

**WISCONSIN STATE ELECTIONS BOARD**  
**Brookfield Public Safety Building, Municipal Courtroom**  
**2100 North Calhoun Road**  
**Brookfield, Wisconsin**  
**March 22, 2006**  
**9:30 a.m.**

**Minutes**

**Members present:** Kirby Brant, Shane Falk, Patrick Hodan, Carl Holborn, Sherwin Hughes, John Savage, John Schober

**Members absent:** David Anstaett

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

**9:37 a.m.** The meeting was called to order by Elections Board Chairperson Holborn. Chair Holborn welcomed new Board member Kerry Dwyer.

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

MOTION: TO APPROVE MINUTES OF THE JANUARY 18, 2006, ELECTIONS BOARD MEETING. Moved by Brant, seconded by Savage. Motion carried.

**II. Personal Appearances**

1. **Alicia Sidman** and **Jodi Hanna** appeared regarding agenda item IV. E. (Request for Reconsideration of Approval of Vote-PAD Voting Assistive Device) representing Disability Rights Wisconsin. Information relating to their appearance is set out on pages 44-54 of the Elections Board meeting materials for the March 22, 2006 meeting.
2. **Dianna Smith** appeared regarding agenda item IV. E. (Request for Reconsideration of Approval of Vote-PAD Voting Assistive Device) representing Vote-PAD. Information relating to her appearance is set out on pages 44-54 of the Elections Board meeting materials for the March 22, 2006 meeting.
3. **A.J. Devies** and **Suzanne Erb** appeared regarding agenda item IV. E. (Request for Reconsideration of Approval of Vote-PAD Voting Assistive Device) representing themselves. Information relating to their appearance is set out on pages 44-54 of the Elections Board meeting materials for the March 22, 2006 meeting.
4. **Michael Huckaby** appeared regarding agenda item IV. E. (Request for Reconsideration of Approval of Vote-PAD Voting Assistive Device) representing the National Coalition of the Blind of Wisconsin. Information relating to his appearance is set out on pages 44-54 of the Elections Board meeting materials for the March 22, 2006 meeting.

Hearing no objection, the Chair moved to take agenda item IV. E. out of order.

**IV. Election Administration**

**E. Request for Reconsideration of Approval of Vote-PAD Voting Assistive Device**

Mr. Hodan requested discussion prior to any motion on the item and discussion ensued.

The Board took no action.

**II. Personal Appearances (continued)**

5. **Don Vopalensky** appeared regarding agenda item IV. C. representing Diebold Election Systems. Information relating to his appearance is set out on pages 29-40 of the Elections Board meeting materials for the March 22, 2006 meeting.
6. **Paul Nolte** appeared regarding agenda item IV. C. representing Sequoia Voting Systems. Information relating to his appearance is set out on pages 29-40 of the Elections Board meeting materials for the March 22, 2006 meeting.
7. **Kim Bushey**, Walworth County Clerk, appeared regarding agenda item IV. A. representing herself. Information relating to her appearance is set out on pages 23-26 of the Elections Board meeting materials for the March 22, 2006 meeting.

**11:05 a.m.** Mr. Kasieta arrived.

8. **Nancy Christensen**, Outagamie County Clerk, appeared regarding agenda item IV. A. representing herself. Information relating to her appearance is set out on pages 23-26 of the Elections Board meeting materials for the March 22, 2006 meeting.
9. **John Washburn** appeared regarding agenda item IV. C. representing himself. Information relating to his appearance is set out on pages 29-40 of the Elections Board meeting materials for the March 22, 2006 meeting.
10. **Sue Ertmer**, Winnebago County Clerk, appeared regarding agenda item IV. C. representing herself. Information relating to her appearance is set out on pages 29-40 of the Elections Board meeting materials for the March 22, 2006 meeting.
11. **Brenda Jaszewski**, Washington County Clerk, appeared regarding agenda item IV. C. representing herself. Information relating to her appearance is set out on pages 29-40 of the Elections Board meeting materials for the March 22, 2006 meeting.

**12:00 p.m.** The Board recessed to review voting equipment.

**12:13 p.m.** The Board reconvened.

Hearing no objection, the Chair moved to take up item IV. C. out of order.

**IV. Election Administration**

**C. Approval of Electronic Voting Equipment**

MOTION: ADOPT STAFF RECOMMENDATION TO APPROVE DIEBOLD ELECTION SYSTEMS: AccuVote-TSX DRE (Direct Recording Electronic) Touch Screen and AccuView Printer Module with firmware version 4.6.3; AccuVote-OS (model D) Optical Scan with firmware version 1.96.6; and Global Elections Management System (GEMS) software version 1.18.24; (NASED system number N-1-06-22-22-001); AND REQUIRE THOSE MUNICIPALITIES THAT PURCHASE THIS EQUIPMENT TO IMPLEMENT THE PROPOSED SECURITY RECOMMENDATIONS. ALSO ADOPT STAFF RECOMMENDATION FOR CONTINGENT APPROVAL OF SEQUOIA VOTING SYSTEMS: WinEDS 3.1.012 Election Management Software; Optech Insight, v. APXK2.10/HPX K1.42; AVC Edge with VeriVote Printer, v. 5.0.24 UPON RECEIPT OF NASED SYSTEM NUMBER.  
Moved by Savage, seconded by Hughes. Motion carried.

### **III. Investigations**

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

The Board took no action and let staff recommendations stand.

**12:24 p.m.** The Board recessed for lunch.

**12:35 p.m.** The Board reconvened.

### **II. Personal Appearances**

12. **Michael Maistelman** and **Michael Murphy** appeared regarding agenda item IV. G. representing the Democratic Party of Wisconsin. Information relating to their appearance is set out in the insert to the agenda for the Elections Board meeting materials for the March 22, 2006 meeting.
13. **Kathy Nickolaus**, Waukesha County Clerk, appeared regarding agenda item IV. G. representing herself. Information relating to her appearance is set out in the insert to the agenda for the Elections Board meeting materials for the March 22, 2006 meeting.

Hearing no objection, the Chair moved to take up item IV. G.

MOTION: DIRECT STAFF TO DIRECT LOCAL ELECTIONS OFFICIALS TO ACCEPT THE LAST FOUR DIGITS OF THE SOCIAL SECURITY NUMBER IN THE EVENT A REGISTRANT DOES NOT HAVE A DRIVER'S LICENSE NUMBER WITH THEM FOR REGISTRATION AT THE POLLING PLACE ON APRIL 4, 2006.

Roll-call vote:	Brant:	Aye	Dwyer:	Aye
	Hodan:	Aye	Holborn:	Aye
	Hughes:	Aye	Kasieta:	Aye
	Savage:	No	Schober:	No

Motion carried, 6-2.

14. **Dianna Smith**, appeared regarding agenda item IV. E. representing Vote-PAD. Information relating to her appearance is set out on pages 44-54 of the Elections Board meeting materials for the March 22, 2006 meeting. Smith requested the Board approve Vote-PAD for areas of Wisconsin using optical scan voting equipment.

#### **IV. Election Administration**

##### **E. Request for Reconsideration of Approval of Vote-PAD Voting Assistive Device**

The Board took no action.

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

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

##### **D. Voting Equipment Approval Status Report**

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

##### **F. Request for Support of Kids Voting Program**

MOTION: DIRECT STAFF TO SEND A LETTER OF SUPPORT. Moved by Savage, seconded by Hughes. Motion carried.

#### **V. 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.

Mr. Schober left the meeting.

##### **C. Review of Disclosure of Credit Card Disbursements**

MOTION: IF THE AGGREGATE DISBURSEMENT TO THE CREDIT CARD COMPANY EXCEEDS \$20, REQUIRE THAT THE CAMPAIGN FINANCE REGISTRANT'S REPORT INCLUDE THE DATE, VENDOR NAME, CITY & STATE, AMOUNT AND PURPOSE OF EACH ITEM ON THE CREDIT CARD STATEMENT. MOVED BY HUGHES, SECONDED BY SAVAGE. Motion carried.

#### **VI. Administrative Rules**

##### **A. Proposed Administrative Rules on Voter Registration Issues**

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

**B. Proposed Administrative Rule Relating to Disclosure of Contributor Information**

MOTION: REAFFIRM CURRENT BOARD POSITION ON PROPOSED RULE AND INFORM SENATE COMMITTEE ON LABOR AND ELECTION PROCESS REFORM. Moved by Savage, seconded by Dwyer. Motion carried.

**C. Proposed Administrative Rule Regulating Size and Contrast of Source Identification on Political Communications**

MOTION: ACCEPT STAFF PROPOSED RULE. Moved by Savage, seconded by Hughes. Motion carried.

Hearing no objection, the Chair then moved to take up item IV. B.

**IV. Election Administration**

**B. Report on Statewide Voter Registration System**

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

**2:25 p.m.** MOTION: GO INTO CLOSED SESSION TO CONFER WITH LEGAL COUNSEL CONCERNING LITIGATION STRATEGY PURSUANT TO S. 19.85 (1)(G), WIS. STATS.

Moved by Kasieta, seconded by Brant.

Roll-call vote:	Brant:	Aye	Dwyer:	Aye
	Hodan:	Aye	Holborn:	Aye
	Hughes:	Aye	Kasieta:	Aye
	Savage:	Aye		

Motion carried, 7-0.

**3:25 p.m.** MOTION: RETURN TO OPEN SESSION. Moved by Savage, seconded by Hodan.

Roll-call vote:	Brant:	Aye	Dwyer:	Aye
	Hodan:	Aye	Holborn:	Aye
	Hughes:	Aye	Kasieta:	Aye
	Savage:	Aye		

Motion carried, 7-0.

MOTION: TO HOLD THE NEXT MEETING OF THE ELECTIONS BOARD IN BROOKFIELD. Moved by Savage, seconded by Hodan. Motion carried,, Kasieta recorded as voting No.

**VII. Litigation**

**A. Report of Legal Counsel**

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

**VIII. Legislation**

**A. Legislative Status Report**

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

**IX. Agency Administration**

**A. Report of Executive Director**

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

MOTION: ADJOURN. Moved by Savage, seconded by Hughes. Motion carried.

**3:32 p.m.** The State Elections Board meeting adjourned.

The next meeting of the State Elections Board is scheduled for May 17, 2006 in the Brookfield City Council Chambers, 2000 North Calhoun Road, Brookfield, Wisconsin. The State Elections Board may meet before that time to review requests for approval of voting equipment and other issues.