

**WISCONSIN STATE ELECTIONS BOARD  
Brookfield City Hall, Common Council Chambers  
2000 North Calhoun Road  
Brookfield, Wisconsin  
May 18, 2005  
10:00 a.m.**

**Minutes**

**Board Members Present:** John Savage, Patrick Hodan, Kirby Brant, Carl Holborn, Donald Goldberg, John Schober, Shane Falk, David Anstaett and Robert Kasieta

**Staff Members Present:** Kevin Kennedy, George Dunst, Barbara Hansen, Sharrie Hauge

**10:10 a.m.** The meeting was called to order by Elections Board Chair John Schober.

**I. Public Hearing on Proposed Amended Administrative Rule, EIBd 1.39 (see Item VIII. A)**

Nobody appeared at the Public Hearing.

**II. Minutes of Previous Elections Board Meetings**

**A. March 9, 2005 Elections Board Meeting**

MOTION: APPROVE MINUTES OF THE MARCH 9, 2005 ELECTIONS BOARD MEETING. Motion by John Savage, seconded by Don Goldberg. Motion carried.

**B. April 22, 2005 Elections Board Meeting**

MOTION: APPROVE MINUTES OF THE APRIL 22, 2005 ELECTIONS BOARD MEETING. Motion by John Savage, seconded by Don Goldberg. Motion carried.

**III. Personal Appearances**

1. **Tim Lovett** appeared regarding agenda item V. A. representing the City of Delafield in opposition of the Elections Board issuing a formal opinion on the effect of filing a petition for direct legislation. Information relating to his appearance is set out at pages 87-123 of the Elections Board meeting materials for the April 22, 2005 meeting. Additional information relating to his appearance is set out at pages 120-157C of the current Elections Board meeting materials.
2. **Jim Zahorik** appeared regarding agenda item V.A. in support of his request for the State Elections Board to issue a formal opinion on the effect of filing a petition for direct legislation. Information relating to his appearance is set out at pages 87-123 of the Elections Board meeting materials for the April 22, 2005 meeting. Additional information relating to his appearance is set out at pages 120-157C of the current Elections Board meeting materials.
3. **Robert Mathers** appeared to request reconsideration of the settlement offer imposed to the Committee to Keep Judge Woldt (104367) for the non-filing of the Pre-Primary Spring Campaign Finance Report. Information relating to his appearance is set out at pages 158-162 of the Elections Board meeting materials.

MOTION: TAKE AGENDA ITEM VI. A. OUT OF ORDER. Motion by John Savage, seconded by Kirby Brant. Motion carried.

MOTION: ABATE THE \$150 SETTLEMENT OFFER TO THE COMMITTEE TO KEEP JUDGE WOLDT (104367) FOR THE NON-FILING OF THE PRE-PRIMARY SPRING 2005 CAMPAIGN FINANCE REPORT. Motion by Don Goldberg, seconded by Shane Falk. Motion carried.

10:45 a.m. Board took a short break.

10:50 a.m. The Board meeting resumed.

MOTION: TAKE AGENDA ITEM V.A. OUT OF ORDER. Motion by John Savage, seconded by Shane Falk. Motion carried. Patrick Hodan and John Schober abstained.

## **V. Opinion Requests**

### **A. Reconsideration of Request for Formal Opinion Related to Filing of Petition for Direct Legislation in Delafield**

MOTION: RECONSIDER THE PRIOR VOTE ON THE ISSUE. Motion by John Savage, seconded by Shane Falk. Motion carried. Patrick Hodan and John Schober abstained.

MOTION: REAFFIRM BOTH PREVIOUS ACTIONS OF THE ELECTIONS BOARD AT ITS APRIL 22 MEETING REGARDING AGENDA ITEM V.A. Motion by John Savage, seconded by Shane Falk. Motion carried. Patrick Hodan and John Schober abstained.

## **IV. Election Administration**

### **A. Report on Statewide Voter Registration System**

This report was presented for information. The Board directed the staff to give them periodic updates on the process. No action was taken by the Board.

12:25 p.m. The Board Chair called for a lunch break.

12:45 p.m. The Board Chair called the meeting back to order.

### **B. Election Administration Report**

This report was presented for information. No action was taken by the Board.

### **C. Proposed Recommendations on Recruitment, Training and Compensation of Election Officials**

The Board directed staff to provide more information on competence training. Staff will circulate the final set of recommendations to local election officials before submitting the recommendations to the legislature.

### **D. Report on City of Medford Voting Equipment Problem**

This report was presented for information. No action was taken by the Board.

## **VI. Investigations**

### **A. Appeal of Settlement Offers for Violations Identified by Staff Audit**

MOTION: DENY THE RECONSIDERATION REQUEST OF THE REPUBLICAN PARTY OF LANGLADE COUNTY (300164) FOR THE NON-PAYMENT OF THE 2004 ANNUAL FILING FEE. Motion by Carl Holborn, seconded by Shane Falk.  
Motion carried.

**VII. Campaign Finance Administration**

**A. Report of Campaign Finance and Agency Operations Director**

This report was presented for information. No action was taken by the Board.

**B. Staff Report on Collection of Settlement Offers**

The Board directed its legal counsel to provide a status report every Board meeting on action being taken after the 2<sup>nd</sup> settlement offer notice has been sent.

**C. Proposed Revision of Settlement Offer Schedule**

MOTION: ADOPT THE REVISED SETTLEMENT OFFER SCHEDULE TO INCLUDE INCOMPLETE REPORTS – CASH BALANCE DISCREPANCIES. ADOPT THE NOTICE LETTER TO REGISTRANTS ADDRESSING THE CASH BALANCE DISCREPANCIES. Motion by Shane Falk, seconded by John Savage.  
Motion carried.

**VIII. Administrative Rules**

**A. Administrative Rules Relating to Conversion of Federal Candidate Campaign Committee to State Candidate Committee and Use of Funds**

MOTION: MOVE FORWARD WITH PROMULGATION OF THE RULE. Motion by Shane Falk, seconded by Kirby Brant. Motion carried on a 6-2 roll-call vote.

ROLL CALL VOTE:

Yes: David Anstaett, Donald Goldberg, John Schober, Kirby Brant, Shane Falk,  
Robert Kasieta

No: John Savage, Patrick Hodan

**IX. Litigation**

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

The Board did not go into closed session.

**B. Report of Legal Counsel**

This report was presented for information. No action was taken by the Board.

**X. Legislation**

**A. Proposed Election Related Legislation**

MOTION: MODIFY ALL ELECTION RELATED PETITIONS TO INCLUDE A CERTIFICATION THAT THE CIRCULATORS ARE U.S. ADULT, NON FELON

CITIZENS. Motion by Shane Falk, seconded by John Savage. Motion carried. David Anstaett a did not participate.

MOTION: DIRECT THE STAFF TO REQUEST THAT LEGISLATION BE DRAFTED REMOVING RESIDENCY AS A REQUIREMENT FROM THE CIRCULATION STATUTES. Motion by Shane Falk, seconded by Kirby Brant. Motion carried. David Anstaett a did not participate.

**B. Proposed Recommendations on Legibility of Disclaimers**

MOTION: DRAFT AS A FORMAL FINAL RULE AND BRING TO THE NEXT BOARD MEETING. Motion by Shane Falk, seconded by John Savage. Motion carried.

**C. Legislative Status Report**

This report was presented for information. No action was taken by the Board.

**XI. Agency Administration**

**A. Proposed Elections Board Meeting Schedule**

MOTION: APPROVE THE PROPOSED 2005-2007 BOARD MEETING SCHEDULE AND HAVE THE NEXT BOARD MEETING ON AUGUST 3, 2005 IN MADISON. Motion by John Savage, seconded by Patrick Hodan. Motion carried.

**B. Report of Executive Director**

This report was presented for information. No action was taken by the Board.

MOTION: ADJOURN THE ELECTIONS BOARD MEETING. Motion by John Savage, seconded Kirby Brant. Motion carried.

3:15 p.m. The Elections Board meeting adjourned.

**The next meeting of the State Elections Board is scheduled for August 3, 2005 in Madison beginning at 9:30 a.m.**