



# Wisconsin Elections Commission

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## Wisconsin Elections Commission

### Ballot Access Meeting

201 W. Washington Avenue, Second Floor

Madison, Wisconsin

11:00 a.m. August 27, 2024

### Open Session Minutes

**Present:** Commissioner Marge Bostelmann, Commissioner Ann Jacobs, Commissioner Don M. Millis, Commissioner Carrie Riepl, Commissioner Robert Spindell Jr., and Commissioner Mark Thomsen, all by teleconference.

**Staff present:** Ahna Barreau, Sharrie Hauge, Brandon Hunzicker, Robert Kehoe, Anna Langdon, Angela Sharpe, Riley Vetterkind, Riley Willman, Jim Witecha, and Meagan Wolfe, all by teleconference.

#### **A. Call to Order**

Commission Chair Jacobs called the meeting to order at 11:03 a.m. and called the roll. All Commissioners were present.

#### **B. Administrator's Report of Appropriate Meeting Notice**

Administrator Meagan Wolfe informed the Commission that the meeting was noticed in accordance with Wisconsin's open meetings laws.

#### **C. Approval of Previous Meeting Minutes**

**a. June 27, 2024**

**b. July 11, 2024**

**c. July 26, 2024**

**d. July 30, 2024**

**e. August 8, 2024**

**MOTION:** Approve all five sets of minutes.

Moved by Commissioner Riepl. Seconded by Commissioner Bostelmann.

Roll call vote: Bostelmann: Aye Riepl: Aye

Jacobs: Aye Spindell: Aye

Millis: Aye Thomsen: Aye

*Wisconsin Elections Commissioners*

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

*Administrator*  
Meagan Wolfe

Motion carried 6-0.

**D. Ballot Access Challenges and Issues for Challenges Timely Received by 4:30 p.m. on Friday, August 9, 2024**

**a. EL 24-80 – David Strange v. Cornel West & Melina Abdullah**

Staff Attorney Angela Sharpe presented an overview of staff's memo and recommendations to the Commission.

Discussion.

Chair Jacobs noted that individuals presenting arguments for the challenger and candidate would have five minutes to present.

David Hollander appeared and presented arguments on behalf of Challenger Strange.

Discussion.

Oliver Hall appeared and presented arguments on behalf of Candidate West and Candidate Abdullah.

Discussion.

**MOTION:** The Commission does not sustain the challenge of David Strange to the declarations of candidacy of Cornel West and Melina Abdullah and will not exercise its authority under Wis. Stat. § 8.30(4) to exclude them from the ballot for failure to timely file a declaration of candidacy. The Commission adds Cornel West and his running mate Melina Abdullah to the list of candidates to be approved for ballot access. Commission staff shall issue a closure letter to the parties consistent with this motion.

Moved by Commissioner Millis. Seconded by Commissioner Spindell.

Discussion.

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

Motion carried 5-1.

The Commission took a break at 11:55 a.m. and returned at 12:05 p.m.

**b. EL 24-81 – Michael Hoffman v. Shiva Ayyadurai**

Chief Legal Counsel Jim Witecha presented an overview of staff's memo and recommendations to the Commission.

Discussion.

No one appeared on behalf of the challenger.

Candidate Shiva Ayyadurai appeared and presented arguments.

Discussion.

Frank Marshall appeared and presented arguments.

Discussion.

**MOTION:** The Commission sustains the challenge of Michael Hoffman against Candidate Shiva Ayyadurai and Candidate Crystal Ellis, and the Commission exercises its authority under Wis. Stat. § 8.30(4) to exclude them from the ballot because Candidate Ayyadurai does not meet the constitutional requirements for the Office of President of the United States. The Commission directs staff not to add Shiva Ayyadurai and his running mate Crystal Ellis to the list of candidates to be approved for ballot access. Commission staff shall issue a closure letter to the parties consistent with this motion.

Moved by Commissioner Spindell. Seconded by Commissioner Riepl.

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

Motion carried 5-1.

## **E. Ballot Access Report and Certification for Presidential and Vice-Presidential Candidates for the General Election**

Elections Supervisor Riley Willman presented staff's ballot access memo. He noted that Wisconsin Green party vice presidential candidate Butch Ware should be listed as Rudolph Ware, according to his declaration of candidacy received by staff after the Commission's materials had been published.

**MOTION:** Staff recommends that the Commission grant ballot access to the following candidates, who will appear on the November 5, 2024 General Election ballot as the national nominees for President and Vice President for their respective parties:

- a. Kamala D. Harris and Tim Walz as the nominees for the Democratic party.
- b. Donald J. Trump and JD Vance as the nominees for the Republican party.
- c. Randall Terry and Stephen Broden as the nominees for the Constitution party.
- d. Chase Russell Oliver and Mike ter Maat as the nominees for the Libertarian party.
- e. Jill Stein and Rudolph Ware as the nominees for the Wisconsin Green party.

Moved by Commissioner Millis. Seconded by Commissioner Spindell.

Chair Jacobs noted that the Constitution, Libertarian, and Wisconsin Green parties did not run any candidates for state senate or assembly. The Commission discussed whether this constituted noncompliance with Wis. Stat. § 8.18 and made the parties' nominated candidates ineligible for ballot access.

**AMENDMENT:** Divide the question so that the Democratic and Republican parties are voted on in one motion and the Constitution, Libertarian, and Wisconsin Green parties are voted on in a separate motion.

Moved by Chair Jacobs. Seconded by Commissioner Thomsen.

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

Amendment failed 3-3.

Discussion.

Chair Millis clarified that his motion was moved with the understanding that the last clause, “dependent on the timely receipt of the necessary ballot access documents as described in Wis. Stat. § 8.16(7)” was removed.

**ORIGINAL MOTION:** Staff recommends that the Commission grant ballot access to the following candidates, who will appear on the November 5, 2024 General Election ballot as the national nominees for President and Vice President for their respective parties:

- a. Kamala D. Harris and Tim Walz as the nominees for the Democratic party.
- b. Donald J. Trump and JD Vance as the nominees for the Republican party.
- c. Randall Terry and Stephen Broden as the nominees for the Constitution party.
- d. Chase Russell Oliver and Mike ter Maat as the nominees for the Libertarian party.
- e. Jill Stein and Rudolph Ware as the nominees for the Wisconsin Green party.

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

Motion carried 4-2.

Chair Jacobs noted that Robert F. Kennedy, Jr. had publicly withdrawn from the presidential race.

**MOTION:** Based on the review of the nomination papers, and the conclusion of the challenges, the Commission grant ballot access to the following candidates, who will appear on the November 5, 2024 General Election ballot as independent candidates for President and Vice President:

- a. Cornel West and Melina Abdullah as independent candidates representing the Justice For All party.
- b. Claudia De la Cruz and Karina Garcia as independent candidates representing the Party for Socialist and Liberation party.

(c) and (d) are removed based on withdrawal and Commission prior action, respectively.

Moved by Commissioner Millis. Seconded by Commissioner Spindell.

The Commission discussed the application of Wis. Stat. § 8.35(1) to the current situation.

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

Motion failed 3-3.

**MOTION:** Based on the review of the nomination papers, and the conclusion of the challenges, the Commission grant ballot access to the following candidates, who will appear on the November 5, 2024 General Election ballot as independent candidates for President and Vice President:

- a. Cornel West and Melina Abdullah as independent candidates representing the Justice For All party.
- b. Claudia De la Cruz and Karina Garcia as independent candidates representing the Party for Socialist and Liberation party.
- c. Robert F. Kennedy and Nicole Shanahan for the We The People party.

Moved by Commissioner Thomsen. Seconded by Commissioner Riepl.

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

Motion carried 5-1.

## **F. Discussion, Review, and Possible Action Pertaining to Ballot Proofing Best Practices**

Administrator Meagan Wolfe summarized the draft clerk communication before the Commission. She clarified that the Commission proofs and approves ballot templates and county clerks generate the actual ballot styles.

Discussion.

**MOTION:** Approve the publication and distribution of the memo found on page 177 of the Commission's materials.

Moved by Commissioner Thomsen. Seconded by Commissioner Bostelmann.

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

Motion carried 6-0.

## **G. Closed Session**

**MOTION:** Move into closed session pursuant to Wis. Stat. § 19.85(1)(g).

Moved by Commissioner Thomsen. Seconded by Commissioner Bostelmann.

Roll call vote: Bostelmann:	Aye	Riepl:	Aye
Jacobs:	Aye	Spindell:	Aye

Millis: Aye Thomsen: Aye

Motion carried 6-0.

The Commission left open session at 2:01 p.m.

## H. Adjourn

The Commission adjourned in closed session at 2:38 p.m.

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August 27, 2024, Wisconsin Election Commission meeting minutes prepared by:



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Anna Langdon, Help Desk Staff

October 4, 2024

August 27, 2024, Wisconsin Election Commission meeting minutes certified by:



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Marge Bostelmann, Commission Secretary

October 4, 2024