



Wisconsin Elections Commission

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Wisconsin Elections Commission

Regular Teleconference Meeting

201 W. Washington Avenue, Second Floor

Madison, Wisconsin

9:00 am July 22, 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, Sharrie Hauge, Robert Kehoe, Jim Witecha, Brandon Hunzicker, Kelly McCormick, Riley Vetterkind, John Smalley, Robert Williams, Cody Davies, and Anna Langdon, all by teleconference.

A. Call to Order

Commission Chair Millis called the meeting to order at 9:03 am 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 the meeting.

C. Public Comment

Eileen Newcomer, Voter Education Manager for the League of Women Voters of Wisconsin, appeared to present public comments. She expressed the League's concerns over the Commission declining to issue guidance to clerks on the implications of the Teigen ruling and resulting changes in the election process. She stated that the League encourages the Commission to issue guidance for clerks on the responsibilities to give reasonable accommodations for voters with disabilities to ensure they are able to return their absentee ballots and participate in our democracy. Ms. Newcomer also shared comments concerning voting equipment audit guidelines and absentee ballot certificate envelopes. She hoped that the Commission would create procedures to spell out what happens when an audit finds errors and how to remedy the situation if errors lead to a different election result. She asked the Commission to consider expanding the space on the absentee ballot envelope for the witness to put their address and add designated space for the witness to add their street address, city, state, and zip code. She added that the League recommends adding a space in the design for return tracking on the certificate envelope. Ms. Newcomer then encouraged the Commission to investigate the deactivation issue brought about by incorrect data provided to the WEC by the Electronic Registration Information Center (ERIC). She also

Wisconsin Elections Commissioners

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

Administrator
Meagan Wolfe

noted that comments on the scope statements being discussed at the meeting were included in the written comments provided to Commissioners.

Discussion.

Sandy Juno, former Brown County Clerk, appeared to express concerns in regard to the elections education campaign for September and October 2022 and Wisconsin Elections Commission training initiatives listed in the Commission staff update portion of the open session materials. Ms. Juno expressed dismay that time and money is being spent doing an education program. She stated that there are education tools for those purposes already exist and that the WEC should direct those resources to in-person trainings for clerks and poll workers, as opposed to online training. She requested that the Commissioners redirect staff to refocus energies to do in-person training because it allows for discussion, provides opportunities to ask questions, and allows clerks to bring in legal counsel to get a better understanding about elections. She said that in-person training has never seemed to have been a priority for the WEC or its previous iterations but that there would be a lot of benefit to that interaction on a more frequent basis.

Discussion.

Chair Millis noted that the Commission also received written comment from Disability Rights Wisconsin, the two individuals who spoke during public comment, Mr. Ted Harvey, and Ms. Melissa Wagner.

Discussion.

D. Closed Session

- 1. Approval of Previous Meeting Minutes**
- 2. Litigation Update**
- 3. Election Complaints**
- 4. ERIC Processes and Referrals**

Chair Millis informed the public that the Commission will go into closed session then reconvene into open session. He noted that this was likely to take a long time.

MOTION: To adjourn into closed session as allowed by Wis. Stat. § 19.85(1)(g) and § 19.851.

Moved by Commissioner Bostelmann. Seconded by Commissioner Thomsen.

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

Motion carried 6-0.

The Commission moved into closed session at 9:21 am.

The Commission reconvened into open session at 2:31 pm. All Commissioners were present. Staff present were Meagan Wolfe, Sharrie Hauge, Robert Kehoe, Jim Witecha, Brandon Hunzicker, Kelly McCormick, Riley Vetterkind, John Smalley, Robert Williams, Cody Davies, and Anna Langdon.

E. Approve Minutes of Previous Meetings

March 23, 2022 Public Hearing

April 20, 2022

April 29, 2022 Public Hearing

May 13, 2022

May 25, 2022

June 10, 2022

MOTION: To approve the following minutes: March 23, 2022 public hearing; April 20, 2022 meeting; April 29, 2022 public hearing; May 13, 2022 meeting; May 25, 2022 meeting; June 10, 2022 meeting.

Moved by Commissioner Jacobs. Seconded by Commissioner Bostelmann.

Commissioner Bostelmann noted that the Commission Secretary should be listed as Julie Glancey for the May 13, 2022 minutes.

FINAL MOTION: To approve the following minutes: March 23, 2022 public hearing; April 20, 2022 meeting; April 29, 2022 public hearing; May 13, 2022 meeting with the correction of listing Julie Glancey as the Commission Secretary; May 25, 2022 meeting; June 10, 2022 meeting.

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

Motion carried 6-0.

F. Voting Equipment Audit Guidelines Proposal

Elections Specialists Cody Davies and Robert Williams appeared to present the memo and staff recommendations for voting equipment audit guidelines. Mr. Davies provided background information concerning the guidelines and Mr. Williams explained recommendations for the audit and reimbursement processes and error rate calculation.

Discussion.

The Commissioners raised questions pertaining to how different types of errors (machine error, administrative error, voter error, etc.) affect the calculation of an error rate for the voting equipment audit.

MOTION: The Commission adopts the 2022 post-election audit parameters and procedures outlined above, including the selection criteria, timeline for completion, and reimbursement with the clarification that when evaluating Item 2 on page 39-40 of the open session materials that the Commission and staff are clear on the nature of an error, and that various types of human error are documented as separate and distinct from the machine error itself, consistent with the issues raised by Chair Millis.

Moved by Commissioner Thomsen. Seconded by Commissioner Glancey.

Discussion.

AMENDMENT: Increase the number of selected reporting units to eight (8) in Madison and Milwaukee, and six (6) in the next twenty largest municipalities. Direct staff to take the questions raised in discussion by the Commission and present a final proposal at a future meeting prior to the General election.

Proposed by Chair Millis. Seconded by Commissioner Spindell.

Discussion.

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

Motion carried 6-0.

AMENDED MOTION: The Commission adopts the recommended motion subject to itemization and discussion of different types of errors under Item 2 on page 39-40 of the open session materials. The number of selected reporting units will be doubled to eight (8) in Madison and Milwaukee, and six (6) in the next twenty largest municipalities. The Commission directs staff to take the questions raised in discussion by the Commission and present a final proposal at a future meeting prior to the General election.

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

Motion carried 6-0.

G. Error Rate Staff Memo and Proposed Scope Statement

Administrator Meagan Wolfe suggested the Commission revisit this agenda item at a future meeting due to the amended motion passed in agenda item F. The Commissioners agreed to do that.

H. Proposal for Use of 2022 Election Security Funds

Deputy Administrator Robert Kehoe presented the proposal to allocate \$1.2 million in election security funds received from the Elections Assistance Commission. He noted that nearly 100% of the funds would be allocated to local governments through a renewal of the 2019 Election Security Subgrant for municipalities and reimbursing costs incurred by municipalities conducting post-election voting system audits.

Discussion.

MOTION: The Commission directs WEC staff to renew the administration of the Election Security subgrant to municipalities at the rate of up to \$1,200 per eligible jurisdiction, not to exceed a total cost of \$1,000,000.

The Commission directs WEC staff to allocate \$200,000 of Election Security grant funds towards an expanded post-election audit for the 2022 General Election encompassing at least 10% of all reporting units statewide.

Moved by Commissioner Jacobs. Seconded by Commissioner Thomsen.

Discussion.

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

Motion carried 6-0.

I. Absentee Certificate Envelope Redesign

Elections Specialist Cody Davies provided an update on the absentee certificate envelope redesign. He outlined staff's collaboration with various stakeholders, including voters, election officials, and experts from the United States Postal Service, to make sure the redesigned envelopes serve everyone's needs.

Discussion.

J. 2023-25 Biennial Budget Preparation

Chief Administrative Officer Sharrie Hauge gave a brief summary of preparations for submission of the 2023-25 Biennial Budget on September 15, 2022. She noted a special meeting in August will be necessary for the Commission to approve the budget decision items and the submission of its 2023-25 Biennial Budget.

Discussion.

Due to uncertainties over personal schedules, the Commission and staff agreed to determine a suitable meeting time via email next week. The meeting will take place on a specified day during the week of Monday, August 29th.

Discussion.

K. General Election Ballot Templates

MOTION: The Commission approves the ballot design presented by staff and directs staff to utilize the ballot design for the 2022 General Election.

Moved by Commissioner Jacobs. Seconded by Commissioner Thomsen.

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

Motion carried 6-0.

L. Badger Voters Pricing

Commissioner Jacobs asked the chair to consider moving this agenda item to the next meeting.

Chair Millis agreed to move this agenda item to the next meeting.

M. Electronic Registration Information Center (ERIC) Processes

Chair Millis moved this agenda item to the next meeting.

N. Report of Suspected Election Fraud

Staff Attorney Brandon Hunzicker presented the Report of Suspected Election Fraud, to be submitted to the Legislature. He explained the contents of the table on page 82 of the open session materials listing referrals to District Attorneys made by municipal clerks that the Commission has been made aware of.

Discussion.

MOTION: Direct Commission staff to submit the attached cover letter and report titled “Report of Suspected Election Fraud, Irregularities or Violations” to the Legislature per Wis. Stat. §§ 7.15(1)(g) and 13.172(2).

Moved by Commissioner Thomsen. Seconded by Commissioner Jacobs.

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

Motion carried 6-0.

O. Scope Statement Approval

Attorney Hunzicker presented language for scope statements SS 029-22, concerning Approval and Security of Electronic Voting Equipment and Ballot Security and SS 030-22, concerning Training for Election Inspectors and Special Voting Deputies.

MOTION: Pursuant to Wis. Stat. s. 227.135(2), the Wisconsin Elections Commission today, July 22, 2022, approves scope statements SS 029-22, concerning Approval and Security of Electronic Voting Equipment and Ballot Security; and SS 030-22, concerning Training for Election Inspectors and Special Voting Deputies. In drafting the language of the rules, staff are directed to follow the guidance of the Commission as found in the minutes of this July 22 open session meeting. Staff are further directed, upon completing the draft language of each rule, to send a copy of the draft language to each Commissioner for comments and feedback. After incorporating any comments and feedback, staff are

directed to bring the draft rule language to the Commission during an open session meeting for discussion and approval before taking any further official steps within the promulgation process.

Moved by Commissioner Thomsen. Seconded by Commissioner Jacobs.

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

Motion carried 6-0.

P. Elections Education Project

Public Information Officer Riley Vetterkind provided a project update on the elections education project. He explained that the project has two prongs: a fun education campaign consisting of 4–5-minute videos that explore different aspects of election administration intended for high school classrooms, and various print and television ads providing facts about how elections work. He noted that this project is not a get-out-the-vote campaign, but rather focuses on the nuts and bolts of election administration.

Discussion.

Q. Staff Update

Administrator Wolfe presented an update of staff projects and activities. She focused her comments on the new WEC website which launched July 19 but noted that the rest of the staff update was laid out in the open session materials available on the WEC website.

Discussion.

R. Adjourn

MOTION: To adjourn.

Moved by Commissioner Jacobs.

Seconded by Commissioner Spindell.

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

Motion carried 6-0.

The Commission adjourned open session at 4:30 pm.

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July 22, 2022 Wisconsin Election Commission meeting minutes prepared by:

Anna Langdon, Help Desk Staff

July 24, 2022

July 22, 2022 Wisconsin Election Commission meeting minutes certified by:

Julie Glancey, Commission Secretary

September 21, 2022

DRAFT