

NOTICE OF OPEN AND CLOSED MEETING

Wisconsin Elections Commission

Regular Meeting
November 30, 2022
9:00 A.M.

AGENDA

- A. Call to Order**
- B. Administrator’s Report of Appropriate Meeting Notice**
- C. Public Comment**
- D. Approval of Previous Meeting Minutes**
 - 1. September 6, 2022** 1
 - 2. September 13, 2022** 7
 - 3. September 21, 2022** 12
 - 4. October 7, 2022** 19
 - 5. October 10, 2022** 21
 - 6. November 15, 2022** 26
- E. Scheduling the 2023 Commission Meetings** 28
- F. Discussion and Possible Approval of a Notice for a Preliminary Public Hearing and Comment Period for the Commission’s Election Observers Scope Statement** 30
- G. Discussion of Legislative Request for Data** 38
- H. Ballot Template Discussion and Possible Approval** 46
- I. Staff Update** 50
- J. Closed Session***
 - 1. Litigation Update**
 - 2. Wis. Stat. § 5.05 Complaints**
 - 3. ERIC Processes and Referrals**
 - 4. Closed Session Minutes Approval**

NOTICE OF OPEN AND CLOSED MEETING

§19.85(1)(g) – The Commission may confer in closed session with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

§19.851 – The Commission’s deliberations concerning an investigation of any violation of the law under the jurisdiction of the Commission shall be in closed session.

K. Adjourn

**The Elections Commission will convene in open session but may move to closed session under Wis. Stat. § 19.85(1)(g) and Wis. Stat. § 19.851 and then reconvene into open session prior to adjournment of this meeting. This notice is intended to inform the public that this meeting will convene in open session, may move to closed session, and then may reconvene in open session. Wis. Stat. § 19.85 (2).*



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

Wisconsin Elections Commission
Special Teleconference Meeting
201 W. Washington Avenue, Second Floor
Madison, Wisconsin
6:00 p.m. September 6, 2022

Open Session Minutes

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

Staff present: Sharrie Hauge, Brandon Hunzicker, Robert Kehoe, Anna Langdon, Sara Linski, Kelly McCormick, Riley Vetterkind, Riley Willman, Jim Witecha, and Meagan Wolfe, all by teleconference.

A. Call to Order

Commission Chair Millis called the meeting to order at 6:00 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 proper notice was given for the meeting.

C. Discussion and Action on What Guidance to Provide to Municipal Clerks Following the Federal Court Order in *Carey v. Wisconsin Elections Commission* Concerning Absentee Ballot Return Assistance under the Voting Rights Act

Staff Attorney Jim Witecha provided the Commission with procedural history relating to the memo before them.

MOTION: The document provided to all members of the Commission, entitled "Jacobs Motion" be adopted as the guidance of the Commission as ordered by Judge Peterson.

Moved by Commissioner Jacobs. Seconded by Commissioner Thomsen.

Discussion.

FRIENDLY AMENDMENT: In the second bullet point on the first page, change "she" and "her" to "he or she" and "their" to make the language gender neutral.

Wisconsin Elections Commissioners

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

Administrator
Meagan Wolfe

Proposed by Commissioner Glancey. Seconded by Commissioner Jacobs and Commissioner Thomsen.

Discussion.

AMENDMENT: Adopt the attestation on the third from last page of the staff memo. The agent's address will be included on the attestation.

Moved by Commissioner Spindell. Seconded by Commissioner Bostelmann.

Discussion.

FRIENDLY AMENDMENT: Next to the circle on the attestation after the word "because," replace "of a disability" with "I require assistance to return or mail my absentee ballot due to a disability."

Proposed by Chair Millis. Accepted by Commissioner Spindell and Commissioner Bostelmann.

Discussion.

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

Motion failed 3-3.

Discussion.

AMENDMENT: Supplement the pending guidance to direct clerks to direct the person to fill out the attestation on the second to last page of the staff's memo when an absentee ballot is returned by someone other than the voter. Following the reference to the Voting Rights Act language will be inserted: "because the voter requires assistance to return the absentee ballot." The address of the agent will be included on the attestation.

Moved by Chair Millis. Seconded by Commissioner Bostelmann.

Discussion.

Chair Millis clarified that this amendment does not apply to mailing an absentee ballot back to the clerk and does not require any indication from the voter, while the previous proposed amendment did.

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

Motion failed 3-3.

AMENDED MOTION: The document provided to all members of the Commission, entitled “Jacobs Motion” be adopted as the guidance of the Commission as ordered by Judge Peterson. In the second bullet point on the first page, “she” and “her” is changed to “he or she” and “their” to make the language gender neutral.

(See Appendix A for full amended motion.)

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

Motion carried 4-2.

D. Adjourn

MOTION: To adjourn.

Moved by Commissioner Thomsen. Seconded by Commissioner Jacobs.

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

Motion carried 6-0.

The Commission adjourned at 7:51 p.m.

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September 6, 2022 Wisconsin Election Commission meeting minutes prepared by:

Anna Langdon, Help Desk Staff

September 8, 2022

September 6, 2022 Wisconsin Election Commission meeting minutes certified by:

Julie Glancey, Commission Secretary

November 30, 2022

Appendix A to September 6, 2022 Wisconsin Elections Commission Meeting Minutes: Jacobs Proposed Motion (Amended):

The United States District Court for the Western District of Wisconsin entered an Opinion and Order, as well as a Permanent Injunction and Declaration, in the matter of Timothy Carey et al. v. Wisconsin Elections Commission et al. (22-cv-402jdp) on August 30, 2022. These materials have been attached for your consideration. In his decision, Judge James Peterson clarified how the Voting Rights Act applies to Wisconsin voters who require assistance with mailing or delivering their absentee ballot (“ballot return assistance”) because of a disability.

Pursuant to the Voting Rights Act, any Wisconsin voter who requires assistance with mailing or delivering their absentee ballot to the municipal clerk because of a disability must be permitted to receive such assistance by a person of the voter’s choice, other than the voter’s employer or agent of that employer or officer or agent of the voter’s union.

In administering future elections, all municipal clerks and their staff should comply with the above statutory requirement. The remainder of this memorandum addresses some questions that have arisen in light of the recent rulings in Carey and other court cases. The Commission suggests that you discuss this guidance and any other questions you may have with local legal counsel.

Do I need to confirm a person’s disability if they are being provided voting assistance, and if so, how?

No. Municipal clerks do not need to confirm that a voter utilizing ballot return assistance is a voter who requires ballot return assistance due to a disability. A Wisconsin voter may self-identify as requiring ballot return assistance due to a disability. This approach is consistent with previous court decisions holding, in analogous contexts, that voters may personally determine whether they fall within a particular statutory category. See, e.g., *Jefferson v. Dane Cnty.*, 2020 WI 90, 394 Wis. 2d 602 (allowing voters to self-identify indefinitely confined status).

When a clerk is presented with an absentee ballot delivered in-person to the clerk’s office, the Commission believes that the clerk may ask the following questions

- Are you the voter? *If not, then:*
- Are you delivering the voter’s ballot because the voter has determined that he or she requires assistance returning their ballot due to her disability? *If yes, then:*
- Are you someone other than the voter’s employer, an agent of that employer, or an officer or agent of the voter’s union? *If yes, then the ballot can be accepted.*

Additionally, as in all cases, any person who commits voter fraud or violates any statutory voting requirement may be subject to legal remedies in a criminal or civil proceeding.

Do I need to confirm the disabled voter or agent’s identity, or otherwise request additional information?

No. If the agent answers the above bullet-point questions correctly, the ballot should be accepted. Nothing in the statutes provides for otherwise confirming the agent’s identity or requesting

additional information. As for the disabled voter, she will have provided any statutorily necessary identification and residency information prior to the absentee ballot request. The statutes do not require a second presentation of that information.

Did the Carey case overrule Teigen v. Wisconsin Elections Commission (976 N.W.2d 519)?

No. The Carey decision did not overrule or invalidate any portion of the Wisconsin Supreme Court's decision in Teigen. The Teigen court did not decide whether voters with disabilities may be entitled to absentee ballot return assistance. The Teigen court also did not decide whether voters in general may have someone else return a ballot through the U.S. Mail.

Who can provide a disabled voter with absentee ballot return assistance?

Under the Voting Rights Act, a voter requiring ballot return assistance due to a disability may select any person to serve as their agent providing ballot return assistance, provided that the person is not the voter's employer, an agent of their employer, or an officer or agent of the voter's union.

Can a single agent provide assistance to more than one disabled absentee voter?

Yes. As stated above, a voter requiring ballot return assistance due to a disability may select any person to serve as their agent providing ballot return assistance, provided that the person is not the voter's employer, an agent of their employer, or an officer or agent of the voter's union. It is possible that more than one voter might select the same agent.

What constitutes a permissible absentee ballot "mailing," and when has the agent's "assistance" stopped?

The Commission recommends treating the following as circumstances constituting "mailing" with respect to returning an absentee ballot on behalf of a voter requiring ballot return assistance due to a disability:

- A lawful agent places the absentee ballot in the voter's residential mailbox.
- A lawful agent places the absentee ballot in a United States Postal Service or similar parcel carrier's mailbox or delivers it to a designated drop facility for such parcel carriers.
- A lawful agent turns over custody of the absentee ballot directly to a postal or parcel carrier's employee/agent.
- A lawful agent places the absentee ballot into a reasonable, legitimate, and legally compliant stream of mail delivery services (e.g. care facilities, jails and correctional institutions, military installations, and other similar institutions and organizations often have a designated clerk or courier service responsible for collecting or otherwise delivering mail to postal officials or mail carriers).

The agent's assistance is complete when that party lawfully returns the absentee ballot to the appropriate clerk's office or deposits the absentee ballot into the stream of mail services discussed above (including any other lawful means of providing the ballot to a designated mail

carrier, mailbox, or mail facility).

If election officials have any questions about this guidance, they may discuss them local counsel or contact the Commission Help Desk at elections@wi.gov or by phone at (608) 261-2028.

Thank you for your prompt attention to this matter

DRAFT



Wisconsin Elections Commission

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(608) 266-8005 | elections@wi.gov | elections.wi.gov

Wisconsin Elections Commission
Special Teleconference Meeting
201 W. Washington Avenue, Second Floor
Madison, Wisconsin
4:15 p.m. September 13, 2022

Open Session Minutes

Present: Commissioner Marge Bostelmann, Commissioner Julie Glancey, Commissioner Ann Jacobs, Commissioner Don M. Millis, and Commissioner Robert Spindell Jr., all by teleconference.

Excused: Commissioner Mark L. Thomsen.

Staff present: Sharrie Hauge, Brandon Hunzicker, Robert Kehoe, Anna Langdon, Sara Linski, Kelly McCormick, Riley Vetterkind, John Smalley, Riley Willman, Jim Witecha, and Meagan Wolfe, all by teleconference.

A. Call to Order

Commission Chair Millis called the meeting to order at 4:37 p.m. and called the roll. Commissioners Bostelmann, Glancey, Jacobs, Spindell, and Millis were present. Commissioner Thomsen was absent. Chair Millis stated that Commissioner Thomsen was excused for his absence as he had planned to be away and noted that Commissioner Thomsen had told the Commission to proceed with the meeting in his absence, despite precedent that the Commission does not conduct a meeting without full membership in attendance.

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. Discussion and Possible Action Concerning Guidance on Correcting Absentee Ballot Certificate Envelopes Following an Injunction in *White v. Wisconsin Elections Commission*

Chair Millis introduced the agenda item. He noted that a draft memo to clerks was distributed to Commissioners on September 12 and an amended memo was distributed on September 13. He added that the amended memo included a paragraph at the bottom of the first page referencing the hearing that occurred on September 13.

MOTION: The Commission adopts the amended memo sent September 13, 2022.

Wisconsin Elections Commissioners

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

Administrator
Meagan Wolfe

Moved by Chair Millis. Seconded by Commissioner Bostelmann.

Discussion.

AMENDMENT: Delete “and have been withdrawn” from the third paragraph of the memo and substitute it with a period. Add the sentence, “Staff is directed to take all steps necessary to comply with the circuit court order of September 7, 2022.”

Moved by Commissioner Jacobs. Seconded by Commissioner Glancey.

Discussion.

FRIENDLY AMENDMENT: Delete “and have been withdrawn” from the third paragraph of the memo and substitute it with, “and the WEC will not publicly display or disseminate the two memoranda of October 18, 2016 and October 19, 2020.”

Proposed by Commissioner Bostelmann. Accepted by Commissioner Jacobs and Commissioner Glancey.

Discussion.

AMENDED AMENDMENT: Delete “and have been withdrawn” from the third paragraph of the memo and substitute it with, “and the WEC will not publicly display or disseminate the two memoranda of October 18, 2016 and October 19, 2020.” Add the sentence, “Staff is directed to take all steps necessary to comply with the circuit court order of September 7, 2022.”

Roll call vote: Bostelmann:	No	Glancey:	Aye
Jacobs:	Aye	Spindell:	No
Millis:	No	Thomsen:	N/A

Motion failed 2-3.

ORIGINAL MOTION: The Commission adopts the amended memo sent September 13, 2022.

See Appendix A for the language of the amended memo.

Roll call vote: Bostelmann:	Aye	Glancey:	Aye
Jacobs:	No	Spindell:	Aye
Millis:	Aye	Thomsen:	N/A

Motion carried 4-1.

D. Adjourn

MOTION: To adjourn.

Moved by Commissioner Spindell. Seconded by Commissioner Bostelmann.

Roll call vote:	Bostelmann:	Aye	Glancey:	Aye
	Jacobs:	Aye	Spindell:	Aye
	Millis:	Aye	Thomsen:	N/A

Motion carried 5-0.

The Commission adjourned at 5:29 p.m.

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September 13, 2022 Wisconsin Election Commission meeting minutes prepared by:

Anna Langdon, Help Desk Staff

September 14, 2022

September 13, 2022 Wisconsin Election Commission meeting minutes certified by:

Julie Glancey, Commission Secretary

November 30, 2022

Appendix A

Draft Memorandum to Clerks, Distributed September 13, 2022 (amended from the September 12, 2022 version):

DATE: September 13, 2022

TO: Wisconsin Municipal Clerks
Wisconsin County Clerks
City of Milwaukee Election Commission
Milwaukee County Election Commission

FROM: Wisconsin Elections Commission

SUBJECT: Temporary Injunction on WEC Guidance re Missing Absentee Witness Address
(*White v. Wisconsin Elections Commission*, 22-CV-1008)

In the above referenced matter, on September 7, 2022, the Honorable Judge Michael J. Aprahamian of the Waukesha County Circuit Court issued a Temporary Injunction declaring two memoranda issued by the Wisconsin Elections Commission (WEC) invalid and contrary to law. The Temporary Injunction is attached to this memorandum. The Temporary Injunction prohibits the WEC from disseminating or displaying the following memoranda:

- 1) The October 18, 2016, memorandum entitled “AMENDED: Missing or Insufficient Witness Address on Certificate Envelopes”
- 2) The October 19, 2020, memorandum entitled, “Spoiling Absentee Ballot Guidance”

The Court further prohibited WEC from providing any advice or guidance that municipal clerks or other local election officials have the duty or ability to modify or add information to absentee ballot certifications. The Court additionally prohibited from WEC from giving any advice or guidance contrary to the provision in Wis. Stat. § 6.87 that, if a municipal clerk receives an absentee ballot with an improperly completed certificate or with no certificate, the clerk may return the ballot to the elector, inside the sealed envelope when an envelope is received, together with a new envelope if necessary, whenever time permits the elector to correct the defect and return the ballot by the applicable deadline. *See* Wis. Stat. § 6.87(9).

Pursuant to the Temporary Injunction of September 7, 2022, this communication is hereby issued to give notice that the WEC memoranda of October 18, 2016 and October 19, 2020, have been declared invalid and contrary to law and have been withdrawn.

In a hearing on September 13, 2020, the Court clarified that it had not ruled on what constitutes a witness address or a missing witness address, and it had not overturned the existing WEC definition of address contained in the now-invalidated memoranda—namely, *street number, street name, and name of municipality*. The Court emphasized that its ruling was limited to invalidating any WEC guidance directing clerks to themselves add address information to witness certifications.

Please review this notice and the attached Temporary Injunction with your municipal attorney to determine if any changes to your procedures are required.

Please contact the WEC Help Desk at elections@wi.gov or by phone at (608) 261-2028 with any questions you may have. Thank you for your prompt attention to this matter.

DRAFT



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

Wisconsin Elections Commission
Quarterly Teleconference Meeting
201 W. Washington Avenue, Second Floor
Madison, Wisconsin
9:00 a.m. September 21, 2022

Open Session Minutes

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

Staff present: Cody Davies, Sharrie Hauge, Brandon Hunzicker, Robert Kehoe, Anna Langdon, Sara Linski, Kelly McCormick, John Smalley, Riley Vetterkind, Robert Williams, Jim Witecha, and Meagan Wolfe, all by teleconference.

A. Call to Order

Commission Chair Millis called the meeting to order at 9:14 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. Public Comment

Eileen Newcomer

Eileen Newcomer appeared before the Commission and provided public comment on behalf of the League of Women Voters of Wisconsin. She remarked upon the voting equipment audit guidelines before the Commission, as well as the proposed scope statement concerning election observers, and the update on ERIC.

Discussion.

Chair Millis noted that Eileen Newcomer also submitted written comment to the Commission.

Wisconsin Elections Commissioners

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

Administrator
Meagan Wolfe

Sandy Juno

Chair Millis noted that Sandy Juno also submitted written comments to the Commission.

Sandy Juno appeared before the Commission and provided public comment on the scope statement concerning election observers. She emphasized election observers' role in ensuring transparent elections and commented on the difference in protections between election officials and election observers.

Discussion.

Barbara Beckert

Chair Millis noted that Barbara Beckert also submitted written comments to the Commission.

Barbara Beckert appeared before the Commission and provided public comment on behalf of Disability Rights Wisconsin and the Disability Vote Coalition. In her comments she addressed the voting rights of individuals under guardianship and expressed support for the public outreach plans outlined in the staff update while noting that the outreach should include information about accessibility. She also remarked upon the 4-year maintenance postcard design and the WEC polling place accessibility review program.

Discussion.

Frank Contreras

Frank Contreras was on the schedule to present comments but did not appear at the meeting. Chair Millis moved onto the next two speakers.

Ken Brown

Ken Brown appeared before the Commission and provided public comment on the scope statement concerning election observers. He explained how the current setup for election observers at City of Racine polling places makes it more difficult for them to effectively observe activities carried out by poll workers and voters.

Discussion.

Maureen Reisner

Maureen Reisner appeared before the Commission and echoed the sentiments of Sandy Juno and Ken Brown regarding the scope statement concerning election observers. She emphasized that directions in the permanent rule concerning election observers should be clear and commented that observers should be allowed to stand behind poll workers to effectively see and hear the process.

Frank Contreras had still not appeared, and Chair Millis moved on to the next agenda item.

D. Approval of Previous Meeting Minutes

1. July 12, 2022

2. **July 22, 2022**
3. **July 28, 2022**
4. **August 3, 2022**
5. **August 23, 2022 -Canvass**
6. **August 25, 2022 -Canvass**
7. **August 31, 2022**

Administrator Wolfe noted that the full Commission did not have to approve the August 23, 2022 and August 25, 2022 Canvass minutes.

MOTION: To approve the July 12, 2022, July 22, 2022, July 28, 2022, August 3, 2022, and August 31, 2022 minutes.

Moved by Commissioner Thomsen. Seconded by Commissioner Glancey.

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

Motion carried 6-0.

E. Voting Equipment Audit Guidelines

Elections Specialist Robert Williams provided background on the agenda item and summarized the updated recommendations.

Discussion.

Elections Specialist Cody Davies presented specifications on what would constitute a tabulator error.

Discussion.

MOTION: The Commission adopts these updated 2022 post-election audit parameters and procedures outlined on page 38 of the Commission's materials, including recount considerations, timeline for completion, and error rate calculation, with the following updates to the summary of recommendations:

3. Postpone voting equipment audit deadlines until any applicable recount deadline has passed for a given municipality where a recount is possible. Should the recount deadline fall on or after November 18, 2022, and no recount is requested, grant clerks an additional week to complete their voting equipment audit, thereby requiring documentation to be submitted no later than December 2, 2022.

4. Any recount of any ballots must precede the audit of those ballots. Should the audit be postponed due to a recount, all materials must be submitted to the WEC no later than December 23, 2022

Moved by Commissioner Thomsen. Seconded by Chair Millis.

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

Motion carried 6-0.

F. Grant Funding Update

Deputy Administrator Robert Kehoe provided an update on the two elections security subgrant programs authorized by the Commission, the Election Security .gov Subgrant Reimbursement and the 2022 Election Security Subgrant Program for Municipalities.

Discussion.

MOTION: The Commission directs staff to extend the Elections Security .gov Email Domain subgrant program previously authorized on January 11, 2022, and to continue administration of the subgrant until the date determined by staff. Staff are authorized to delay reopening of the subgrant window as needed to facilitate other subgrant programs, but subgrant eligibility will remain retroactive to the original authorization date of January 11, 2022.

Moved by Commissioner Thomsen. Seconded by Chair Millis.

Discussion.

Administrator Wolfe clarified that the date mentioned in the memo, December 30, 2022, would work as the subgrant extension deadline and noted that staff could request an extension at the December meeting.

Discussion.

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

Motion carried 6-0.

G. Determining 4-year Maintenance Postcard Design

Deputy Administrator Kehoe presented background information regarding the 4-year maintenance postcard. He walked the Commission through the sample postcard and asked the Commissioners for feedback on its design.

Discussion.

H. Deliberation on Continuing Absentee Ballot Request Mailers for Alternate Mailing Addresses

Deputy Administrator Kehoe updated the Commission on the results of the postcard mailing sent to voters in the partisan primary who requested an absentee ballot and listed a mailing address for their absentee ballot that is different than their registration address.

MOTION: Continue the postcard mailing process through the November election and continue to send it for all future elections until the Commission decides to stop the process. The postcard will be sent to all voters who listed a mailing address for their absentee ballot that is different than their registration address.

Moved by Commissioner Spindell. Seconded by Commissioner Bostelmann.

Discussion.

FRIENDLY AMENDMENT: There will be two mailings for the November election at dates determined by staff.

Proposed by Chair Millis. Agreed to by Commissioner Spindell.

Commissioner Spindell clarified that staff would send the postcards for the November election and the Commission would revisit the mailing from there.

Discussion.

AMENDED MOTION: Continue the postcard mailing for the November election in two installments at dates determined by staff.

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

Motion carried 6-0.

I. Discussion and Possible Direction to Submit a Scope Statement Concerning Election Observers for Governor Approval

The Commission took a break at 11:27 a.m. and returned at 11:45 a.m.

Staff Attorney Brandon Hunzicker provided background information on the rule promulgation process and explained to the Commission where they currently were in that process regarding the permanent rule concerning election observers.

Discussion.

MOTION: The Commission directs staff to submit the scope statement concerning election observers, as discussed and modified by the Commission during this meeting, for approval by the governor in accordance with Wis. Stat. § 227.135. If the scope statement is approved, the Commission directs staff to prepare a notice for a preliminary public hearing and comment period under Wis. Stat. § 227.136 to be approved by the Commission at a subsequent meeting so that the scope statement and notice may be published simultaneously by the Legislative Reference Bureau in the Administrative Register.

Moved by Commissioner Thomsen. Seconded by Commissioner Bostelmann.

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

Motion carried 5-1.

J. General Election Preparations

Administrator Wolfe presented an overview of staff's preparations for the general election. She touched on efforts in the areas of information technology, U.S. Postal Service coordination, accessibility, election security, public outreach, local election official training, and staffing to ensure efficient and secure administration of the general election.

Discussion.

K. ERIC Update

Deputy Administrator Kehoe updated the Commission on preparations for the third quarterly ERIC Movers mailing.

Commissioner Jacobs requested that staff use more descriptive terms than "Active-Movers" and "Active-Registered" in future tables summarizing movers mailings.

Discussion.

L. Voter Felon Audit Report

Deputy Administrator Kehoe explained the decision item before the Commission.

Discussion.

MOTION: If a district attorney's office does not provide an update within 6 years of the election date, staff should consider the referral closed and discontinue providing updates to the commission.

Moved by Commissioner Thomsen. Seconded by Commissioner Glancey.

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

Motion carried 6-0.

M. Staff Update

Administrator Wolfe provided the Commission with an update on staff's activities since the last staff update. She noted that there was overlap between this update and the preparations for the general election discussed in a previous agenda item, but touched on upcoming deadlines, the WEC newsletter, and the new WEC website.

Discussion.

N. Adjourn

MOTION: To adjourn into closed session pursuant to Wis. Stat. § 19.85(1)(g) and § 19.851.

Moved by Commissioner Glancey. Seconded by Commissioner Bostelmann.

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

Motion carried 6-0.

The Commission adjourned into closed session at 12:41 p.m.

The Commission adjourned closed session at 1:32 p.m.

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September 21, 2022 Wisconsin Election Commission meeting minutes prepared by:

Anna Langdon, Help Desk Staff

September 22, 2022

September 21, 2022 Wisconsin Election Commission meeting minutes certified by:

Julie Glancey, Commission Secretary

November 30, 2022



Wisconsin Elections Commission

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(608) 266-8005 | elections@wi.gov | elections.wi.gov

Wisconsin Elections Commission
Emergency Teleconference Meeting
201 W. Washington Avenue, Second Floor
Madison, Wisconsin
7:30 a.m. October 7, 2022

Open Session Minutes

Present: Commissioner Ann Jacobs, Commissioner Marge Bostelmann, Commissioner Julie Glancey, Commissioner Don M. Millis, Commissioner Robert Spindell Jr., and Commissioner Mark L. Thomsen, all by teleconference.

Staff present: Meagan Wolfe, Jacob Walters, Kelly McCormick, Robert Kehoe, Sharrie Hauge, Brandon Hunzicker, John Smalley, Riley Vetterkind, Riley Willman, and Sara Linski, all by teleconference.

A. Call to Order

Commission Chair Don Millis called the meeting to order at 7:35 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 proper notice was given for the meeting under Wis. Stat. § 19.84(3), which allows for less than a 24-hour advance notice for public meetings in emergency situations.

Chair Millis told members of the Commission, WEC staff, and those in attendance that a court order in *Kormanik vs. WEC* had not yet been received, though it was expected to arrive later in the day, and that the Commission would be in recess until at least that time. He went on to say that the Commission then planned to move to closed session to confer with Wisconsin Department of Justice attorneys, after which the plan was to reconvene in open session to discuss potential action in regard to this court order.

The Commission recessed at 7:37 a.m.

The Commission reconvened at 3:01 p.m.

Wisconsin Elections Commissioners

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

Administrator
Meagan Wolfe

C. Closed Session

Chair Millis stated he would entertain a motion to move to closed session.

MOTION: Move to closed session pursuant to Wis. Stat. § 19.85(1)(g) to confer with counsel concerning litigation.

Moved by Commissioner Bostelmann. Seconded by Commissioner Thomsen.

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

The motion carried 6-0.

The Commission moved to closed session at 3:03 p.m.

D. Discussion and Possible Action Related to Court Ruling in *Kormanik vs. WEC* Concerning Guidance on Spoiling Absentee Ballots

No discussion was had nor action taken on this agenda item.

E. Adjourn

The Commission adjourned in closed session at 3:55 p.m.

####

October 7, 2022 Wisconsin Election Commission meeting minutes prepared by:

Jacob Walters, Election Specialist

October 7, 2022

October 7, 2022 Wisconsin Election Commission meeting minutes certified by:

Marge Bostelmann, Commission Secretary

November 30, 2022



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

Wisconsin Elections Commission
Special Teleconference Meeting
201 W. Washington Avenue, Second Floor
Madison, Wisconsin
3:00 p.m. October 10, 2022

Open Session Minutes

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

Staff present: Sharrie Hauge, Brandon Hunzicker, Robert Kehoe, Anna Langdon, Kelly McCormick, John Smalley, Riley Vetterkind, Jim Witecha, and Meagan Wolfe, all by teleconference.

A. Call to Order

Commission Chair Millis called the meeting to order at 3:02 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.

C. Discussion and Possible Action Related to Election Observer Rules or Guidance

Chair Millis presented a potential amendment to clerk guidance concerning election observers. The potential guidance was displayed to the Commissioners and the public via screenshare.

MOTION: The webpage that deals with observers will be amended as shown, and notice will be sent to clerks alerting them to the change.

(See Appendix A)

Moved by Chair Millis. Seconded by Commissioner Bostelmann.

Discussion.

Chair Millis made edits to the screenshared guidance based on feedback from the Commissioners.

Wisconsin Elections Commissioners

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

Administrator
Meagan Wolfe

FRIENDLY AMENDMENT: The webpage will be amended as shown on the screen with the reference to Wis. Stat. § 7.41(2). Notice will be sent to clerks alerting them to the change.

(See Appendix B)

Proposed by Chair Millis. Agreed to by Commissioner Bostelmann.

Discussion.

AMENDED MOTION: The webpage will be amended as shown on the screen with the reference to Wis. Stat. § 7.41(2). Notice will be sent to clerks alerting them to the change.

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

Motion failed 3-3.

D. Closed Session

1. Litigation Updates

2. Complaints

Administrator Meagan Wolfe noted that the meeting was noticed so that the Commission may or may not return to open session.

MOTION: To move into closed session pursuant to Wis. Stat. § 19.85(1)(g) and § 19.851(2).

Moved by Commissioner Bostelmann. Seconded by Commissioner Thomsen.

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

Motion carried 6-0.

The Commission left open session at 3:56 p.m.

Administrator Wolfe clarified that if the Commission opted to reconvene into open session, they would notify the public via Twitter.

The Commission did not reconvene into open session.

E. Discussion and Possible Action Related to Court Ruling in Kormanik vs. WEC Concerning Guidance on Spoiling Absentee Ballots

No discussion was had, nor action taken on this agenda item.

F. Discussion and Possible Action Related to Congressional District 2 Candidate Requests

No discussion was had, nor action taken on this agenda item.

G. Adjourn

The Commission adjourned in closed session at 6:50 p.m.

####

October 10, 2022 Wisconsin Election Commission meeting minutes prepared by:

Anna Langdon, Help Desk Staff

October 11, 2022

October 10, 2022 Wisconsin Election Commission meeting minutes certified by:

Julie Glancey, Commission Secretary

November 30, 2022

Appendix A

Edits to the Observer Guidance on the WEC Website (Initial Motion Version):

What to Expect

A designated observation area at the polling place or other location should permit observers to hear instructions and to readily observe all public aspects of the process without disrupting the activities. The chief inspector at each polling place shall provide an observation area within three feet of every table or station at which a voter interacts with a poll worker.

If observers are unable to hear the election inspectors and voters, they may ask for the instructions or information to be repeated.

To ensure the orderly conduct of the election and/or election administration event, or if necessary due to physical limitations of the host location, an election official may limit the number of observers representing the same organization or candidate. However, if the number of observers representing an organization or candidate is limited, then all organizations and candidates at that polling place shall be limited to the same number of observers.

At any station or table at which absentee ballots are processed or counted, the clerk or chief inspector shall provide an observation area within three feet of the table or station. If an observer is unable to hear the announcement of the names and addresses of the absentee electors as the ballots are being processed or counted, the observer may ask for the information to be repeated.

All observers shall be accorded the same respect regardless of their political affiliation or non-affiliation.

Appendix B

Edits to the Observer Guidance on the WEC Website (Friendly Amendment Version):

What to Expect

A designated observation area at the polling place or other location should permit observers to hear instructions and to readily observe all public aspects of the process without disrupting the activities. To the extent physically practical and without disrupting the voting process, the chief inspector at each polling place shall provide an observation area between three and eight feet of every table or station table at which electors announce their name and address to be issued a voter number or at every table at which a person may register to vote. See, Wis. Stat. § 7.41(2).

If observers are unable to hear the election inspectors and voters, they may ask for the instructions or information to be repeated.

To ensure the orderly conduct of the election and/or election administration event, or if necessary due to physical limitations of the host location, an election official may limit the number of observers representing the same organization or candidate. However, if the number of observers representing an organization or candidate is limited, then all organizations and candidates at that polling place shall be limited to the same number of observers.

To the extent physically practical and without disrupting the voting process, at any station or table at which absentee ballots are processed or counted, the clerk or chief inspector shall provide an observation area between three and eight feet of the table or station. See, Wis. Stat. § § 7.41(2). If an observer is unable to hear the announcement of the names and addresses of the absentee electors as the ballots are being processed or counted, the observer may ask for the information to be repeated.

All observers shall be accorded the same respect regardless of their political affiliation or non-affiliation.



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

Wisconsin Elections Commission
Special Teleconference Meeting
201 W. Washington Avenue, Second Floor
Madison, Wisconsin
5:00 p.m. November 15, 2022

Open Session Minutes

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

Staff present: Brandon Hunzicker, Robert Kehoe, Anna Langdon, Kelly McCormick, Jim Witecha, and Meagan Wolfe, all by teleconference.

A. Call to Order

Commission Chair Millis called the meeting to order at 5:01 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.

C. Closed Session

Consultation with Legal Counsel Regarding Litigation

§19.85(1)(g) – The Commission may confer in closed session with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

MOTION: To convene into closed session to confer with counsel per the meeting notice.

Moved by Commissioner Jacobs. Seconded by Commissioner Bostelmann.

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

Wisconsin Elections Commissioners

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

Administrator
Meagan Wolfe

Motion carried 6-0.

The Commission convened into closed session at 5:03 p.m.

The Commission adjourned in closed session at 5:24 p.m.

####

November 15, 2022 Wisconsin Election Commission meeting minutes prepared by:

Anna Langdon, Help Desk Staff

November 16, 2022

November 15, 2022 Wisconsin Election Commission meeting minutes certified by:

Julie Glancey, Commission Secretary

November 30, 2022



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

DATE: For the November 30, 2022 Meeting of the Commission

TO: Wisconsin Elections Commission, Members

FROM: Meagan Wolfe, Administrator

SUBJECT: 2023 Meeting Schedule

Each year the Commission adopts a schedule for their quarterly meetings for the following year. The dates below are provided for your consideration, but the Commission may wish to consider other dates that work better for their schedule.

It should also be noted that the Commission will also need to meet to consider ballot access challenges and to approve ballot access for the spring 2023 elections. This meeting will need to be held on the statutory deadline of January 10, 2023. The Commission can as part of this discussion decide what time to hold the January 10, 2023 meeting.

As it relates to quarterly meetings, here are some dates to consider in each quarter:

Quarter 1

February 1, 2, 3, 6, 7, 8, 9, or 10
March 1, 2, 3, 6, 7, 8, 9, or 10

Quarter 2

April 24, 25, 26, 27, 28
May 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 15, 16, 17, 18, or 19

Quarter 3

August 21, 22, 23, 24, or 25
September 18, 19, 20, 21, 22, 25, 26, 27, 28, or 29

Quarter 4

November 1, 2, 3, 6, 7, 8, 9, 10, 13, 14, 15, 16, or 17
December 1, 4, 5, 6, 7, or 8

Recommended Motions

1) The Commission selects [time] for the January 10, 2023 ballot access meeting.

Wisconsin Elections Commissioners

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

Administrator
Meagan Wolfe

- 2) The Commission selected [date] at [time] for the first quarter meeting of the Commission.
- 3) The Commission selected [date] at [time] for the second quarter meeting of the Commission.
- 4) The Commission selected [date] at [time] for the third quarter meeting of the Commission.
- 5) The Commission selected [date] at [time] for the fourth quarter meeting of the Commission.



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

DATE: For the November 30, 2022, Commission Meeting

TO: Members, Wisconsin Elections Commission

FROM: Brandon Hunzicker, Staff Attorney

SUBJECT: Notice for a Preliminary Hearing and Comment Period and Possible Quorum

Introduction:

During the September 21, 2022, Commission meeting, the Commission directed staff to submit a scope statement concerning the conduct, regulation, and accommodation of election observers to the Governor for approval. The Commission also directed staff to prepare a notice for a preliminary public hearing and comment period to be published in the Administrative Register. On October 20, 2022, the Governor approved the scope statement, which was submitted for publication in the Administrative Register on November 14, 2022.

Following this memo are the scope statement, the Governor's approval letter, and a draft notice for a preliminary hearing and comment period that also contains a notice of possible quorum. If the Commission approves the draft notice, it can be published and staff can hold the hearing to gather information from interested parties concerning election observers and the future rule.

Discussion:

As of November 14, the scope statement concerning election observers was acknowledged as received by the Legislative Reference Bureau (LRB) and set to be published on November 21. The Joint Committee for the Review of Administrative Rules (JCRAR) has the authority, under Wis. Stat. § 227.136, to order the Commission to hold a preliminary hearing and comment period to receive public comment and feedback on the statement of scope. The Commission may also determine on its own to hold such a hearing. Given the strong interest in this rule and the likely benefit to the Commissioners and staff from receiving input from interested parties on their hopes for the rule, staff recommend holding a preliminary hearing and comment period.

Under Wis. Stat. § 227.136(2) the notice must be approved by the Commission and state the date, time, and place of the preliminary public hearing, as well as the place where comments may be submitted and the deadline for submission. The notice below would hold the preliminary hearing on January 9, 2023, from 1–3 p.m. via Zoom, and would allow comments to be submitted to staff from the time the notice is published until 4:30 p.m. on January 9. Commissioners do not need to attend the hearing, but the notice of a possible quorum would allow all Commissioners to attend. A summary of all oral comments, as well as all written comments, would be presented to the Commission for review at a future meeting, and the Commission

Wisconsin Elections Commissioners

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

Administrator
Meagan Wolfe

could give final approval to the scope statement at that time. Only after that final approval of the scope statement can staff begin to draft the text of the rule.

Recommended Motion:

The following notice of a preliminary public hearing and comment period and possible quorum, as modified during this meeting, is approved for publication, and staff is directed to conduct the preliminary hearing on the scope statement concerning the conduct, regulation, and accommodation of election observers. The hearing shall be held via Zoom on January 9, 2023, from 1–3 p.m. with comments accepted until 4:30 p.m. that same day.

STATEMENT OF SCOPE
Pursuant to Wis. Stat. § 227.135
WISCONSIN ELECTIONS COMMISSION

Rule No.: EL Ch. 4 Election Observers

Relating to: Conduct, Regulation, and Accommodation of Election Observers

Rule Type: Permanent

FINDING OF EMERGENCY:

N/A

RULE ANALYSIS:

1. A description of the objective of the proposed rule.

The Wisconsin Elections Commission (“Commission”) proposes to create Wis. Admin. Code EL Ch. 4 (“EL Ch. 4”), pertaining to the conduct, regulation, and accommodation of Election Observers. The Commission seeks to promulgate rules that set forth standards of conduct applicable to persons who are present at a polling place, or elsewhere, for the purpose of observing all public aspects of an election.

2. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives.

Existing Policy:

The Commission currently advises election officials, observer groups, and individuals on observer conduct using an expired version of emergency rules that were in place under the former Government Accountability Board. The Commission advises that the expired rules are the Commission’s interpretation of the public’s right to access under Wis. Stat. § 7.41.

Proposed Policy:

The Commission proposes to codify a permanent rule as required by Wis. Stat. § 7.41(5). The rule will expand upon items addressed in the statute that need clarification, such as: what interactions are permissible between observers, voters, and election officials; how a chief inspector may restrict which areas are open to observers; and what may count as disruptive behavior.

Alternatives:

If the Commission does not create EL Ch. 4, the current advice provided to local election officials, observer groups and individuals will remain, without the force and effect of an underlying administrative rule.

3. Detailed explanation of statutory authority for the rule (including the statutory citation and language).

Wis. Stat. § 7.41(5) states that the Commission “shall promulgate rules that are consistent with the requirements of sub. (2) regarding the proper conduct of individuals exercising the right under sub. (1), including the interaction of those individuals with inspectors and other election officials.”

Wis. Stat. § 5.05(1) states that the Commission “shall have the responsibility for the administration of chs. 5 to 10 and 12 and other laws relating to elections and election campaigns, other than laws relating to campaign financing.” Pursuant to such responsibility, the Elections Commission may “[p]romulgate rules under ch. 227 applicable to all jurisdictions for the purpose of interpreting or implementing the laws regulating the conduct of elections or election campaigns, other than campaign financing, or ensuring their proper administration.” Wis. Stat. § 5.05(1)(f).

Wis. Stat. § 7.08(3) states that the Commission shall “[p]repare and publish separate from the election laws an election manual written so as to be easily understood by the general public explaining the duties of the election officials, together with notes and references to the statutes as the commission considers advisable.”

Wis. Stats. § 227.11(2)(a) states that “[e]ach agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute, but a rule is not valid if the rule exceeds the bounds of correct interpretation.”

4. An estimate of the amount of time agency employees will spend developing the proposed rule and of other resources needed to develop the rule.

WEC staff estimates that it would take approximately 80 to 100 staff hours to promulgate the administrative rule.

5. A description of all of the entities that may be affected by the proposed rule.

The proposed rule will affect and is likely to provide procedural clarity, authority, and security to municipal clerks, other local election officials, media, accessibility advocates, local election inspectors, and all organizations and individuals that wish to observe elections in Wisconsin by maintaining a presence at polling places. To a significant degree, the proposed rule will codify existing practices, and thus will require only moderate compliance outreach to observers, media, accessibility advocates, and the public as well as training to clerks and local election officials. The effect of the proposed rule, and subsequent processes, will have little to no impact on small businesses.

6. A summary and preliminary comparison of any existing or proposed federal regulation that addresses or is intended to address the activities to be regulated by the proposed rule.

There are no existing federal laws that attempt to regulate the right of citizens to observe elections at polling places or attempt to regulate the conduct of persons who act as observers at polling places.

Agency Contact Person: Kelly McCormick, Staff Attorney
(608) 266-3061; kelly.mccormick@wisconsin.gov



Megan Wolfe
Administrator, Wisconsin Elections Commission
September 29, 2022
Date Submitted



Tony Evers

Office of the Governor | State of Wisconsin

October 20, 2022

By Electronic Mail Only

Dear Secretaries and Agency Heads:

On this day, I approved the following statements of scope pursuant to Wis. Stat. § 227.135(2):

- A statement of emergency and permanent scope by the Department of Natural Resources, submitted October 10, 2022, relating to establishing the 2023-2024 migratory bird season framework and regulations (Wis. Admin. Code ch. NR 10); and
- A statement of scope by the Department of Natural Resources, submitted October 11, 2022, relating to wild bait harvest regulations (Wis. Admin. Code chs. NR 12-22 and 40); and
- A statement of scope by the Elections Commission, submitted September 29, 2022, relating to Conduct, Regulation, and Accommodation of Election Observers (Wis. Admin. Code ch. EL 4).

On this day, I approved the following proposed administrative rule pursuant to Wis. Stat. § 227.185:

- A proposed rule by the Psychology Examining Board, submitted May 25, 2022, relating to telehealth (Wis. Admin. Code chs. Psy 1, 2 and 5).

Please direct any questions about this letter to my deputy policy director, Katie Domina.

Sincerely,

A handwritten signature in black ink that reads "Tony Evers".

Tony Evers
Governor

cc: Ryan Nilsestuen, chief legal counsel (ryan.nilsestuen1@wisconsin.gov)
Katie Domina, deputy policy director (katherine.domina1@wisconsin.gov)
DOA State Budget Office (SBOAdminRules@spmail.wi.gov)
DSPS (DSPSAdminRules@wisconsin.gov)
Emma Esch, DNR (emma.esch@wisconsin.gov)
Kelly McCormick, Elections Commission (kelly.mccormick@wisconsin.gov)

Notice of Preliminary Public Hearing and Comment Period

The Wisconsin Elections Commission (WEC) announces that it will hold a preliminary public hearing and comment period on a statement of scope concerning the conduct, regulation, and accommodation of election observers. Members of the public may attend the hearing and provide their perspective on the scope statement. Members of the public may also submit written comments as described below at any time before 4:30 p.m. on January 9, 2023.

Hearing Information

Date: January 9, 2023

Time: 1:00 p.m. to 3:00 p.m. CST

Location: *see below for virtual attendance options*

Virtual

When: January 9, 2023, 01:00 PM Central Time (US and Canada)

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/89284038683?pwd=T2pVTkJTU1hVVzIhVmc3QklRTW92UT09>

Passcode: 305751

Or One tap mobile :

US: +13052241968,,89284038683#,,,,*305751# or +13092053325,,89284038683#,,,,*305751#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or +1 646 558 8656 or +1 646 931 3860 or +1 301 715 8592 or +1 669 444 9171 or +1 689 278 1000 or +1 719 359 4580 or +1 720 707 2699 or +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000

Webinar ID: 892 8403 8683

Passcode: 305751

International numbers available: <https://us06web.zoom.us/j/kcLuZi6nwZ>

Accessibility

This meeting will include the option for captioning. Additional accessibility considerations may be available and can be requested by contacting elections@wisconsin.gov.

Submittal of Written Comments

The statement of scope may be reviewed at https://docs.legis.wisconsin.gov/code/scope_statements/ and written comments may be submitted to that site or directly to the WEC at brandon.hunzicker@wisconsin.gov no later than January 9, 2023, at 4:30 p.m.

Notice of Possible Quorum

Wisconsin Elections Commission

Public Hearing Seeking Comment on Administrative Rule Scope Statement

Monday, January 9, 2023

1:00 p.m. to 3:00 p.m.

A quorum of the members of the Wisconsin Elections Commission may be present at the agency's public hearing seeking comment relating to a scope statement concerning the conduct, regulation, and accommodation of election observers.

Notice is hereby given that the above gathering may constitute a meeting of the Wisconsin Elections Commission. However, no items are on an agenda for Commission consideration, nor will action be taken by the Commission.

Approved: November 30, 2022.

/s/

Secretary, Wisconsin Elections Commission



Wisconsin Elections Commission

201 West Washington Avenue | Second Floor | P.O. Box 7984 | Madison, WI 53707-7984

DATE: For the November 30, 2022, Commission Meeting

TO: Commissioners, Wisconsin Elections Commission

FROM: Meagan Wolfe, Administrator
Wisconsin Elections Commission

SUBJECT: Legislative Data Requests

1. Purpose

This memorandum provides an update regarding the Commission's directive to develop a Memorandum of Understanding with the Assembly Committee for Campaigns and Elections.

2. Background

At the Commission's July 12, 2022, meeting, staff counsel briefed the Commission on events leading up to a data request from Representative Janel Brandtjen, Chair of the Assembly Committee on Campaigns and Elections. Staff highlighted certain aspects of a draft response to this request, including a draft Memorandum of Understanding (MOU) between the Committee and the Commission. The Memorandum of Understanding specifically clarifies that voter data is **not** being provided as a public record and may not be used for any private purpose or any purpose other than an official task of the Committee.

Following discussion, Commissioner Spindell submitted the following motion:

To direct staff to negotiate a Memorandum of Understanding between the Wisconsin Elections Commission and the Assembly Committee on Campaigns and Elections concerning this records request to be brought back for consideration at a later date.

The motion carried with a 6-0 vote.

Recognizing that the personal information of millions of Wisconsin voters would be provided to Rep. Brandtjen at no cost, the MOU sought to affirm that the information would be kept confidential and not used for personal purposes, campaign activities, mass call operations, commercial purposes, or any unlawful purpose. Furthermore, the memorandum affirmed that requests under Wis. Stat. § 13.45(7) were made with the express, written approval of at least a majority of the Committee. After discussing the MOU with Legislative Counsel, it appears the MOU will not be accepted by the Committee as written, though there remains a possibility for limited one-time agreements centered only on this specific data request or similar future requests.

Wisconsin Elections Commissioners

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

Administrator
Meagan Wolfe

Staff therefore seeks the Commission’s guidance on next steps.

3. Request

Rep. Brandtjen’s request comes in two parts. The first part, “Request No. 1: ‘Fido’ Keys” appears to duplicate an earlier request that was fulfilled. Therefore, this memorandum exclusively discusses the second part, “Request No. 2: Official Registration List.” The request is limited to the time period between July 1, 2020 and the date of the response. Request elements are as follows:

Table 1 (Rep. Brandtjen Request)

Category	Description	Staff Comment
a. List	Current copy of the complete Registration List itself.	There are approximately 3.5 million registered voters in Wisconsin. Staff assumes that Rep. Brandtjen also seeks inactive records, which will increase the total to over 7 million records. This is a standard report format.
b. Changes	All changes in each registered elector’s status, including all new registrations, de-activations (eligible to ineligible) and reactivations (ineligible to eligible).	These elements require custom development to obtain. Discussed further below.
c. Change Dates	Date of each change.	
d. Change Reasons	The reason for each change.	
e. Access Key	The non-confidential FIDO key name provided in response to Request 1) by which each change was made.	This request appears to be based on a misunderstanding of multifactor authentication. FIDO keys do not make or enable changes. Usernames information could be provided, but there is no “FIDO key name” as stated in the request.
f. Absentee In-Person Application Date.	Date on which the elector applied to vote by in-person absentee ballot.	This appears to be a request for absentee ballot request data although it is unclear if this is specific to any election. This is a standard report format but there is a separate report for each election. Most jurisdictions have had seven elections since July 1, 2020.
g. Absentee By Mail Application Date.	Date on which the clerk mailed an absentee ballot.	
h. Absentee By Mail Return Date.	Date on which the elector returned the absentee ballot.	

The full text of Rep. Brandtjen’s request is attached as annex G-1.

4. Fulfillment

To obtain the requested information, the agency would have to develop and run a custom program that would degrade system performance statewide, for all users, for approximately two weeks. Total cost to fulfill all requests, including statutory costs, are estimated to be \$49,099. While Legislative Counsel believes that Rep. Brandtjen need not pay statutory costs, the costs are noted here because they are based on the *actual costs* to operate the statewide system. If these operating costs are not otherwise reimbursed, they will be borne by the Wisconsin taxpayers.

Table 2 (Estimated Fulfillment Costs)

	Request 2.a (Reg. List)	Request 2.b-e. (Record Changes)	Request 2.f-h (Absentees)
Est. # of Records	7,000,000	3,000,000	3,600,000
1. Base Fee	\$ -	\$ 25.00	\$ -
2. Per Record*	\$ 12,500.00	\$ 15,000.00	\$ 12,500.00
3. Labor (Dev)	\$ -	\$ 3,000.00	\$ -
4. Labor (Staff)	\$ 150.00	\$ 750.00	\$ 150.00
5. Server Time	\$ -	\$ 5,024.00	\$ -
Subtotal	\$ 12,650.00	\$ 23,799.00	\$ 12,650.00
Total All Requests			\$ 49,099.00

*statutory maximum of \$12,500 for standard reports

WisVote voter record transactions are archived quarterly and must be searched separately. Tables are stored on different servers and accessing them requires the use of Production environment resources. Data is, of course, stored electronically and in a largely non-human readable format. Finally, voter record data contains an enormous volume of information outside the scope of the stated request, as well as Personally Identifiable Information (PII) and information about confidential voters.

To obtain the requested information, one or more developers will have to write a custom script (program) to search the database and all archived tables for voter audit history. For each record in the system, the script will locate the matching record in each table and record the requested information. Requested information will then be compiled by voter record, producing a table of transaction history for each record. The resulting file will be very large and require specialized software to read (e.g. Excel will not be able to open the entire file).

Execution of the custom program will require an estimated two weeks of continuous run time in the production environment. A more precise estimate of run time can be established only after the program is written and tested. This program will place a load on all system resources that affects performance statewide for the duration of the search. In addition to continuous processor time, running the program will place demand on system memory and servers. Put simply, the entire statewide system will be slower, less responsive, and more prone to errors, for all users, for at least two weeks. For this reason, staff recommends running the program during a period of low demand, such as the end of December.

Writing the custom program will require at least 16 hours of developer labor. Monitoring and maintenance of the program will require an estimated 1 hour per day for the two-week period if no faults occur. Total labor costs are approximately \$4,000 if no faults occur, and a program restart is not required. Technical issues could easily push labor costs higher. In addition, system operating costs paid to the Department of Administration total more than \$70,000 each month. Dedicating a portion of system resources to this task for two weeks represents a significant fiscal investment for the agency.

5. Next Steps

In the absence of other guidance, staff will continue to pursue the MOU as previously directed by the Commission. It is possible that Rep. Brandtjen may accept an MOU that is more limited in time and scope.

Should the Commission instead direct staff to fulfill all requests as presented, staff recommend running the search between December 15 and January 15. This will minimize disruptions for other WisVote users. Major election functions occurring during that window of time will include: (1) processing of candidate nomination papers for the 2023 Spring Election; (2) completion of equipment audit documentation if a recount occurs; (3) scheduling of the 2023 Spring Primary contests; (4) publication of Type B notices; (5) preparation of Spring Primary ballots; and (6) voter participation, inspector statement data, and reconciliation of the 2022 General Election.



JANEL BRANDTJEN

STATE REPRESENTATIVE • 22ND ASSEMBLY DISTRICT

June 23, 2022

Administrator Meagan Wolfe
Wisconsin Elections Commission
201 West Washington Avenue, Second Floor
Madison, Wisconsin 53703

Secretary Kathy Blumenfeld
Dept. of Administration
101 E. Wilson Street
Tenth Floor
Madison, WI 53703

Dear Ms. Wolfe and Ms. Blumenfeld:

In my enclosed letter to Ms. Wolfe dated December 22, 2021, Question 7 requested data for “*all* changes to the status of every voter, active and inactive, contained in the 7 million record Voter Identification Database or the Statewide System.” The request also included “log files” so that the Committee on Campaigns and Elections would be able to review identities of recipients/holders of Fast Identity Online (FIDO) user authentication keys making the changes.

In her enclosed response dated December 30, 2021, Ms. Wolfe stated that that “kind of data can be accessed and is provided routinely to parties who request it through Badger Voters” and that “State law and the Commission’s administrative code requires the agency to charge for such custom data” because “There are no exceptions to this requirement for legislative committees under state law or administrative code.”

On the data request, it is my understanding that chronologies of status changes to voter records and the FIDO keys used to make those changes are *not* “provided routinely” to requesters and, in fact, are not even available to the public.

On the fee requirement, enclosed is the Wisconsin Legislative Council Memorandum dated June 16, 2022 confirming that the data I requested must be provided “without delay” on an “immediate” basis and without a “fee.”

I am therefore again requesting that you provide information responsive to Question 7 of my 12/22/21 letter as specified in the attached Requests Nos. 1 and 2. At this time, data is requested only for the time period between July 1, 2020 and the date of your response.

As the Requests explain, responses to Request No. 1 should be provided in the same searchable spreadsheet file format as the Official Registration List available to the public under § 6.36(1)(b)1. Responses to Request No. 2 should be provided in additional columns included in the List.

The requested data will greatly assist the Committee's consideration of measures providing greater transparency, both to deter and detect possible abuse and to restore and strengthen public confidence in the accuracy and reliability of the Registration List and Wisconsin elections.

Because I am requesting only data already required to be kept by statute, please deliver the responsive data file(s) on or before July 11, 2022. *If for some reason you believe delivery by that date is not possible, please advise me immediately.*

Please also provide an extra copy of your responsive file(s) for the minority members of the Committee as well. Thank you very much.

Sincerely,

A handwritten signature in black ink that reads "Janel Brandtjen". The signature is written in a cursive style with a large initial "J".

Janel Brandtjen
State Representative
Chair, Committee on Campaigns and Elections

Enc.

REQUEST NO. 1: “FIDO” KEYS

This request for data relates to the “Fast Identity Online” (FIDO) user authentication keys or other secure access codes or devices (“Key(s)”) by which changes are made to records in the Official Registration List.¹

Format: Please provide the data requested in the table below in the same searchable spreadsheet file format as the Official Registration List available to the public under § 6.36(1)(b)1., with the requested information arranged in columns as indicated.

Dates: At this time, data is requested only for the time period between July 1, 2020 and the date of your response.

COLUMN	DESCRIPTION
a) Recipient/holder.	Please provide identities and contact information for all recipients and current holders of FIDO Keys, ² including the “3400 users to manage 1922 jurisdictions” referenced in the PowerPoint presentation of Wisconsin Elections Commission Technology Director Robert Kehoe provided to the Elections Committee on Wednesday, February 16, 2022, references “3400 users to manage 1922 jurisdictions.” ³
b) Agency.	For each recipient/holder, the agency, municipality, or other entity or person employing or authorizing the recipient or holder of the Key.
c) Key Name.	For each recipient/holder, a non-confidential file name or other designation identifying the key issued to the recipient/holder.

¹ Secs. 6.36(1)(b)1.a. and (c).

² Sec. 6.33(5)(b).

³ <https://legis.wisconsin.gov/assembly/22/brandtjen/media/1549/wisconsin-elections-commission-21622.pdf>

REQUEST NO. 2: OFFICIAL REGISTRATION LIST

This request for data relates to Official Registration List compiled by the Commission.¹

Format: Please provide the data requested in the table below in the same searchable spreadsheet file format as the Official Registration List available to the public under § 6.36(1)(b)1., with the requested information included in additional columns created in the spreadsheet as described.²

Dates: At this time, data is requested only for the time period between July 1, 2020 and the date of your response.

COLUMN	DESCRIPTION
a) List.	Current copy of the complete Registration List itself.
b) Changes.	All changes in each registered elector's status, including all new registrations, de-activations (eligible to ineligible) and re-activations (ineligible to eligible). ³
c) Change Dates.	Date of each change. ⁴
d) Change Reasons.	The reason for each change. ⁵
e) Access Key.	The non-confidential FIDO key name provided in response to Request 1) by which each change was made.
f) Absentee In-Person Application Date.	Date on which the elector applied to vote by in-person absentee ballot. ⁶
g) Absentee By Mail Application Date.	Date on which the clerk mailed an absentee ballot. ⁷
h) Absentee By Mail Return Date.	Date on which the elector returned the absentee ballot. ⁸

¹ Sec. 6.36(1)(a).

² Secs. 6.36(1)(b)1.

³ *E.g.*, § 6.28(1)(b) and (4); § 6.33(5)(a)1.; § 6.36(1)(d)-(e); § 6.48(1)(d) and (2)(b); § 6.50(2)-(7), (10); § 6.56(3), (4); § 6.88(3)(c).

⁴ *See* Note 3.

⁵ Sec. 6.33(4); § 6.36(1)(e); § 6.50(7).

⁶ Sec 6.36(1)(a)13.

⁷ Sec 6.36(1)(a)14.

⁸ Sec 6.36(1)(a)14.



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

DATE: For the November 30, 2022 Commission Meeting

TO: Members, Wisconsin Elections Commission

FROM: Meagan Wolfe
Administrator

Prepared and presented by:

Cody Davies
Elections Specialist

SUBJECT: 2023 Spring Primary and Spring Election Ballot Templates

Sample ballots for the 2023 Spring Primary and Spring Election accompany this memorandum and are submitted to the Wisconsin Elections Commission (WEC) for approval.

These templates reflect the same ballot format and layout used in the 2022 Spring Election cycle. The current design continues to be acceptable to county clerks, voters, ballot printers, and equipment vendors.

Recommended Motion:

The Commission approves the ballot design presented by staff and directs staff to utilize the ballot design for the 2023 Spring Primary and Spring Election.

Wisconsin Elections Commissioners

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

Administrator
Meagan Wolfe

Official Primary Ballot

Nonpartisan Office

February 21, 2023

Notice to Voters: If you are voting on Election Day, your ballot must be initialed by two election inspectors. If you are voting absentee, your ballot must be initialed by the municipal clerk or deputy clerk. Your ballot may not be counted without initials. (See end of ballot for initials).

Instructions to Voters	County	Municipal (cont.)
<p>If you make a mistake on your ballot or have a question, ask an election inspector for help. (Absentee voters: contact your municipal clerk).</p> <p>To vote for a name on the ballot, make an "X" or other mark in the square next to the name like this: <input checked="" type="checkbox"/></p> <p>To vote for a name that is not on the ballot, write the name on the line marked "write-in."</p>	County Executive Vote for 1	City Treasurer Vote for 1
	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate
	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate
	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate
	Write-in:	Write-in:
Judicial	County Supervisor District _____ Vote for 1	Aldersperson District _____ Vote for 1
Justice of the Supreme Court Vote for 1	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate
<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate
<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate
<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate
Write-in:	Write-in:	Write-in:
	Municipal	School District
Court of Appeals Judge District _____ Vote for 1	Mayor Vote for 1	School Board Member Vote for not more than 2
<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate
<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate
<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate
Write-in:	Write-in:	<input type="checkbox"/> Candidate
Continue voting at top of next column.	Continue voting at top of next column.	<input type="checkbox"/> Candidate
		<input type="checkbox"/> Candidate
		Write-in:
		Write-in:

Official Ballot

Nonpartisan Office and Referendum

April 4, 2023

Notice to voters: if you are voting on Election Day, your ballot must be initialed by two (2) election inspectors. If you are voting absentee, your ballot must be initialed by the municipal clerk or deputy clerk. Your ballot may not be counted without initials (see end of ballot for initials).

General Instructions	County	Municipal (cont.)
<p>If you make a mistake on your ballot or have a question, ask an election inspector for help (absentee voters: contact your municipal clerk).</p> <p>To vote for a name on the ballot, fill in the oval next to the name like this: <input type="radio"/></p> <p>To vote for a name that is not on the ballot, write the name on the line marked "write-in" and fill in the oval next to the name like this: <input type="radio"/></p>	County Executive Vote for 1	Village Trustee Vote for not more than...
	<input type="radio"/> Candidate	<input type="radio"/> Candidate
	<input type="radio"/> Candidate	<input type="radio"/> Candidate
	<input type="radio"/> write-in:	<input type="radio"/> Candidate
Judicial	County Supervisor District ____ Vote for 1	<input type="radio"/> Candidate
Justice of the Supreme Court Vote for 1	<input type="radio"/> Candidate	<input type="radio"/> write-in:
<input type="radio"/> Candidate	<input type="radio"/> Candidate	<input type="radio"/> write-in:
<input type="radio"/> Candidate	<input type="radio"/> write-in:	Village Clerk Vote for 1
<input type="radio"/> write-in:	Multi-Jurisdictional Judge	<input type="radio"/> Candidate
Court of Appeals Judge District __ Vote for 1	Municipal Judge for the Town of ____ and Village of ____ Vote for 1	<input type="radio"/> Candidate
<input type="radio"/> Candidate	<input type="radio"/> Candidate	<input type="radio"/> write-in:
<input type="radio"/> Candidate	<input type="radio"/> Candidate	Village Treasurer Vote for 1
<input type="radio"/> write-in:	<input type="radio"/> write-in:	<input type="radio"/> Candidate
Circuit Court Judge District __ Vote for 1	Municipal	<input type="radio"/> Candidate
<input type="radio"/> Candidate	Village President Vote for 1	<input type="radio"/> write-in:
<input type="radio"/> Candidate	<input type="radio"/> Candidate	Village Assessor Vote for 1
<input type="radio"/> write-in:	<input type="radio"/> Candidate	<input type="radio"/> Candidate
	<input type="radio"/> write-in:	<input type="radio"/> Candidate
		<input type="radio"/> write-in:
Continue voting at top of next column.	Continue voting at top of next column.	Continue voting on back of ballot.

Page 1 of 2-sided ballot. Ballot continues on other side.

Municipal (cont.)	Referendum					
Constable Vote for 1	To vote in favor of a question, fill in the oval next to "Yes," like this: <input type="radio"/>	<p>Official Ballot Nonpartisan Office and Referendum April 4, 2023 for</p> <hr/> <p>Municipality and ward number(s)</p> <hr/> <p>Ballot issued by</p> <hr/> <p>Initials of election inspectors</p> <hr/> <p>Absentee ballot issued by</p> <hr/> <p>Initials of Municipal Clerk or Deputy Clerk</p> <hr/> <p>If issued by SVDs, both must initial</p> <hr/> <p>Certification of Voter Assistance</p> <p>I certify that I marked or read aloud this ballot at the request and direction of a voter who is authorized under Wis. Stat. §6.82 to receive assistance.</p> <hr/> <p>Signature of assistor</p> <hr/> <p style="text-align: center;">For Official Use Only</p> <p>Inspectors: Identify ballots required to be remade:</p> <p><input type="checkbox"/> Overvoted</p> <p><input type="checkbox"/> Damaged</p> <p><input type="checkbox"/> Other</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;">If this is the Original Ballot, write the serial number here:</td> <td style="width: 50%; padding: 5px;">If this is the Duplicate Ballot, write the serial number here:</td> </tr> <tr> <td style="text-align: center; padding: 5px;">_____</td> <td style="text-align: center; padding: 5px;">_____</td> </tr> </table> <hr/> <p>Initials of inspectors who remade ballot</p>	If this is the Original Ballot , write the serial number here:	If this is the Duplicate Ballot , write the serial number here:	_____	_____
If this is the Original Ballot , write the serial number here:	If this is the Duplicate Ballot , write the serial number here:					
_____	_____					
<input type="radio"/> Candidate	To vote against a question, fill in the oval next to "No," like this: <input type="radio"/>					
<input type="radio"/> Candidate	Level of government conducting referendum (State, tech college, county, municipal, school district)					
<input type="radio"/> write-in:	Question (number if necessary)					
Sanitary District	Shall the...?					
Sanitary District Commissioner Vote for 1	<input type="radio"/> Yes					
<input type="radio"/> Candidate	<input type="radio"/> No					
<input type="radio"/> Candidate						
<input type="radio"/> write-in:						
School District						
Name of School District (optional) School Board Member Vote for not more than...						
<input type="radio"/> Candidate						
<input type="radio"/> Candidate						
<input type="radio"/> Candidate						
<input type="radio"/> Candidate						
<input type="radio"/> write-in:						
<input type="radio"/> write-in:						
Continue voting at top of next column.						





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

DATE: For the November 30, 2022 Commission Meeting

TO: Commissioners, Wisconsin Elections Commission

FROM: Meagan Wolfe, Administrator
Wisconsin Elections Commission

Prepared by Elections Commission Staff

SUBJECT: Commission Staff Update

Since the last Elections Commission Update, staff of the Commission focused on the following tasks:

1. General Activities of Election Administration Staff

November General Election

At the General Election held on November 8, 2022, voters participated in an election to select candidates for statewide constitutional offices, U.S. Senator, Representative in Congress, State Senator, Representative to the Assembly, and various local partisan offices.

Staff offered extended hours in support of clerks completing their preparations for the General Election beginning on Thursday, October 27 and continuing through the following Wednesday, November 9, 2022.

Date	Extended Hours
Thursday, October 27, 2022	4:30 p.m. – 6:00 p.m.
Friday, October 28, 2022	4:30 p.m. – 6:00 p.m.
Saturday, October 29, 2022	10:00 a.m. – 2:00 p.m.
Monday Oct. 31 – Friday Nov. 4, 2022	4:30 p.m. – 6:00 p.m.
Saturday, November 5, 2022	10:00 a.m. – 2:00 p.m.
Monday, November 7, 2022	4:30 p.m. – 6:00 p.m.
Tuesday, November 8, 2022	6:00 a.m. – 12:00 a.m.
Wednesday, November 9, 2022	4:30 p.m. – 6:00 p.m.

Wisconsin Elections Commissioners

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

Administrator
Meagan Wolfe

The November 8, 2022 General Election had around a 57% overall turnout statewide (as a percentage of Wisconsin's estimated 2022 voting age population), which is higher than average for a midterm election. Overall call and email volume was also higher than normal as many voters were casting a ballot in their new local, congressional, and legislative districts and potentially their first election in the year. No major issues were reported to the WEC.

Candidate Record Entry and Candidate Verification Improvements

Members of the Elections Administration team met ahead of the start of the Spring Election nomination paper period to discuss process improvements and additional steps to ensure that all information provided by a candidate during the ballot access process is correctly recorded in the candidate's record in the WisVote system.

County and municipal clerks rely on the information within a candidate's record in WisVote to print their ballots, and voters rely on this information when looking at their sample ballot ahead of an election. It is vital that the information within a candidate's record is properly entered and thoroughly reviewed.

As the ballot access process is a paper-heavy process, WEC staff are required to manually enter a candidate's information into the WisVote system. Ahead of the November 8, 2022 General Election, it was discovered that an error within a candidate's record within Congressional District 2 caused an incorrect "statement of principle" to be listed next to the candidate's name on the ballot. A notice was mailed out to all absentee voters within Congressional District 2 and a notice was posted at each polling place within the district to ensure that voters were aware of the correct statement of principle.

To prevent this issue from happening in the future, staff have created a plan to update the checklists that WEC staff use to double-check the information they have recorded in a candidate's record. Staff are also reviewing the layout of the candidate record data entry page within the WisVote system and creating more opportunity for staff and candidate review on the information recorded in the candidate's record.

WEC staff will update the Commission as these improvements are made ahead of the 2023 and 2024 election cycles.

Absentee Envelope Redesign Project

In response to the sustained uptick in absentee participation since 2020, WEC staff decided to research ways to improve the absentee certificate envelope. This included an initial round of research to identify which elements of the certificate were necessary for statutory compliance and further research on how other states, including those who use voting by mail as their primary means of electoral participation, structured their absentee envelopes and associated processes.

These efforts saw the development of multiple prototype envelopes, including optional privacy or security envelopes. Staff collected valuable feedback from clerk advisory committees and conducted a truncated virtual usability testing campaign. In that process, it soon became clear

that both voters and election officials preferred a prototype that did not reinvent the wheel and one that saw the current iteration, i.e., one carrier envelope and one return envelope with a vertically oriented certificate for voter information, expanded upon and honed into a better product.

This research ultimately produced the envelope mockup presented to the Commission. While the mockup was not ultimately approved at that time, the experience gained, and work completed in 2020 has allowed staff to quickly resume the project ahead of the 2024 election cycle. Staff again conducted research on other states' practices to determine what, if any, new developments had been made in vote-by-mail best practices in the past two years. Additionally, the past two years of increased absentee participation in Wisconsin have granted new insights from staff, local election officials, and voters into the absentee voting process.

Staff continue to utilize and improve upon the prototype certificate envelope first developed in 2020. The next round of testing on refined prototypes will be based on moderated usability sessions using printed versions of the mockup obtained from the Department of Administration. As with past interactions of test envelopes, staff will vet the test envelopes by both the Center for Civic Design, a third-party organization with a strong background in creating and testing usable election forms, and mail design piece analysts from the United States Postal Service.

Usability sessions, conducted either virtually or in person, utilize a moderated script and list of prepared questions to ensure the sessions are uniform for all participants. Each session will include the participant, a moderator, and two observers. The moderator will introduce the envelope to the participant and ask them to complete it as though they were an absentee voter who was preparing to mail their completed ballot and certificate back to the clerk. The participant will then interact with the envelope and complete it to the best of their ability while the moderator answers any questions posed by the participant. Upon completion, the participant is asked to identify what went well, what could be made clearer, and any problematic aspects of the process that made it difficult or unintuitive to finish the task.

A separate effort will be made to conduct similar sessions with the election officials who prepare and send the certificate envelopes to voters and process the envelopes when they are returned to the clerk's office.

This data-driven approach will allow staff to collect and aggregate as much information as possible as to which aspects of the updated design work well for voters and election officials and which need further updating and testing. Staff will continue to update the Commission on the results of future usability testing and a suggested mockup for approval.

2. WisVote Staff Report

Addressing

Staff assisted clerks in updating their election plans, which match polling places with reporting units, for the November election. Staff also prepared ward updates before the election to reflect recent changes to municipal lines by annexations.

Prior to the November election, WEC staff implemented a new customer service software called Zendesk to respond to e-mails received when MyVote users are unable to find their address on MyVote when looking for a polling place, sample ballot or during the registration process. In some cases, staff needs to add the new address to the system or indicate to the user which format to use. The new system allowed staff to track these responses more efficiently and to respond more effectively. This was especially important because the number of messages received was quite high around Election Day. In the two months leading up to the election, staff received over 4,000 messages from users, including 1,000 on Election Day alone. Via Zendesk, staff were able to respond to all of those messages in a timely manner.

MyVote

The MyVote website continues to provide an important source of election information for voters in Wisconsin. The site saw over one million visits from more than 400,000 unique visitors on Election Day alone. The site also saw heavy traffic up leading up to Election Day, with site usage trends shifting from voter registration/absentee requests to sample ballot and polling place lookups as we approached the election. WEC Staff responded to almost 5,000 voter questions and contacts submitted through the MyVote site since September 2022; with more than 1,000 voter contacts submitted through MyVote on Election Day alone.

Election Security Subgrant

The 2022 Election Security Subgrant program for Municipalities was approved by the Commission on July 22, 2022 and announced on September 13, 2022. Municipalities may request up to \$1,200 to meet basic cybersecurity requirements such as up-to-date software, endpoint security, and technical support and for other allowable election security improvement measures.

The WEC has approved 113 requests since the subgrant was announced. At this time, approximately \$129,000 of the approved subgrant amount of \$1 million has been disbursed to subgrantees. Municipalities have until December 31, 2022 to request funds. The subgrant closes on February 28, 2023.

3. Reconciliation and Statistical Reporting

Commission staff continuously work with municipal and county clerks to meet reporting requirements following all state and federal elections.

Initial reporting of the Election Administration and Voting Statistics Report data is due to be reported to the state no later than 30 days after an election, or 45 after a General Election. Managing and reconciling the additional data proves challenging for some municipalities and generally requires WEC staff assistance. In any cases where a jurisdiction cannot reconcile voting statistics, Commission staff work with individual clerks to ensure all reasonable efforts are applied to ensure the accuracy of their data.

The Election Day Registration (EDR) Postcard Statistics reporting is required to be initially reported within 90 days after an election and then updated monthly until there is a full accounting

of all EDR postcards. As of November 17, 2022, Commission staff are monitoring the following elections for this reporting: 2022 Spring Primary, 2022 Spring Election, and 2022 Partisan Primary. All municipalities involved in the 2022 Spring Primary have reported initial data on the postcards for those elections. There are currently 94 municipalities who have not completed their initial reporting of these postcards for the 2022 Spring Election and 761 municipalities who have not completed their initial reporting of these postcards for the 2022 Partisan Primary.

4. ERIC Movers Mailing

The Quarter 4 (Q4) 2022 Movers Mailing work is in process. Postcards will be sent out on December 30, 2022.

Table 1: Summary of Movers Mailings 2021 to present

Movers Summary as of November 16, 2022	Voter Count	Percentage of All Mailing
Possible Movers ¹	201,007	50%
Registered ²	140,274	35%
Inactive Voters ³	62,920	15%
Total Records	404,201	100%

¹Movers postcard sent.

²Movers postcard sent. Voter subsequently confirmed or updated their address. Includes voters who re-registered elsewhere in Wisconsin.

³Movers postcard sent. Postcard returned undeliverable, or voter registered out of state, or otherwise no longer active in Wisconsin.

Table 2: Requested Continuation at Current Address

Total Postcards 2021 to present	Requested Continuation at current address	Error rate
404,201	4,674	1.2%

5. Education/Training/Outreach/Technical Assistance

Following this memorandum as Attachment 1 is a summary of initial certification, election administration, and WisVote training WEC staff conducted since the last Commission meeting in September.

Commission staff provided specialized election training through its election administration and WisVote webinar training series, including respective preparations for the November General Election. The election administration webinar reviewed recent court decisions, issuing ballots to voters, and managing the poll book on Election Day. The WisVote webinar reviewed important deadlines, notifications, and resources for users of the system. Post-election WisVote webinars provided guidance on absentee tasks, post-election statuses, application maintenance and the

process for closing out the November election. The Post-Election Voting Equipment Audit webinar helped lay the groundwork for the audit set to begin after the recount deadline for the November election.

Commission staff attended the Wisconsin Towns Association Annual Convention in Appleton in early October. Approximately 250 town clerks attended the WEC presentation. WEC staff reviewed election security, court decisions, and by-mail and in-person absentee voting procedures. Staff also attended the Wisconsin School Superintendents Assistants Association Fall Conference to present information on general school district clerk duties, notice requirements and deadlines and ballot access procedures. Staff also virtually attended several classes for participants of the Green Bay Clerks Institute.

6. Badger Book Program

A total of 132 municipalities used Badger Books in the 2022 General Election, including 6 for the first time. This constitutes the largest number of users for any election in the history of the program. While the 132 represents 7% of the municipalities in Wisconsin, those municipalities are home to nearly 933,000 registered voters, which is approximately 26% of the population of registered voters statewide.

Overall, the Badger Book experience for the 2022 General Election was a positive and successful one. Staff spent the past few months updating manuals, creating new training materials, and hosting webinars on specific topics, but the real credit for a successful election belongs to the municipal clerks and election inspectors using Badger Books in their polling places. While specific situations required WEC staff input to resolve, most technical or administrative issues experienced on Election Day were resolved in real time by local election officials.

As has been reported in every staff update, this program continues to grow. In the last months of 2022, some 28 municipalities have or will be purchasing Badger Books and expect to use them for the first time in the 2023 Spring Election. Staff is currently in the process of building a training plan, using either staff trainers or the statewide network of certified clerk trainers, to ensure these new users have the resources they need for a successful implementation and a good experience for their first election.

There are no plans in place to release a software update prior the spring election cycle. However, staff will spend the remainder of 2023 making enhancements to both the Badger Book application and its associated WisVote processes. The intent of these enhancements is to improve the user experience for clerks, election inspectors, and voters. Staff will also be conducting research into alternative hardware solutions via either the Request for Bid or Request for Proposal processes. Any developments on hardware will be brought to the Commission for consideration.

7. Accessible Voting Program

The WEC has historically reviewed polling places during elections to ensure compliance with the Americans with Disabilities Act (ADA) standards and to ensure polling places are accessible to all voters. The Commission-approved plan set a goal of 330 polling places to be reviewed over the four statewide elections scheduled this year, with 100 reviews being conducted during the General Election. With a combination of temporary staff, volunteers from Disability Rights Wisconsin (DRW), and ADA Title II trained assessors from the Wisconsin Coalition of Independent Living Centers (WCILC), 213 polling places were reviewed on Election Day. This brings the total number of polling places reviewed in 2022 to 478. The polling places reviewed span 40 counties and 378 municipalities. Polling places were chosen for review based on the following criteria: those that have been the subject of complaints, those that have never been reviewed, those that have gone more than 8 years without a review, and those that had many problems at their last review. Almost half of all reviews conducted this year were conducted at the General Election. That is in large part due to the increased participation of employees from DRW and the participation of assessors from all 8 independent living centers across the state. Additionally, 13 of the 29 total participants had previous experience conducting polling place reviews with the WEC.

The WEC provides an accessible polling place self-assessment tool to clerks that they can use to analyze the needs and compliance of their polling locations. Local election officials have been encouraged to conduct updated assessments of their polling places and identify any areas for improvement. Attached to this self-assessment is the order form for the accessibility supply program where local election officials can request supplies to address some issues they may identify in their assessment or to improve the overall accessibility of their polling places. WEC staff regularly fills local election officials' orders of accessibility-related supplies such as accessible parking and curbside voting signage, wireless doorbells for curbside voting and page magnifiers and signature guides for use by voters. Between September and November 23 municipalities made supply orders that total up to 272 pieces sent.

WEC staff continues to work with the Accessibility Advisory Committee (AAC), which is composed of representatives from 10 disability and aging advocacy groups. The Committee provides feedback regarding initiatives such as voting equipment approval, poll worker training, and public outreach efforts. Members of the committee also use resources developed in conjunction with WEC to conduct voter outreach and education events prior to each election. In October three members of the AAC and one local election official joined the WEC Accessibility Specialist in a training webinar for clerks about best practices for the use of accessible voting equipment. This webinar had 67 live participants and 130 views in The Learning Center. The last AAC meeting of 2022 took place on Friday, November 18th.

The WEC received 15 submissions to the Accessibility Concern Form on the elections.wi.gov website related to the General Election. Ten of these submissions were not related to accessibility and were referred to the proper channels. The five accessibility related concerns consisted of 1.) a voter with a disability struggling to acquire an acceptable photo ID, 2.) a voter with low vision having difficulty navigating MyVote, 3.) a voter attempting to vote curbside but was unable due to lack of procedure established by the municipal clerk, 4.) a voter with a disability being told by agency staff that a voter with a disability cannot receive assistance with ballot return, and 5.) a

voter having difficulty entering and exiting their polling place due to heavy doors and long pathways. Staff is performing outreach to clerks and voters involved in order to resolve these concerns.

8. Website Redesign

The redesigned WEC website went live on July 19, 2022, with no significant technical issues. Website users have occasionally noted broken links and areas of improvement. At the August 31 Commission meeting, the Commission approved the purchase of a support package from Northern Commerce, Inc. The support package includes 180 development hours that will allow the team to continually improve the site and keep it up to date.

How users interacted with the website leading up to and through the 2022 General Election was observed using the agency Google Analytics account. Here are some key takeaways from the period of October 8-November 11:

- There were over 600K Unique Page Views with an average time spent on a page of about 1.5 minutes
- Before the election, the most visited pages other than the homepage were Clerks, Voters, and Voter Registration pages.
- After the election, the most visited pages were Election Results and the County Results Websites list

The use of the banner/hero image on the website homepage does assist with directing users to the answers they seek. For example, after the election, the banner pointed users to the county elections results websites and that may be part of the reason for the high visitation. We have also updated the banner to respond in real time to questions received from multiple callers. This does cause call volume about a particular concern or question to drop off which suggests two things: 1. People are looking at the website for information and 2. That the banner helps get people to the information they are looking for.

Finally, feedback from users continues to inform decisions about which projects to tackle in the coming year. For example, the way in which forms display has been identified as needing to be improved. Staff would also like a simpler way to upload the Election Events calendar as currently each event is added manually. Projects will continue to be identified, prioritized, and addressed with Northern under the new contract as responses come in from the survey staff will be sending to clerks in December.

9. Badger Voters

Badger Voters is a website established by the WEC to provide a simple and automated way for the public to request voter data lists and candidate nomination papers.

FY22 figures include requests and net revenue received through November 17, 2022. Note that nomination papers are offered at no charge and thus not included in the “Requests” and “Purchased” columns.

Fiscal Year	Requests	Purchased	% Purchased	Net Revenue	Nomination Papers
FY2022	446	403	90.4%	\$406,295	1185
FY2021	1,335	1,108	82.9%	\$1,131,859	307
FY2020	1,291	1,134	87.8%	\$619,907	402
FY2019	617	473	76.6%	\$328,015	NA
FY2018	706	517	73.2%	\$182,341	NA
FY2017	643	368	57.2%	\$234,537	NA
FY2016	789	435	55.1%	\$235,820	NA
FY2015	679	418	61.5%	\$242,801	NA
FY2014	371	249	67.1%	\$125,921	NA
FY2013	356	259	72.7%	\$254,840	NA
FY2012	428	354	78.0%	\$127,835	NA

Note: Prior to FY2020 the Net Revenue figure is for gross sales and does not account for any refunds.
 Note 2: The previous report incorrectly provided data for calendar year 2022 instead of FY2022.

10. Voting Equipment

In the current reporting period, the voting equipment team primarily focused on preparing for the post-election voting equipment audit, which is now in progress. Both a preliminary and final report on the audit will be presented to the Commission at upcoming meetings in early 2023.

Staff also completed a review of the nine Engineering Change Orders (ECOs) received from Dominion Voting Systems earlier this year and a recommendation for approval has been forwarded to Administrator Wolfe.

The year ahead in 2023 is also shaping up to be a busy year for voting equipment certification in Wisconsin. As previously reported, Election Systems & Software has filed an application for approval of two new electronic voting systems, with the certification and testing campaign for both tentatively scheduled for May 2023. Staff has also been in contact with representatives of Clear Ballot Group, a vendor with systems currently certified in Wisconsin, and Hart InterCivic, a new vendor with no systems currently certified in Wisconsin, to discuss the certification process and testing timeline for next year. These conversations are ongoing, and no application has yet been received from either vendor.

11. Elections HelpDesk/Customer Service Center

The Elections Help Desk staff is supporting more than 2,200 active WisVote users while also answering calls and emails from the public and election officials. Staff is monitoring state enterprise network and data center changes and status, processing voter cancelations and voter address verification postcards. Help Desk staff has been serving on and assisting on various project and development teams. Staff continues to maintain WisVote user and clerk listserv email lists and contact information, administering WEC's O365 email system. The staff continues to administer the WisVote Active Directory system and the Elections Learning Center, maintaining system security.

Customer Service Call Volume
 608-266-8005 608-261-2028

September 2022	2,513
October 2022	3,758
November 1-14 th	3,900
Total for Reporting Period	10,171

Customer Service Email Volume
elections@wi.gov

September 2022	3,668
October 2022	4,463
November 1-14 th	2,343
Total for Reporting Period	10,474

Address Verification Postcards Mailed

September 2022	3,757
October, 2022	5,443
November 1-14 th	63,389
Total for Reporting Period	72,589

12. Communications Report

Following the Commission’s last regular meeting, the Public Information Office has worked to prepare communications and answer public and media inquiries related to the Nov. 8, 2022 General Election. On Election Day, PIO staff fielded numerous questions from media, organized two media availabilities with Administrator Wolfe, and kept WEC staff aware of election-related media reports throughout the day and evening.

During this time, the PIO office had a steady increase in state and national media inquiries and interview requests, and additionally coordinated the release of the Commission’s Elections 101 video education project.

Elections Education Project

PIO staff are pleased to report that the WEC’s four-part election education video series, Elections 101, was released to the public in late September, just in time for the November 2022 General Election.

The four videos, which each explore different aspects of Wisconsin election administration, are posted to the Commission’s website at elections.wi.gov/101. All four videos were in our top 10 most-viewed pages on the elections.wi.gov website in October. The videos were also made

available to Wisconsin high school teachers, who may wish to use the videos to assist with educating students about how elections are run in the state.

The Department of Public Instruction partnered with us to develop lesson plans that teachers can use alongside the videos to offer four complete election-related lessons. The lesson plans are also available at the elections.wi.gov/101 website. DPI was pleased to include the Elections 101 project into their content stream for teachers to access.

Though we have a preferred order for watching the videos – Elections Overview, Nuts & Bolts, Election Security, and Day at the Polls – we offered teachers flexibility in how they wish to use the video content. We also created the content as an “evergreen” resource, meaning the content is not tied to a specific timeframe or a specific election cycle. Our hope is that teachers and others will use the video content in the months and years ahead.

For the project launch, the WEC shared a series of posts on Twitter and Facebook and provided key partners with suggested social media posts they can make on their own social media channels to promote the project. Among the social media sharing, a La Crosse-based nonprofit called LeaderEthics – whose mission is to foster ethical behavior among elected officials – held a “Facebook Live” event in late October whereby they provided an intro to the project and then played the Elections Overview video. That livestream was also carried by several media outlets in the state, including the La Crosse Tribune and Wisconsin State Journal.

Simultaneous to the classroom aspect, the Elections 101 project has been promoted in newspapers and on radio stations across Wisconsin, with an invitation for all Wisconsinites to view the videos on our agency website and elsewhere. The no-cost print and radio promotion was a result of public service contributions from the Wisconsin Newspaper Association, Wisconsin Broadcasters Association, and their members.

We’re happy to report that dozens of media organizations promoted the project, including the Antigo Journal, Beloit Daily News, Courier Press, Courier Sentinel, Daily Citizen, Dodgeville Chronicle, Eagle Herald, Evansville Review, Heart of the Valley Times-Villager, Inter-County Leader, Juneau County Star-Times, Kenosha News, La Crosse Tribune, Ladysmith News, Monroe Times, Oconto County Times-Herald, Peninsula Pulse, Pierce County Journal, Portage Daily Register, Shawano Leader, Spanish Journal, Sun Prairie Star, The Daily Reporter, The Freeman, The Gazette, The Journal Times, The Record Review, The Star News, Tribune Record Gleaner, West Bend Daily News, Wisconsin Dells Events, Wisconsin State Journal, Wittenberg Enterprise, and Birnamwood News.

WNA officials report that in total the quarter-page newspaper ads we developed through a partnership with a newspaper company in the Fox Valley were published at least 74 times across 33 different newspapers in the state. We also were pleased that 34 newspapers carried stories about the Elections 101 project. We don’t have similar tracking on the broadcast promotion, but we have received numerous reports of the 30-second spots being played on radio stations across the state.

Media Availabilities

The PIO helped organized three media availabilities that Administrator Wolfe conducted before and on Election Day. Wolfe conducted the first media availability with state and national media the week before Election Day, where she informed media about what to expect. On Election Day, Wolfe conducted one availability in the afternoon, and another shortly after the polls closed, where she informed media of how Election Day was going, along with setting the expectation that the unofficial results may come in late during the early morning hours after Election Day, and that the unofficial results would still need to be vetted by counties and the Commission chairperson following the election.

PIO staff have found the media availabilities to be a helpful tool to get out the message to the public that election night results are unofficial, can take time to complete, and are verified through a multi-step process, all concepts that can help build public trust in elections.

Fall Social Media Plan

As they did for the August Partisan Primary, PIO staff provided local election officials with a series of templated social media posts – which include suggested posts for Facebook/Twitter and accompanying photos/graphics – ahead of the November General Election. The goal of this project is to create a series of ready-to-post social media materials that municipal and county clerks can use to provide useful election information to voters. Topics covered in the social media plan include important election-related dates and deadlines, election security information, and information on how to register and vote.

The WEC made use of the calendar for its own social media plan, and local election officials reposted many of the Commission’s social media posts in addition to using the template.

Election Security Communications

To help prepare clerks to communicate to the public in the event of a contingency, PIO staff sent out a reminder to clerks alerting them of election security communications resources available to them in The Learning Center and encouraging them to review the materials ahead of Election Day.

Additionally, to prepare for any contingencies, WEC staff conducted a successful test of the RAVE emergency alert system with municipal and county clerks. The test prompted many clerks to update the contact information they have on file to receive RAVE alerts.

Media Engagement

Administrator Wolfe and the PIO conducted several interviews for newspaper, TV, and radio ahead of the General Election. Topics included information on how to register and vote, important election-related deadlines, relationships with federal partners related to election security, and the Elections 101 project.

PIO staff additionally issued several press releases in the weeks before Election Day explaining important election-related dates, deadlines, and processes that the public should be aware of.

Public Records

WEC staff are now using the customer service software Zendesk to help organize and respond to public records requests and have additionally launched a public records request team to improve the process.

WEC Newsletter

Since the last staff update, the WEC Newsletter team published five more issues in Volume II, with the latest issue, Issue XIX, being published on November 18, 2022. The team continues to publish a new issue every other week.

The open rate remains around 30 to 40 percent collectively. One measure that might improve the open rate is to incorporate a spam score evaluation as part of our publication protocol. The lower an email's "spam score," the greater the likelihood of it getting opened and read.

13. Financial Services Activity

The WEC financial staff has performed the following financial services activities since the September 21, 2022, Staff Update to the Commission:

- On September 16, 2022, staff submitted to the State Controller's Office (SCO) our Comprehensive Annual Financial Report (CAFR) generally accepted accounting principles (GAAP) Accrual Entries report.
- On September 22, 2022, staff submitted to the SCO our annual Revenue Overdraft Report showing no overdrafts.
- On September 27, 2022, staff completed the annual Payment Card Industry (PCI) compliance training.
- On September 27, 2022, staff submitted to SCO our annual Prompt Payment Report.
- On September 27, 2022, staff participated in the Municipal Election Security Subgrant Webinar.
- On September 28, 2022, staff submitted our Schedule of Expenditures of Federal Awards (SEFA) Reporting information and certifications.
- On October 13, 2022, financial staff and management met with representatives from the Election Assistance Commission (EAC) and McBride, Lock & Associates accounting firm for our federal audit entrance conference.
- On October 25 & 26, 2022, staff attended EAC's training on Grant Solutions, their new grant reporting system.

- On November 14, 2022, staff submitted the requested documents for our routine federal audit.
- On November 15, 2022, staff submitted to the federal System for Award Management (SAM.gov) our entity renewal documentation.
- Staff has been working with the SCO to reorganize our asset management documentation.
- In addition, staff has performed the following monthly:
- Staff has continued to perform and submit to the SCO scheduled month-end close queries, inquiries, and reports. Staff conducted necessary adjusting entries to resolve any discrepancies.
- Staff has continued to validate Wisconsin Department of Administration (DOA)'s monthly Diverse Spend Reports.
- Staff has continued to participate in monthly DOA virtual user group webinars pertaining to Project Costing and Accounts Receivable and Billing.
- Staff has continued to participate in the virtual PCard Administrators Group to discuss issues pertaining to the Wisconsin Purchasing Card (PCard) and the State Agencies Purchasing Council (SAPC) to discuss procurement topics and updates.
- Staff has continued to participate in the virtual Financial Leadership Council meetings at SCO.

14. Procurements

The following 8 Purchase Orders totaling \$165,372.16 have been processed since the September 21, 2022, Staff Update to the Commission:

- A \$2,581.49 Purchase Order was written to SHI International Corp. for the LastPass password manager subscription.
- A \$243.06 Purchase Order was written to Cenveo Worldwide Limited for envelopes.
- A \$80,645.16 Purchase Order was written to Carahsoft Technology Corp. for extended website support services.
- A \$12,988.00 Purchase Order was written to Paragon Development Systems for wireless routers and router configurations.
- A \$1,164.15 Purchase Order was written to Insight Public Sector for headsets.

- A \$51,934.70 Purchase Order was written to SHI International Corp. for Microsoft SQL Server annual license and software assurance.
- A \$11,648.00 Purchase Order was written to WI Coalition Independent Living Centers for temporary staff to assist in November accessibility audits.
- A \$4,167.60 Purchase Order was written to the DI & Associates for temporary staff to assist in November accessibility audits.

All purchases accurately followed the Wisconsin State Procurement Process.

15. Meetings and Presentations

WEC staff attended the following events since the last Staff Update memorandum.

September 22, 2022	GIPAW Annual Conference Tri-County Towns Association Meeting
September 27, 2022	Meeting with USPS
September 28, 2022	Enterprise IT Meeting
October 3, 2022	Disability Vote Coalition Meeting
October 5, 2022	DOA Supported IT Meeting
October 5, 2022	WASSA Fall Conference
October 10, 2022	Wisconsin Towns Association Annual Conference
October 13, 2022	Meeting with the U.S. Elections Assistance Commission
October 18, 2022	WI-ISAC Cybersecurity Meeting
October 19, 2022	EI/MS-ISAC Monthly Meeting
October 25, 2022	Meeting with CISA
October 26, 2022	Enterprise IT Meeting
October 28, 2022	Wisconsin Homeland Security Council Meeting
November 2, 2022	Enterprise IT Meeting Disability Vote Coalition Meeting
November 4, 2022	Accessibility Site Review Training

November 9, 2022	Accessibility Site Reviews Debrief
November 18, 2022	Accessibility Advisory Committee Meeting
November 22, 2022	USPS meeting

ATTACHMENT #1

Wisconsin Elections Commission’s Training Initiatives
9/22/2022 – 11/30/2022

Training Type	Description	Class Duration	Target Audience	Number of Classes	Number of Students
Municipal Clerk	<p>2005 Wisconsin Act 451 requires that all municipal clerks attend a state-sponsored training program at least once every 2 years.</p> <p>MCT Core class is available in the WisVote Learning Center and in-person training classes with certified clerk-trainers.</p>	3 hours	All municipal clerks are required to take the training; other staff may attend. Clerks may attend refresher once per 2-year term.	<p>In-Person: 1</p> <p>16-section online presentation with quizzes</p>	<p>17</p> <p>53</p>
Chief Inspector	<p>Required training for new Chief Inspectors before they can serve as an election official for a municipality during an election.</p> <p>CIT Baseline class is available in the WisVote Learning Center and in-person with certified clerk-trainers.</p>	2-3 hours	Election workers for a municipality. Current chiefs and clerks may attend refresher once per 2-year term.	<p>In-Person: 9</p> <p>7-section online presentation with self-evaluation</p>	<p>176</p> <p>114</p>
Election Administration and WisVote Training Webinar Series	Series of programs designed to keep local government officials up to date on the administration of elections in Wisconsin.	60 + minute webinar training sessions hosted and conducted by Commission staff.	County and municipal clerks, chief inspectors, poll workers, election registration officials, and school district clerks.	<p>11/29/22: WisVote Grab Bag; 11/10/22: Post - Election Voting Equipment Audit; 10/27/22: WisVote Absentee; 10/10/22: Reminders for the November Election; 9/28/22: Accessible Voting Equipment; 9/26/22: School District Clerk Duties</p>	50 – 500 per live webinar; posted to website for clerks to use on-demand.

ATTACHMENT #1

Wisconsin Elections Commission’s Training Initiatives
9/22/2022 – 11/30/2022

WisVote Training	Online training in core WisVote functions – how to navigate the system, how to add voters, how to set up elections and print poll books.	Varies	New users of the WisVote application software. Two user types, Clerk Role for full access and Data Entry Role for certain tasks.	Online	Not tracked
<p>Clerk Conferences: September 21, 2022: Clerks Institute, WisVote Addressing and Absentee Procedures September 23, 2022: Clerks Institute, Ask the Experts October 6, 2022: Wisconsin Association of School Superintendent Assistants Fall Conference October 10, 2022: Wisconsin Towns Association Annual Conference</p>					