



Wisconsin Facts

from the
WISCONSIN LEGISLATIVE REFERENCE BUREAU

PRESIDENTIAL ELECTORS October 1984

Under the United States Constitution when the electorate goes to the polls in November every 4 years to vote for the President of the United States, the voters are really voting for electors, who, in turn, vote for president. The Constitution gives the state wide latitude in choosing electors. How are such electors chosen in Wisconsin?

The October Meeting -- Choosing Electors

On the first Tuesday of October in a presidential election year (October 2, 1984), each political party meets separately in the State Capitol at 10:00 a.m. to select its presidential electors for the state. All state Senate and Assembly candidates, the state officers and the holdover state senators of each political party meet to make their selections. [Wis. Stats. Sec. 8.18 (1)].

Traditionally, the Elections Board notifies the appropriate officials and reserves rooms in the State Capitol for meeting purposes.

The purpose of the meetings is to nominate one presidential elector from each congressional district and 2 electors from the state at large. The total of 11 electors for Wisconsin equals the number of votes that it has in Congress (9 members of the House of Representatives and 2 senators).

The meetings are often quite informal and after selecting a meeting chairperson and caucusing by congressional district, the members are ready to nominate their respective presidential electors.

Article II, Section 1 of the United States Constitution provides that "no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector".

Once the nominees are determined by vote, their names are certified immediately by the chairman of the state committee of each party to the chairperson of the State Elections Board [Wis. Stats. Sec. 8.18 (2)].

Prior to 1973, the selection of presidential electors was only one of the purposes of this October meeting. Previously, this same group of officials had the responsibility of formulating the official state platform of their respective parties and to elect a state central committee of at least 2 members from each congressional district. These latter two responsibilities were turned over to the voluntary party organizations, which had, by that time, assumed most political party control.

The December Meeting -- The Electoral College

After the returns of the November presidential election are canvassed, the Elections Board, pursuant to statute Section 7.70 (5) (b), prepares a certificate showing the determination of the results of the canvass of the vote for electors and the names of the persons elected, and the governor then signs, affixes the great seal of the state, and transmits the certificate by registered mail to the U.S. administrator of general services. The governor also prepares 6 duplicate originals of such certificate and delivers them to one of the presidential electors on or before the first Monday after the second Wednesday in December.

On the first Monday after the second Wednesday in December in each presidential election year (December 17, 1984), the electors for president and vice president meet at the State Capitol at 12 noon to cast their ballots for president and vice

president. If a vacancy exists in the office of an elector, the electors present vote to fill this vacancy [Wis. Stats. Sec. 7.75 (1) and U.S. Code, Title 3, Sec. 7.]

The purpose of this meeting is to have the presidential electors vote, by ballot, for that person for president and that person for vice president, who are the candidates of the political party which nominated them under statute Section 8.18 (October meeting), the candidates whose names appeared on the nomination papers filed under statute Section 8.20 (Independent candidates), or the candidate or candidates who filed their names under statute Section 8.185 (2) (write-in candidates), except that at least one of the persons for whom the electors vote may not be an inhabitant of this state. A presidential elector is not required to vote for a candidate who is deceased at the time of the meeting [Wis. Stats., Sec. 7.75 (2)]

At the meeting, the electors fulfill their responsibilities of casting their ballots for president and vice president as provided for in the 12th Amendment of the United States Constitution. The entire text of the 12th Amendment is reprinted below.

"The Electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;--The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;--The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.--The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States."

By law (U.S. Code, Title 3, Sec. 15), the electoral votes are opened and counted before Congress on January 6 (the next day if January 6 falls on a Sunday).