to follow instructions, less-than-legible handwriting, inadequate erasures, indicating a candidate preference with unconventional or stray marks, etc. *An irregular vote may be counted if the intent of the voter can be determined.*

Below are several general examples of write-in vote irregularities. These examples include, but are not limited to, general situations for all elections. Following the General Situations are examples specific to counting votes at the partisan primary.

General Situations

Count Write-in Votes When:

1. The name of the person is misspelled, but the intent of the voter can be reasonably determined.
2. The name of the person is abbreviated, but the intent of the voter can be reasonably determined.
3. The name of the person contains a wrong initial or an initial is omitted. Example: The write-in candidate is Jonathan L. Seagull. The voter writes in Jonathan T. Seagull or Jon Seagull.

4. Only the last name of a person is written in. Count the vote if--
 - the person is a registered write-in candidate, and/or
 - the intent of the voter can be reasonably determined.
5. The voter wrote in a name but did not make an X or other mark, fill in a square or oval, or complete an arrow next to the write-in line--
 - No mark is required next to the write-in line to cast a write-in vote. If the write-in vote is eligible, it is counted.
6. A voter writes in the name of a registered write-in candidate **under an office other than the one for which the candidate is registered**--
 - The vote is counted for the office under which the name is written if:
 - The office under which the name is written has no ballot candidates or one or more ballot candidates is deceased, **and**.
 - The office under which the name is written is the same party in which the registered write-in candidate is running.
7. A name is written in **the margin**, rather than in an office space--
 - If the person whose name is written in is a registered write-in candidate, the name counted as a vote for the write-in candidate in the office and party in which he or she is registered.
 - If the name is that of a ballot candidate, the vote is counted for the candidate in the office and party for which he or she is registered.
8. The voter **marks the ballot for a name that is printed on the ballot and writes in another person's name for the same office**--
 - If the write-in vote is deemed eligible, the write-in vote is counted. The vote for the ballot candidate is not counted. (*See Principles 1 and 4 in the Determining Eligibility of Write-in Votes section.*)
9. The name of a Party X registered write-in candidate is written in under Party X, but for an office other than the one for which the candidate registered.
 - The write-in vote counts for the person for the office where the name is written, if there are no ballot candidates for the office or one or more ballot candidates is deceased. (*See Principles 2 and 3 in the Determining Eligibility of Write-in Votes section.*)

Do Not Count Write-in Votes When:

1. A name is misspelled or abbreviated and the intent of the voter cannot be reasonably determined.
2. A name is written on the endorsement (back) side of a paper ballot.
3. The instruction on the ballot is "**Vote for one**," and the name of more than one person has been written in for a single office--
 - This is an overvote. No votes are counted for that office.

4. The instruction on the ballot is "**Vote for One**," and the name of more than one person has been written in and a vote has also been cast for a candidate whose name is printed on the ballot for the same office--
 - This is an overvote. No votes are counted for that office.

Ballot Candidates as Write-ins

A write-in vote for a ballot candidate is always counted if it is written in under the office where the name is printed on the ballot. If a voter marks a ballot candidate's name and writes in the same ballot candidate's name for the same office, one vote is counted for the ballot candidate.

When a ballot candidate's name is written in under an office other than where the name is printed on the ballot, *the vote may be counted if the office where the name is written—*

Election Type	Has fewer ballot candidates that positions to be filled, or one or more ballot candidates is deceased.	Is under the same party where the name is printed on the ballot.
Nonpartisan		
Spring Primary	X	
Special Primary	X	
Spring Election	X	
Special Election	X	
Partisan		
Partisan Primary	X	X
Special Primary	X	X
General Election		
Special Election		

PARTY PREFERENCE

Each ballot-status party in Wisconsin holds a primary on the 2nd Tuesday in August of an even-numbered year. Though the primaries are conducted on the same day, each party's primary is considered a separate election event. At the partisan primary, a voter may choose ONE party's primary in which to vote. By voting in a party's primary, the voter is participating in the nomination process for candidates of that party.

There are several methods by which a voter selects the party in which he or she will vote.

Where hand-count paper ballots are used, the voter identifies their party preference when he or she chooses **one** party ballot on which to vote. The voted ballot is placed in the ballot box and the remaining un-voted ballots are placed in a locked "discard" box.

Where optical scan voting systems are used, the voter identifies their party preference either by voting in only one party or by marking a party preference. Selecting the party preference will not prevent crossover voting, but it is a safeguard so that a voter will not lose all votes if he or she does crossover. Selecting a party preference preserves the votes cast in the preferred party, while not counting votes cast in another party.

Voters do not always vote in the manner prescribed by law and as provided in the instructions on the ballot. A voter will often vote in more than party, either by mistake, misunderstanding or in a deliberate attempt to frustrate the purpose of the primary.

Before we get to examples of crossover voting and how to treat them, let's first review several rules regarding counting votes at a partisan primary.

- A. Selecting a party preference will preserve the votes cast in the preferred party even if the voter crosses over and votes in another party.
- B. Casting votes for candidates of only one party, is the same as selecting a party preference.
- C. If no party preference is selected, and the voter **marks more than one party's ballot**, no votes will count.
- D. If no party preference is selected, and the voter **marks only one party's ballot**, but on that same party ballot writes in the name of a ballot candidate or registered write-in candidate of another party, all votes are counted except the write-in vote.
- E. **Regardless if a party preference is selected**, the name of a ballot candidate or registered write-in candidate of Party X written on a Party Y ballot will never count.
- F. **Within the same party**, a voter may write in the name of a ballot candidate or registered write-in candidate for an office under a different office.

Count Write-in Votes at a Partisan Primary When:

(The following scenarios presume a write-in vote is eligible to be counted.)

- 1. **The voter has selected a party preference.** The voter casts votes in the preferred party and then marks candidates in another party--
 - The votes cast in the preferred party are counted. **Rule A**
- 2. **The voter has selected a party preference.** The voter casts votes for ballot candidates in the party selected and writes in, on the that same party ballot, the name of a person who appears as a ballot candidate on a different party ballot--
 - All votes are counted except for the write-in vote. **Rules A, B and E**
The voter has not physically voted on more than one party's ballot.
The voter benefits from the party preference safety net.
- 3. **The voter has selected a party preference.** The voter casts votes for ballot candidates in the selected party and then writes in a name on another party's ballot--
 - The votes cast in the selected party are counted. **Rules A and E**
 - The name written in on the other party ballot does not count.
Although the voter has physically voted on more than one party's ballot, he has benefitted from the preferred party safety net.
- 4. **The voter has not selected a party preference** but has voted for candidates of only one party. The voter writes in, on that same party ballot, the name of a person who appears as a ballot candidate in a different party--
 - All votes are counted except for the write-in vote. **Rules B, D and E**
The voter has not physically voted on more than one party's ballot.

5. A candidate's **name is printed on a party ballot** for one office, and the voter writes in that candidate's name for a different office **on the same party ballot**—
 - The vote is counted for the person for the office where the name is written. **Rule F**
6. The name of a registered write-in candidate is written in under an office other than the one for which the candidate registered, but in the same party for which the candidate registered--
 - The vote counts for the write-in candidate for the office where the name is written. **Rule F**
7. The name of a registered write-in candidate is written in under the office for which the write-in candidate is running, but in a different party--
 - The write-in vote is not counted. **Rule E.**

Do Not Count Write-in Votes at a Partisan Primary When:

1. **The voter has selected a party preference.** On the face of the ballot, in no party or office space, the voter writes the name, office and political party of a ballot candidate or registered write-in. The political party the voter has written is **different from the preferred party the voter selected** --
 - The vote is not counted. Any votes cast in the preferred party are counted. **Rules A and E**
The voter has voted on more than one party's ballot but has benefitted from the party preference safety net.
2. **The voter has not selected a party preference.** The voter casts votes for candidates on one political party's ballot, and then votes for a candidate on another party's ballot or writes in a name on another party's ballot—
 - No votes are counted. **Rule C**
The voter has physically voted on more than one party's ballot without the benefit of the party preference safety net.
3. The name of a registered write-in candidate is written in under a party other than the one indicated on the campaign registration statement--
 - The vote is not counted. **Rule E**
7. A candidate's name is printed on a party ballot for an office and the voter writes that candidate's name under a different office on a different party ballot. --
 - The vote is not counted. **Rule E**

Here are a few more ballot examples:

Partisan Primary Write-in Vote Examples

All write-in names are assumed to be eligible to count.

<p>Example 1</p> <p><u>Party Preference</u></p> <p><input type="radio"/> Country</p> <p><input checked="" type="radio"/> Motown</p> <p><input type="radio"/> Rock 'n Roll</p> <p><u>Country Party</u> Representative to the Assembly Vote for 1</p> <p><input type="radio"/> Tammy Wynette</p> <p><input type="radio"/> Donna Fargo</p> <p><input checked="" type="radio"/> Robert Plant</p> <p><u>Motown Party</u> Representative to the Assembly Vote for 1</p> <p><input type="radio"/> Diana Ross</p> <p><input checked="" type="radio"/> Levi Stubbs</p> <p><input checked="" type="radio"/> Tammy Wynette</p> <p><u>Rock 'n Roll Party</u> Representative to the Assembly Vote for 1</p> <p><input checked="" type="radio"/> Eddie Vedder</p> <p><input type="radio"/> Robert Plant</p> <p><input type="radio"/> _____</p>	<p>The voter has chosen Motown as the party preference. Choosing a party preference preserves votes cast in that party.</p> <p>Analysis:</p> <p>The write-in vote in the country party is not counted because the voter chose Motown as the preferred Party and because voter wrote in a ballot candidate from the Rock 'n Roll Party.</p> <p>In the Motown party, the voter has written in a Country Party ballot candidate (Tammy Wynette). The vote is not counted. Choosing a party preference preserves votes cast in that party, but not when a voter tries to force a Country singer to sing Motown.</p> <p>The vote for Motown ballot candidate Levi Stubbs is not counted either because of the write-in, even though the write-in wasn't counted.</p> <p>The vote for Rock 'n Roll Party ballot candidate, Eddie Vedder is not counted because the voter chose Motown as the preferred party.</p> <p>Result: No votes are counted.</p> <p>Effect on machine tape: Because the voter chose a party preference, the OS equipment scanned the only the Motown Party section. The equipment recorded a vote for Levi Stubbs, which must be subtracted on the tape.</p>
--	--

<p>Example 2</p> <p><u>Party Preference</u></p> <p> <input type="radio"/> Country <input type="radio"/> Motown <input checked="" type="radio"/> Rock 'n Roll </p> <p><u>Country</u></p> <p>Representative to the Assembly Vote for 1</p> <p><input checked="" type="radio"/> <u>John Smith</u></p> <p><u>Motown Party</u></p> <p>Representative to the Assembly Vote for 1</p> <p> <input type="radio"/> Smokey Robinson <input type="radio"/> Diana Ross <input type="radio"/> _____ </p> <p><u>Rock 'n Roll Party</u></p> <p>Representative to the Assembly Vote for 1</p> <p> <input checked="" type="radio"/> <u>Eddie Vedder</u> <input type="radio"/> Robert Plant <input type="radio"/> _____ </p>	<p>The voter has chosen the Rock 'n Roll Party. Choosing a party preserves votes cast in that party.</p> <p>Analysis:</p> <p><u>Country Party</u></p> <p>No votes are counted in the Country Party because the Rock n' Roll Party has been selected.</p> <p>There were no votes cast in the Motown Party.</p> <p>The vote for Rock 'n Roll ballot candidate Eddie Vedder is counted.</p> <p>Result: Only Eddie's vote for Rock 'n Roll Assembly is counted.</p> <p>Effect on machine tape: None. The Rock 'n Roll party was selected as the voter's preference. The OS machine only scanned the preferred party and recorded the vote for Eddie.</p>
---	--

Example 3

Party Preference

- ☐ Country
- ☒ Rock 'n Roll

Country Party

Representative to the Assembly

Vote for 1

- ☐ Miranda Lambert
- ☐ Tammy Wynette
- ☐ Donna Fargo
- ☒ Jim Morrison

State Senator

Vote for 1

- ☒ Tammy Wynette

Rock 'n Roll Party

Representative to the Assembly

Vote for 1

- ☐ Shirley Allston Reeves
- ☒ ~~Patty LaBelle~~
- ☐ Jim Morrison
- ☒ Keith Moon

State Senator

Vote for 1

- ☒ Roger Daltrey
- ☐ Keith Richards
- ☐ Jay Black
- ☐ _____

(Keith Moon is a registered write-in candidate.)

The voter has chosen the Rock 'n Roll Party. Choosing a party preference preserves votes cast in that party.

Analysis:

Country Party

No votes are counted in the Country Party, because the Rock 'n Roll Party has been chosen as the voter's preference.

Rock 'n Roll Party (The preferred party)

Office of Rep. to the Assembly:

There is a write-in candidate for Assembly (registered write-in candidate Keith Moon). Keith's vote is counted, and the vote for Keith cancels the vote for ballot candidate, Patty.

State Senator

The voted for ballot candidate Roger Daltrey is counted.

Result: The write-in vote for write-in candidate Keith Moon for Assembly is counted. The vote for Patty LaBelle is not counted. The vote for Roger Daltrey for Senate is counted.

Effect on machine tape: The OS equipment scanned only the preferred party (Rock 'n Roll) and counted the vote for Patty LaBelle for Assembly. The write in vote for Keith Moon was not recorded. In the office of Rep. to the Assembly, subtract a vote from Patty LaBelle and add a write-in vote for Keith Moon.

Example 4

Party Preference

- ☐ Country
- ☐ Rock 'n Roll

Country Party

Representative to the Assembly
Vote for 1

- ☐ Miranda Lambert
- ☒ ~~Tammy Wynette~~
- ☐ Donna Fargo
- ☒ ~~Jim Morrison~~

State Senator

Vote for 1

- ☒ Tammy Wynette

Rock 'n Roll Party

Representative to the Assembly
Vote for 1

- ☐ Shirley Allston Reeves
- ☐ Patty LaBelle
- ☐ Jim Morrison
- ☐ _____

State Senator

Vote for 1

- ☐ Roger Daltrey
- ☐ Keith Moon
- ☐ Jay Black
- ☐ _____

The voter has not chosen a party preference.

The voter has marked candidates in only one party (**Country**).

Analysis:

Jim Morrison, a Rock 'n Roll Party ballot candidate for assembly has been brought over to the Country Party as a write-in candidate to masquerade as a Country singer (yeah, right). Jim Morrison's vote for Congress in the Country Party is not counted.

The presence of a write-in vote in an office means a vote for a ballot candidate in that office cannot be counted, even if the write-in cannot be counted either. The vote for Tammy for Assembly is not counted.

Tammy Wynette is a Country Party ballot candidate for Assembly. Her name has been written in for State Senator in the Country Party. Since the voter has written in Tammy for a different office but in the Same Party, Tammy's vote in the office of State Senator is counted.

No votes were cast in the Rock 'n Roll Party

Result: No party preference was selected, but the voter's marks are confined to the Country Party; no marks were made in any other party. The voter's attempt at making a country singer out of Jim Morrison backfired. Not only could the write-in vote for Jim be not counted, but it also cancelled out Tammy's vote in that office.

Effect on machine tape: None. In the Country Party Assembly contest, the ovals of a ballot candidate and a write-in were marked. The OS equipment saw it as an overvote and did not record a vote. The write-in vote for Country Party Senator was picked up by the equipment.

Example 5

Party Preference

- ☐ Country
- ☐ Rock 'n Roll
- ☐ Opera

Country Party

Representative to the Assembly

Vote for 1

- ☐ Miranda Lambert
- ☐ Tammy Wynette
- ☐ Donna Fargo
- ☐

State Senator

Vote for 1



Rock 'n Roll Party

Representative to the Assembly

Vote for 1

- ☐ Shirley Allston Reeves
- ☐ Patty LaBelle
- ☐ Jim Morrison
- ☐

State Senator

Vote for 1

- ☐ Roger Daltrey
- ☐ Keith Moon
- ☒ Jay Black

Opera Party

Representative in Congress

Vote for 1

- ☒ Beverly Sills
- ☐ Enrico Caruso
- ☐ Placido Domingo
- ☒ Beverly Sills

State Senator

Vote for 1

- ☐ Luciano Pavarotti
- ☐ Maria Callas
- ☐ Renee Fleming
- ☒ Beverly Sills

The voter has not chosen a party preference.

No votes were cast in the Country Part.

The voted primarily in the Opera Party, but crossed over by writing in a name on the Rock 'n Roll ballot.

In the Opera Party:

In both offices, an Opera Party ballot candidate has been written in both offices. Had the voter not crossed over to write in on the Rock 'n Roll party ballot, the vote for Beverly Sills for Congress would have counted (once). The vote for Beverly for Senate would not have been counted because Beverly is not a registered write-in candidate for that office.

Result: No votes count because no party preference was selected and there are votes in two parties.

Effect on machine tape: The OS machine saw only the votes in the Opera Party because the oval was not filled in next to Jay's name in the Rock 'n Roll Party. Jay's write-in vote was not recorded.

The OS equipment would have seen the two filled in ovals for Opera Party Congress as an overvote and no votes would have been recorded for that office.

For Opera Party State Senator, a write-in vote would have registered on the tape. Adjust the tape to subtract the write-in vote.

Example 6

Party Preference

- ☒ Country
- ☐ Opera
- ☐ Rock 'n Roll

Country Party

Representative to the Assembly

Vote for 1

- ☐ Miranda Lambert
- ☐ Tammy Wynette
- ☒ Donna Fargo
- ☐ _____

State Senator

Vote for 1

- ☐ ~~Shirley Reeves~~

Rock 'n Roll Party

Representative to the Assembly

Vote for 1

- ☐ Shirley Allston Reeves
- ☐ Patty LaBelle
- ☐ Jim Morrison
- ☒ ~~Robert Plant~~

State Senator

Vote for 1

- ☐ Roger Daltry
- ☐ Keith Moon
- ☐ Jay Black
- ☒ ~~Jimmy Page~~

(Robert Plant is a registered write-In candidate. Jimmy Page is not.)

The voter has chosen the Country Party. Choosing a party preserves the votes cast in that party.

Country Party

The Country Party is the preferred Party. The vote for Donna Fargo for Assembly in the Country Party is counted.

Once again, an effort to convert a Rock 'n Roller (Shirley) to a Country singer fails. Since the office of Senator has no ballot candidates, ordinarily any a write-in vote would be counted, but not when it is a candidate of another party.

Rock 'n Roll Party

The Country Party is the preferred party, so no votes are counted in the Rock 'n Roll Party. If the preferred party were the Rock 'n Roll party, The write in vote for Robert Plant for Assembly would have counted. The write-in vote for Jimmy Page would not because he is not a registered write-in.

Result: Only the vote for Donna Fargo for Assembly is counted.

Effect on machine tape: None. The OS equipment scanned only the preferred party (Country) and recorded the vote for Country Party Assembly candidate, Donna Fargo. No votes were counted in the Rock 'n Roll Party because it is not the preferred party.

<p>Example 7</p> <p>Party Preference</p> <p><input type="radio"/> Country</p> <p><input type="radio"/> Rock 'n Roll</p> <p><input checked="" type="radio"/> Opera</p> <p><input type="radio"/> Motown</p> <p>Country Party</p> <p>Representative in Congress</p> <p>Vote for 1</p> <p><input type="radio"/> Miranda Lambert</p> <p><input type="radio"/> Tammy Wynette</p> <p><input type="radio"/> Donna Fargo</p> <p><input type="radio"/> _____</p> <p>State Senator</p> <p>Vote for 1</p> <p><input type="radio"/> _____</p> <p>Rock 'n Roll Party</p> <p>Representative in Assembly</p> <p>Vote for 1</p> <p><input type="radio"/> Shirley Allston Reeves</p> <p><input type="radio"/> Patty LaBelle</p> <p><input type="radio"/> Jim Morrison</p> <p><input type="radio"/> _____</p> <p>State Senator</p> <p>Vote for 1</p> <p><input type="radio"/> Roger Daltrey</p> <p><input type="radio"/> Keith Moon</p> <p><input type="radio"/> _____</p> <p>Opera Party</p> <p>Representative to the Assembly</p> <p>Vote for 1</p> <p><input checked="" type="radio"/> Beverly Sills</p> <p><input type="radio"/> Enrico Caruso</p> <p><input type="radio"/> Placido Domingo</p> <p><input checked="" type="radio"/> Freda Payne</p> <p>State Senator</p> <p>Vote for 1</p> <p><input checked="" type="radio"/> Enrico Caruso</p> <p><i>Freda Payne and Enrico Caruso are not registered write-ins.</i></p>	<p>Motown Party</p> <p>Representative to the Assembly</p> <p>Vote for 1</p> <p><input type="radio"/> Smokey Robinson</p> <p><input type="radio"/> Freda Payne</p> <p><input type="radio"/> Gladys Knight</p> <p><input type="radio"/> _____</p> <p>State Senator</p> <p>Vote for 1</p> <p><input type="radio"/> Barry Gordy</p> <p><input type="radio"/> Stevie Wonder</p> <p><input type="radio"/> Marvin Gaye</p> <p><input type="radio"/> _____</p> <p>The voter has chosen the Opera Party.</p> <p>Analysis:</p> <p>The voter has voted for an Opera Party ballot candidate for Assembly, (Beverly) and has also written in Freda Payne.</p> <p>Freda's vote cannot be counted because she is not a registered write-in and there are ballot candidates. Because of the vote for Freda, Beverly's vote cannot be counted either.</p> <p>Opera ballot candidate for Assembly (Caruso) has been written in for Opera Senate. Enrico's write-in vote is counted because he is a candidate for the Opera Party and there are no ballot candidates for Opera Senate, so Enrico doesn't need to be a registered write in for Senate.</p> <p>Result: The write-in vote for Enrico Caruso is the only vote that counts on this ballot.</p>	<p>Effect on machine tape: In the Opera Party, the ovals next to Beverly Sills and write-in Freda Payne have been filled in. The OS equipment sees this as an overvote and no votes are recorded.</p> <p>The oval next to write-in Enrico Caruso was not filled in and was not picked up by the equipment. A vote should be added to the write-ins for Opera Senator.</p>
--	---	--

Canvass Process

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!

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

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

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



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

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



EL-106

Tabular Statement of Votes Cast

(insert municipality and county, if county canvass insert county only) WI

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

(for County Use Only)
For a Partisan Primary, insert political party

Office:		
Reporting Units:	Candidates:	Scattering (for Counties only)

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

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

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

(State of Primary or Election) _____ Reporting Unit: _____ (All units to Reporting Unit)

☐ No provisional ballots were rehabilitated. Election night results stand.

***CERTIFICATION OF MUNICIPAL CLERK**
(If no provisional ballots were rehabilitated for counting)

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)

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.

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

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)

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.

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

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

DEAN KNUDSON, CHAIR
BEVERLY R. GILL
JULIE M. GLANCEY
ANN S. JACOBS
JODI JENSEN
MARK L. THOMSEN

INTERIM ADMINISTRATOR MEAGAN WOLFE

DATE: June 13, 2018

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

FROM: Meagan Wolfe, Interim Administrator
Richard Rydecki, Elections Supervisor
Michael Haas, Staff Counsel

SUBJECT: **Important Ballot Deadlines, Changes to Overseas Voting and Webinar Announcement**

This memorandum outlines two immediate changes that local election officials are required to make pertaining to temporary overseas electors, reviews important absentee ballot deadlines, and outlines additional training resources.

Changes Related to Temporary Overseas Electors

Effective for the 2018 Partisan Primary, temporary overseas electors have the right to receive an absentee ballot electronically and they may also use the Federal Write-In Absentee Ballot (FWAB) to cast their votes. The U.S. Department of Justice has authorized a lawsuit against the State of Wisconsin due to differences in the federal and state statutes related to the definition of overseas electors. To resolve the discrepancy and the litigation, the Wisconsin Elections Commission and the Wisconsin Department of Justice are executing a consent decree with the federal government to permit temporary overseas electors to receive a ballot electronically and to use the FWAB to cast their votes. This will not affect the current statutory distinction which allows temporary overseas electors to vote for all offices while restricting permanent overseas electors to vote only in contests for federal offices.

Additional information regarding recent developments and the legal issues involved is contained in the attached Commission staff memo to the Commission. In short, Wisconsin Statutes create a distinction between Wisconsin voters who are overseas permanently and have no intent to return to Wisconsin, and those who are out of the country on a temporary basis and do intend to return to the state. Temporary overseas electors may be traveling overseas on a short vacation or working on a short- or long-term basis in another country. Regardless of the length of their stay overseas, these voters are considered temporary overseas electors if they have an intent to return to Wisconsin. They may cast votes for all offices on the ballot, unlike permanent overseas electors who may vote only in contests for federal offices.

Temporary overseas electors are currently treated the same as regular absentee voters. There is no space on the voter registration application or the absentee ballot request form to identify themselves as temporary overseas electors and they are not categorized separately in WisVote. Clerks may not even realize these voters are overseas if they have asked for a ballot to be transmitted by fax or email. Under Wisconsin Statutes, clerks may not transmit a ballot to temporary overseas electors electronically, although the federal court order in the *One Wisconsin Institute* case has modified that rule so that clerks have the option to transmit ballots electronically to any absentee voter. Also, they have not been tracked as part of the absentee ballot data that the Commission has collected and transmitted to the U.S. Department of Justice to ensure that military and overseas electors have sufficient time to obtain and return absentee ballots.

Under the new federal court consent decree, if a voter self-identifies as a temporary overseas elector (having an intent to return to Wisconsin), the municipal clerk must transmit an absentee ballot electronically if the elector has requested that method of transmission. Please note that absentee ballots cannot be transmitted to temporary overseas electors through MyVote and WisVote because these voters remain subject to the Photo ID requirement which requires the clerk to first review the photo identification or confirm that one is already on file for that elector. Therefore, absentee ballot can be electronically transmitted to temporary overseas electors only by email or fax.

The second change required by the new federal court consent decree is that temporary overseas electors may now use the Federal Write-In Absentee Ballot (FWAB) to cast their votes, just as permanent overseas electors may now do. The FWAB is a backup ballot which overseas electors may download, write in candidates, and submit to their municipal clerk, and which is counted if the elector does not have time to obtain and return an official ballot. Wisconsin clerks typically receive relatively few FWAB's and temporary overseas electors are currently permitted to use them as an absentee ballot application, but not as an actual ballot. The FWAB may be viewed on the website of the Federal Voting Assistance Program in the U.S. Department of Defense at this link: <https://www.fvap.gov/uploads/FVAP/Forms/fwab2013.pdf>.

Finally, because the federal government's definition of overseas electors includes temporary overseas electors, the requests and absentee ballots of temporary overseas electors must be tracked for federal elections in the same way that ballots for permanent and overseas electors have been tracked in recent elections cycles. The reporting process is outlined below.

Please note that the rules regarding the type of ballot issued to permanent and overseas electors are not changing. Permanent overseas electors are still restricted to the federal-only ballot, while temporary overseas electors and military electors are entitled to vote for all offices.

As part of the consent decree, the WEC will provide guidance to clerks and voters, alter forms and instructions, and publicize the changes on the agency website and through a press release distributed to organizations which work with overseas electors. The changes required under the consent decree were included in legislation which passed the Assembly but did not pass the Senate in the last legislative session. The Commission will work with the Legislature and expects that the terms of the consent decree will be incorporated into future legislation.

Upcoming Ballot Deadlines for Military and Overseas Voters

Federal and state law require that you send absentee ballots to your military and overseas electors with requests on file in accordance with the deadlines set forth below. Military, Temporary Overseas and Permanent Overseas voters may request to receive their ballot via email or fax and clerks are required to honor those requests. Military and Permanent Overseas voters may also request to receive their ballot online via the MyVote Wisconsin website (myvote.wi.gov). Any requests received after the federal deadline on June 30, must be honored within 24 hours and the ballot must be sent by the method requested by the voter.

Reminder:

1) If a Military, Temporary Overseas, or Permanent Overseas voter makes a request for an absentee ballot on or before Thursday, June 28, 2018, you MUST send them the requested ballot no later than

Thursday, June 28, 2018.

2) If a Military, Temporary Overseas, or Permanent Overseas voter makes a request for an absentee ballot on June 29 or June 30, 2018, you MUST send them the requested ballot no later than

Saturday, June 30, 2018.

In the past, there were lengthy absentee ballot reporting requirements that municipalities and the State were required to complete for the U.S. Department of Justice (USDOJ). The reporting requirements were a result of legal action taken by a federal court due to non-compliance with the deadlines by numerous Wisconsin municipalities. While we are not currently subject to these same reporting requirements, the USDOJ has again asked Wisconsin, along with all other states, to track and report information concerning all military and overseas (both permanent and temporary) absentee ballots to ensure that they are issued in accordance with the federal deadlines. Strict compliance with ballot delivery and ballot tracking deadlines will increase our ability to avoid future legal action.

Whenever any absentee ballot is requested, issued, or received, municipalities must record this information in WisVote within 48 hours. Relier municipalities have 48 hours to forward absentee ballot information to their WisVote Provider, who has an additional 24 hours to record the information. These requirements mean it is no longer sufficient to only enter absentee ballot data into an absentee log. The data must be entered into WisVote within the required timeframes.

Military and Overseas Voting Webinar

Wisconsin Elections Commission staff will be hosting a training webinar on June 20, 2018 to discuss the details of changes made to the Temporary Overseas elector procedures and outline the ballot transmission deadlines for the August 14, 2018 Partisan Primary. The webinar details are as follows:

August Primary Ballot Deadlines and Changes to Overseas Voting

June 20, 2018, 10:00 a.m. – 11:00 a.m.

Registration Link:

<https://attendee.gotowebinar.com/register/3288575898407084033>.

The Partisan Primary is a federal election that requires strict adherence to federal and state laws regarding absentee voting by military and overseas voters. Recent legal action by the federal government now requires clerks to honor requests from voters who are temporarily overseas to receive a ballot via email or fax. Temporary Overseas voters can also use the Federal Write-in Absentee Ballot (FWAB) as both a ballot request and a write-in ballot. This webinar will also discuss clerk responsibilities for the upcoming June 2018 ballot deadlines for military and overseas voters and provide information about ballot delivery methods and instructions for sending ballots via email and fax.

Thank you for your assistance in this matter. We know that you take very seriously your role in ensuring that military and overseas electors can cast their ballots. We feel confident, that with your cooperation, all military and overseas voters from Wisconsin will receive their ballot on or before the deadlines for the August 14, 2018 Partisan Primary and that we will be able to promptly submit the required absentee ballot data to the USDOJ.

If you have any questions about the changes to the requirements, or anticipate any problems with meeting the UOCAVA absentee ballot deadlines, please contact the WEC helpdesk at elections@wi.gov or (608) 266-8005.

2018

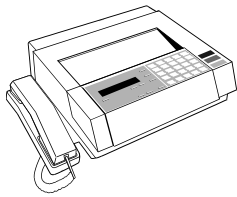
UOCAVA Ballot Deadlines for August and November Elections

August 14, 2018 Partisan Primary		
	State Deadline for County Clerks to deliver ballots to their municipalities	Wednesday, June 27, 2018 (48 days prior to the election)
	State Deadline for Municipalities to send out absentee ballots requested on or before Thursday, June 28, 2018	Thursday, June 28, 2018 (47 days prior to the election)
	Federal Deadline for Municipalities to send out absentee ballots requested on or before Saturday, June 30, 2018	Saturday, June 30, 2018 (45 days prior to the election)
November 6, 2018 General Election		
	State Deadline for County Clerks to deliver ballots to their municipalities	Wednesday, September 19, 2018 (48 days prior to the election)
	State Deadline for Municipalities to send out absentee ballots requested on or before Thursday, September 20, 2018	Thursday, September 20, 2018 (47 days prior to the election)
	Federal Deadline for Municipalities to send out absentee ballots requested on or before Saturday, September 22, 2018	Saturday, September 22, 2018 (45 days prior to the election)

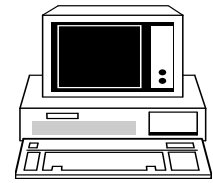
To help clarify the UOCAVA absentee deadlines for the August 14, 2018 Partisan Primary, we are providing the following scenarios. Please use these scenarios as a reference for sending out absentee ballots to your UOCAVA voters.

Scenarios for Thursday, June 28, 2018 Deadline 1: State UOCAVA Deadline
<p>Scenario 1: Military or overseas elector (temporary or permanent) submits a mailed, emailed, faxed, or online request to the clerk asking the clerk to send the ballot by mail, email, or fax for the entire calendar year. The request is received by the clerk on, or prior to June 28, 2018.</p> <p>Action by clerk: You must mail, email, or fax (as requested) the voter's ballot no later than June 28, 2018.</p>
<p>Scenario 2: Military or overseas elector (temporary or permanent) submits a mailed, emailed, faxed, or online request to the clerk asking the clerk to send the ballot by mail, email, or fax for the entire calendar year or only for the August 14, 2018 Partisan Primary. The request is received by the clerk after June 28, 2018.</p> <p>Action by clerk: You must mail, email, or fax (as requested) the voter's ballot within one business day of receiving the request. For example, if you receive the request on Tuesday, July 3 at noon you must send the ballot no later than Thursday, July 5 at noon (July 4 is a state holiday). But see the exception under Scenarios 1 and 2 of the Federal Deadlines guide below for requests received on or before June 30, 2018.</p>
<p>Scenario 3: Military or overseas elector (temporary or permanent) submits a mailed, emailed, online, or faxed request to the clerk asking the clerk to send the ballot for <u>only</u> the August 14, 2018 Partisan Primary. The request is received by the clerk on, or prior to, June 28, 2018.</p> <p>Action by clerk: You must mail, email, or fax (as requested) the voter's ballot no later than June 28, 2018.</p>

Scenarios for Saturday, June 30, 2018 Deadline 2: Federal UOCAVA Deadline
<p>Scenario 1: Military or overseas elector (temporary or permanent) submits a mailed, emailed, faxed, or online request to the clerk asking the clerk to send the ballot by mail, email, or fax for the entire calendar year. The request is received by the clerk on, or prior to June 30, 2018.</p> <p>Action by clerk: You must mail, email, or fax (as requested) the voter's ballot no later than June 30, 2018.</p>
<p>Scenario 2: Military or overseas elector (temporary or permanent) submits a mailed, emailed, faxed, or online request to the clerk asking the clerk to send the ballot by mail, email, or fax for the entire calendar year. The request is received by the clerk after June 30, 2018.</p> <p>Action by clerk: You must mail, email, or fax (as requested) the voter's ballot within one business day of receiving the request. For example, if you receive the request on a Friday at noon, you must send the ballot no later than Monday at noon.</p>
<p>Scenario 3: Military or overseas elector (temporary or permanent) submits a mailed, emailed, online, or faxed request to the clerk asking the clerk to send the ballot for only the August 14, 2018 Partisan Primary. The request is received by the clerk on, or prior to, June 30, 2018.</p> <p>Action by clerk: You must mail, email, or fax (as requested) the voter's ballot no later than June 30, 2018.</p>
<p>Scenario 4: Military or overseas elector (temporary or permanent) submits a mailed, emailed, faxed, or online request to the clerk asking the clerk to send the ballot for only the August 14, 2018 Partisan Primary. The request is received by the clerk after June 30, 2018.</p> <p>Action by clerk: You must mail, email, or fax (as requested) the voter's ballot within one business day from receiving the request. For example, if you receive the voter's request on a Monday, you must mail, email, or fax the ballot no later than Tuesday.</p>



Faxing or E-mailing Absentee Ballots



All voters can request to have an absentee ballot emailed or faxed to them. If you receive a request from a voter who would like to receive their ballot by email or fax, follow these instructions when sending the voter their ballot.

REQUEST

- **Review the written request for an absentee ballot from a qualified elector.** The absentee application request may be on the form prescribed by the Wisconsin Elections Commission (WEC) (Application for Absentee Ballot EL-121) or may be in the form of a letter, email or fax that contains the information needed for an absentee ballot request. Remember, the request must be in writing, but email and fax requests do not need to include the voter's signature. Voters can also submit their request through the MyVote Wisconsin website: [MyVote.wi.gov](https://myvote.wi.gov). You will receive an email notification when the voter makes their request through MyVote.
- **All voters may receive their absentee ballot by mail, email or fax.** However, clerks must honor email and fax requests from Military, Temporary Overseas and Permanent Overseas voters. Military, Permanent Overseas, indefinitely confined, and confidential voters do not need to provide a photo ID with their request. Regular and Temporary Overseas voters must provide a photo ID with their absentee ballot request.
- After determining that the elector is qualified to receive an absentee ballot, the municipal clerk may fax or e-mail the ballot to the elector.

FAXING

- The municipal clerk should initial the ballot in the endorsement section and initial the face of the ballot.
- Fax the ballot and the face of the [Certification Envelope](#) along with the [Uniform Instructions for Absentee Voters](#).
- The voter should be instructed to vote the ballot in the presence of a witness, fold the ballot and seal it inside a regular, non-window envelope, and complete and sign the absentee certificate. A U.S. citizen, age 18 years or older, must witness, sign, and provide his or her address on the certificate. Military or permanent overseas voters must provide their birthdate. The certificate should be affixed (with glue or tape) to the envelope containing the voted ballot. The envelope with the certificate attached should be placed into another, larger, envelope, sealed and mailed to the municipal clerk. The ballot must be received by 8 p.m. on Election Day.
- When faxing to military and overseas voters (temporary and permanent), follow procedures set out in [Fax & Email Guidelines](#) provided by the Federal Voting Assistance Program.

E-MAILING

- The municipal clerk should print their initials in the endorsement section of the ballot and on the face of the ballot and scan the initialed ballot. If you do not have access to a scanner, work with your county or the WEC to determine an alternate way of initialing the ballot before sending it via email.

- Email the initialed ballot and the face of the [Absentee Ballot Certificate](#) along with the [Uniform Instructions for Absentee Voters](#).
- The elector should be instructed to print the ballot, vote the ballot in the presence of a witness, fold the ballot and seal it inside a regular, non-window envelope, and complete and sign the absentee certificate. An U.S. citizen, age 18 years or older, must witness, sign, and provide his or her address on the certificate. Military or permanent overseas voters must provide their birthdate. The certificate should be affixed (with glue or tape) to the envelope containing the voted ballot. The envelope with the certificate attached should be placed into another, larger, envelope, sealed and mailed to the municipal clerk. The ballot must be received by 8 p.m. on Election Day.

RETURN

- The absentee elector must return the hard copy of the ballot and the completed certificate to the municipal clerk in time so that the clerk can deliver the ballot to the polling place before the close of the polls.
- The elector may choose overnight delivery to assure that their ballot arrives on time. The municipal clerk is not responsible for return postage of a faxed or e-mailed absentee ballot.
- The USPS recommends that ballots be mailed at least one week prior to the date of the Election to arrive on time. If the ballot is returned from overseas, the ballot should be mailed earlier.

DOCUMENTATION

- The municipal clerk records the date absentee ballots are faxed or e-mailed to voters in WisVote or forwards the information to their WisVote Provider.
- When absentee ballots are returned to the clerk's office, the municipal clerk or their WisVote Provider records the information in WisVote. The clerk ensures the certificate is attached to the envelope holding the ballot. If the certificate is not attached, the clerk uses tape or glue to affix the certificate to the envelope. If the voter did not seal the ballot in an envelope as directed, the clerk encloses the ballot in a certificate envelope and affixes the completed certificate. The clerk delivers the ballot to the appropriate polling place in a carrier envelope.
- At the polling place, the election inspectors follow the procedures for processing absentee ballots. The ballot may be remade by 2 election inspectors so the ballot is accepted by electronic tabulating equipment.

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
DEAN KNUDSON
MARK L. THOMSEN, CHAIR

INTERIM ADMINISTRATOR MEAGAN WOLFE

DATE: March 13, 2018

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

FROM: Sara Linski
WisVote Specialist

SUBJECT: Badger Book Pilot Program Details

Introduction

The Badger Book will be used in 5 polling locations for the Spring Election on April 3, 2018. Staff seek to evaluate the performance and usability of the Badger Book e-poll book software and determine how it interacts with hardware selected by staff. The pilot program will provide the opportunity to gather feedback and make improvements before making the system available statewide for the August and November elections.

Software Features and Hardware Configurations

Staff determined three main functions that the Badger Book will cover: checking in a voter, processing an absentee ballot, and registering a voter. In addition, the software will support the redirection of voters who attempt to vote at the wrong polling place, capture misspelling notes on a voter record, direct a poll worker to offer provisional voting opportunities in appropriate situations, and allow local elections officials to print necessary reports for post-election activities. These features will be supported by a barcode scanner which will have the ability to search for the voter by name during the check in process and for an absentee ballot by the mailing ID listed on the absentee ballot return envelope.

When the voter data is downloaded from WisVote and transferred to the USB to be loaded onto the Badger Book, all poll book information will become encrypted. Voter data will then only be accessible to those with a login to the Badger Book system. The Badger Book devices will not be connected to the internet on Election Day.

Two configurations for hardware will be used during the pilot in the Spring Election:

1. The City of Brookfield and City of Mequon will use the Point of Service configuration. Each Badger Book station will include:

- ELO PC all-in-one with a 15-inch monitor (election inspector facing)
 - 10-inch ELO touchscreen monitor (voter facing)
 - Printer stand
 - Wireless keyboard
 - Wireless mouse
 - Thermal receipt printer
 - Barcode scanner
2. The Town of Trenton, City of Sun Prairie, and City of Beloit will use the tablet-based option. Each Badger Book station will include:
- HP 2 tablet
 - Swivel base
 - USB hub extender
 - Wireless key board
 - Wireless mouse
 - Thermal receipt printer
 - Barcode Scanner

Participants

The pilot will take place in 5 polling locations. Staff has been in regular contact with the selected locations since November 2017. As part of participating in the pilot, clerks agreed to these stipulations:

1. The polling location must be willing to incorporate Election Day Registrations into the regular voter check in line.
2. Absentee ballots sent to the pilot location must not be pre-numbered.
3. Poll workers who will be working the pilot locations must attend Badger Book training the week prior to Election Day.
4. The polling location should be equipped and prepared to run the election as if there were no e-poll books. The polling location and poll workers must be equipped to switch to paper poll book process if needed.
5. For voters registering on Election Day, election inspectors will need to use their existing process to district voters and make sure they are in the correct polling location. The Badger Book will not be able to make that determination.
6. Either the clerk or a designee will need to be on site at the polling location to assist in troubleshooting with poll workers and collecting feedback.
7. Hardware will be provided at no cost for the pilot.

2018 Spring Election Pilot Sites, April 3, 2018

Municipality	County	Polling Location	Ward(s)
City of Brookfield	Waukesha County	Brookfield Public Safety Building	Ward 14-17
Town of Trenton	Washington County	Trenton Town Hall	Ward 1-8

City of Beloit	Rock County	First Congressional Church	Wards 16
City of Sun Prairie	Dane County	Colonial Club	Ward 1-5
City of Mequon	Ozaukee County	Pieper Power Education Center	Wards 8-10

On Boarding

As part of being a pilot location, each clerk has agreed to additional training for their poll workers on March 26-29. Clerks will find and secure a training location in which to train their poll workers on the Badger Book. Poll workers will be required to receive training on all three functions: Voter Check In, Processing an Absentee, and Election Day Registration. Additionally, most clerks will hold a voter event to provide voters the opportunity to ask questions and acquaint themselves with the equipment before Election Day. Details about training, voter events, hardware configuration, and the staff resources are found in the table below.

2018 Spring Election Pilot Sites, April 3, 2018

Municipality	Training Date	Voter Event	Type of Hardware	Assigned Election Day WEC Staff
City of Brookfield	3/27	3/27 2:00pm – 5:00pm	Point of Service	Sara Linski
Town of Trenton	3/26	n/a	Tablet based	Christopher Doffing
City of Beloit	3/28	3/28 11:00am – 12:30pm	Tablet based	Robert Williams
City of Sun Prairie	3/29	3/29 12:00pm – 2:00pm	Tablet based	Mike Nelson
City of Mequon	3/26	3/26 4:00pm – 5:30pm	Point of Service	Michelle Hawley

Methods for Feedback

To evaluate the Badger Book, several strategies will be employed to collect feedback. Timing feedback will be collected using the Voter Wait Time Tool from the Election Tools resources. Voters will be asked to hold scanned cards at the beginning of the line and to hand them back to a poll worker at the end of the check in process where they will be scanned back in. This data will then be sent back to the website TimeStation where we can evaluate the wait time a voter experienced at a site using the tablet-based configuration and the point of service-based configuration. This data will be compared against two paper poll book sites in the Village of Waunakee and City of New Berlin who will also be collecting voter wait time data. Poll worker satisfaction and usability feedback for hardware and software will be gathered by paper survey

completed at the end of their shift. Additionally, feedback will be gathered from voters via optional paper surveys to complete before leaving the polling location. Using these strategies, the pilot will aim to answer the below questions:

Hardware and Configuration

- Is the hardware easy and intuitive for a poll worker and voter to use?
- Did scanning and typing to search for a voter move any more quickly than searching for a voter by hand on the paper poll book?
- Did the point of service hardware configuration perform better or worse than the tablet-based configuration?
- How did the consolidation of lines for Check-In and Election Day Registrations impact the voter experience overall?
- Were there any communication lapses or issues between networked Badger Books?

Software

- Do poll workers struggle to find the next step in a process?
- Do poll workers struggle to find how to go back a step in the process?
- Was there any information lacking on any screen that impeded a poll worker's ability to perform their job?
- Did any instructions in the poll book conflict with training provided at the municipality level?
- Do poll workers feel more confident in their ability to evaluate a photo ID?
- Were poll workers able to validate voter numbers throughout the day?
- Do poll workers feel it is easier to find the correct voter using the e-poll book versus paper poll book?
- Did any language create confusion for what a poll worker is supposed to do next?
- Did the addition of the statewide voter database for redirection purposes provide any benefit?
- How often does a poll worker require assistance to navigate the system?
- What, if any, scenarios arise that the Badger Book cannot handle?

Post-Pilot Activities

After the election, staff will reconvene to share experiences and evaluate poll worker, voter, and clerk feedback to determine what improvements or fixes need to be made to the system before launch. Staff will work with the development team to make these changes and with the PDS team to redesign the hardware configuration, if needed. Beyond that, developers will focus on creating clerk workflows in WisVote to manage their own data download before the election and upload voter participation and voter registration information post-election. Staff will also work to provide additional opportunities for clerks to evaluate the Badger Book for purchasing purposes in summer 2018.

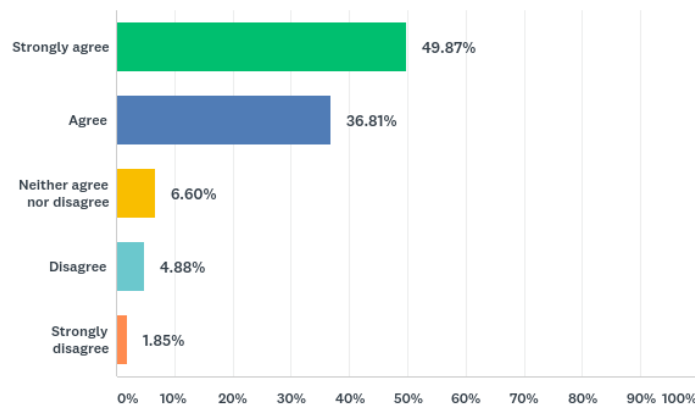
Badger Book Pilot

Spring Election 2018 Feedback

Data below is reflective of data collected from 40 poll workers and 760 voters who participated in the Badger Book pilot in Beloit, Brookfield, Mequon, Sun Prairie, and Trenton.

Voter Experience

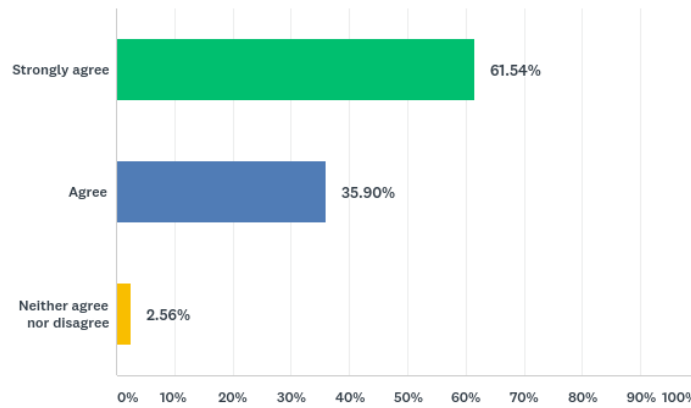
Q2 The electronic poll book was quick and easy for me to use



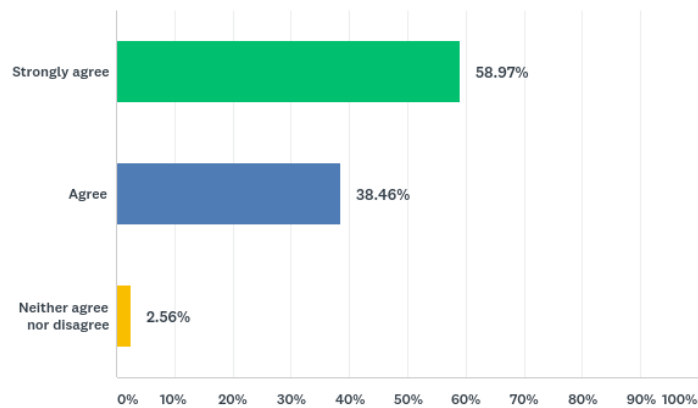
Poll Workers

Check In

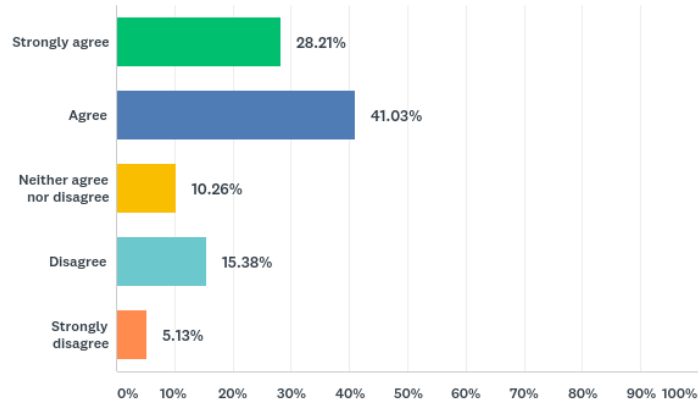
Q12 Overall, I am satisfied with the ease of completing the task of checking in a voter



Q13 Overall, I am satisfied with the amount of time it took to check in a voter

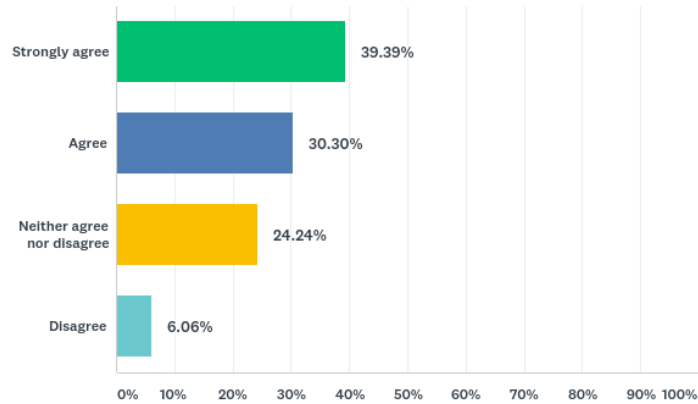


Q46 We had enough devices to manage the lines appropriately

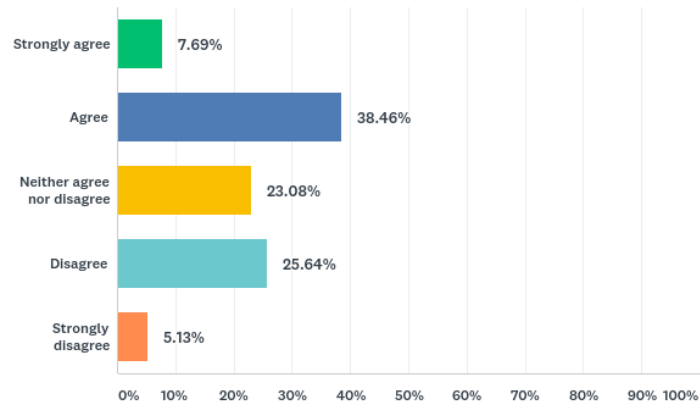


Registration

Q32 Overall, I am satisfied with the amount of time it took to complete an Election Day Registration



Q45 Registering voters in the same line as check in worked well in our polling location



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
DEAN KNUDSON
MARK L. THOMSEN, CHAIR

INTERIM ADMINISTRATOR MEAGAN WOLFE

DATE: April 12, 2018

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

FROM: Sara Linski
WisVote Specialist

SUBJECT: Badger Book Interest Level and Implementation Plans

The Wisconsin Elections Commission recently conducted a pilot test during the 2018 Spring Election to evaluate the newly developed electronic poll book - the Badger Book. Staff is still in the process of reviewing feedback from clerks, poll workers, voters and voter wait time data. The results of this feedback will be used to update the system before making it available statewide.

To gain perspective on your interest and/or plans to purchase and use Badger Books, staff requests that you [click here to complete the Badger Book Interest Level and Implementation Plans survey](#). Information collected from this survey will not be used as a purchase order for the electronic poll books, but staff will use the results to develop and deploy a roll out strategy for those interested in implementing in 2018. **If you plan on purchasing and using Badger Books in 2018, please complete the survey by April 27.**

If you have questions or concerns related to this request, please contact the Elections Commission Help Desk at elections@wi.gov or (608-261-2028).

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
DEAN KNUDSON
MARK L. THOMSEN, CHAIR

INTERIM ADMINISTRATOR MEAGAN WOLFE

MEMORANDUM

DATE: For the Meeting of May 24, 2018

TO: Members, Wisconsin Elections Commission

FROM: Meagan Wolfe
Interim Administrator

Prepared and Presented by:
Sarah Whitt Jodi Kitts
WisVote IT Lead WisVote Specialist

SUBJECT: Update on ERIC Supplemental Poll List Process

This memo provides updates on the ERIC Supplemental Poll List process that was used for the 2018 Spring Election, recommendations for using the same process at the 2018 August Partisan Primary and information concerning the 2018 mailing to voters who are Eligible but Unregistered.

Background

On October 24, 2017, Commission staff identified approximately 340,000 registered voters who appeared to have moved based on data provided by the Electronic Registration Information Center (ERIC). These voters were then mailed a postcard and encouraged to re-register if they had moved, or were given an option to continue their registration at their current address within 30 days if they did not move. On January 9, 2018 Commission staff deactivated the registration of any voters who did not re-register or did not request continuation at their current address within the 30-day period.

During the 2018 Spring Primary, WisVote staff received an increased volume of calls from voters and/or local election officials indicating that some voters had been deactivated as a result of the ERIC mailing even though the voter indicated at the polls that they had not moved.

At the March 2, 2018 meeting of the Elections Commission, the Commission approved having WEC staff provide ERIC Supplemental Poll Lists for local election officials to use at the 2018 Spring Election. These lists included any voters who were deactivated as part of the ERIC process who had not subsequently re-registered or had not been deactivated for a different reason such as being deceased or being a felon. If a voter appeared at the polls, claimed they had not moved and appeared on the ERIC Supplemental List, the voter was allowed to sign an affirmation that they still lived at the address on the ERIC Supplemental List, and were allowed to vote without having to re-register on Election Day. Clerks were also permitted to contact their ERIC voters ahead of the election, or to investigate their

ERIC voters against other reliable government records available to the clerk to confirm their residency status and reactivate their voter record prior to Election Day.

Preparing the ERIC Supplemental Lists

WEC staff had to make several changes to the WisVote system quickly in order to support the ERIC supplemental poll list process.

First, a new view was added in WisVote so clerks could easily view and print lists of their ERIC voters to research ahead of the election if they chose to. The new view filtered out any ERIC voters who had already been reactivated, had subsequently re-registered, or had been deactivated for a reason other than ERIC, such as being deceased or serving a felony sentence.

The new ERIC Supplemental Poll List report was then created in WisVote. Clerks were instructed to print the new report along with their poll books. The printed report filters out ERIC voters who had been reactivated, re-registered, or were marked as Deceased or as Felons. The report is grouped by reporting unit to match the poll list and has a signature box where the voter signs. The signature area includes confirmation language oriented so the voter can easily read it that confirms the voter still resides at the address listed on the ERIC Supplemental List. New training materials were prepared for the report and distributed to clerks ahead of the 2018 Spring Election.

Clerks were instructed to scan any pages of the ERIC supplemental list where voters signed, and email them to the Help Desk after Election Day. WisVote staff handled the processing of the ERIC supplemental voters, reactivating the voters and recording the votes in WisVote on behalf of the clerks, with an average turnaround time of 24 hours.

Election Day Observations

The implementation of ERIC Supplemental Poll Lists for the 2018 Spring Election appeared to go smoothly. WEC staff did not take any ERIC-related phone calls from either voters or clerks on Election Day. The City of Milwaukee created a support team to assist with ERIC Supplemental List issues and they also reported they did not receive any ERIC-related phone calls on Election Day.

Statistics

Currently, of the 1,853 Wisconsin municipalities, 1,327 municipalities have reported to WEC staff that they did not have any voters sign their ERIC Supplemental Poll Lists for the 2018 Spring Election or they signed in error because they actually did move.

419 municipalities reported to WEC staff that they did have voters use and sign the ERIC Supplemental Poll Lists, which resulted in 1,328 voter records being reactivated. Staff is still awaiting confirmation from the additional 107 municipalities regarding their usage of the ERIC Supplemental List.

Recommendations for Upcoming Elections

The ERIC Supplemental Poll Lists worked well for the 2018 Spring Election, therefore WEC staff believes the same process should be put in place for the upcoming special elections and the 2018

Partisan Primary. Continuing the same process allows eligible voters to vote without having to re-register, while minimizing additional training of election workers. WEC staff wishes to review the process after the Partisan Primary to make sure no other unforeseen issues exist before making a recommendation for the 2018 General Election. Please see the recommended motion at the end of this memorandum.

Continuing Cooperation with DMV

WEC staff has continued to work with the Wisconsin Department of Transportation, Division of Motor Vehicles (DMV), to investigate voters who were flagged as having potentially moved based on DMV data, but who indicated they did not. DMV investigated approximately 100 customers provided by WEC staff and confirmed that the data they provided to ERIC was correct for those customers. There was a range of situations represented by these customers. Some had updated their address on the DMV website. Some had been updated through DMV's National Change of Address process. Some customers listed the new address on a vehicle registration form, changed it at the counter at a DMV Service Center, or listed it at a dealership when they were purchasing a vehicle. DMV was able to provide back-up audit logging and paper forms to confirm that the customers did in fact update their address at DMV (except in the case of National Change of Address processing, which is driven by customers filling out a mover card with the United States Postal Service).

2018 Mailing to Eligible but Unregistered Voters

In June of 2018, WEC Staff will send a mailing to Wisconsin residents that have been identified by ERIC as being eligible to register to vote, but who are not yet registered. The ERIC Eligible but Unregistered mailing is required in the ERIC Membership Agreement to be run a minimum of once every two years, ahead of the November General Election.

The first Eligible but Unregistered mailing under ERIC was performed in the fall of 2016, before online voter registration was available. Staff anticipates that the 2018 mailing will be more successful now that voters can simply go to myvote.wi.gov and complete their registration process online. The goal of the mailing is to get voters registered ahead of the 2018 General Election so there are fewer Election Day Registrations that local election officials need to process. This results in direct cost savings for local governments. A sample of the proposed postcard is attached to this memorandum.

Conclusion and Motion

The ERIC Supplemental List process has proven to be an effective way to allow those voters who were removed through the ERIC Movers process but did not move to vote without unnecessary burdens. It also effectively identified voters who do need to re-register and required them to do so. The process was not overly burdensome or confusing to local election officials. The technical changes made in WisVote to support this process have already been made and continued use of the process does not present significant cost increases for Commission Staff.

Recommended Motion:

The Elections Commission approves the staff plan described above to continue use of the ERIC Supplemental List process at the 2018 Partisan Primary.

Our records show you may not be registered to vote
Save time on Election Day - register to vote now!



Upcoming elections

August 14, 2018

November 6, 2018

Wisconsin Elections Commission
212 E Washington Avenue
Madison, WI 53703-2855



NONPROFIT ORG
US POSTAGE
PAID
MADISON WI
PERMIT NO 1369

This postcard is an official mailing from the State of Wisconsin.

Register to Vote Online - Visit myvote.wi.gov and click Register to Vote

Or you can register to vote before the election by mail, at your municipal clerk's office, or at your polling place on Election Day. Don't forget your Proof of Residence document!

Think you are already registered? Go to myvote.wi.gov to verify your registration.

MyVote está disponible en español

To register to vote, you must be a U.S. citizen, at least 18 years of age on Election Day, and not otherwise disqualified for a reason such as currently serving a felony sentence.

*****AUTO**3-DIGIT 535 1 3

GINNY A EIDE
PO BOX 70
111 S WATER ST
ALBANY WI 53502-9429

