



Wisconsin Elections Commission

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Wisconsin Elections Commission

212 East Washington Avenue
Madison, Wisconsin
10:00 a.m. June 11, 2019

Open Session Minutes

Present: Commissioner Dean Knudson, Commissioner Julie Glancey, Commissioner Ann Jacobs, Commissioner Jodi Jensen and Commissioner Mark Thomsen

Staff present: Meagan Wolfe, Richard Rydecki, Michael Haas, Sharrie Hauge, Robert Kehoe, Nathan Judnic, and Reid Magney

A. Call to Order

Commission Chair Dean Knudson called the meeting to order at 10:00 a.m. and called the roll. All Commissioners were present.

B. Administrator's Report of Appropriate Meeting Notice

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

C. Personal Appearances

Eileen Newcomer of Janesville appeared on behalf of the League of Women Voters of Wisconsin to comment on issues related to the Electronic Registration Information Center (ERIC) and other items on the Commission agenda.

Karen McKim of Waunakee appeared on behalf of Wisconsin Election Integrity to comment against the use of barcodes by ballot marking devices.

D. Minutes of Previous Meeting

March 11, 2019

MOTION: Approve open session minutes of Wisconsin Elections Commission meeting of March 11, 2019. Moved by Commissioner Thomsen, seconded by Commissioner Jensen. Motion carried unanimously.

Chair Knudson took the following agenda item out of order.

Wisconsin Elections Commissioners

Dean Knudson, chair | Marge Bostelmann | Julie M. Glancey | Ann S. Jacobs | Jodi Jensen | Mark L. Thomsen

Administrator
Meagan Wolfe

G. Voting Equipment Approval

Administrator Wolfe introduced Elections Specialists Robert Williams and Cody Davies of the Voting Equipment Team, who gave a presentation based on a memorandum starting on page 25 of the June 11 Commission meeting materials regarding an application from Election Systems and Software (ES&S) requesting the WEC approve the EVS 5.2.4.0 and EVS 5.3.4.0 voting systems for sale and use in the State of Wisconsin.

Mr. Williams and Mr. Davies described the EVS 5.2.4.0 and EVS 5.3.4.0 voting systems, how they differ from previously approved versions of ES&S systems, and the testing procedures used by WEC staff during the approval process. The biggest change is that modems used for transmission of unofficial results have been upgraded from 3G to 4G wireless technology. WEC staff recommends approval of both the EVS 5.2.4.0 and EVS 5.3.4.0 for sale and use in Wisconsin.

Commissioners and staff discussed the use of analog versus wireless modems, problems with wireless service availability in some rural areas, and the use of barcodes in the ExpressVote ballot marking device.

ES&S representatives Steve Pearson, Mark Manganaro and Kyle Weber appeared before the Commission. They discussed how the ExpressVote ballot marking device and barcodes work, and they answered questions about their security. They also answered questions from Commissioners regarding auditing.

Chair Knudson called a recess at 11:24 a.m. The Commission reconvened at 11:40 a.m.

During the recess, representatives of ES&S provided the Commission and members of the public with a demonstration of the voting equipment up for certification.

MOTION: Adopt the staff's recommendations for approval of the ES&S voting system's Application for Approval of EVS 5.2.4.0 in compliance with US EAC certificate ESSEVS5240 including the conditions described in the staff memorandum and the ES&S voting system's Application for Approval of EVS 5.3.4.0 including the conditions described in the memorandum, to also include ExpressLink approval. Moved by Commissioner Thomsen, seconded by Commissioner Glancey.

Discussion.

Chair Knudson asked whether the motion should include language making the approval contingent on requiring ExpressVote ballots to be included in the pre-election logic and accuracy testing. Staff Counsel Michael Haas said the Commission can attach a condition that testing should include ExpressVote ballots.

Commissioner Jacobs suggested amending the motion to say that any municipality using a ballot marking device must include ballots marked by that device as part of the pre-election logic and accuracy testing. Commissioner Thomsen accepted Commissioner Jacobs' friendly amendment. Commissioners unanimously approved amending the motion.

Discussion.

Commissioners unanimously approved the amended motion.

E. ERIC List Maintenance

Administrator Wolfe gave a presentation based on a memorandum starting on page 10 of the June 11 Commission meeting materials regarding additional analysis staff has conducted on data from the 2017 ERIC Movers List Maintenance and recommendations for improving future ERIC Movers List mailings.

Commissioners and staff discussed the findings and recommendations, including using the MyVote website to allow voters to respond to future mailings.

MOTION: Authorize staff to flag files of voters rather than deactivating voters who do not respond to a Movers mailing after 30 days; go forward with WisVote, poll book and MyVote updates; assess new data before initiating future mailings; incorporate the substance of recommendations in the staff memorandum; and authorize staff to proceed with the next Movers letter in August 2019. Moved by Commissioner Thomsen, seconded by Commissioner Glancey. Motion carried unanimously.

Chair Knudson suggested breaking for lunch and using that time for the closed session.

K. Closed Session

MOTION: Move to closed session pursuant to Wis. Stat. 19.85(1)(g) to confer with counsel concerning litigation strategy and Wis. Stat. 19.851 to discuss possible violations of election law. Moved by Commissioner Thomsen, seconded by Commissioner Jacobs.

Roll call vote: Glancey:	Aye	Jacobs:	Aye
Jensen:	Aye	Knudson:	Aye
Thomsen:	Aye		

Motion carried unanimously. The Commission convened in closed session at 12:43 p.m.

The Commission reconvened in open session at 1:40 p.m.

E. Election Security Update

Administrator Wolfe introduced Election Security Team members Tony Bridges, Michelle Hawley and Riley Willman, who made a presentation based on a memorandum starting on page 17 of the June 11 Commission meeting materials regarding election security planning.

Mr. Bridges discussed staff's proposal to address the issue of local election officials using computer hardware and software that may not be secure. Staff proposes conducting a formal needs assessment, providing low-cost managed devices to users with demonstrated needs and working with some jurisdictions on alternate security solutions. Staff also recommends finding ways to provide small municipalities with IT support to ensure their computers remain secure.

Commissioners and staff discussed details of the hardware and IT support proposals, including potential costs, how much HAVA security funds remain, issues of fairness in distributing computers to some municipalities but not others and how those computers could be used.

Commissioners asked staff to study alternatives such as a rental program and offering grants that municipalities could use to purchase compliant computers. The Commission took no action on staff's recommended Motion 1.

Commissioners and staff discussed the recommendations regarding a public information campaign.

MOTION 2: Direct staff to seek proposals and award a contract for research and development of a public information campaign to educate the public about Wisconsin election security at a total cost not to exceed \$260,000, which will be paid for out of the 2018 HAVA grant for election security. Following research and development of a campaign, staff will seek Commission approval by August 15 or as soon as reasonably practical before the September Commission meeting for additional expenditures to implement the campaign. Moved by Commissioner Jacobs, seconded by Commissioner Jensen. Motion carried unanimously.

Commissioners and staff continued discussing additional information Commissioners would like to review the next time they consider a managed hardware and IT support proposal from staff.

Commissioner Jensen was excused from the meeting at 3:05 p.m.

H. Badger Book Electronic Pollbook Update

Mr. Bridges, Ms. Hawley and Elections Security Trainer Michael Sabaka made a presentation based on a memorandum starting on page 84 of the June 11 Commission meeting materials, providing an update on the Badger Book electronic poll books. Staff recommends the Commission approve using WisVote as a secure platform to deliver software updates for the system and studying ways to provide IT support to Badger Book users.

MOTION: Authorize the WEC staff recommendation in Section IV (a) of the memorandum to move forward with design and development of necessary processes to use WisVote as the host for future Badger Book software updates. Moved by Commissioner Jacobs, seconded by Commissioner Knudson. Motion carried unanimously.

Chair Knudson said a separate motion by the Commission was not necessary for staff to research a sustainable software and hardware support model for existing and prospective Badger Book users, so the Commission took no formal action

I. Legislative Update and Agenda

Elections Specialist Robert Williams and Mr. Haas made presentations based on a memorandum starting on page 91 of the June 11 Commission meeting materials regarding the legislative activity and the Commission's legislative agenda. The presentations were for information only, and the Commission took no action.

J. Commission Staff Update

Ms. Wolfe directed Commissioners to the Commission Staff Update memorandum starting on page 96 of the June 11 Commission meeting materials. She discussed the Spring Election on April 2, staff's efforts to conduct usability studies to redesign the voter registration form, EL-131, updates to the WisVote system, and a proposal to work with Microsoft on its ElectionGuard voting system pilot in Wisconsin.

MOTION: Authorize staff to continue to research the pilot project with Microsoft and provide an updated status report on this potential project at the September 24, 2019 Commission meeting. Moved by Glancey, seconded by Thomsen. Motion carried 4-0.

K. Adjourn

MOTION: Adjourn. Moved by Commissioner Jacobs, seconded by Commissioner Glancey. Motion carried unanimously.

The Commission adjourned at 3:51 p.m.

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The next meeting of the Wisconsin Elections Commission is scheduled for Tuesday, September 24, 2019, at the Wisconsin Elections Commission office in Madison, Wisconsin beginning at 10:00 a.m.

June 11, 2019 Wisconsin Elections Commission meeting minutes prepared by:



Reid Magney, Public Information Officer

September 9, 2019

June 11, 2019 Wisconsin Elections Commission meeting minutes certified by:



Julie Glancey, Commission Secretary

September 24, 2019