



Wisconsin Elections Commission

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Wisconsin Elections Commission
Special Teleconference Meeting
201 W. Washington Avenue, Second Floor
Madison, Wisconsin
3:00 p.m. July 12, 2022

Open Session Minutes

Present: Commissioner Ann Jacobs, Commissioner Marge Bostelmann, Commissioner Julie Glancey, Commissioner Don Millis, Commissioner Robert Spindell Jr., and Commissioner Mark Thomsen, all by teleconference.

Staff present: Meagan Wolfe, Robert Kehoe, Jim Witecha, Brandon Hunzicker, Riley Vetterkind, John Smalley, Ann Oberle, and Jacob Walters, all by teleconference

A. Call to Order

Commission Chair Don Millis called the meeting to order at 3:00 p.m. and called the roll. All Commissioners were present.

B. Administrator's Report of Appropriate Meeting Notice

Administrator Meagan Wolfe informed the Commission that proper notice was given for this meeting.

C. Closed Session

1. Discussion of Litigation

Chairman Millis stated he would entertain a motion to move to closed session pursuant to Wis. Stat. § 19.85(1)(g).

MOTION: To move to closed session pursuant to Wis. Stat. § 19.85(1)(g).

Roll call vote:	Bostelmann:	Aye	Glancey:	Aye
	Jacobs:	Aye	Spindell:	Aye
	Millis:	Aye	Thomsen:	Aye

The motion carried 6-0.

The Commission moved to closed session at 3:02 p.m.

Wisconsin Elections Commissioners

Don M. Millis, chair | Marge Bostelmann | Julie M. Glancey | Ann S. Jacobs | Robert Spindell | Mark L. Thomsen

Administrator
Meagan Wolfe

D. Discussion and Possible Action Related to Wisconsin Supreme Court Ruling in *Richard Teigen v. Wisconsin Elections Commission*

The Commission reconvened in open session at 5:01 p.m.

Staff Attorney Jim Witecha appeared and informed the Commission that they have now been advised by both Wisconsin Department of Justice and WEC staff attorneys, and that he is standing by should they have any questions.

Administrator Wolfe added that the draft clerk communication provided to Commissioners in advance of this meeting is merely to serve as a starting point for discussion, and in no way, shape, or form reflects any official stance of the Commission at this time.

Discussion.

MOTION: To add guidance to the WEC’s July 12, 2022 draft memorandum to clerks concerning the *Teigen* decision that:

1. Electors must present photo identification upon delivery of their absentee ballot to the clerk’s office, or designated alternate polling location, to confirm that they are indeed the elector to whom the absentee ballot was sent
2. Only the elector may be the one that places his or her absentee ballot in the mail
3. Clerks are advised of 52 U.S.C. § 10508 which states:

Any voter who requires assistance to vote by reason of blindness, disability, or inability to read or write may be given assistance by a person of the voter's choice, other than the voter's employer or agent of that employer or officer or agent of the voter's union.

Moved by Commissioner Spindell. Seconded by Chairman Millis.

MOTION: To divide the question into its three subparts.

Moved by Commissioner Jacobs. Seconded by Commissioner Glancey.

Discussion.

Roll call vote: Bostelmann:	Aye	Glancey:	Aye
Jacobs:	Aye	Spindell:	Aye
Millis:	Aye	Thomsen:	Aye

Motion carried 6-0.

WEC staff member Sharrie Hauge joined the meeting.

MOTION: To add guidance to the WEC’s July 12, 2022 draft memorandum to clerks concerning the *Teigen* decision that:

1. Electors must present photo identification upon delivery of their absentee ballot to the clerk's office, or designated alternate polling location, to confirm that they are indeed the elector to whom the absentee ballot was sent

Discussion.

Roll call vote:	Bostelmann:	Aye	Glancey:	No
	Jacobs:	No	Spindell:	Aye
	Millis:	Aye	Thomsen:	No

Motion failed 3-3.

MOTION: To add guidance to the WEC's July 12, 2022 draft memorandum to clerks concerning the *Teigen* decision that:

2. Only the elector may be the one that places his or her absentee ballot in the mail

Discussion.

Roll call vote:	Bostelmann:	Aye	Glancey:	No
	Jacobs:	No	Spindell:	Aye
	Millis:	Aye	Thomsen:	No

Motion failed 3-3.

MOTION: To add guidance to the WEC's July 12, 2022 draft memorandum to clerks concerning the *Teigen* decision that:

3. Clerks are advised of 52 U.S.C. § 10508 which states:

Any voter who requires assistance to vote by reason of blindness, disability, or inability to read or write may be given assistance by a person of the voter's choice, other than the voter's employer or agent of that employer or officer or agent of the voter's union.

Discussion.

Roll call vote:	Bostelmann:	Aye	Glancey:	No
	Jacobs:	No	Spindell:	Aye
	Millis:	Aye	Thomsen:	No

Motion failed 3-3.

Discussion.

MOTION: To adopt the guidance put forth by WEC staff in the July 12, 2022 draft memorandum to clerks concerning the *Teigen* decision.

Moved by Chairman Millis. Seconded by Commissioner Spindell.

Discussion.

Roll call vote:	Bostelmann:	Aye	Glancey:	No
	Jacobs:	No	Spindell:	Aye
	Millis:	Aye	Thomsen:	No

Motion failed 3-3.

MOTION: To decide that the Wisconsin Elections Commission is not going to issue any guidance regarding the *Teigen* decision.

Moved by Commissioner Spindell. Seconded by Chairman Millis.

Discussion.

Withdrawn by Commissioner Spindell with no objection from Chairman Millis.

E. Discussion and Possible Action Related to Legislator Requests for Records Data and Other Information

Staff Attorney Brandon Hunzicker appeared and briefed the Commission on events leading up to a records request from Representative Janel Brandtjen, Chair of the Assembly Committee on Campaigns and Elections, noting that it is a reformulation of part of a request submitted previously. He highlighted certain aspects of a draft response to this request, including a draft Memorandum of Understanding between the Committee and the Commission.

Discussion.

MOTION: To direct staff to negotiate a Memorandum of Understanding between the Wisconsin Elections Commission and the Assembly Committee on Campaigns and Elections concerning this records request to be brought back for consideration at a later date.

Moved by Commissioner Spindell. Seconded by Commissioner Bostelmann.

Discussion.

Chairman Millis clarified that WEC staff are authorized to discuss the parameters of this records request response with the Committee, but not to share this memorandum in its entirety with the Committee prior to its approval by the Commission. Commissioner Spindell confirmed this to be consistent with his motion.

Roll call vote:	Bostelmann:	Aye	Glancey:	Aye
	Jacobs:	Aye	Spindell:	Aye
	Millis:	Aye	Thomsen:	Aye

Motion carried 6-0.

D. Adjourn

MOTION: To adjourn.

Moved by Commissioner Bostelmann. Seconded by Commissioner Glancey.

Roll call vote:	Bostelmann:	Aye	Glancey:	Aye
	Jacobs:	Aye	Spindell:	Aye
	Millis:	Aye	Thomsen:	Aye

Motion carried 6-0.

The Commission adjourned at 6:52 p.m.

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July 12, 2022 Wisconsin Election Commission meeting minutes prepared by:



Jacob Walters, Elections Specialist

July 13, 2022

July 12, 2022 Wisconsin Election Commission meeting minutes certified by:



Julie Glancey, Commission Secretary

September 21, 2022