



Wisconsin Elections Commission

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Wisconsin Elections Commission
Special Teleconference Meeting
201 W. Washington Avenue, Second Floor
Madison, Wisconsin
5:00 p.m. July 30, 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, Joel DeSpain, 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 5:05 p.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.

Chair Jacobs noted that agenda items would be taken in order of urgency rather than the order they appeared in the agenda. She added that the Commission would likely skip closed session as there were no action items.

C. Discussion, Review, and Possible Action Pertaining to the Commission Manuals for County/Municipal Clerks.

a. Revisions to the Election Administration and Election Day Manuals Related to Recent Litigation Activity

Staff Attorney Angela Sharpe detailed the redline revisions to the Election Administration Manual consistent with decisions issued in *Priorities USA v. WEC* and *Rise, Inc. et al. v. WEC et al.*

Discussion.

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

Administrator
Meagan Wolfe

MOTION: Adopt the four categories of amendments to the Election Administration Manual set forth on page 2 of the Commission’s materials. On page 13, replace “address” in the second line of 1a. with “witness address.”

Moved by Commissioner Thomsen. Seconded by Commissioner Riepl.

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

Motion carried 6-0.

Attorney Sharpe detailed the redline revisions to the Election Day Manual consistent with decisions issued in *Priorities USA v. WEC* and *Rise, Inc. et al. v. WEC et al.*

Discussion.

MOTION: Approve the proposed changes to the Election Day Manual.

Moved by Commissioner Bostelmann. Seconded by Commissioner Riepl.

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

Motion carried 6-0.

D. Discussion of Recent Attorney General Opinion/Discussion and Possible Adoption of a Commission Communication Relating to Wisconsin Constitution art. III, 7 (1) & (2)

Chief Legal Counsel Jim Witecha reviewed the revisions made to the draft clerk communication since it was last before the Commission on July 26.

Discussion.

Commissioner Bostelmann suggested deleting “Registration” from the header, “Registration and Balloting Activities” on page 42 and adding language directing readers with questions on registration to a link with more detailed information. Commissioners Thomsen and Millis indicated approval of this suggestion.

MOTION: Approve the memo on pages 41 and 42 of the Commission’s materials with the modifications set forth in our discussion today. Chair Jacobs and Commissioner Millis will review and approve the final language.

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.

E. External Use of Agency Materials, Logos, and Branding: Consideration and Possible Action

Public Information Officer Riley Vetterkind presented the agenda item to the Commission and noted that the date in the recommended motion should be updated to July 30.

Discussion.

MOTION: The Commission directs staff to conduct further research and create a draft policy for the use of the agency’s logos and media by external organizations based upon the guidelines provided by the Commission. The Commission directs staff to bring the draft policy back to the Commission at a future meeting for further consideration and/or approval.

Moved by Commissioner Thomsen. Seconded by Commissioner Millis.

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

Motion carried 6-0.

F. Review and Potential Action Relating to Administrative Complaint Forms

Staff Attorney Brandon Hunzicker presented the agenda item and outlined the main questions before the Commission: whether the complaints form should be redesigned at all, and if so whether there should be separate forms for 5.05, 5.06, and 5.061 complaints.

Discussion.

Commissioner Riepl suggested adding a note under Step 3 of the proposed redesign, “Respondent,” that if it is a 5.06 complaint, the respondent must be an election official. Attorney Hunzicker clarified with Commissioner Riepl that this note could be either a separate note or directly in the explanatory sentence under the header. Commissioner Millis expressed preference for expanding the note under Step 3.

Discussion.

Commissioner Millis suggested emphasizing in Step 6 that the complainant may choose to either utilize a notary or submit a declaration pursuant to Wis. Stat. § 887.015.

Discussion.

Chair Jacobs directed Attorney Hunzicker to implement the Commission’s suggestions and bring the draft form back at a future meeting.

G. Possible Consideration and Action Related to Wisconsin Municipalities that Vote to Remove Electronic Voting Equipment, Particularly Accessible Voting Equipment

Attorney Witecha noted that the WEC’s meeting with the United States Department of Justice and relevant municipalities had been rescheduled. It was recommended this topic be postponed until that meeting has occurred.

Chair Jacobs stated the Commission would discuss this item at a later date. There were no objections.

H. Discussion, Review, and Possible Action Pertaining to Recent Ruling in the Matter of Thomas Oldenburg v. WEC et al. (24-CV-0043)

Attorney Sharpe summarized the oral ruling in Oldenburg v. WEC and presented the corresponding draft memo to clerks.

Discussion.

MOTION: Approve the memo on pages 65-67 of the Commission's materials with the following changes:

- The paragraph beginning, "Oral Ruling Issued..." on page 65 will be struck,
- 1, 2, and 3 on page 66 will be struck, and
- 8 on page 67 will be struck.

The memo will be renumbered accordingly.

Moved by Commissioner Millis. Seconded by Commissioner Riepl.

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

Motion carried 6-0.

I. Discussion and Potential Action Pertaining to WEC’s Receipt of ERIC’s “Eligible but Unregistered” Reports

Administrator Wolfe presented the agenda item. She noted that “2024” should be removed from the recommended motion, as this would not be a one-time decision.

Discussion.

MOTION: The Wisconsin Elections Commission approves staff to seek exemption from the Eligible by Unregistered (EBU) mailing. The Commission directs staff to provide the approved Exemption from the Eligible but Unregistered Requirement letter to ERIC.

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.

J. Closed Session

a. Litigation Update and Consideration of Potential Litigation

Chair Jacobs reiterated that there were no action items for closed session. She confirmed with the Commission that no members wished to move into closed session.

K. Adjourn

MOTION: To adjourn.

Moved by Commissioner Millis. Seconded by Commissioner Thomsen.

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

Motion carried 6-0.

The Commission adjourned at 7:02 p.m.

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July 30, 2024, Wisconsin Election Commission meeting minutes prepared by:



Anna Langdon, Help Desk Staff

August 27, 2024

July 30, 2024, Wisconsin Election Commission meeting minutes certified by:



Marge Bostelmann, Commission Secretary

August 27, 2024

