



Wisconsin Elections Commission

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Wisconsin Elections Commission

Regular Meeting

Board Room

Madison, Wisconsin

10:00 a.m. December 2, 2019

Open Session Minutes

Present: Commissioner Dean Knudson, Commissioner Marge Bostelmann, Commissioner Julie Glancey, Commissioner Ann Jacobs, Commissioner Robert Spindell Jr. and Commissioner Mark Thomsen

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

A. Call to Order

Commission Chair Dean Knudson called the meeting to order at 10:01 a.m. and called the roll. Commissioner Thomsen joined the meeting at 10:05 a.m.

Chair Knudson displayed a plaque recognizing former Commissioner Jodi Jensen for her service from 2016 to 2019. She was unable to attend the meeting so it will be sent to her.

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

Andrea Kaminski appeared on behalf of the League of Women Voters of Wisconsin to thank the Commission for its decision to convene an Election Security Council.

Denise Jess, executive director of the Wisconsin Council of the Blind & Visually Impaired, appeared to speak about accessible voting equipment.

Karen McKim appeared on behalf of Wisconsin Election Integrity to discuss ballot marking devices that use barcodes.

Rock County Clerk Lisa Tollefson appeared to discuss voting equipment certification and modems for transmitting unofficial election night results.

Wisconsin Elections Commissioners

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

Administrator
Meagan Wolfe

Barbara Beckert appeared on behalf of Disability Rights Wisconsin to discuss voting accessibility and polling place accessibility audits.

Dane County Clerk Scott McDonell appeared to discuss election security grants.

Darrell Moran appeared on behalf of Forward Latino to express concerns the Electronic Registration Information Center (ERIC) member agreement and about voting rights.

D. Minutes of Previous Meetings

MOTION: Approve the open session minutes of the September 24 and October 16, 2019, Wisconsin Elections Commission meetings. Moved by Commissioner Thomsen, seconded by Commissioner Bostelmann. Motion carried unanimously.

E. Election Security

Election Security Update

Administrator Wolfe updated commissioners on the status of several election security initiatives. A written memorandum starts on page 13 of the December 2 WEC meeting materials packet.

MOTION: Direct staff to add commissioners to the RAVE emergency alert system. Moved by Commissioner Spindell, seconded by Commissioner Knudson.

Discussion.

Commissioner Spindell withdrew the motion.

Grant Program Update and Next Steps

Administrator Wolfe updated commissioners on the subgrant program. A written memorandum starts on page 19 of the December 2 WEC meeting materials packet.

MOTION: Direct staff to announce and initiate the second HAVA security subgrant program to local election officials for .gov domains and https websites, not to exceed \$134,000. Moved by Commissioner Spindell. Motion died for lack of a second.

MOTION: Direct staff to announce and initiate a HAVA security subgrant program not to exceed \$500 for any county that needs https for website security. Moved by Commissioner Jacobs, seconded by Commissioner Spindell.

Discussion. Commissioner Jacobs said she would accept Commissioner Knudson's friendly amendment for counties accepting the grant to upgrade their websites to https before the August Primary.

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

Motion carried unanimously.

Public Information Campaign

Administrator Wolfe and Jennifer Savino of KW2 updated commissioners on the status of the public information campaign on election security. A written memorandum starts on page 29 of the December 2 WEC meeting materials packet.

The Commission took no formal action.

The following agenda item was taken out of order.

L. Closed Session

- 1. Minutes of Previous Meetings**
- 2. Wis. Stat. § 5.05 Complaints**
- 3. Litigation Update**

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

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

Motion carried unanimously.

The Commission adjourned to closed session at 12:57 p.m. and returned to open session at 1:43 p.m.

F. ERIC Update

Movers Update

Administrator Wolfe updated commissioners on the ERIC movers mailing and next steps for poll book watermarks. A written memorandum starts on page 31 of the December 2 WEC meeting materials packet.

MOTION: Direct staff to continue to implement the ERIC movers watermark process for the 2020 election cycle and develop poll official training to use a script. Poll workers would tell

voters with a watermark we have received information you have moved, and that by signing the poll book you affirm you still reside at this address. Moved by Commissioner Knudson.

Discussion.

Seconded by Commissioner Jacobs.

Motion carried 5-1. Commissioner Spindell voted no.

Voter Participation Reports and DA Referral Process

Senior Elections Specialist Nathan Judnic updated commissioners on the ERIC voter participation report process. A written memorandum starts on page 35 of the December 2 WEC meeting materials packet.

MOTION: Adopt the matching criteria described in the staff memorandum for referring voters who may have voted in the same in election in Wisconsin and another state, based on information obtained from ERIC, Wisconsin clerks and election officials in other states. The Commission directs staff to periodically update the Commission on the number of referrals made and the disposition of such referrals by the District Attorney if known. Decisions to make a referral to a District Attorney will follow a Commission meeting in closed session to determine whether the Commission believes there is reasonable suspicion that a crime has occurred. Moved by Commissioner Thomsen, seconded by Commissioner Spindell.

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

Motion carried unanimously.

Legislative Agenda – Discussion of Pursuing Legislative Change or Administrative Rule

Staff Counsel Michael Haas updated commissioners on statutes regarding Wisconsin's membership in ERIC. A written memorandum starts on page 101 of the December 2 WEC meeting materials packet.

MOTION: Direct staff to pursue legislation establishing specific procedures governing the ERIC Movers mailing and/or granting rulemaking authority to the Commission. Moved by Commissioner Thomsen, seconded by Commissioner Jacobs.

Motion carried 5-1. Commissioner Spindell voted no.

G. Voting Equipment

Consideration of Certification for ES&S Voting Systems

Elections Specialists Robert Williams and Cody Davis gave a presentation based on a memorandum starting on page 107 of the December 2 Commission meeting materials regarding a request by Election Systems and Software (ES&S) for approval of Electronic Voting Systems EVS 5.3.4.1 for sale and use in the State of Wisconsin. The EVS system has been approved since 2014, and ES&S is requesting approval for newer versions of that system.

Mr. Williams introduced representatives of ES&S: Kyle Weber, Wisconsin account manager; and Mark Manganaro, State Certification Manager.

At 2:49 p.m., the Commission adjourned to another room to view a demonstration of the voting system, returning to the meeting at 2:57 p.m.

MOTION: Adopt the staff's recommendations for approval of the ES&S voting system's Application for Approval of EVS 5.3.4.1, including the conditions described in the staff memorandum. Moved by Commissioner Glancey, seconded by Commissioner Bostelmann.

Motion carried unanimously.

Consideration of Certification for Clear Ballot System

Elections Specialists Robert Williams and Cody Davis gave a presentation based on a memorandum starting on page 39 of the December 2 Commission meeting materials regarding a petition by Clear Vote for approval of Electronic Voting System ClearVote 2.0.

Clear Ballot representatives James Rundlett and Rory Calvert made a presentation about ClearVote 2.0.

At 3:17 p.m., the Commission adjourned to another room to view a demonstration of the voting system, returning to the meeting at 3:28 p.m.

MOTION: Adopt the staff recommendations for approval of Clear Ballot Group's Application for Approval of ClearVote 2.0 voting system in compliance with US EAC certification number CBG-CV-20, including the conditions described in the staff memorandum. Moved by Commissioner Glancey, seconded by Commissioner Bostelmann.

Motion carried unanimously.

Consideration of Decertification of ES&S Voting Systems

Deputy Administrator Richard Rydecki gave a presentation based on a memorandum starting on page 169 of the December 2 Commission meeting materials regarding decertification of Elections Systems and Software (ES&S) voting systems that have been made obsolete due to the recent certification of updated system versions.

MOTION: Adopt staff recommendation to decertify ES&S system versions Unity 3.2.0.0 Rev. 3, Unity 3.4.0.0, Unity 3.4.0.1 and Unity 3.4.1.1, so that they can no longer be used in Wisconsin

elections. Further adopt staff recommendation to amend the certification on ES&S EVS 5.3.4.0 to allow for the use of 3g modems. Moved by Commissioner Thomsen, seconded by Commissioner Jacobs.

Motion carried unanimously.

H. BadgerBook Program Update and Next Steps

This item was postponed until later in the meeting.

I. Clerk Appointment Process to the EAC Standards Board

Administrator Wolfe updated commissioners on the process for a clerk appointment to the Election Assistance Commission Standards Board. A written memorandum starts on page 82 of the December 2 WEC meeting materials packet. Ms. Wolfe said she is recommending approval of Barbara Goeckner to another four-year term on the Standards Board.

MOTION: Approve reappointment of Barbara Goeckner to the U.S. Election Assistance Commission Standards Board. Moved by Commissioner Thomsen, seconded by Commissioner Jacobs. Motion carried unanimously.

J. Commission Polling Place Visits

Administrator Wolfe noted that Commissioner Spindell requested a discussion about commissioners visiting polling places on election day. A written memorandum starts on page 84 of the December 2 WEC meeting materials packet.

Commissioner Spindell discussed his experiences visiting polling places when he was a City of Milwaukee Election Commission member.

MOTION: Postpone action on this matter and direct staff to go back and find some way to make it worthwhile for commissioners to visit polling places, including providing a driver. Moved by Commissioner Spindell, seconded by Commissioner Thomsen.

Commissioner Spindell amended his motion to table the discussion, seconded by Commissioner Thomsen.

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

Motion carried unanimously.

Commissioner Jacobs was excused from the meeting at 3:50 p.m.

H. BadgerBook Program Update and Next Steps

Administrator Wolfe updated commissioners on the expansion of BadgerBook electronic poll books into 59 new municipalities in 2020. A written memorandum starts on page 77 of the December 2 WEC meeting materials packet.

This item was for information only and the Commission took no action.

K. Commission Staff Update

Administrator Wolfe discussed the Staff Update memorandum starting on page 86 of the December 2 Commission meeting materials. She highlighted the polling place accessibility audit program, the Microsoft ElectionGuard pilot program in the Town of Fulton on February 18, the voter registration form application redesign, the agency's biennial report and closing out Wisconsin's original HAVA grant.

M. Adjourn

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

The Commission adjourned at 4:06 p.m.

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The next regular meeting of the Wisconsin Elections Commission is scheduled for Tuesday, January 14, 2020, at the Wisconsin Elections Commission offices in Madison, Wisconsin beginning at 10:00 a.m.

December 2, 2019 Wisconsin Elections Commission meeting minutes prepared by:



Reid Magney, Public Information Officer

February 24, 2020

December 2, 2019 Wisconsin Elections Commission meeting minutes certified by:



Julie Glancey, Commission Secretary

February 27, 2020