

BALLOTS

Summary

County, municipal and school district clerks are responsible for preparing the ballots to be used in their respective elections. County clerks are also responsible for preparing ballots for federal and state offices and for the office of multi-jurisdiction municipal judge.

Where electronic voting equipment (optical scan or direct recording electronic (DRE)) is used, and federal and/or state and county offices are up for election as well as municipal and school district offices, the county clerk often prepares the ballots for municipal and school district offices. In these municipalities, municipal clerks are responsible for ensuring that sufficient paper ballots are available for absentee ballot requests, assisted electors, equipment malfunctions, and any other elector who may request a paper ballot on Election Day.

Municipal clerks are also responsible for preparing blank write-in absentee ballots for military and overseas electors.

Procedures

Certifying the Number of Electors

Municipal clerks are required to certify to the county clerk, the approximate number of electors in their municipality no later than the first day of the 2nd month before a primary. This number is used by the county clerk to determine the number of ballots to print or furnish for the election.

Determining Ballot Order of Candidate Names

1. The order that candidates' names will appear on the ballot is determined by drawing of lots or some other random determination (for example: drawing numbers or names out of a hat, or flipping a coin if there are only two candidates).
2. For a spring election, drawing of lots is held not later than seven (7) days after the deadline for filing nomination papers.

- a. The drawing is done at this time for those offices requiring a primary and also for the election ballot for those offices where a primary is not required.
 - b. Following the primary for any office, the names are redrawn for that office to determine the order of names on the election ballot.
3. Where the caucus procedure is used, the drawing is held no later than the end of the 3rd day following qualification of all candidates.
4. For a fall election, the county clerk (for county offices) and State Elections Board (for federal and state offices) draw for ballot order for the primary ballot not later than seven (7) days after the deadline for filing nomination papers. Names are placed on the general election ballot following party order as certified by the State Elections Board.
5. When conducting the drawing of lots for placement of names on the ballot, the State Elections Board recommends that at least three (3) persons participate in the drawing.
 - a. The three (3) persons are generally the clerk and two (2) other persons selected by the clerk.
 - b. It is important that the drawing be properly witnessed and documented.
 - c. The documentation should include the date of the drawing for ballot order, the ballot order drawn, the signature of the person who actually drew out the names, and the signatures of the two (2) persons who witnessed the drawing.
6. It is not necessary for candidates to be present at the drawing, but as a courtesy they may be invited to attend.

Certifying Candidate Names and Referenda to the County Clerk

When the county clerk prepares the ballot:

1. Where electronic voting devices are used:
 - a. The county clerk prepares the ballots for municipal and school district offices.
 - b. The municipal and school district clerks must certify any the names of candidates and any referenda to the county clerk as soon as possible

following the deadline for filing nomination papers or declarations of candidacy.

2. Where a caucus is held:

The names of candidates must be certified to the county clerk as soon as possible following the qualification of candidates.

3. After any primary, the names of candidates must again be certified to the county clerk as soon as possible after the canvass.
4. The cost of programming equipment and printing these ballots is prorated among the various levels of government participating in the election.

Printing and Proofing Ballots

Clerks should ensure that sufficient ballots are printed to avoid running out on Election Day. In municipalities that use direct recording electronic (DRE) equipment, the clerk must ensure that sufficient paper ballots are provided to accommodate for absentee ballot requests, assisted electors, equipment malfunction, and any other person who may request a paper ballot. Each clerk responsible for printing ballots must assure that his or her printer has the most current sample ballots. It may be helpful to provide a copy of this section of the training manual to your printer.

Clerks should carefully review and proofread each ballot proof before printing to assure that:

1. The ballot used is the current form;
2. The ballot contains all and only the offices up for election;
3. All office titles are correct, spelled correctly, and in the correct order;
4. All candidates' names are spelled correctly and are in the correct order;
5. The form of each candidate's name reflects the candidate's desire as indicated on the Declaration of Candidacy.

It is recommended that you also proof the final product as soon as you receive it from the printer so that any errors can be identified and corrected immediately.

Delivery

In order to ensure that absentee ballots are mailed to electors who have requested them in a timely fashion:

1. Ballots must be printed and delivered to the municipal clerk at least 22 days before a February spring primary, April spring election, or special primary or election.
2. Ballots must be printed and delivered to the municipal clerk at least 31 days before a September partisan primary and November general election.

Ballot Format

Before preparing any ballots, the clerk must make sure that the most current ballot samples are used. Outdated ballot formats will not contain required statutory language and may not conform to ballot uniformity standards. The proper ballot formats are prescribed by the State Elections Board and may be accessed on the agency website.

Ballot samples provided on the agency website contain virtually all offices that could appear on each ballot. It is important to note that only the offices that are up for election at any given election appear on the ballot. This means that ballot samples must be modified to eliminate any office from the ballot that is not up for election, or to add any offices that are up for election but may be missing from the sample ballot.

There are several basic requirements that apply to the preparation of all ballots, regardless of the type of election. These requirements are set out below:

Size

The size of your ballot will depend on how many offices are up for election and how many candidates there are for each office. There is no actual size requirement for a ballot, but all ballots must be of sufficient width and length to provide space for all required information to be clearly printed on them. At a partisan primary, the ballots for each separate party must be the same size.

Columns

All ballot columns must be separated by lines at least one-eighth inch (1/8") width, except for ballots used with an electronic voting system.

Type Face

The type face used on all ballots must be easy to read, and no smaller than 8 point font. A sample of 8 point font is given below. Larger print should be used whenever possible (for example, this manual was written in 14 point font).

8 POINT – 3.2 characters per pica
ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
1234567890

Paper Weight

Wisconsin statutes set out a standard for the weight of the paper used for hand-counted ballots. The standard is 35 pounds per ream for sheets that are 24 inches by 36 inches (24"x36"). Ballots will never be that large so the weight of the paper used must be proportioned accordingly to meet this standard. Alert your printer to this requirement to ensure that paper of the proper weight is used.

Color

The law does not require ballots to be printed a specific color, but different colors can be used for each type of ballot to be used at an election.

1. The only legal requirements concerning the color of ballots are:
 - a. Paper referendum ballots must be printed on paper of a color that is different from other ballots used at the election.
 - b. At a partisan primary, the ballots for each separate party must be printed on the same color paper and be the same size.
 - c. Sample ballots cannot be the same color as the official ballots and may not be white.
2. Paper ballot color coding:
 - a. Using different colors to distinguish one type of paper ballot from another (federal, state, county ballots, municipal ballots, school district ballots and referendum ballots) helps to ensure that the inspectors give one of each type of ballot to the voter.

- b. Color coding is particularly helpful when two reporting units share a single polling place.
 - c. Color coding makes it easier for the voter to deposit his or her ballot in the proper ballot box and also makes separating and counting of ballots much easier for the election inspectors.
- 3. Color coding can also be used to distinguish between ballots if the municipality uses optical scan equipment.

For example, ballots containing School District A offices and/or referenda could be a different color than the ballots containing School District B offices and/or referenda.
- 4. Using different color coded ballots requires coordination among county, municipal, and school district clerks to ensure that the ballot prepared by each clerk is of a different color.
- 5. Within SVRS, each ballot style can be given its own specific name, which appears next to the voter's name on the poll list.
 - a. For example, a ballot style for a certain school district can be named "green" to match the color of the ballot for that school district.
 - b. This helps election workers to quickly identify which type of ballot to give to the voter.

Write-in Lines and Boxes, Ovals or Arrows

- 1. The ballot must contain a number of write-in lines equal to the number of candidates to be elected for each office.
- 2. For paper ballots:
 - a. *Do not* include a box or square on the write-in line.
 - b. The voter is not required to place an X or any other mark on the ballot when voting for a write-in candidate. The voter needs only to write the name of the write-in candidate.
- 3. For optical scan ballots:
 - a. An oval or arrow *is* required to appear next to each write-in line.

- b. A completed arrow or filled-in oval next to a write-in line signals the tabulating equipment to deflect the ballot into the write-in compartment.
 - i. The voter is not required to complete the arrow or fill in the oval when writing in a name in order to have the vote counted.
 - ii. After the polls close, inspectors must page through the optical scan ballots that have not been deflected to the write-in compartment to locate and count any write-in votes.

Ballot Endorsement

Every ballot must have an endorsement. Endorsement language is prescribed by the State Elections Board on the Reverse Side of Official Ballots (EB-229), which is available on the agency website.

1. The endorsement contains:
 - a. The title and date of the election.
 - b. The municipality and wards applicable to the ballot: If all reporting units use the same ballot style, all reporting units may be printed on the ballot rather than printing separate ballots for each reporting unit. The inspector must remember to mark the appropriate ward or reporting unit before issuing a ballot to a voter. A rubber stamp may also be used to apply ward numbers to the endorsement.
 - c. A space for inspectors to initial when issuing a ballot, a space for the municipal or deputy clerk to initial when issuing an absentee ballot, and a certification to be signed by a person who may assist a voter in marking the ballot.
2. For paper ballots, the endorsement appears on the reverse side of the ballot.
3. For optical scan ballots, an endorsement section containing the Reverse Side of Official Ballots (EB-229) language may appear on the back of the ballot or at the bottom of any column.

Appearance of Candidates' Names

1. All candidates' names for the same office must be printed in the same font size, style and color.
2. The candidate indicates on the Declaration of Candidacy (EB-162) how he or she wishes his or her name to appear on the ballot.

- a. No abbreviations, titles, quotation marks or parenthesis are permitted. A candidate must use their first and last name, and a middle name or initial may also be used.
- b. A nickname may be used in place of or in addition to the first name if it is a shortened or familiar form of the proper name by which the individual is commonly known (i.e., Jim for James, Peggy for Margaret, Sandy for Sandra, etc.).
- c. If the candidate wishes to use a nickname that is not a familiar or shortened form of their proper name (such as Buzz or Speedy), the State Elections Board advises the clerk to consult with the municipal attorney before making a final decision to allow or not allow the use of the nickname.
- d. The decision may be swayed if the candidate can show that he or she uses the nickname in a legal way (on a legal document such as a lease or contract).

Write-in Ballots for Military and Overseas Electors

Citizens living overseas and military voters serving overseas have always had difficulty receiving and returning ballots quickly. By the time official ballots are prepared, the turnaround time for a voter to receive and return an official ballot is very tight. For this reason, federal and state law requires municipal clerks to send write-in ballots to military and overseas electors who have requested an absentee ballot.

1. The write-in ballot is sent to military and overseas electors beginning 90 days before the primary or election, long before the official ballots are printed. This affords the elector an opportunity to complete a ballot early by writing in his or her candidate choices.
 - a. The write-in ballot is exactly what its name implies—a ballot that contains the offices up for election, but no candidate names.
 - b. Persons voting on the write-in absentee ballot may contact the clerk to find out who the candidates are.
 - c. Each office must contain a number of write-in lines equal to the number of candidates who are to be elected to the office.

- d. If there is a known referendum question to be voted on at the election, the referendum question can also be added to the ballot.
 - e. All write-in absentee ballots must be printed with the proper endorsement, Reverse Side of Absentee Ballot (EB-240) on the back of the ballot.
 - f. The Reverse Side of Absentee Ballot (EB-240) and other write-in ballot samples can be found on the agency website.
2. The official ballot is also sent to these electors when it becomes available.
 3. The write-in ballot is counted only if the official ballot has not been returned by Election Day.
 4. The clerk should include instructions on how to complete the ballot and how to find information on candidates, when available.

Note: Overseas voters only vote in federal elections and will only receive a ballot for federal offices. Military voters can vote in all elections for all offices.

A summary of information about Military and Overseas Electors can be found on pages 48-50 of this manual. Please also see the *Absentee Voting for Military and Overseas Electors* manual and *Absentee Ballot Procedures for Military and Overseas Electors* memo found on the agency website.

Referendum Ballots

1. For paper ballots:
 - a. A separate ballot is required for referenda.
 - b. Statewide and county referenda can be placed on the same ballot as long as the ballot clearly differentiates between the state and county referenda.
 - c. A separate ballot must be prepared for municipal referenda.
 - d. A separate ballot must be prepared for school district referenda.
2. For optical scan or consolidated ballots:
 - a. There must be a separate REFERENDUM section on the ballot.

- b. The ballot should clearly differentiate between state, county, municipal, and school district referenda.

Sample Ballots

1. Two samples of each type of ballot are required to be posted at the polling place on Election Day.
2. Sample ballots are also required to be available to persons who request them. The number of sample ballots should equal 10% of the total number of official ballots printed.
3. Sample ballots cannot be printed on white paper. They must be printed on colored paper and the color must be different than the color used for the official ballots.
4. The word 'SAMPLE' must be overprinted on all sample ballots.
5. The endorsement does not have to be printed on sample ballots.

Frequently Asked Questions

1. *For each office, the ballot indicates how many votes can be cast in that office. What is the proper format of that instruction?*

The number of candidates an elector is allowed to vote for, whether at a primary or an election, is the same as the number of officers to be elected. If there is only one position to be filled, such as with the office of Mayor, the instruction is "Vote for one." If there are three trustee positions up for election, the instruction is "Vote for not more than three."

2. *What is the difference between a military elector and an overseas elector?*

Military electors are members of a uniformed service or merchant marine, civilian employees of the United States, civilians officially attached to a uniformed service who are serving outside the United States, Peace Corps volunteers, or spouses and dependents of any of the preceding. Military electors are eligible to vote for all offices up for election.

Overseas Electors are United States citizens, 18 years or older, who resided in Wisconsin before leaving the United States, and are now living outside the U.S. with no present intent to return. Adult children of U.S. citizens who resided in this state before establishing residency abroad also qualify even if the adult child never lived in the U.S. Overseas electors may only vote for federal offices.

Note: Electors who are overseas for a *temporary* purpose are not considered “overseas electors,” and are entitled to vote for all offices that are up for election.

3. *When should I prepare the write-in absentee ballots?*

As soon as the offices to be elected are known, the municipal clerk should prepare write-in absentee ballots for the military and/or overseas electors from the municipality.

4. *When are write-in ballots mailed to military and overseas electors?*

At least 90 days before each primary or election, the municipal clerk mails a write-in absentee ballot to each military or overseas elector from whom the clerk has received an absentee ballot request. This includes military voters who are on the list to automatically receive ballots for each election. The write-in absentee ballot must be mailed to the voter within one day of receiving the written request, until the day that the official ballots are available.

5. *Do military and overseas electors also receive official ballots?*

Yes. Beginning on the day that the official ballots are available, the clerk must not send any more write-in absentee ballots, but must send the official ballot instead. The official ballot must also be sent to all military and overseas absentee voters who were previously sent the write-in absentee ballot.

6. *Is there a difference between the write-in ballot for military electors and the write-in ballot for overseas electors?*

Yes. A write-in ballot for a military elector contains all federal, state, county, municipal, and school district offices that are to be voted on at the election. A write-in ballot for an overseas elector only contains federal offices (President of the United States, U.S. Senator, and Representative in Congress). If there are no federal offices up for election, an overseas elector does not receive a ballot.

List of Related Forms and Publications

All forms and publications are available for on the agency website or can be ordered from the State Elections Board.

Forms

EB-162: Declaration of Candidacy

Ballot Forms

EB-201: Cong-Congressional Offices Only (for overseas electors)

EB-212: Spring Primary Paper Ballot for City Offices

EB-213: Spring Election Paper Ballot: City Offices

EB-214: Spring Primary Paper Ballot: Village Offices

EB-215: Spring Election Paper Ballot: Village Offices

EB-216: Spring Primary Paper Ballot: Towns w/Numbered Supervisor Seats

EB-217: Spring Primary Paper Ballot: Towns w/Unnumbered Supervisor Seats

EB-218: Spring Election Paper Ballot: Towns w/Numbered Supervisor Seats

EB-219: Spring Election Paper Ballot: Towns w/Unnumbered Supervisor Seats

EB-228: Referendum Ballot

EB-228: Multiple Referendum Ballot

EB-229: Reverse Side of Official Ballots

EB-232: Spring Primary Write-in Ballot: Towns w/Numbered Supervisor Seats

EB-233: Spring Primary Write-in Ballot: Towns w/Unnumbered Supervisor Seats

EB-234: Spring Election Write-in Ballot: Towns w/Numbered Supervisor Seats

EB-235: Spring Election Write-in Ballot: Towns w/Unnumbered Supervisor Seats

EB-236: Spring Primary Write-in Ballot: Village Offices

EB-237: Spring Election Write-in Ballot: Village Offices

EB-238: Spring Primary Write-in Ballot: City and Multi-juris Municipal Judge

EB-239: Spring Election Write-in Ballot: City and Multi-juris Municipal Judge

EB-240: Reverse Side of Write-in Ballot

EB-241: Presidential Preference Write-in Ballot

EB-242: Military Fall Primary Write-in Ballot

EB-243: Overseas Fall Primary Write-in Ballot

EB-244: Military Fall Election Write-in Ballot

EB-245: Overseas Fall Election Write-in Ballot

Manuals

Absentee Voting for Military and Overseas Elector

Other Publications

Absentee Ballot Procedures for Military and Overseas Electors memo

Links

FVAP website: <http://www.fvap.gov>

