



Wisconsin Elections Commission

201 West Washington Avenue | Second Floor | P.O. Box 7984 | Madison, WI 53707-7984
(608) 266-8005 | elections@wi.gov | elections.wi.gov

December 5, 2022

Mary K Verzal
19515 107th Street
Bristol, WI 53104

Sent via email: kverzal@hotmail.com

**Re: Complaint Filed with Wisconsin Elections Commission
Mary K Verzal v. Amy Klemko (EL 22-91)**

On November 21, 2022, the Wisconsin Elections Commission (Commission) received a sworn complaint from you that names Amy Klemko as the respondent. Wis. Admin. Code § EL 20.04(1) requires that I review the complaint and determine within 10 business days whether the complaint is timely, is sufficient as to form, and states probable cause.

Your complaint is timely, but otherwise fails to meet the requirements for consideration. You name your municipal clerk as the Respondent, but the allegations do not appear to involve actions taken by your municipal clerk. Therefore, I am returning the complaint to you without prejudice pursuant to Wis. Stat. § 5.06 and Wis. Admin. Code § EL 20.04(1) and (2).

Sufficiency as to Form

Your complaint names your municipal clerk as the respondent and alleges that the parking conditions around the Village of Bristol's remaining polling place are inadequate to meet the needs of voters. The statute that you cite in support, Wis. Stat. § 7.15(1)(a), explains that municipal clerks must "equip polling places." However, your complaint does not appear to involve the polling place itself but rather the conditions that voters may face parking and approaching the polling place. There does not appear to be an allegation that the polling place was not properly equipped, not itself accessible to people with disabilities, or that the clerk did not adequately respond to a request for an accommodation. If you believe that a statute within chapters 5 to 10 or 12 of the Wisconsin Statutes supports your allegation against your municipal clerk, please provide the specific statute or statutes that the respondent is alleged to have violated, explain precisely how the violation occurred, and provide any evidence relevant to the allegations.

Additionally, it appears that your governing body took the actions at issue in your complaint during public meetings. Wis. Stat. § 5.06 complaints can only be filed against election officials as defined by Wis. Stat. § 5.02(4e) ("Election official" means an individual who is charged with any duties relating to the conduct of an election"). Municipal governing bodies have limited responsibilities related to choosing polling places and election inspectors, but these limited responsibilities may not fall under the definition of an election official in the context of a Wis. Stat. § 5.06 complaint.

Wisconsin Elections Commissioners

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

Administrator
Meagan Wolfe

Conclusion

I am returning the complaint, without prejudice, pursuant to Wis. Admin. Code § EL 20.04(2), as it fails to meet the form requirements of a complaint. I have specified the defects in the complaint and provided information needed to cure the defects (cite a statutory basis upon which you allege that the respondent has failed to meet the obligations of her position, describe the alleged violations in detail, and provide any evidence relevant to the alleged violations). The issues described in this letter may be addressed and resubmitted, however, in this case, you may need to seek another avenue for your allegations if the allegations relate only to actions taken by your governing body in its municipal authority. More information on filing a Wis. Stat. § 5.06 complaint can be found on the Commission's website here: <https://elections.wi.gov/filing-sworn-complaint>.

The Commission now considers this matter closed.

Sincerely,

A handwritten signature in black ink that reads "Meagan R.M. Wolfe". The signature is written in a cursive style with a large, looped "M" at the beginning.

Meagan Wolfe
Administrator
Wisconsin Elections Commission

cc: Commission Members
Amy Klemko