

**WISCONSIN STATE ELECTIONS BOARD
Brookfield City Hall, Common Council Chambers
2000 North Calhoun Road
Brookfield, Wisconsin
October 4, 2006
9:30 a.m.**

Minutes

Members present: David Anstaett, Jacob Burns, Kerry Dwyer, Carl Holborn, Sherwin Hughes, Robert Kasieta, Greg Paradise, John Savage, John Schober

Staff present: George Dunst, Barbara Hansen, Sharrie Hauge, Kevin Kennedy and Kyle Richmond

9:32 a.m. The meeting was called to order by Chairperson Savage.

I. Public Hearing on Administrative Rules

The Chair opened the public hearing. There was no public comment on the proposed administrative rules. The Chair closed the public hearing.

II. Closed Session to Confer with Legal Counsel Concerning Litigation Strategy Pursuant to S.19.85 (1)(g), Wis. Stats.

Hearing no objection, the Chair tabled the closed session until later in the agenda.

The Chair introduced new Board member Greg Paradise.

III. Minutes of Previous Elections Board Meetings

MOTION: TO APPROVE MINUTES OF THE AUGUST 30 AND SEPTEMBER 20, 2006, ELECTIONS BOARD MEETINGS. Motion by Kasieta, second by Burns.

Mr. Burns requested that the August 30, 2006 minutes be corrected to show that the meeting was held in Brookfield in the Common Council Chambers.

Motion carried.

IV. Personal Appearances

Steve Ponto appeared on behalf of the Republican Party of Wisconsin regarding agenda item V. A. Information relating to his appearance is set out on pages 8-10 of the Elections Board meeting materials for the October 4, 2006 meeting.

9:40 a.m. Mr. Hughes arrived.

Don Millis and Scott Hansen appeared on behalf of the Green for Wisconsin campaign regarding agenda item V. A. Information relating to their appearances is set out on pages 8-10 of the Elections Board meeting materials for the October 4, 2006 meeting. A handout was provided to Board members and staff.

Dan Long appeared regarding agenda item V. D. Information relating to his appearance is set out on page 106 of the Elections Board meeting materials for the October 4, 2006 meeting.

Hearing no objection, the Chair took up the item out of order.

MOTION: APPROVE MR. LONG'S APPLICATION FOR THE WECF GRANT ON THE CONDITION THAT HE COMPLETE ALL NECESSARY PAPERWORK. Moved by Kasieta, second by Hughes. Motion carried.

Jim Ott appeared regarding agenda item VIII. B. Information relating to his appearance is set out on pages 137-147 of the Elections Board meeting materials for the October 4, 2006 meeting.

Hearing no objection, the Chair took up the item out of order.

MOTION: DISMISS SETTLEMENT OFFER TO OTT FOR ASSEMBLY AND INSTRUCT STAFF TO INSERT "INCLUDING LOANS" AFTER "CONTRIBUTIONS" ON ELECTIONS BOARD CAMPAIGN FINANCE NOTIFICATION MATERIALS. Moved by Burns, second by Schober. Motion carried.

Jim Smith appeared on behalf of the Assembly Democratic Campaign Committee and Dewey Floberg, 87th Assembly District candidate, regarding agenda item V. D. of the Elections Board meeting materials for the October 4, 2006 meeting. Information relating to his appearance is set out in a separate memorandum to Elections Board distributed to members dated October 3, 2006.

MOTION: ADOPT STAFF RECOMMENDATION TO DENY THE APPEAL. Moved by Anstaett, second by Hughes. Motion carried.

Jim Smith appeared regarding agenda item V. E. Information relating to his appearance is set out on pages 107-110 of the Elections Board meeting materials for the October 4, 2006 meeting.

MOTION: DISMISS THE SMITH COMPLAINT AGAINST HARMANNY FOR DISTRIBUTING CAMPAIGN LITERATURE BEFORE REGISTRATION. Moved by Kasieta, second by Anstaett. Motion carried.

Michael Semmann appeared on behalf of the Wisconsin Bankers Association regarding agenda item VI. A. Information relating to his appearance is set out on pages 111-115 of the Elections Board meeting materials for the October 4, 2006 meeting.

Mike Wittenwyler appeared on behalf of Wisconsin Voter Action regarding agenda item VII. D. Information relating to his appearance was presented in an oral report to the Elections Board at its October 4, 2006 meeting.

Bob Spindell appeared regarding agenda item VII. A. Information relating to his appearance is set out on pages 126-130 of the Elections Board meeting materials for the October 4, 2006 meeting.

Barry Ashenfelter appeared on behalf of Wisconsin Voter Lists and Practical Political Consulting regarding agenda item VII. A. Information relating to his appearance is set out on pages 126-130 of the Elections Board meeting materials for the October 4, 2006 meeting.

Hearing no objection, the Chair took the issue of a closed session off of the table.

MOTION: ENTER INTO CLOSED SESSION. Moved by Dwyer, second by Paradise.

Roll-call vote:	Anstaett:	Aye	Burns:	Aye
	Dwyer:	Aye	Holborn:	Aye
	Hughes:	Aye	Kasieta:	Aye
	Paradise:	Aye	Savage:	Aye
	Schober:	Aye		

Motion passed, 9-0.

11:50 a.m. The Board ate lunch during the closed session.

MOTION: RETURN TO OPEN SESSION. Moved by Hughes, second by Anstaett.

Roll-call vote:	Anstaett:	Aye	Burns:	Aye
	Dwyer:	Aye	Holborn:	Aye
	Hughes:	Aye	Kasieta:	Aye
	Paradise:	Aye	Savage:	Aye
	Schober:	Aye		

Motion passed, 9-0.

1:25 p.m. The Board recessed for five minutes.

1:30 p.m. The Board reconvened.

V. Investigations

A. Requests to Add Consideration of Compelling Green for Governor Committee to Divest Additional Funds Per Dane County Circuit Court Decision to Agenda and to Rescind Board's August 30, 2006 Action

B. Proposed Action to Compel Green for Governor Committee to Divest Additional Funds Per Dane County Circuit Court Decision
(If approved under Agenda Item V. A)

Mr. Kasieta withdrew his request to consider agenda items A and B.

C. Appeal of Settlement Offers for Violations Identified by Staff Audit

Hearing no objection, the Chair postponed discussion of the settlement offer recommended for Owens for Assembly committee until the November meeting.

VI. Administrative Rules

A. Treatment of Financial Account Information on Documents Used as Proof of Residence for Election Day Registration

MOTION: RECOMMEND CLERKS REDACT FINANCIAL INSTITUTION ACCOUNT NUMBERS FROM ELECTION DAY VOTER REGISTRATION FORMS WHEN REQUESTS FOR INFORMATION ARE MADE UNDER WISCONSIN PUBLIC RECORDS LAW. Moved by Paradise, seconded by Dwyer. Motion carried.

B. Consideration of Action on Administrative Rules Subject to Public Hearing

Action on ElBd 1.395 was tabled until the next meeting of the Board, by unanimous consent.

MOTION: APPROVE ElBd 3.04. Moved by Anstaett, second by Kasieta.

MOTION: WITHIN THE RULE, REMOVE THE USE OF THE PROVISIONAL BALLOT AND REPLACE WITH USE OF THE CHALLENGED BALLOT. Moved by Burns, second by Hughes. Motion failed.

Original motion passed.

VII. Election Administration

A. Report on Statewide Voter Registration System

Report was received for information. No action was taken by the Board.

B. SVRS Request to Collect Date of Birth at November 7th General Election

MOTION: REQUEST THAT MUNICIPAL CLERKS INSTRUCT POLL WORKERS TO COLLECT DATES OF BIRTH AT THE POLLING PLACE DURING THE NOVEMBER ELECTION. Moved by Paradise, second by Holborn. Motion carried.

C. Election Administration Report

Report was received for information. No action was taken by the Board.

D. Status Report on Accessible Polling Place and Voting Equipment Compliance

Report was received for information. Board members directed staff to develop a plan for addressing the complaint submitted by Voter Action Wisconsin that enables voting equipment vendors to respond to the request for revoking approval of touch screen voting equipment. The plan will be reviewed by the Board at its next meeting after the November 7, 2006 general election.

VIII. Campaign Finance Administration

A. Report of Campaign Finance and Agency Operations Director

Report was received for information. No action was taken by the Board.

B. Staff Report on Collection of Settlement Offers

Report was received for information. No action was taken by the Board.

B. Wisconsin Election Campaign Fund Summary

Report was received for information. No action was taken by the Board.

IX. Litigation

A. Report of Legal Counsel

Report was received for information. No action was taken by the Board.

X. Agency Administration

A. Administrative Policies

Report was received for information. No action was taken by the Board.

B. Report of Executive Director

Report was received for information. No action was taken by the Board.

MOTION: TO HOLD THE NOVEMBER 29, 2006, STATE ELECTIONS BOARD MEETING IN MADISON. Moved by Paradise, second by Anstaett.

Roll-call vote:	Anstaett:	Aye	Burns:	Aye
	Dwyer:	No	Holborn:	Aye
	Hughes:	Aye	Kasieta:	Aye
	Paradise:	Aye	Savage:	No
	Schober:	No		

Motion passed, 6-3.

MOTION: ADJOURN. Moved by Kasieta, seconded by Burns. Motion carried.

2:50 p.m. The State Elections Board meeting adjourned.

The next meeting of the State Elections Board is scheduled for Wednesday, November 29, 2006, beginning at 9:30 am in the GAR Room, 413 North in the State Capitol, Madison, Wisconsin.