

# Quick Reference Guide

Build-It-Yourself Version

## Overview

This Quick Reference Guide is a 'build it yourself' resource that can be taken into the poll location and used to quickly reference Election Day procedures and activities.

Refer to your state's election code to fill in specific information needed to be a well-informed Election Observer. The election codes by state have been aggregated by volunteers. Please see your state's codes by visiting:

<https://truethevote.org/info-by-state>

## Assembly Instructions

1. Print this document (double-sided, flip on the long edge)
2. Cut along the dotted line at the bottom of each page.
3. Order the pages according to the page numbers (don't include this page).
4. Align all pages along the top edge and staple.
5. Your finished document will have handy tabs along the bottom of each page for quick reference and space for taking notes as you flip the previous page.
6. Keep those elections honest and help true the vote!



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# Wisconsin Election Observer Quick Reference Guide



## Polling Place Staff

Lead authority: \_\_\_\_\_

Other election workers: \_\_\_\_\_

## Primary Mission of a Poll Watcher

OBSERVE and DOCUMENT activities of the Election Workers at the poll to ensure that proper elections procedures are followed. DO NOT TALK or ENGAGE with voters in any way. If a voter or other person approaches you in the poll, walk over to the LEAD AUTHORITY and ask him/her to explain to the person that you are not allowed to speak to them.

**Staff & Mission**

**Hotline #:** \_\_\_\_\_

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## Notes & Election Codes

### 7.41 - Public's right to access.

(1) Any member of the public may be present at any polling place, in the office of any municipal clerk whose office is located in a public building on any day that absentee ballots may be cast in that office, or at an alternate site under s. 6.855 on any day that absentee ballots may be cast at that site for the purpose of observation of an election & the absentee ballot voting process, except a candidate whose name appears on the ballot at poll/on an absentee ballot to be cast at the clerk's office/alternate site at election. The chief inspector/municipal clerk may reasonably limit the number of persons representing the same organization who are permitted to observe under this subsection at the same time. Each person permitted to observe under this subsection shall print their name in/sign/& date a log maintained by the chief inspector/municipal clerk for polling place/office/alternate site. (2) The chief inspector/municipal clerk may restrict the location of any individual exercising the right under sub. (1) to certain areas within a polling place/office/alternate site under s. 6.855. The chief inspector or municipal clerk shall clearly designate observation areas for election under sub. (1). The observation areas shall be not less than 3 feet from nor more than 8 feet from the table at which electors announce their name & address to be issued a voter number at polling place/office/alternate site and not less than 3 feet from nor more than 8 feet from the table at which a person may register to vote at polling place/office/alternate site. The observation areas shall be so positioned to permit any election observer to readily observe all public aspects of voting process. (3) The chief inspector/municipal clerk may order the removal of any individual exercising the right under sub. (1) if that individual commits an overt act which does any of the following: (a) Disrupts the operation of the polling place/office/alternate site under s. 6.855. (b) Violates s. 12.03 (2) or 12.035. (4) No individual exercising the right under sub. (1) may view the confidential portion of a registration list maintained under s. 6.36 (4) or a poll list maintained under s. 6.79 (6). However, the inspectors/municipal clerk shall disclose to such an individual, upon request, the existence of such a list/number of electors whose names appear on the list/& the number of those electors who have voted at any point in the proceedings. No such individual may view the certificate of an absent elector who obtains a confidential listing under s. 6.47 (2). (5) The commission shall promulgate rules consistent with the requirements of sub. (2) regarding the proper conduct of individuals exercising the right under sub. (1), including the interaction of those individuals with inspectors and other election officials. (2) Election officials. (b) No election official may: 1. Observe how an elector has marked a ballot unless the official is requested to assist the elector; intentionally permit anyone not authorized to assist in the marking of a ballot to observe how a person is voting or has voted; or disclose to anyone how an elector voted other than as is necessary in the course of judicial proceedings. 2. Illegally issue/write/change/alter a ballot on election day. 3. Permit registration or receipt of a vote from a person who the official knows is not a legally qualified elector/who refused after being challenged to make the oath/or properly answer the necessary questions pertaining to the requisite requirements & residence; or put into the ballot box a ballot other than the official's own or other one lawfully received. 4. Intentionally assist or cause to be made a false statement/cavass/certificate/or return of the votes cast at any election. 5. Willfully alter/destroy a poll or registration list. 6. Intentionally permit/change/alter a voting machine/voting device/equipment to fall to correct registration or record a vote cast/inserted/inserted or tamper with or disarrange the machine/device/equipment/or any part; cause/consent to the machine/device/automatic tabulating equipment being used for voting at an election with knowledge it is out of order or is not perfectly set & adjusted so as to correctly register/record all votes cast/inserted; with the purpose of defrauding/deceiving any elector, cause doubt for what party/candidate/or proposition a vote will be cast or cause the vote for one party, candidate or proposition to be cast so it appears to be cast for another, or remove/change/mutilate a ballot on a voting machine, device or a ballot to be inserted into automatic tabulating equipment....



### **What to Do If You See an Infraction**

- Notify Lead Authority of infraction
- If correction made: Document incident noting correction
- If correction not made: Document incident noting outcome
- Include time and names of Election Workers involved. DO NOT list names of voters.
- Description of violation:
  - What you witnessed and what was said
  - FACTS ONLY, leave out opinion/emotion
- Complete INCIDENT REPORT when time allows

### **Professional Conduct & Conflict Resolution**

- Remember: Your PRIMARY MISSION is observation & documentation
- Be professional in speech and body language
- Tone of voice says more than words chosen
- Avoid being dismissed as “disruptive”
- Know your election code as much as possible
- Ask Lead Authority to deal with hostile persons
- Dealing with errors by LEAD AUTHORITY
  - Politely point out correct action from reference materials
  - If not corrected, document and share with your state’s election authority

## **Infractions**

## **Conflict Resolution**

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## Infractions

**12.13 Election fraud.** (1) Electors: Whoever intentionally does any of the following violates this chapter: (a) Votes at any election if person does not have the necessary elector qualifications... (b) Falsely procures registration/makes false statements... (c) Registers as an elector in more than one place for the same election. (d) Impersonates a registered elector/poses as another person... to vote. (e) Votes more than once in the same election. (f) Shows marked ballot to any persons or places a mark upon the ballot so it is identifiable as their ballot. (g) Procures an official ballot & neglects or refuses to cast or return it. This paragraph does not apply to persons who have applied for & received absentee ballots. (h) Procures/assists/or advises someone to do any of the acts prohibited by this subsection.

**12.13(3) - Prohibited acts.** No person may: (a) Falsify any information or fraudulently deface or destroy a certificate of nomination/nomination paper/declaration of candidacy/or petition for an election... (b) Wrongfully suppress/neglect/or fail to file nomination papers in the person's possession at the proper time & office; suppress a certificate of nomination is duly filed. (c) Willfully/negligently fail to deliver, official ballots prepared for an election to the proper person/prevent their delivery within the required time/destroy/or conceal the ballots. (d) Remove/destroy any supplies/conveniences placed in compartments/polling booths. (e) Prepare or cause to be prepared an official ballot with intent to change the result of the election... (f) ...tamper with voting machines, voting devices or automatic tabulating equipment... (g) Falsify any statement relating to voter registration under chs. 5 to 12. (h) Deface/destroy/remove any legally placed election campaign advertising poster... under ch. 11... (i) Falsely make any statement for the purpose of obtaining/voting an absentee ballot under ss. 6.85 to 6.87. (j) (l) When called upon to assist an elector who cannot read/write/difficultly in reading, writing or understanding English/is unable to mark a ballot or depress a lever/button on a voting machine, inform the elector a ballot contains names/words different than are printed/displayed on the... (k) Forge/falsely make the official endorsement on a ballot or knowingly deposit a ballot in the ballot box upon which the names/initals of the ballot clerks, or those of issuing clerks do not appear. (l) When not authorized, during/after election, break open/violate the seals/locks on a ballot box containing ballots of that election or obtain unlawful possession of a ballot box with official ballots; conceal/withhold/destroy ballots/or ballot boxes; willfully, fraudulently/forcibly add/diminish the number of ballots legally deposited in a ballot box; or aid/abet any person in doing any of the acts... (m) Fraudulently change a ballot or elector so the elector is prevented from voting for whom the elector intended. (n) Receive a ballot/or give a ballot to a person other than election official in charge. (o) Vote/offer to vote a ballot except as received from an inspectors. (p) Receive a completed ballot from a voter unless qualified to do so. (q) Solicit a person to show how vote is cast. (r) Remove a ballot from polling place before polls are closed. (s) Solicit another elector to help under ss. 6.82 (2) or 6.87 (5), except in the case of an elector who is blind/visually impaired to the extent that the elector cannot read a ballot. (t) Obtain an absentee ballot as the agent of another elector under ss. 6.86 (3) & fail/refuse to deliver it to elector. (u) Provide false documentation of identity for the purpose of inducing an election official to permit the person or another person to vote. (w) Falsify a ballot application under ss. 6.18. (x) Refuse to obey a lawful order of an inspector made for purpose of enforcing the election laws; engage in disorderly behavior at/near a polling place; or interrupt/disturb the voting/or canvassing proceedings. (y) After an election, break the locks/seals/or reset the counters on voting machine except in the course of official duties carried out at the time & in the manner prescribed by law; or disable a voting machine so as to prevent an accurate count of the votes from being obtained; or open the registering/recording compartments of a machine with intent to do so on any such act. (z) Tamper with automatic tabulating equipment/record of votes cast/computer program which is to be used in connection with such equipment to count/recount votes at any election so as to prevent or attempt to prevent an accurate count of the votes from being obtained. (zm) Willfully provide to a municipal clerk false information for the purpose of obtaining a confidential listing under s. 6.47 (2) for that person or another person. (zn) Disclose to any person information provided under s. 6.47 (8) when not authorized to do so.

## Conflict Resolution

**5.08 - Petition for enforcement.** Addition to or in lieu of filing a complaint, any elector may file a verified petition alleging such facts as are within their knowledge to indicate that an election official has failed/is failing to comply with any law regulating the conduct of elections/election campaigns/law regulating campaign financing/or proposes to act in a manner inconsistent with such a law, & requesting that an action ...

**6.95 - Voting procedure for challenged electors.** Whenever the inspectors under ss. 6.92 to 6.94 receive the vote of a person offering to vote who has been challenged, the inspectors shall, before giving the elector a ballot, write on the back of the ballot the serial number of the challenged person corresponding to the number kept at the election on the poll list, or other list maintained under s. 6.79, and the notation "s. 6.95". **SEE ELECTION CODE FOR FULL DETAILED STEPS.**



### **Arrival Checklist**

- Check in with Lead Authority
- Submit any required paperwork upon arrival
- Receive ID badge if required
- Ask Lead Authority for cell phone policy
- Introduce yourself to election workers

### **Poll Layout**

- Write your name, poll location info and date at top of note pad
- Record names of all election workers
- Draw a schematic of the poll layout noting the placement of equipment

### **Note Taking**

- Observe and document all activities, include time of activity and brief description of events
- State observations using facts; DO NOT INCLUDE OPINIONS

### **Opening Procedures**

#### **Things to watch for during the opening of the poll:**

- All security seals were intact prior to poll opening
- All ballots boxes were empty (if using paper ballots)
- All voting machines/ballots/ballot boxes are accounted for and within your line of sight
- All tabulator tapes are set at zero

## **Opening the Polls**

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## Opening the Polls

### 6.78 Poll hours.

(1m) The polls at every election shall be open from 7 a.m. until 8 p.m. ... (4) Any elector waiting to vote, whether within the polling booth or in the line outside the booth at the time the polls officially close, shall be permitted to vote.

### 6.45 Access to registration list.

(1) After the deadline for revision of the registration list, the municipal clerk shall make copies of the list for election use. (1m) The registration list and any supplemental lists which are prepared at polling places or other registration locations under s. 6.55, shall be open to public inspection. Under the regulations prescribed by the municipal clerk, any person may copy the registration list at the office of the clerk. A registration list maintained at a polling place may be examined by any person who is observing the proceedings under s. 7.41 when such use does not interfere with the conduct of the election. This subsection does not apply to information that is confidential under s. 6.47. (2) The municipal clerk shall furnish upon request to each candidate who has filed nomination papers for an office which represents at least part of the residents of the municipality one copy of the current registration list for those areas for which he or she is a candidate for a fee not to exceed the cost of reproduction. The clerk shall exclude information that is confidential under s. 6.47 (2) from copies of the list, except as authorized under s. 6.47 (8).

### 5.84 Testing of equipment; requirements for programs and ballots.

(2) Before beginning the ballot count at each polling place/central counting location, the election officials shall witness a test of the automatic tabulating equipment by engaging the printing mechanism and securing a printed result showing a zero count for every candidate & referendum. After the completion of the count, the ballots & programs used shall be sealed & retained under the custody of the municipal clerk in a secure location.

### 5.35 Polling place requirements.

(1) On election days, every polling place shall properly display the national flag during all hours polls are open. (2) There shall be one voting booth for every 200 electors who voted at the last general election. The booths shall have a surface on which to write or work and be sufficiently enclosed to assure privacy for the elector and anyone lawfully assisting the elector while marking the elector's ballot. (3) ... necessary, there shall be a separate ballot box for each form of ballot at each polling place. There shall be a suitable lock/key for each, & an opening no larger than is sufficient to receive a single ballot or a single folded ballot if the box is used for deposit of paper ballots. If the electors of more than one ward use the same polling place, there shall be separate ballot boxes provided for the electors of each ward, unless combined ballot boxes are authorized in accordance with s. 5.15 (6) (b). (4) All voting booths/machines shall be placed apart from other activities in the polling place, with their exteriors in full view of the election officials. Only the proper election officials, persons observing the proceedings under s. 7.41, persons assisting voters under s. 6.82 (2) & electors receiving/depositing their ballots/or casting their votes on the machines are permitted in the voting area. Except where assistance is authorized, only one elector at a time is permitted in a voting booth/machine. (5) No polling place may be situated so as to interfere with/distract election officials from carrying out their duties. The municipal clerk/election inspectors shall prevent interference with and distraction of electors at polling places. (6) Posting requirements. (a) Each polling place in the state the municipal clerk/board of election commissioners shall post the following materials, positioned so readily observed by electors entering the polling place or waiting in line to vote: 1. The relevant portions of the voting instructions in the type B notice for the election as specified in s. 10.02 (3) and, for each referendum on the ballot, the text of the type C notice specified in s. 10.01 (2) (c). 2. Copy of the election fraud laws provided ... 2m. General information prescribed by the commission relating to election fraud & misrepresentation in federal elections. 3. Two sample ballots ... 4. The date of the election & hours polling place is open. 4a. Instructions prescribed by the commission for proof of identification ... 4b. General information prescribed by the commission concerning voting rights under applicable state and federal laws... 5. Any other voting information directed to be posted by the commission. (c) At each polling place located in a municipality that is served by more than one polling place for an election, the municipal clerk/board of election commissioners shall prominently post a map of the geographic area served by the polling place for that election. show the boundaries of the ward or wards served by the polling place for that election.





### Who can be in the voting area?

Any member of the public may be in the voting area except candidates( Wis. Stats. 741.(1). However per 7.41(2) and EC rules, lead authority can limit observers to not more than 3 feet nor more than 8 feet from table where voters announce name and address or register. (Section 12.03(1).

- Voters
- Lead Authority, Election Workers, Poll Watchers
- Interpreters providing assistance to voters
- Children under 18 accompanying a parent to vote
- Persons admitted to provide assistance to voter
- Voting machine technicians

### Valid Forms of ID If Required by Your State

Wis. stats. 5.02(6m)(a) Unexpired or expired after date of most recent election:

- (1) WI Driver's license
- (2) WI ID
- (3) Military ID
- (4) US Passport
- (b) US naturalization certificate less than 2 year old
- (c) unexpired temporary DL for person previously licensed in another State
- (d) unexpired temporary WI ID
- (e) ID issued by fed. recognized Indian tribe in WI
- (f) unexpired student ID

Wis. stats. 5.02(16c) name on card and registration must be same and be photo ID unless membership in religious sect that forbids photos.  
See Wis. Stats 343.14(3)

**Note:** *If the driver's license day and month of birth, matches up with the day and month of expiration: that person is a legal resident of Wisconsin. If there is no match of the day and month from the birthdate to the expiration day and month: no good. It is not acceptable form of ID to be able to get a ballot.*

*Day and month match: good to vote.*

*Day and month don't match: no ballot.*

*As a pollworker, you can request the voter return with the correct form of ID. If the driver's license day and month of birth, matches up with the day and month of expiration: that person is a legal resident of Wisconsin.*

*If there is no match of the day and month from the birthdate to the expiration day and month: no good. It is not acceptable form of ID to be able to get a ballot.*

## Voting Area

## Valid Forms of ID

## Voting Area

### 6.80 Mechanics of voting.

(1) Voting booth or machine use. Only one individual at a time is permitted to occupy a voting booth or machine, except that an elector who is a parent or guardian may be accompanied by the elector's minor child or minor ward, and an elector who qualifies for assistance under s. 6.82(2) may be assisted as provided in that subsection. (2) Method of voting. (a) Upon receiving ballot & without leaving polling place, the elector shall enter an unoccupied voting booth/machine alone to cast vote, except as authorized in sub. (1). An elector may use or copy an unofficial sample ballot which may be marked in advance. (b) After preparing his or her ballot, unless the ballot is intended for counting with automatic tabulating equipment, the elector shall fold it so its face will be concealed. (c) Any elector who spoils/erroneously prepares a ballot may receive another, by returning the defective ballot, but not to exceed 3 ballots in all. (d) If an elector receives a ballot which is not initialed by 2 inspectors/defective in any other way, the elector shall return it to the inspectors. If the initials are missing, the inspectors shall supply. If the ballot is defective, they shall destroy/issue another ballot to the elector. (e) Upon voting ballot, the elector shall publicly/in person deposit it into the ballot box/deliver it to an inspector, who shall deposit the ballot into the ballot box. (3) Time in booth/machine. (a) Each elector shall be allowed a reasonable time to vote. Unless otherwise specified for that election, a majority of the inspectors shall determine the time each elector shall have to mark the ballot, taking into consideration the size of the ballot and the number of electors in line waiting to vote. In no case shall the time be less than one minute. If there are electors in line waiting to vote, the time shall not exceed 5 minutes. (b) If an elector refuses to leave the booth/machine after being notified by one of the inspectors time has expired, the elector shall be removed by the inspectors.

## Valid Forms of ID

### 6.55 Polling place registration; voting by certification.

(2) (a) Except where the procedure under par. (c) or (cm) is employed, any person who qualifies as an elector in the ward or election district where they desires to vote, but has not previously filed a registration form, or was registered at another location, may request permission to vote at the polling place for that ward/election district/or an alternate polling place assigned under s. 5.25(5)(b). When a proper request is made, the inspector shall require the person to execute a registration form prescribed by the commissioner. The registration form shall be completed in the manner provided under s. 6.33(2) and shall contain all information required under s. 6.33(1), together with the following certification:

"I, ....., hereby certify that, to the best of my knowledge, I am a qualified elector, having resided at ....., for at least 28 consecutive days immediately preceding this election, and I have not voted at this election." 6.55(2)(b)(b) Upon executing the registration form under par. (a), the elector shall provide proof of residence under s. 6.34. The presence of the election registration official or inspector. Upon receipt of the registration form, the official or inspector shall enter both the type of identifying document submitted by the elector as proof of residence and the name of the entity or institution that issued the identifying document, & if the identifying document includes a number that applies only to the individual holding that document, that number in the space provided on the form. The official or inspector shall then print name & d sign the form, indicating the official/inspector has accepted the form. Upon compliance with this procedure, the elector shall be permitted to cast their vote, if the elector complies with all other requirements for voting at the polling place.

### 5.02 Definitions. In chs. 5 to 12, unless the context requires otherwise:

(6m) "identification" means any of the following documents issued to an individual: (a) One of the following documents that is unexpired or if expired has expired after the date of the most recent general election: 1. An operator's license issued under ch. 343. 2. An identification card issued under s. 343.50. 3. An identification card issued by a U.S. naturalization that was issued not earlier than 2 years before the date of an election at which it is presented. (c) An unexpired driving receipt under s. 343.11. (d) An unexpired identification card receipt issued under s. 343.50. (e) An identification card issued by a federally recognized Indian tribe in this state. (f) An unexpired identification card issued by a university or college in this state that is accredited, as defined in s. 39.30(1)(d), or by a technical college in this state that is a member of and governed by the technical college system under ch. 38, that contains the date of issuance and signature of the individual to whom it is issued and that contains an expiration date indicating that the card expires no later than 2 years after the date of issuance if the individual establishes that he or she is enrolled as a student at the university or college on the date that the card is presented.

NOTE: In *Luff v. Evers*, 963 F.3d 665 (2020), the U.S. Court of Appeals for the 7th Circuit affirmed the judgment in *One Wisconsin Institute, Inc. v. Thomson*, 198 F. Supp. 3d 896 (2016), that "the student-ID provision is invalid" on the alternative ground that the restriction that a student ID card "is not sufficient for voting unless the student also shows proof of current enrollment" is unconstitutional. (g) An unexpired veterans identification card issued by the veterans health administration of the federal department of veterans affairs.

## Valid Forms of ID (continued)



### **Voter Check-In**

Voters go to the ward in which they maintain legal residence. The voter announces the voters name and address. Both parties have one election worker at each polling desk. The workers check the list of registered voters in the ward either electronically (Badger Books) or on a paper list. If voter is on the list, a voter number is assigned, they have voter sign a log book and give the voter a ballot.

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### **Voter Check-In**

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## Voter Check-In

### 6.79 Recording electors.

- (2) Voting procedure.
- (a) Unless information on the poll list is entered electronically, the municipal clerk shall supply the inspectors with 2 copies of the most current official registration list or lists prepared under s. 6.36 (2) (a) for use as poll lists at the polling place. ... each eligible elector, before receiving a serial number, shall state full name/address & present to the officials proof of identification. The officials shall verify the name on the proof of identification presented by elector conforms to name on poll list or separate list & shall verify photograph appearing on document reasonably resembles elector. The officials shall then require the elector to enter signature on the poll list or separate list maintained under par. (c) unless the elector is exempt from the signature requirement under s. 6.36 (2) (a). The officials shall verify name/address stated by elector conforms to the elector's name/address on poll list.
- (am) If elector previously signed registration form or is exempt from a registration requirement & unable due to physical disability to enter signature at election, the officials shall waive the signature requirement if determined that the elector is unable due to physical disability, to enter signature. In this case, the officials shall enter next to the name/address or the elector on poll/supplemental/or separate list the words "exempt by order of inspectors". If both officials do not waive the signature requirement & the elector wishes to vote, the official or officials who do not waive the requirement shall require the elector to vote by ballot & shall challenge the elector's ballot as provided in s. 6.92 and treat the ballot in the manner provided in s. 6.95. The challenged elector may then provide evidence of physical disability to the board of canvassers charged with initially canvassing the returns prior to completion of the initial canvass.
- (b) Upon the poll list, after the name of each elector, the officials shall enter a serial number for each elector in the order votes are cast, beginning with number one.
- (c) The officials shall maintain separate lists for electors who are voting under s. 6.15, 6.29, or 6.55 (2) or (3) & electors who are reassigned from another polling place under s. 5.25 (5) (b) & shall enter the full name/address & serial number of each of these electors on the appropriate separate list. If the poll list is maintained electronically, the officials may enter on the poll list the information that would otherwise appear on a separate list if the information that would be obtainable from a separate list is entered on the poll list.
- (d) If the poll list indicates that proof of residence is required & proof of identification document provided by the elector does not constitute proof of residence, the officials shall require the elector to provide proof of residence. If proof of residence is provided, the officials shall enter both type of identifying document submitted as proof of residence & name of the entity/institution issued identifying document in the space provided on the poll list & shall verify name/address on the identifying document is the same as name/address shown on the registration list. If proof of residence is required & not provided, or if the elector does not present proof of identification whenever required, the officials shall offer the opportunity for the elector to vote under s. 6.97.
- (dm) If the poll list indicates that the elector is ineligible to vote because the elector's name appears on the current list provided by the department of corrections under s. 301.03 (20m), the inspectors shall inform the elector of this fact. If the elector maintains they are eligible to vote in the election, the inspectors shall provide the elector with a ballot & after the elector casts vote, shall challenge the ballot as provided in s. 6.92 & treat the ballot in the manner provided in s. 6.95.
- (e) The officials shall then provide each elector with a slip bearing the same serial number as is recorded for the elector upon the poll list/separate list.
- (3) Refusal to provide name/address/or proof of identification.
- (a) Except as provided in sub. (6), if any elector offering to vote at any polling place refuses to give name/address, the elector may not be permitted to vote.
- (b) If proof of identification under sub. (2) is not presented by the elector, if name appearing on the document presented does not conform to name on poll list/separate list, or if any photograph appearing on the document does not reasonably resemble the elector, the elector shall not be permitted to vote.



### **Paper Ballots and Ballot Box**

Whenever paper ballots are utilized at a polling place in combination with ballots employed in an electronic voting system, the paper ballots shall be deposited in a separate ballot box or boxes, according to the types of ballots used.

For the purpose of transporting the ballots or the record of the votes cast, the municipal clerk shall provide a secure container for each polling place.

At each polling place, the applicable portions of the procedure prescribed for initiating the canvass under s. 7.51 (1) and (2) shall be performed, except that no count of the ballots, except write-in votes and paper ballots used for absentee voting and other purposes authorized by law, may be performed at a polling place if a central counting location is designated for the counting of ballots at that polling place by the municipality.

### **Electronic Ballots**

At polling places which use an electronic voting system that employs the use of ballots and voting devices, election officials can instruct voters on how to use this system before they enter the voting booth only.

Anytime an election official offers instructions to a voter, it should be in a manner that can be observed by other persons in the polling place.

Paper ballot voting system procedures apply when using an electronic voting system that employs the use of ballots distributed to electors.

Mechanical voting system procedures apply when an electronic voting system employs the use of electronic voting machines.

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## **Paper Ballots**

## **Electronic Ballots**



## Paper Ballots

### 5.85 Receiving, counting, tallying and return of ballots.

(1) At any polling place at which an electronic voting system is utilized, the following procedures for receiving, counting, tallying and return of the ballots shall be used. Whenever paper ballots are utilized at a polling place in combination with ballots employed in an electronic voting system, the paper ballots shall be deposited in a separate ballot box or boxes, according to the types of ballots used. For the purpose of transporting the ballots or the record of the votes cast, the municipal clerk shall provide a secure container for each polling place. At each polling place, the applicable portions of the procedure prescribed for initiating the canvass under s. 7.51 (1) and (2) shall be performed, except that no count of the ballots, except write-in votes and paper ballots used for absentee voting and other purposes authorized by law, may be performed at a polling place if a central counting location is designated for the counting of ballots at that polling place by the municipality.

(2) (a) The election officials shall examine the ballots or record of votes cast for write-in votes and shall count and tabulate the write-in votes. The election officials shall count write-in votes as provided in s. 7.50 (2) (d). When an electronic voting system is used in which ballots are distributed to electors, before separating the remaining ballots from their respective covering envelopes, the election officials shall examine the ballots for write-in votes. When an elector has cast a write-in vote, the election officials shall compare the write-in vote with the votes on the ballot to determine whether the write-in vote results in an overvote for any office. In case of an overvote, the election officials shall follow the procedure in par. (b) 1. In case of an overvote for any office, the election officials may either use the override function of the electronic voting system in order to eliminate the votes for the overvoted office, which shall be noted on the inspector's statement, or make a true duplicate ballot of all votes on the ballot except for the office that is overvoted in the manner described in this subdivision. If the election officials make a true duplicate ballot, they shall use an official ballot of that kind used by the elector who voted the original ballot, and one of the marking devices, so as to transfer all votes of the elector overvoted to an official ballot of that kind used in the ward at that election. Unless election officials are selected under s. 7.30 (4) (c) without regard to party affiliation, whenever election officials of both of the 2 major political parties are present, the election officials acting under this subdivision shall consist in each case of at least one election official of each of the parties. 2. On any original ballot upon which there is an overvote and for which a duplicate ballot is made under subd. 1., the election officials shall, in the space on the ballot for official endorsement, identify the ballot as an "Overvoted Ballot" and write a serial number. On any duplicate ballot produced under subd. 1., the election officials shall place the same serial number on each "Overvoted Ballot" and its corresponding "Duplicate Overvoted Ballot," commencing with number "1" and continuing consecutively for each of the ballots for which a "Duplicate Overvoted Ballot" is produced in that ward or election district. The election officials shall initial the "Duplicate Overvoted Ballot" ballots and shall place them in the container for return of the ballots. The "Overvoted Ballot" ballots and their envelopes shall be placed in the "Original Ballots" envelope. (c) Ballots bearing write-in votes marked in the place designated for write-in votes, bearing the initials of an election official, not resulting in an overvote, and otherwise complying with the election laws as to marking shall be counted, tallied, and their votes recorded on a tally sheet provided by the municipal clerk. Ballots and ballot envelopes shall be separated and all ballots except any that are defective or overvoted shall be placed separately in the container for return of the ballots, along with the ballots marked "Duplicate Overvoted Ballots." (3) The election officials shall examine the ballots to determine if any is damaged, defective cannot be counted by the automatic tabulating equipment. If any ballot is damaged/defective so that it cannot be properly counted by the automatic tabulating equipment, the election officials, in the presence of witnesses, shall make a duplicate ballot of all votes on that ballot in one of the marking devices so as to transfer all votes of the elector to an official ballot of that kind used by the elector who voted the original ballot in that election. Unless election officials are selected under s. 7.30 (4) (c) without regard to party affiliation, whenever election officials of both of the 2 major political parties are present, the election officials acting under this subdivision shall consist in each case of at least one official of each of the parties. On any damaged/defective original ballot, the election officials shall, in the space on the ballot for official endorsement, identify the ballot as a "Damaged Ballot" & write a serial number. On the duplicate ballot produced under this subsection, the election officials shall, in the space for official endorsement, identify the ballot as a "Duplicate Damaged Ballot" & write a serial number. The election officials shall place the same serial number on each "Damaged Ballot" and its corresponding "Duplicate Damaged Ballot," commencing with number "1" and continuing consecutively for each of the ballots for which a "Duplicate Damaged Ballot" is produced in the ward or election district. The election officials shall initial the "Duplicate Damaged Ballot" ballots, and shall place them in the container for return of the ballots. The officials shall place "Damaged Ballot" ballots and their envelopes in the "Original Ballots" envelope.

## Electronic Ballots

### 5.79 Instruction of electors.

At polling places where an electronic voting system employing the use of ballots and voting devices is used, the election officials shall offer each elector instruction in the operation of the voting device and ballot before the elector enters the voting booth. No instructions may be given after the elector has entered the voting booth, except as authorized under s. 6.82 (2). All instructions shall be given by election officials in such a manner that they may be observed by other persons in the polling place.

### 5.77 Applicable procedures.

(1) So far as applicable, the procedure provided for voting paper ballots applies when an electronic voting system employing the use of ballots (distributed to electors is used. 5.77(2)(2) So far as applicable, the procedure provided for voting with mechanical voting machines when an electronic voting system employing the use of electronic voting machines is used.



### Provisional Ballots

When the eligibility of the voter is in question, a voter should be given a provisional ballot. Some examples are:

- Voter is in the wrong precinct
- Voter has an address that is outside the country
- Voter not qualified but insist on voting

If a voter tries to vote without proof of ID, they can still vote by provisional ballot, however it is the responsibility of the voter to present their ID by no later than 4PM the Friday after the election in order for their ballot to be counted.

A voter can have their provisional ballot status withdrawn when they return to the polling station with proof of ID no later than an hour before closing and after the inspectors notify the municipal clerk or executive director of the board of election commissioners.

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### Mail Ballots

In the same room where votes are being cast and in the presence of the public, the carrier envelope is opened, the names of the absentee voters (or their ID serial number if they had previously requested confidentiality) are called out loud. ... they can indicate this voter as casting an absentee ballot on the poll list next to the applicant's name. The envelope containing the absentee ballot is opened and the following applies in order that the ballot be counted: 1) Absentee ballot must be endorsed by the issuing clerk, 2) if proof of residence is required to be submitted as per the poll list, then the ballot must include proof of residence enclosed ...The ballot will not count in the following conditions: 1) if a certification is insufficient, 2) the applicant is not a qualified voter in the ward or election district, the ballot is open or had been opened and resealed, the ballot envelope contains more than one ballot of any kind, missing certificate of military or overseas voter who received an absentee ballot by fax or email, or proof of the voter's deceased status has been forwarded to election officials. All rejected ballots must be marked "rejected (giving the reason)" and placed in an envelope marked for rejected absentee ballots. ... An absentee ballot cast by a voter that is ineligible to vote by reason of felony conviction is challenged by the inspectors. *Source: 6.88 - Voting and recording the absentee ballot.*

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## Provisional Ballots

## Mail Ballots

## Provisional Voting

### EL 9.03 - Voting procedure for challenged electors.

Whenever the inspectors under ss. 6.92 to 6.94, Stats., determine to receive the vote of a person who has been challenged, they shall give the elector a ballot. Before giving the elector the ballot, the inspectors shall write on the back of the ballot the serial number of the challenged person corresponding to the number kept at the election on the registration or poll list, or other list maintained under s. 6.79, Stats. If lever or direct record voting machines are used in the municipality where the person is voting, the person's vote may be received only upon an absentee ballot furnished by the municipal clerk which shall have the corresponding serial number from the registration or poll list or other list maintained under s. 6.79, Stats., written on the back of the ballot before the ballot is deposited. The inspectors shall indicate on the voter list the reason for the challenge. The challenged ballots shall be counted under s. 5.85 or 7.51 (2) (c), Stats.

### 6.97 - Voting procedure for individuals not providing required proof of identification or residence.

(3) (a) Whenever an elector who votes by provisional ballot under sub. (1) or (2) because the elector does not provide proof of identification under s. 6.79 (2) or 6.86 (1) (a) later appears at the polling place where the ballot is cast before the closing hour and provides the proof of identification, the inspectors shall remove the elector's ballot from the separate carrier envelope, shall note on the poll list that the elector's provisional ballot is withdrawn, and shall deposit the elector's ballot in the ballot box. If the inspectors have notified the municipal clerk or executive director of the board of election commissioners that the elector's ballot was cast under this section, the inspectors shall notify the clerk/executive director elector's provisional ballot is withdrawn. (b) Whenever the municipal clerk/executive director of the municipal board of election commissioners is informed by the inspectors that a ballot has been cast under this section, the clerk/executive director shall promptly provide written notice to the board of canvassers of each municipality/special purpose district/& county that is responsible for canvassing the election of the number of ballots cast under this section in each ward/election district. The municipal clerk/executive director shall determine whether each individual voting under this section is qualified to vote in the ward/election district where the individual's ballot is cast. If the elector is required to provide proof of identification under s. 6.79 (2) or 6.86 (1) (a) & fails to do so, the elector bears the burden of correcting the omission by providing the proof of identification at the polling place before the closing hour or at the office of the municipal clerk/board of election commissioners no later than 4 p.m. on the Friday after the election. The municipal clerk or executive director shall make a record of the procedure used to determine the validity of each ballot cast under this section. If, prior to 4 p.m. on the Friday after the election, the municipal clerk/executive director determines that the individual is qualified to vote in the ward/election district where the individual's ballot is cast, the municipal clerk or executive director shall notify the board of canvassers for each municipality/special purpose district/& county that is responsible for canvassing the election of that fact.

## Mail Ballots

### 6.88 Voting and recording the absentee ballot.

(3)

(a) Except in municipalities where absentee ballots are canvassed under s. 7.52, at any time between the opening/closing of polls on election day, the inspectors shall, in the same room where votes are being cast, in such a manner members of the public can hear/see the procedures, open the carrier envelope only, & announce the name/identification serial number of the absent elector if the elector has a confidential listing under s. 6.47 (2). When the inspectors find that the certification has been properly executed, the applicant is a qualified elector of the ward/election district, & the applicant has not voted in the election, they shall enter an indication on the poll list next to the applicant's name indicating an absentee ballot is cast by the elector. Open the envelope containing the ballot to not deface/destroy the certification. The inspectors shall take out the ballot without unfolding/or permitting it to be unopened & examined. Unless the ballot is cast under s. 6.95, the inspectors shall verify that the ballot has been endorsed by the issuing clerk. If the poll list indicates that proof of residence is enclosed, the inspectors shall enter both the type of identifying document submitted by the absent elector & name of the entity/institution issued the identifying document on the poll list in the space provided. If the poll list indicates that proof of residence under s. 6.34 is required and no proof of residence is enclosed or the name or address on the document that is provided is not the same name & address shown on the poll list, the inspectors shall proceed as provided under s. 6.97 (2). The inspectors shall then deposit the ballot into the proper ballot box and enter the absent elector's name/voting number after their name on the poll list in the same manner as if the elector had been present & voted in person.

(b) When the inspectors find a certification is insufficient, the applicant is not a qualified elector in the ward/election district, the ballot envelope is open or has been opened & resealed, that the ballot envelope contains more than one ballot of any one kind or, except in municipalities where absentee ballots are canvassed under s. 7.52, that the certificate of a military or overseas elector who received an absentee ballot by facsimile transmission or electronic mail is missing, or if proof is submitted to the inspectors that an elector voting an absentee ballot has since died, the inspectors shall not count the ballot. The inspectors shall endorse every ballot not counted on the back, "rejected (giving the reason)". The inspectors shall reinsert each rejected ballot into the certificate envelope in which it was delivered & enclose the certificate envelopes & ballots, & securely seal the ballots and envelopes in an envelope marked for rejected absentee ballots. The inspectors shall endorse the envelope, "rejected ballots" with a statement of the ward or election district and date of the election, signed by the chief inspector and one of the inspectors representing each of the 2 major political parties & returned to the municipal clerk in the same manner as official ballots voted at the election.

(c) The inspectors shall review each certificate envelope to determine whether any absentee ballot is cast by an elector whose name appears on the poll list as ineligible to vote at the election by reason of a felony conviction ...





## **Curbside Voting**

Curbside Voting is not expressed in Wisconsin election code as permitted for voters on election day; however, a voter that is unable to enter a polling place, only by reason of physical disability, may receive assistance in completing a paper ballot at the entrance of the polling place.

## **Rules on Voters Needing Assistance**

If an voter cannot complete their ballot by reason of illiteracy, blindness or other physical disability, they may request ballot marking assistance from any person whom they choose as long as the person assisting them is not their employer, union member or any representative of their employer or their labor union. The individual selected to assist the voter must present proof of ID to the inspectors. If the individual assisting the voter cannot provide proof of residence then the assisted voter must also provide proof of residence. Both the type of identifying documents and their issuing entity (submitted by both the voter and the individual selected to assist as proof of residence) are notated on the poll list or a separate list. The inspector then issues a ballot to the individual selected to assist the elector and accompanies them to the polling place entrance where assistance will be given. The assisting individual then folds the ballot after they mark it for the voter and immediately delivers the ballot to the inspector inside the polling place. The inspector then announces "a ballot offered by .... (stating person's name), an elector who, as a result of disability, is unable to enter the polling place without assistance". Finally the inspector asks if anyone objects to the reception of this ballot. If no objection is made, the voter's name is recorded, the ballot is deposited into the ballot box and the poll list is notated "Ballot received at poll entrance". If an objection is made, the ballot is treated as a Challenged Ballot.

## **Who may provide assistance to a voter?**

Whomever the voter requiring assistance chooses to assist them as long as the person assisting them is not their employer, union member or any representative of their employer or their labor union

## **Electioneering**

Electioneering means any activity which is intended to influence voting at an election. No election official, municipal clerk or employee or person in general may engage in electioneering on election day, at the polling station or in the clerk's office. Electioneering is prohibited in the following circumstances: 1) during polling hours within 100 feet of an entrance to a polling place, 2) within 100 feet of the entrance of a municipal clerk's office that is collecting absentee ballots, 3) within 100 feet of an entrance to or within a qualified retirement home or residential care facility while special voting deputies are present. Exceptions: bumper stickers on a vehicle parked or operated at a place and time where electioneering is prohibited. A municipal clerk, election inspector or law enforcement officer may remove posters or other advertising which is placed in violation of this section.

**Curbside Voting**

**Voters Needing Assistance**

**Electioneering**

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## Voters Needing Assistance

### 6.82 - Assisting electors.

- (1) Receipt of ballot at poll entrance.
  - (a) When any inspectors are informed that an eligible elector is at the entrance to the polling place who as a result of disability is unable to enter the polling place, they shall permit the elector to be assisted in marking a ballot by any individual selected by the elector, except the elector's employer/agent or that employer/an officer or agent of a labor organization which represents the elector. Except as authorized in s. 6.79 (6) and (7), the individual selected by the elector shall present to the inspectors proof of identification & if the proof of identification does not constitute proof of residence under s. 6.34, shall also provide proof of residence under s. 6.34 for the assisted elector and all other information necessary for the elector to obtain a ballot under s. 6.79 (2). The inspectors shall verify that the name on the proof of identification presented by the person assisting the elector conforms to the elector's name on the poll list or separate list, shall verify any photograph appearing on that document reasonably resembles the elector, & shall enter both the type of identifying document submitted by the assisted elector as proof of residence & the name of the entity or institution that issued the identifying document in the space provided on the poll list or separate list. The inspectors shall then issue a ballot to the individual selected by the elector & shall accompany the individual to the polling place entrance where the assistance is to be given. If the ballot is a paper ballot, the assisting individual shall fold the ballot after the ballot is marked by the assisting individual. The assisting individual shall then immediately take the ballot into the polling place and give the ballot to an inspector. The inspector shall distinctly announce they have "a ballot offered by ... (stating person's name), an elector who, as a result of disability, is unable to enter the polling place without assistance". The inspector shall then ask, "Does anyone object to the reception of this ballot?" If no objection is made, the inspectors shall record the elector's name under s. 6.79 and deposit the ballot in the ballot box, and shall make a notation on the poll list: "Ballot received at poll entrance".
    - (b) If objection to receiving the ballot is made by any qualified elector present, the inspectors shall receive the ballot under s. 6.95.
    - (2) Aid in marking ballot.
      - (a) If an elector declares to the presiding election official they cannot read/write, or has difficulty in reading/writing or understanding English/disability unable to mark a ballot or depress a button/lever on a voting machine, the elector shall be informed by the officials they may have assistance. When assistance is requested, the elector may select any individual to assist in casting their vote. The selected individual rendering assistance may not be the elector's employer or an agent of that employer or an officer or agent of a labor or organization which represents the elector. The selected individual shall certify on the back of the ballot that it was marked with his or her assistance. Where voting machines are used, certification shall be made on the registration list.
        - (b) The individual chosen shall enter the voting booth/machine with the elector and shall read the names of all candidates on the ballot for each office, and ask, "For which one do you vote?". The ballot shall be marked or the lever/button depressed according to the elector's expressed preference. The individual selected to assist may not disclose to anyone how the elector voted.
        - (c) Intoxication shall not be regarded as a disability.
        - (d) The election officials shall enter upon the poll list after the name of any elector who had assistance in voting the word "assisted". The officials shall also record on the poll list the full name & address of the individual who renders assistance.
        - (3) Whenever, in a municipality in which voting machines are used, an elector declares to the chief inspector due to physical disability, the elector is unable to depress a button/lever on a voting machine, the inspectors shall permit the elector to vote using a paper ballot & voting booth.
        - (4) Solicitation prohibited. No election official or other person assisting an elector under this section or s. 5.79 may request/suggest/seek to persuade an elector to cast a vote for/against any candidate/party/or question.
  - (1) No election official may engage in electioneering on election day. No municipal clerk or employee of the clerk may engage in electioneering in the clerk's office or at the alternate site under s. 6.855 during the hours that ballots may be cast at those locations.
    - (2)
      - (1) No person may engage in electioneering during polling hours on election day at a polling place. 2. No person may engage in electioneering in the municipal clerk's office or at an alternate site under s. 6.855 during the hours that absentee ballots may be cast.
      - (b) 1. No person may engage in electioneering during polling hours on any public property on election day within 100 feet of an entrance to a building containing a polling place. 2. No person may engage in electioneering during the hours that absentee ballots may be cast on any public property within 100 feet of an entrance to a building containing the municipal clerk's office or an alternate site under s. 6.855. 3. No person may engage in electioneering within 100 feet of a home or facility under s. 6.875 (6).
        - (d) This subsection does not apply to the placement of any material on the bumper of a motor vehicle that is parked or operated at a place and time where electioneering is prohibited under this subsection.
        - (3) A municipal clerk, election inspector or law enforcement officer may remove posters or other advertising which is placed in violation of this section.
        - (4) In this section, "electioneering" means any activity which is intended to influence voting at an election.



**Closing Procedures**

- When the polling station closes, an official of the municipality that is designated by the municipal clerk will get in line behind the last voter in line.
- No one standing behind this designated official will be permitted to vote, only individual in line ahead of the official shall be permitted to vote.

**Voting After the Polls Close**

- Doors close at 8:00pm.
- Any elector waiting to vote, whether within the polling booth or in the line outside the booth at the time the polls officially close, shall be permitted to vote.

**Securing and Transporting Ballots / Equipment**

- The inspectors shall place the ballots cast under s. 6.97 in a separate, securely sealed carrier envelope which is clearly marked "Section 6.97 ballots".
- The chief inspector and 2 other inspectors shall sign the carrier envelope.
- The carrier envelope shall not be placed in the ballot container.
- The inspectors shall then deliver the ballots to the municipal clerk in the ballot container & carrier envelope.

**Breaking Down Equipment**

- All ballot boxes are sealed and signed before transported.
- Election workers are responsible for breaking down equipment; poll watchers only observe and document the process.

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**Closing the Poll**



## Closing the Poll

### 5.85 - Receiving, counting, tallying and return of ballots.

(4) The original ballots shall be preserved with the duplicate ballots & delivered by the inspectors to the municipal clerk. The officials shall then make out a slip indicating the number of electors voting in person/absentee ballots deposited in the ballot box/& the total number of electors of each ward served by polling place who voted at the election, signed by all the inspectors. (5) If the municipality has designated a central counting location to be used to count ballots under s. 7.51 (1), the inspectors shall count/deposit the paper ballots in the container. The inspectors shall then place the slip made out under sub. (4) in the container. The inspectors shall also place the tally sheet recording the write-in votes & other votes cast on paper ballots & all other ballots/or the record of the votes cast on an electronic voting system where no ballots are distributed to electors, in the container & shall immediately seal the container with an adhesive seal provided by the municipal clerk in such manner that the seal completely opens in the container, & each of the inspectors shall sign the seal. The "Detective Ballots" envelope, and "Original Ballots" envelope each shall be securely sealed & the flap or end of each signed by the inspectors & returned to the central counting location with the box for return of the ballots, enclosed ballots & returns. The municipal clerk or 2 of the election officials shall direct route transport the container & envelopes to the central counting location designated by the municipal clerk. Unless election officials are selected under s. 7.30 (4) (c) without regard to party affiliation, the election officials shall consist in each case of at least one election official of each of the 2 major political parties, whenever officials of both parties are present.

### 6.56 - Verification of voters not appearing on list.

(3m) As soon as possible after all information relating to registrations after the close of registration for an election is entered on the registration list following the election under s. 6.33 (5) (a), the commission shall compare the list of new registrants whose names do not appear on the poll lists for the election because the names were added after the commission certified the poll lists for use at the election with the list containing the names transmitted to the commission by the department of corrections under s. 301.03 (20m) as of election day. If the commission finds that the name of any person whose name appears on the list transmitted under s. 301.03 (20m) has been added to the registration list, the commission shall enter on the list the information transmitted to the commission under s. 301.03 (20m) and shall notify the district attorney for the county where the polling place is located that the person appears to have voted illegally at the election.

### 6.78 - Poll hours.

(1m) The polls at every election shall be open from 7 a.m. until 8 p.m. (4) Any elector waiting to vote, whether within the polling booth or in the line outside the booth at the time the polls officially close, shall be permitted to vote.

### 7.37 (13) Closing of polls.

For each polling place, the municipal clerk shall designate an official of the municipality who shall position himself or herself at the end of the line of individuals waiting to vote, if any, at the time that the polls officially close. The official may be an appointed inspector who serves at that polling place, an employee of the municipal clerk or a police officer. Only individuals in line ahead of the official shall be permitted to vote under s. 6.78 (4).

### 7.51(3) - Securing the ballots.

(a) The inspectors shall place together all ballots counted by them which relate to any national, state or county office or any state, county or technical college district referendum and secure them together so that they cannot be untied or tampered with without breaking the seal. The secured ballots together with any ballots marked "Detective" shall then be secured by the chief inspector, and, if available, one other inspector whose party affiliation is different than the chief inspector's party affiliation, in the ballot container in such a manner that the container cannot be opened without breaking the seals or locks, or destroying the container. The inspectors shall place the ballots cast under s. 6.97 in a separate, securely sealed carrier envelope which is clearly marked "Section 6.97 ballots". The chief inspector and 2 other inspectors shall sign the carrier envelope. The carrier envelope shall not be placed in the ballot container. The inspectors shall then deliver the ballots to the municipal clerk in the ballot container and carrier envelope. (b) For ballots which relate only to municipal or school district offices or referenda, the inspectors, in lieu of par. (a), after counting the ballots shall return them to the proper ballot boxes, lock the boxes, paste paper over the slots, sign their names to the paper and deliver them and the keys therefor to the municipal or school district clerk. The clerk shall retain the ballots until destruction is authorized under s. 7.23. (c) Where voting machines are used, as soon as the count is complete and fully recorded, the inspectors shall seal, close and lock the machine, or remove the record so it cannot be voted on or tampered with. They shall then proceed to separately canvass and return any paper ballots voted under s. 5.40 (3) to (6). The inspectors shall count the challenged ballots the same as other ballots. Upon completion of the canvass, the inspectors shall return the paper ballots in a separate envelope marked "Paper Ballots". The inspectors shall place the record of write-in votes cast on the machines in an envelope marked "Write-in Votes". The inspectors shall return the paper ballots and write-in votes along with any printed voting record produced by the voting machines to the clerk under par. (a) or (b) or to the board of election commissioners. The inspectors shall place the envelopes and printed voting record in a properly sealed bag or container, indicating the ward or wards and county. (d) Except in municipalities where absentee ballots are canvassed under s. 7.52, all absentee certificate envelopes which have been opened shall be returned by the inspectors to the municipal clerk in a securely sealed carrier envelope which is clearly marked "used absentee certificate envelopes". The envelopes shall be signed by the chief inspector and 2 other inspectors. Except when the ballots are used in a municipal or school district election only, the municipal clerk shall transmit the used envelopes to the county clerk.



### **Election Observers MUST**

- Notify chief election inspector CEI at observation polling place.
- Follow directives of CEI or designee.
- Complete and sign an election observer log.
- Wear election observer badge or tag.

### **Election Observers MAY**

- 6.45 6.46 - copy and/or examine registration list and any supplemental list, but not on Election Day per EC brochure; Also observers per Wis Stats S 7.41(4)
- Park a car with an electioneering bumper sticker w/in 100 ft. Of polling place Wis. stats 12.03(2)(d) Per EC brochure: video and still camera photographs are permitted only at central count locations so long as do not reveal how an elector voted.
- Request verification that a list of registered voters exists, # of electors on the list, # who have voted at any point in the proceedings.

### **Election Observers MAY NOT**

- Disrupt operation of polling place or clerk's office (Wis Stats s. 7.41(3). (a) engage in electioneering either at polling place or where absentee ballots are cast (Wis Stats. S. 12.03(2).
- Electioneer w/in 100 ft. Of entrance to polling place building (12.03(2)(b).
- Post or distribute materials that purport to be voting or registration instructions.(S. 12.035)
- Offer or promise to give or lend anything worth more than \$1 to get them to vote, not to vote or vote for or against anyone (S. 12.11.).
- Bring still picture or video cameras to any election venue except central count.

ID Expiration matches day and month of birth = no challenge

ID Expiration doesn't match day and month of birth = challenge

Challenging does not deny anyone's right to vote, but it does establish a way to address citizenship qualifications. Every election worker and challenger in WI should be aware and prepared to act accordingly.

## **Election Observer Rules & Privileges**

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## Election Observer Rules & Privileges

### 6.45 - Access to registration list.

(1) After the deadline for revision of the registration list, the municipal clerk shall make copies of the list for election use.  
(1m) The registration list and any supplemental lists which are prepared at polling places or other registration locations under s. 6.55, shall be open to public inspection. Under the regulations prescribed by the municipal clerk, any person may copy the registration list at the office of the clerk. A registration list maintained at a polling place may be examined by any person who is observing the proceedings under s. 7.41 when such use does not interfere with the conduct of the election. This subsection does not apply to information that is confidential under s. 6.47.  
(2) The municipal clerk shall furnish upon request to each candidate who has filed nomination papers for an office which represents at least part of the residents of the municipality one copy of the current registration list for those areas for which he or she is a candidate for a fee not to exceed the cost of reproduction. The clerk shall remove the lists from the office for reproduction. The clerk shall exclude information that is confidential under s. 6.47 (2) from copies of the list, except as authorized under s. 6.47 (8). History: 1975 c. 85, 1991, 1997 c. 394 s. 53; 1983 a. 484; 1989 a. 192; 1999 a. 49, 182; 2001 a. 38; 2013 a. 166. Cross-reference: See also s. EL 3.50, Wis. adm. code.

### 6.46 - Poll lists; copying.

(1) Poll lists shall be preserved by the municipal clerk until destruction or other disposition is authorized under s. 7.23.  
(2) Poll lists shall be open to public inspection, except as provided in s. 6.47. The municipal clerk shall furnish upon request to each candidate who has filed nomination papers for an office which represents at least part of the municipality one copy of the current poll list for those areas for which he or she is a candidate for a fee not to exceed the cost of reproduction. If a copying machine is not accessible, the clerk shall remove the lists from the office for the purposes of copying, and return them immediately thereafter. The clerk shall exclude information that is confidential under s. 6.47 adm. code.

### 7.41 Public's right to access.

(1) Any member of the public may be present at any polling place, in the office of any municipal clerk whose office is located in a public building on any day that absentee ballots may be cast in that office, or at an alternate site under s. 6.855 on any day that absentee ballots may be cast at that site for the purpose of observation of an election and the absentee ballot voting process, except a candidate whose name appears on the ballot at the polling place or on an absentee ballot to be cast at the clerk's office or alternate site at that election. The chief inspector or municipal clerk may reasonably limit the number of persons representing the same organization who are permitted to observe under this subsection at the same time.  
Each person permitted to observe under this subsection shall print his or her name in and sign and date a log maintained by the chief inspector or municipal clerk for that polling place, office, or alternate site.  
(2) The chief inspector or municipal clerk may restrict the location of any individual exercising the right under sub. (1) to certain areas within a polling place, the clerk's office, or alternate site under s. 6.855. The chief inspector or municipal clerk shall clearly designate observation areas for election observers under sub. (1). The observation areas shall be not less than 3 feet from nor more than 8 feet from the table at which electors announce their name and address to be issued a voter number at the polling place, office, or alternate site and not less than 3 feet from nor more than 8 feet from the table at which a person may register to vote at the polling place, office, or alternate site. The observation areas shall be so positioned to permit any election observer to readily observe all public aspects of the voting process.  
(3) The chief inspector or municipal clerk may order the removal of any individual exercising the right under sub. (1) if that individual commits an overt act which does any of the following:  
(a) Disrupts the operation of the polling place, clerk's office, or alternate site under s. 6.855.  
(b) Violates s. 12.03 (2) or 12.035.

(4) No individual exercising the right under sub. (1) may view the confidential portion of a registration list maintained under s. 6.36 (4) or a poll list maintained under s. 6.79 (6). However, the inspectors or municipal clerk shall disclose to such an individual, upon request, the existence of such a list, the number of electors whose names appear on the list, and the number of those electors who have voted at any point in the proceedings. No such individual may view the certificate of an absent elector who obtains a confidential listing under s. 6.47 (2).

(5) The commission shall promulgate rules that are consistent with the requirements of sub. (2) regarding the proper conduct of individuals exercising the right under sub. (1), including the interaction of those individuals with inspectors and other election officials. History: 1989 a. 192; 1999 a. 49; 1999 a. 150 s. 672; 1999 a. 182; 2001 a. 39, 109; 2005 a. 451; 2013 a. 177; 2015 a. 118.



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**Additional Notes**

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