

Wisconsin Elections Commission

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Meeting of the Commission  
Tuesday, January 9, 2018  
8:00 A.M.

Agenda  
Open Session

Teleconference Meeting

Wisconsin Elections Commission Offices  
212 E. Washington Avenue, Third Floor  
Madison, Wisconsin

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- A. Call to Order**
- B. Administrator’s Report of Appropriate Meeting Notice**
- C. Minutes of Previous Meetings – December 12, 2017** **3**
- D. Ballot Access Challenges and Issues (if necessary)  
(Additional Materials to be Distributed Up to Meeting Time)**
  - 1. Staff Presentation on Challenge or Ballot Access Issue**
  - 2. Challenger Presentation**
  - 3. Candidate Response**
  - 4. Commission Action**
- E. Ballot Access Report and Certification of Candidates for the 2018 Spring Election** **10**
- F. Request for Review of Voting Equipment Software Components**
- G. Delegation of Authority to Administrator** **44**
- H. Request for Senate Public Hearing Re. Administrator Confirmation**

**I. Staff Update**

**J. Closed Session**

**1. Potential Litigation**

**2. Litigation Update**

**3. Personnel Matter**

19.85 (1) (g) The Commission may confer with legal counsel concerning litigation strategy.

19.85(1)(c) The Commission may consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.

# WISCONSIN ELECTIONS COMMISSION

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JODI JENSEN  
DEAN KNUDSON  
MARK L. THOMSEN, CHAIR

ADMINISTRATOR MICHAEL HAAS

## Wisconsin Elections Commission

Wisconsin Elections Commission Offices  
212 E. Washington Avenue, Third Floor  
Madison, Wisconsin  
10:00 a.m. Tuesday, December 12, 2017

### Open Session Minutes

Present: Commissioner Mark Thomsen, Commissioner Ann Jacobs, Commissioner Beverly Gill, Commissioner Julie Glancey, Commissioner Jodi Jensen and Commissioner Dean Knudson

Staff present: Michael Haas, Meagan Wolfe, Richard Rydecki, Nathan Judnic, Diane Lowe, Robert Williams and Reid Magney

#### **A. Call to Order**

Commission Chair Mark Thomsen called the meeting to order at 10:00 a.m.

#### **B. Administrator's Report of Appropriate Meeting Notice**

Administrator Michael Haas informed the Commissioners that proper notice was given for the meeting.

#### **C. Personal Appearances**

**Jordan Esten of Boston** appeared on behalf of Clear Ballot Group to discuss his company's application for approval of new voting equipment later on the agenda.

**Sheboygan County Clerk John Dolson** appeared to speak in support of approval of Clear Ballot Group's voting equipment for sale in Wisconsin.

**Brown County Clerk Sandy Juno** appeared to speak in support of Assembly Bill 637 which would permit municipal clerks to use tabulating equipment during in-person absentee voting. She asked the Commission to direct the staff to work cooperatively with the authors of the bill.

Chair Thomsen and Administrator Haas discussed with Clerk Juno that the Commission has not taken a position on the bill, but staff has attended every meeting to which it has been invited to in

order to provide feedback. Chair Thomsen said the Commission would discuss the request later in the meeting under the agenda item for legislation.

**Waukesha County Clerk Kathy Novack** appeared to speak in support of Assembly Bill 637, which she said will provide significant cost savings to municipalities.

**Erin Grunze of Madison** appeared on behalf of the League of Women Voters of Wisconsin to support the Commission's request for additional staff and to comment on ballot designs and the voter ID study. She said many voters are still confused by the voter ID requirement and need additional education. She also commented that AB 637 should not be approved in its current form.

## **D. Minutes of Previous Meeting**

**November 20, 2017**

**MOTION:** Approve minutes of the November 20, 2017 open session meetings as submitted by staff. Moved by Commissioner Jensen, seconded by Commissioner Knudson. Motion carried unanimously.

## **E. Clear Ballot Voting Equipment Testing and Approval**

Elections Supervisor Richard Rydecki and Elections Specialist Robert Williams made an oral presentation based on a memorandum contained in the supplemental meeting materials regarding Clear Ballot Group's request that the Commission approve the ClearVote 1.4 voting system for sale and use in the State of Wisconsin. This is the first time this system has been offered for certification in Wisconsin. They reviewed the status of Clear Ballot's complete federal testing and pending certification, noting that any Commission certification would be contingent on U.S. Election Assistance Commission certification. They described the Wisconsin testing protocols used by staff and the tight timeline under which the equipment was tested in preparation for the Commission's meeting. They described the Clear Ballot system, which is based on commercial, off-the-shelf components. Staff is recommending approval of the system, contingent on Clear Ballot receiving final certification from the US-EAC.

Commissioners moved to another part of the office to view a demonstration of the Clear Ballot system. Upon returning to the meeting room, Mr. Rydecki completed his presentation.

**MOTION:** Adopt the staff's recommendations for approval of ClearVote 1.4 for sale and use in Wisconsin contingent upon the system receiving final certification from the EAC and a staff review of the EAC certification report. Moved by Commissioner Knudson, seconded by Commissioner Jacobs. Motion carried unanimously.

## **F. Agency Staffing Update**

Administrator Haas made an oral presentation regarding plans to seek legislative approval of three permanent, full-time equivalent positions: elections security, voting equipment certification

and security, and voter services and outreach. Working with the Department of Administration and legislative staff, WEC staff determined that a request to the Joint Committee on Finance for position authority under §13.10 Wis. Stats. would be the most efficient means to secure approval. He reported that the request was submitted on December 8, and staff hopes that the Joint Committee on Finance will consider it at its next quarterly meeting, possibly in January.

No Commission action was required.

## **G. IT Contract Reallocation**

Assistant Administrator Wolfe made a brief oral presentation based on a memorandum starting on page 7 of the December 12 meeting materials regarding staff's request for approval to enter into one, three-year contract for an IT contractor position for the term of December 18, 2017 through December 17, 2020. The annual cost of the contract will not exceed \$210,000. The Commission's delegation of contract authority requires pre-approval from the Commission for procurement contracts exceeding \$100,000. She explained that this is a reclassification of an existing position to reflect current responsibilities.

**MOTION:** Approve the execution of one, three-year IT contract for the position of Data Warehouse Developer III not to exceed \$210,000 annually, effective December 18, 2017. Moved by Commissioner Jacobs, seconded by Commissioner Glancey. Motion carried unanimously.

## **H. Proposed 2018 Ballot Designs**

Lead Elections Specialist Diane Lowe made an oral presentation based on a memorandum starting on page 9 of the December 12 meeting materials regarding the format for the 2018 Spring Primary and Election ballot designs, which have not changed from the ballot formats approved by the Commission for the 2017 Spring Primary and Election. The Fall Partisan Primary and General Election ballot samples for 2018 will be sent to the state Republican and Democratic Party chairs and the chairs of the two elections committees of the Legislature for comments prior to staff bringing them to the Commission for approval at a later meeting.

**MOTION:** Approve the ballot design presented by staff and direct staff to utilize the ballot design for the Spring Primary and Spring Election in 2018. Moved by Commissioner Jensen, seconded by Commissioner Glancey. Motion carried unanimously.

## **I. Administrative Rules**

Staff Counsel Nathan Judnic made an oral presentation based on a memorandum starting on page 16 of the December 12 meeting materials regarding the status of administrative rules. He reported that final rules are ready to be published for Wis. Adm. Code EL Ch. 6 (procedures related to registration statements and the filing of certain documents electronically) and Wis. Adm. Code EL Ch. 21 (repeal provisions related to written advice issued by the Commission).

Commission staff will now proceed with completing the final steps of the promulgation process, so these rules will be published and become effective January 1, 2018.

Mr. Judnic also reported that a Statement of Scope to amend current Wis. Adm. Code Ch. EL 3, to add § 3.03, relating to the treatment of online voter registration forms, has been submitted to the Department of Administration to obtain approval of the statement from the Governor's Office.

Commissioners and staff also discussed administrative rules related to election observers and curbside voting.

## **J. Legislative Agenda**

Mr. Judnic made an oral presentation based on a memorandum starting on page 21 of the December 12 meeting materials regarding the Commission's legislative agenda. He discussed the possibility of recommending a Legislative Council Study Committee be convened to study several issues the Commission and its predecessor agency have identified over the years, but which have not resulted in legislation.

Chair Thomsen inquired about the status of the overseas voter issue. Mr. Judnic said nothing had happened in the Legislature, but a study committee could be another vehicle to get it before lawmakers. Administrator Haas also commented on the value of a study committee in getting many small, nonpartisan issues that cause problems for clerks resolved. Commissioner Jensen said the Commission has nothing to lose by asking, and spoke of her experience with a special study after the 2003 session.

Chair Thomsen said no motion was necessary for staff to pursue the idea of a study committee.

## **K. Legislative Update**

Elections Specialist Robert Williams made an oral presentation based on a memorandum starting on page 35 of the December 12 meeting materials regarding the status of election-related legislation.

Commissioner Glancey commented on AB 637 regarding absentee voting and said Commission staff needs to work with the bill's authors to ensure it would not create additional problems. Administrator Haas said that is the approach staff has taken so far. Commissioner Knudson noted that while clerks are used to the Commission being responsive to their needs, this may be the time for the Commission to stay neutral with a goal of ensuring uniformity in voting procedures.

## **L. Operations and Management Policies and Procedures**

Administrator Haas made an oral presentation based on a memorandum from Chief Administrative Officer Sharrie Hauge starting on page 45 of the December 12 meeting materials regarding operations and management policies and procedures. He said the

Commission is required to adopt an internal control plan each year and submit it to the to the appropriate standing committees of the Legislature. He said the plan has not changed significantly since the Commission approved it last year. He asked the Commission to approve the motion on page 46 of the meeting materials.

Commissioner Knudson made a statement regarding the report released December 5 by the Attorney General regarding an investigation into a leak of documents to the media from a John Doe investigation. He expressed concern about information in the report about how investigative records were handled by staff members of the former Government Accountability Board. Commissioner Knudson asked for a briefing by Department of Justice investigators so they can answer questions about the report.

Chair Thomsen agreed with the need for a DOJ briefing and said the Commission can address those issues in closed session.

**MOTION:** Approve WEC Internal Control Plan and authorize staff to submit the Plan to the Chief Clerks of the Senate and Assembly for distribution to the appropriate standing committees. Moved by Commissioner Jensen, seconded by Commissioner Knudson. Motion carried unanimously.

## **M. Commission Staff Update**

Administrator Haas directed Commissioners to a memorandum starting on page 69 of the December 12 meeting materials regarding the Staff Update. He briefly discussed the Electronic Registration Information Center (ERIC) mailing and noted that more than 20,000 people have used the online voter registration system to register or update their registration as a result of the ERIC mailing.

## **O. Closed Session**

(This item was taken out of order.)

Adjourn to closed session as required by statutes to confer with counsel concerning litigation strategy, investigations and personnel matters.

**MOTION:** Move to closed session pursuant to § 19.85(1)(g) to confer with counsel concerning pending litigation, pursuant to § 19.851 to deliberate concerning investigations, and pursuant to § 19.85(1)(c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Moved by Commissioner Jensen, seconded by Commissioner Jacobs.

Roll call vote:	Gill:	Aye	Glancey:	Aye
	Knudson:	Aye	Jacobs:	Aye
	Jensen:	Aye	Thomsen:	Aye

Motion carried unanimously. The Commission convened in closed session at 12:33 p.m. and reconvened in open session at 1:02 p.m.

## **N. UW Study Regarding Photo ID Requirement**

Administrator Haas introduced Professor Kenneth R. Mayer of the University of Wisconsin-Madison, who made an oral presentation based on a study he conducted regarding the potential impact of the voter ID law on turnout in the 2016 Presidential Election in Wisconsin, which is included in the December 12 meeting materials starting on page 83 of the packet.

Professor Mayer said the study attempted to answer three questions: Did the requirement for photo ID affect turnout? How did people understand the law? And, did that understanding affect their likelihood of voting? He described the survey's methodology and findings.

Commissioners and staff discussed the study's methodology and findings with Professor Mayer. Commissioner Knudson asked whether he would be willing to release his raw data. Professor Mayer said he hopes he can release the data, however, the university's Human Subjects Review Committee places restrictions on releasing data that could identify individuals.

## **O. Closed Session**

Adjourn to closed session as required by statutes to confer with counsel concerning litigation strategy, investigations and personnel matters.

**MOTION:** Move to closed session pursuant to § 19.85(1)(g) to confer with counsel concerning pending litigation, pursuant to § 19.851 to deliberate concerning investigations, and pursuant to § 19.85(1)(c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Moved by Commissioner Jacobs, seconded by Commissioner Jensen.

Roll call vote: Gill:	Aye	Glancey:	Aye
Knudson:	Aye	Jacobs:	Aye
Jensen:	Aye	Thomsen:	Aye

Motion carried unanimously. The Commission convened in closed session at 1:45 p.m.

Chair Thomsen called the Commission back into in open session at 3:33 p.m. and said he would entertain a motion.

**MOTION:** Approve the following statement:

“We have reviewed the Attorney General’s report of December 5, 2017. Nothing in that report has caused us to question our support of Interim Administrator Michael Haas.



We remain unanimously in support of his current position, and continue to seek his appointment as permanent administrator. We recognize and support his authority as to supervision of the WEC staff.

“We will be requesting the appointment of an attorney by the Governor to assist us as necessary for matters relating to the Attorney General’s report.”

Moved by Commissioner Jacobs, seconded by Commissioner Jensen. Motion carried unanimously.

**P. Adjourn**

**MOTION:** To adjourn. Moved by Commissioner Jacobs, seconded by Commissioner Glancey. Motion carried unanimously.

The Commission adjourned at 2:34 p.m.

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The next regular meeting of the Wisconsin Elections Commission is a teleconference scheduled for Tuesday, January 9, 2018, at the Commission’s offices in Madison, Wisconsin beginning at 8:00 a.m.

December 12, 2017 Wisconsin Elections Commission special meeting minutes prepared by:

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Reid Magney, Public Information Officer

January 3, 2018

December 12, 2017 Wisconsin Elections Commission meeting minutes certified by:

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Beverly Gill, Commission Secretary

January 3, 2018



# WISCONSIN ELECTIONS COMMISSION

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MARK L. THOMSEN, CHAIR

ADMINISTRATOR MICHAEL HAAS

## MEMORANDUM

**DATE:** For the January 9, 2018, Commission Meeting

**TO:** Members, Wisconsin Elections Commission

**FROM:** Michael Haas  
Administrator, Wisconsin Elections Commission

Prepared and Presented by:  
Diane Lowe, Lead Elections Specialist

**SUBJECT:** Ballot Access for the 2018 Spring Election

This memorandum presents a summary of important and noteworthy information about candidates requesting ballot access for the 2018 Spring Election.

### Summary

The nomination paper filing deadline for the 2018 Spring Election for the offices of Justice of the Supreme Court, Court of Appeals Judge in Districts I and IV and Circuit Court Judge in various counties was 5:00 p.m., on Tuesday, January 2, 2018. The circulation period for nomination papers began on December 1, 2017.

As of the writing of this summary, a total of 76 candidates for state offices registered for the Spring Election, 74 of which filed nomination papers with the Wisconsin Elections Commission. Three candidates registered for the office of Justice of the Supreme Court. Only one candidate registered for each of the two Court of Appeals Judge seats, both of which are incumbents. Seventy-one candidates registered for 53 Circuit Court Judge positions in 34 counties. These totals may adjust slightly depending on whether additional candidates file nomination papers on Friday, January 5, 2018 for the office of Winnebago County Circuit Court Judge, due to the extended filing deadline as discussed below.

The first set of nomination papers was filed on December 7, 2017, and six sets of papers were filed on deadline day. One set was filed on January 5, due to an extension of the filing deadline for a circuit court contest.

<b>Date Submitted</b>	<b>Sets of Papers Filed</b>
Week of December 4-8	3
Week of December 11-15	2
Week of December 18-22	28

Week of December 25-29 (4 working days)	34
January 2, 2018	6
January 5, 2018 (Winnebago Circuit Court Deadline Extension)	1
	<b>74 Total</b>

Every nomination paper submission was reviewed and a determination regarding sufficiency was made within 24 hours. By the deadline for filing nomination papers on Tuesday, January 2, 2018, 19 candidates had also filed additional nomination papers to supplement their original filings. All sets of papers submitted were found to be sufficient.

Eleven races including Justice of the Supreme Court are contested.

### Nomination Paper Review Process

Staff use internal nomination paper review standards based on the requirements set forth in Wis. Stat. §§ 8.10 and 8.30 and Wis. Admin. Code Ch. EL 2 to determine if a candidate has filed a sufficient number of signatures to qualify for ballot access. Attached to this memorandum are the internal nomination paper review standards (Attachment A) and the relevant statutory and administrative code provisions (Attachments B and C) used by staff when reviewing papers. Staff also relies on past decisions of the former State Elections Board and Government Accountability Board when making recommendations to the Commission as to whether an error on a nomination paper is grounds for striking a signature or page of signatures. This body of precedent comes from Findings of Fact and Orders issued as a result of a challenge to nomination papers, or a compliance review complaint filed under Wis. Stat. § 5.06. A compilation of the most common nomination paper challenges and how the previous agencies ruled on issues raised in those challenges is made available to candidates and potential challengers and is also found here: <http://elections.wi.gov/publications/manuals/common-nomination-paper-challenges> No formal challenges to nomination papers were filed for this election cycle.

### Notification of Noncandidacy

The Notification of Noncandidacy may be filed by an incumbent who is not seeking re-election to the office he or she currently holds. If an incumbent fails to timely file the Notification of Noncandidacy by the second Friday before the filing deadline and does not file ballot access documents by the filing deadline, the filing deadline is extended 72 hours for any other candidate for that office. The extension does not apply to the incumbent. Wis. Stat. §8.10(2)(a).

Staff reached out to incumbents to ensure that all who did not plan to stand for re-election filed a Notification of Noncandidacy by the deadline of Friday, December 22, 2017, so that the ballot certification and preparation process was not delayed. Eight incumbent Circuit Court Judges and the incumbent for Justice of the Supreme Court timely filed the Notifications of Noncandidacy (see Attachment D).

The incumbent for Winnebago County Circuit Court Judge, Branch 1 did not timely file a notification of noncandidacy and did not file nomination papers, resulting in a 72-hour extension for that office. The filing deadline for that office was 5 p.m. on Friday, January 5, 2018. By the completion of this memorandum, one candidate took advantage of the extended deadline and filed nomination papers for this seat. If a challenge is filed by the deadline on January 8, 2018, staff will request conditional

approval for that candidate because the deadline for responding to any challenge would be Thursday, January 11, 2018.

#### Number of Nomination Paper Signatures Required

- Candidates for Justice of the Supreme Court must file a minimum of **2,000** valid signatures of qualified electors of Wisconsin to qualify for ballot access. Wis. Stat. § 8.10 (3)(a).
- Candidates for Court of Appeals Judge must file a minimum of **1,000** valid signatures of qualified electors from the district to qualify for ballot access. Wis. Stat. § 8.10 (3)(am).
- Candidates for circuit court in counties over 500,000 in population (Milwaukee County) must file a minimum of **1,000** valid signatures of qualified electors from the district to qualify for ballot access. Wis. Stat. § 8.10 (3)(c).
- Candidates for circuit court in counties with a population of 500,000 or less must file a minimum of **200** valid signatures of qualified electors from the district to qualify for ballot access. Wis. Stat. § 8.10 (3)(b).

#### Irregularities in Ballot Nomination Papers Not Affecting Ballot Status

The following irregularities were observed by staff. Consistent with prior practice and decisions, staff believes these irregularities do not affect ballot access and did not strike signatures due to these issues.

1. Printed names of signers on nomination papers appear to be written by the circulator.

In the spring of 2015, Government Accountability Board staff encountered an issue involving candidates for Milwaukee County Circuit Court and their circulators, some of whom were also Milwaukee County judges. Many of the printed names of signers were similar to the handwriting of the person who circulated the page. Wis. Stat. § 8.10 (4)(b) requires the printed name to be made by the signer of the petition, unless the signer requests assistance in signing their name. At that time, the Government Accountability Board instructed staff to contact the affected candidates to inform them that the practice of printing the name for the signer is unacceptable and staff obliged. The same issue was noticed in the spring of 2016 and 2017. This trend continues.

In addition to Milwaukee County circuit court candidates, staff encountered sporadic evidence of similar handwriting on other county circuit court nomination papers. The nomination papers of the candidate for District I Court of Appeals contained several pages of printed names written in the same handwriting.

As in past elections cycles, staff did not strike such signatures. Had staff struck the signatures, each candidate would still have sufficient signatures. Staff intends to again reach out to these candidates as well as more broadly to Milwaukee County judges and attorneys to stress that names must be printed by the signer unless they require assistance to do so.

<u>Candidate</u>	<u>Office</u>	<u>No. of Pages</u>	<u>Approx. No. of Signatures</u>	<u>Circulators (*not a judge)</u>
Timothy Dugan	Court of Appeals, District 1	3	30	Pocan/Swanson/Triggiano
Caroline Maria Stark	Milwaukee Co. Circuit Court, Branch 17	14	140	DiMotto/Carroll/Hanrahan/Colón/Triggiano/Swanson/Pocan/Grady/Connolly
Mark Sanders	Milwaukee Co. Circuit Court, Branch 28	6	60	Connolly/Swanson/Pocan/Day*
Jeffrey Wagner	Milwaukee Co. Circuit Court, Branch 38	12	100	Stark/Conen/Grady/Pocan/DiMotto/Kuhnmeunch/Connolly/Hanrahan
Jane Carroll	Milwaukee Co. Circuit Court, Branch 39	5	50	Swanson/Hanrahan/Connolly/DiMotto
Marshall Murray	Milwaukee Co. Circuit Court, Branch 43	9	90	Hanrahan/Pocan/Carroll/Day*/Connolly/Triggiano/Stark/Swanson
Robert Dehring	Jefferson Co. Circuit Court, Branch 3	1	5	Gwidt*
Raymond Huber	Waupaca Co. Circuit Court, Branch 3	1	10	Schoenike*

2. Mailing address, if different than voting address is required to be listed on nomination papers. Wis. Stat. § 8.10(2)(b), (c).

The nomination papers of William F. Kussel, Jr, candidate for Menominee and Shawano County Circuit Court Judge, lists a voting residence at a street address in the Town of Wescott. His mailing address is the same as his voting address except for the municipality, which is Shawano.

The nomination papers of Mark T. Fuhr, candidate for Price County Circuit Court Judge, lists a voting address at a street address in the Town of Worcester. His mailing address is the same as his voting address except for the municipality, which is Phillips.

In both cases, the United States Post Office website zip code finder indicates mail will be delivered if either municipality is listed on an envelope.

3. Irregular Form of Title of Office

Stacy Smith, candidate for Juneau County Circuit Court Judge, listed “Judge” as the office title, rather than “Circuit Court Judge.” “Juneau County” is listed as the jurisdiction.

4. Jerilyn Dietz, candidate for Manitowoc County Circuit Court Judge, Branch 2, submitted 266 signatures on papers listing the election date as “4/3/2017” and 12 signatures on pages listing the correct election date. Staff accepted the signatures but cautioned the candidate that the issue would be brought before the Commission. The candidate recirculated and filed approximately 391

supplemental signatures on papers displaying the correct election date on January 2<sup>nd</sup>, making the incorrect date on the original papers moot.

5. Eric Pangburn, candidate for Manitowoc County Circuit Court Judge, Branch 2, listed the jurisdiction in which the candidate seeks office “Manitowoc,” rather than “Manitowoc County.” Staff believes signers were not confused or misled by the abbreviated jurisdiction.
6. Scott Ceman, candidate for Winnebago County Circuit Court Judge, Branch 1, did not list “Nomination Paper for Nonpartisan Office” at the top of each page as shown on the sample provided by Commission staff. Wis. Stat. § 8.10(2) does not require the specific title.

#### Candidates for Whom Staff Recommends Denial of Ballot Status

Two registered candidates did not submit nomination papers. These candidates are listed as “denied” on the Candidate Tracking by Office report which is attached. The candidates are:

Robert T. Olson - Washington County Circuit Court Judge, Branch 4

Thomas J. Gritton - Winnebago County Circuit Court Judge, Branch 1

#### *Statement of Economic Interests (SEI) not filed*

All candidates timely filed the Statement of Economic Interests.

#### **Recommended Motion:**

The Commission denies ballot status for the two candidates listed as “denied” on the attached Candidates Tracking by Office report.

#### Candidates Recommended for Approval of Ballot Status

Assuming Statements of Economic Interests are timely filed by the deadline of 4:30 p.m. on January 5, 2018, and barring any successful challenges to the sufficiency of nomination papers, there will be a primary for the offices of Justice of the Supreme Court and Circuit Court Judge in the counties of Columbia and Eau Claire. A primary is still possible for Winnebago County Circuit Court Judge depending on whether additional candidates file nomination papers by the extended filing deadline for that office.

The deadline for filing challenges to nomination papers (for all offices except Winnebago Circuit Court Judge, Branch 1) is 4:30 p.m. on Friday, January 5, 2018. The deadline for candidates to file responses to challenges is Monday, January 8, 2018. If any challenges are filed, Commission staff will analyze the challenge and response documents and present recommendations regarding those candidates at the Commission meeting. Absent any challenges, staff recommends certification of the 74 candidates marked “approved” on the “Candidate Tracking by Office” report which is attached.

The filing deadline for Winnebago County Circuit Court Judge, Branch 1, was extended to 5:00 p.m. on Friday, January 5, 2018. The deadline for filing challenges to nomination papers filed for this office is Monday, January 8, 2018, and the deadline for the challenged candidate to file a response to the challenge is Thursday, January 11, 2018. Information regarding candidates and challenges for this office will be included in supplemental information provided to the Commission.

**Recommended Motion:**

Absent any successful ballot access challenges, the Commission certifies ballot status for the 74 candidates listed as “approved” on the attached Candidate Tracking by Office report.

Attachments:       List of Incumbents Who Filed a Notification of Noncandidacy  
Candidate Tracking by Office Report  
Internal Nomination Paper Review Standards  
Relevant Statutory and Administrative Code Provisions



## Wisconsin Elections Commission: Nomination Paper Review Guidelines

### Process Overview

- Use a red pen to mark up the petition during the review process.
- Circle any piece of information on the petition page that is missing or problematic.
- Make a red check to the right of the row to indicate a signature should not be counted.
- Make a red question mark (?) to note questionable signatures that have been counted or to note omitted information on signature line where that signature is still able to be counted.
- Write the number of signatures counted on the upper, right-hand corner of each sheet.

### Step 1: Review the Header

**Overview:** The header of each petition page must contain all the required candidate information. If any of the required information is missing, or incorrect, no signatures on that page can be counted.

Required information:

1. Name of candidate
2. Residential address of candidate
  - a. Street number and street name (P.O. box addresses are not acceptable)
  - b. Municipality for voting purposes
  - c. State
3. Type of election
4. Election date
5. Title of office sought
6. Branch, district or seat number of office sought (if applicable)
7. Name of district in which candidate seeks office

Other information:

1. Mailing address (only required if different than residential address or voting municipality)
2. Zip code (may be present but not required)

### Step 2: Review the Certification of Circulator

**Overview:** The Certification of Circulator section is completed after the signatures on that page have been collected. Each petition page must contain all the required circulator information, the circulator's signature and a certification date that is on or

after the latest date of a signer. If any of the required information is missing or incorrect, no signatures on that page may be counted. If missing circulator information can be determined from another section of the petition page, the signatures on that page should be counted. Most often this occurs when a circulator is also the candidate or has signed that page as an eligible elector.

**Residency of Circulator:** The circulator does not need to reside in the district represented by the candidate, nor do they need to be a resident of Wisconsin. All circulators must be otherwise eligible to register to vote in Wisconsin (18 years of age, U.S. citizen, not serving any portion of a sentence for a felony offense). They do not need to be registered to vote in Wisconsin or any other state to circulate nomination papers.

Required information:

1. Name of circulator - Signatures on the page should be counted if the circulator printed their name on the line meant for their signature.
2. Address of circulator
  - a. Street number, street name and municipality - If missing circulator address, including municipality, can be determined from another section of the petition page, the signatures on that page should be counted.
  - b. State and zip code are not required.
3. Date (month/day/year) – All signatures must be dated within the circulation period. No signatures should be counted on a page where any portion of the date is missing.
4. Signature of circulator – Signatures on the page should be counted if the circulator signed on the line that should have the printed name.

### **Step 3: Review the Body of the Petition**

Required information:

1. Signature of elector
  - a. Signature does not need be legible.
  - b. Electors may sign with an “X” or other mark if that is their usual signature.
  - c. Signature does not need to be cursive.
2. Printed name of elector
  - a. A printed name must be present in addition to the signature of the elector.
  - b. If a possible printed name can be determined, the signature should be counted.

- c. If a printed name cannot be determined, the signature should be struck from the petition.
3. Residential Address
- a. Street name and street number or rural route are required.
  - b. Rural address must also include box or fire number.
  - c. P.O. boxes are only allowed if they are listed in addition to the residential address information. Signatures where only a P.O. box has been provided should be counted if the municipality of residence is entirely in the district. Mark with a question mark.
  - d. Ditto marks are allowed if they follow a valid address and the signer is using those marks to indicate they also reside at that address.
  - e. If all or part of the required address information of a signer is missing but residency can be determined by information found in another section of that specific petition page, that signature should be counted. This generally occurs when the signer is also the candidate and/or the circulator and the missing information is in the header or the certification section. Indicate on the petition page where that information is located.
4. Municipality of Residence
- a. Municipality listed must be within the district represented by the candidate.
  - b. Abbreviations are allowed (e.g. "FDL" for Fond Du Lac or "Milw" for Milwaukee).
  - c. Ditto marks are allowed if they follow a valid municipality and the signer is using those marks to indicate they also reside in the municipality.
  - d. The Town/Village/City check box does not need to be checked.
  - e. If the municipality of residence was provided in the Residential Address field, the signature should be counted.
  - f. If the municipality information of a signer is missing but residency can be determined by information found in another section of that specific petition page (most likely in the header or the Certification of Circulator), that signature should be counted. Indicate on the petition page where that information is located.
5. Date of Signing
- a. A complete date includes the month/date/year.
  - b. Date must be within the circulation period.
  - c. Date must be on or before the date the page was certified by the circulator.

- d. Ditto marks are allowed if they follow a valid date and the signer is using those marks to indicate they also signed on the same date. If ditto marks are used for the date of the last signer, the signature can be counted if it follows a valid date.
- e. A missing date can be bracketed ([ ]) if valid and complete dates appear on the line above and the line below the signature line with the missing date.
- f. If the date of the first or last signer is incomplete, it cannot be bracketed, and that signature should not be counted.

**Step 4: Count the Signatures**

- 1. Sort the petition by the number of valid signatures on each page before determining the final number of valid signatures.
- 2. Place the pages with 10 counted signatures on top, followed by the pages with 9, etc.
- 3. Use a tally sheet or calculator to determine the number of valid signatures on the petition.
- 4. Determine if the number of valid signatures is sufficient for the office sought. Use the appropriate Ballot Access Checklist to determine the signature threshold for the office sought:
  - a. County Non-partisan Candidates                      ELIS-3
  - b. School District Candidates                              ELIS-5
  - c. Municipal Candidates                                      ELIS-7
  - d. County Partisan Candidates                              ELIS-16
  - e. Multi-jurisdictional Judge Candidates              ELIS-18

## NOMINATION PAPER FOR NONPARTISAN OFFICE

Candidate's name (required); no titles may be used. <b>Erin Rogers</b>		Candidate's residential address (required) No P.O. box addresses Street, fire, or rural route number; box number (if rural route); and name of street or road <b>1014 Dafodil Drive</b>		Candidate's municipality for voting purposes (required) <input type="checkbox"/> Town <b>Ashwaubenon</b> <input checked="" type="checkbox"/> Village <input type="checkbox"/> City (name of municipality)	
Candidate's mailing address, including municipality for mailing purposes (required if different than residential address or voting municipality)		Type of election (required) <input checked="" type="checkbox"/> spring <input type="checkbox"/> special		Election date (required) Do not use primary date. Mo/Day/Year <b>April 3, 2018</b>	
Title of office (required) <b>School Board member</b>		State (required) <b>WI</b>		Name of jurisdiction or district in which candidate seeks office (required) <b>Ashwaubenon School District</b>	
Branch, district or seat number (required if applicable) <input type="checkbox"/> Branch <input type="checkbox"/> District <input type="checkbox"/> Seat		Zip code <b>54115</b>			

I, the undersigned, request that the candidate, whose name and residential address are listed above, be placed on the ballot at the election described above as a candidate so that voters will have the opportunity to vote for  him or  her for the office listed above. I am eligible to vote in the jurisdiction or district in which the candidate named above seeks office. I have not signed the nomination paper of any other candidate for the same office at this election.

The municipality used for mailing purposes, when different than municipality of residence, is not sufficient. The name of the municipality of residence must always be listed.

Signatures of Electors	Printed Name of Electors	Residential Address (No P.O. Box Addresses) Street and Number or Rural Route (Rural address must also include box or fire no.)	Municipality of Residence Check the type and write the name of your municipality for voting purposes. <input type="checkbox"/> Town <input checked="" type="checkbox"/> Village <input type="checkbox"/> City	Date of Signing Mo/Day/Year
	Ronald Smith	21 East Street	<input type="checkbox"/> Town <input checked="" type="checkbox"/> Village <input type="checkbox"/> City <b>Green Bay</b>	12/2/2017
	Mary Johnson	179 North St.	<input type="checkbox"/> Town <input checked="" type="checkbox"/> Village <input type="checkbox"/> City <b>G.B.</b>	12/7/17
	Franklin Davis	West Ave	<input type="checkbox"/> Town <input checked="" type="checkbox"/> Village <input type="checkbox"/> City <b>" "</b>	12/13/17
	Jan Jaso	10 Franklin Court Apt. 203	<input type="checkbox"/> Town <input checked="" type="checkbox"/> Village <input type="checkbox"/> City	12/13/2017
	Bill Johnson	3012 Oriole Lane	<input type="checkbox"/> Town <input checked="" type="checkbox"/> Village <input type="checkbox"/> City <b>De Pere</b>	12/4/17
	Sally Simmons	42 Yankee Way	<input type="checkbox"/> Town <input checked="" type="checkbox"/> Village <input type="checkbox"/> City <b>Green Bay</b>	12/4/17
	John Wells	21 Pirate Lane	<input type="checkbox"/> Town <input checked="" type="checkbox"/> Village <input type="checkbox"/> City <b>Ashwaubenon</b>	
	Ted Thompson		<input type="checkbox"/> Town <input checked="" type="checkbox"/> Village <input type="checkbox"/> City <b>Green Bay</b>	12/5/17
	Roberta Robins	14 Brewer Court	<input type="checkbox"/> Town <input checked="" type="checkbox"/> Village <input type="checkbox"/> City <b>Milwaukee</b>	12/5/17
	Erin Rogers		<input type="checkbox"/> Town <input checked="" type="checkbox"/> Village <input type="checkbox"/> City <b>Ashwaubenon</b>	12/6/2017

### CERTIFICATION OF CIRCULATOR

I, Theodore Thompson (Name of circulator) certify: I reside at 101 Main Street, Green Bay (Circulator's residential address - include number, street, and municipality.)

I further certify I am either a qualified elector of Wisconsin, or a U.S. citizen, age 18 or older who, if I were a resident of this state, would not be disqualified from voting under Wis. Stat. §6.03. I personally circulated this nomination paper and personally obtained each of the signatures on this paper. I know that the signers are electors of the jurisdiction or district the candidate seeks to represent. I know that each person signed the paper with full knowledge of its content on the date indicated opposite his or her name. I know their respective residences given. I intend to support this candidate. I am aware that falsifying this certification is punishable under Wis. Stat. § 12.13(3)(a).

12/6/2017 (Date) Ted Thompson (Signature of circulator)



4

**NOMINATION PAPER FOR NONPARTISAN OFFICE**

Candidate's name (required); no titles may be used.  
**Erin Rogers**

Candidate's residential address (required) No P.O. box addresses  
 Street, fire, or rural route number; box number (if rural route); and name of street or road  
**1014 Dafodil Drive**

Candidate's mailing address, including municipality for mailing purposes (required if different than residential address or voting municipality)  
 State (required) Zip code  
**WI 54115**

Candidate's municipality for voting purposes (required)  
 Town **Ashwaubenon**  
 Village  
 City

Election date (required) Do not use primary date.  
 Mo/Day/Year **April 3, 2018**

Title of office (required)  
**School Board member**

Name of jurisdiction or district in which candidate seeks office (required)  
**Ashwaubenon School District**

Branch, district or seat number (required if applicable)  
 Branch  
 District  
 Seat

Type of election (required)  
 spring  
 special

I, the undersigned, request that the candidate, whose name and residential address are listed above, be placed on the ballot at the election described above as a candidate so that voters will have the opportunity to vote for  him or  her for the office listed above. I am eligible to vote in the jurisdiction or district in which the candidate named above seeks office. I have not signed the nomination paper of any other candidate for the same office at this election.

The municipality used for mailing purposes, when different than municipality of residence, is not sufficient. The name of the municipality of residence must always be listed.

Signatures of Electors	Printed Name of Electors	Residential Address (No P.O. Box Addresses) Street and Number or Rural Route (Rural address must also include box or fire no.)	Municipality of Residence Check the type and write the name of your municipality for voting purposes.	Date of Signing Mo/Day/Year
<i>Erin Rogers</i>	Ronald Smith	21 Easy Street	<input type="checkbox"/> Town <input checked="" type="checkbox"/> Village <input type="checkbox"/> City Green Bay	12/2/2017
<i>Mary Johnson</i>	Mary Johnson	179 North St.	<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City G.B.	12/7/17
<i>Franklin Davis</i>	Franklin Davis	West Ave	<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City "	12/3/17
<i>Jan Jaso</i>	Jan Jaso	10 Franklin Court Apt. 203	<input type="checkbox"/> Town <input checked="" type="checkbox"/> Village <input type="checkbox"/> City De Pere	12/3/2017
<i>Bill Swanson</i>		3012 Oriole Lane	<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City Green Bay	12/4/17
<i>John Wells</i>	Sally Simmons	42 Yankee Way	<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City Ashwaubenon	12/5/17
<i>Ted Thompson</i>	John Wells	21 Pirate Lane	<input type="checkbox"/> Town <input checked="" type="checkbox"/> Village <input type="checkbox"/> City Milwaukee	12/5/17
<i>Robert Robins</i>	Robert Robins	14 Brewer Court	<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City Ashwaubenon	12/6/2017
<i>Erin Rogers</i>	Erin Rogers			

**CERTIFICATION OF CIRCULATOR**  
 I, Theodore Thompson (Name of circulator) certify: I reside at 101 Main Street, Green Bay (Circulator's residential address - include number, street, and municipality).

I further certify I am either a qualified elector of Wisconsin, or a U.S. citizen, age 18 or older who, if I were a resident of this state, would not be disqualified from voting under Wis. Stat. §6.03. I personally circulated this nomination paper and personally obtained each of the signatures on this paper. I know that the signers are electors of the jurisdiction or district the candidate seeks to represent. I know that each person signed the paper with full knowledge of its content on the date indicated opposite his or her name. I know their respective residences given. I intend to support this candidate. I am aware that falsifying this certification is punishable under Wis. Stat. § 12.13(3)(a).  
 12/6/2017  
*Ted Thompson*  
 (Date) (Signature of circulator)





## Attachment B

### 8.10 Nominations for spring election.

- (1) Candidates for office to be filled at the spring election shall be nominated by nomination papers, or by nomination papers and selection at the primary if a primary is held, except as provided for towns and villages under s. [8.05](#). Unless designated in this section or s. [8.05](#), the general provisions pertaining to nomination at the partisan primary apply.
- (2)
- (a) Nomination papers for offices to be filled at the spring election may be circulated no sooner than December 1 preceding the election and may be filed no later than 5 p.m. on the first Tuesday in January preceding the election, or the next day if Tuesday is a holiday, except as authorized in this paragraph. If an incumbent fails to file nomination papers and a declaration of candidacy by the time prescribed in this paragraph, all candidates for the office held by the incumbent, other than the incumbent, may file nomination papers no later than 72 hours after the latest time prescribed in this paragraph. No extension of the time for filing nomination papers applies if the incumbent files written notification with the filing officer or agency with whom nomination papers are filed for the office which the incumbent holds, no later than 5 p.m. on the 2nd Friday preceding the latest time prescribed in this paragraph for filing nomination papers, that the incumbent is not a candidate for reelection to his or her office, and the incumbent does not file nomination papers for that office within the time prescribed in this paragraph.
- (b) Each nomination paper shall have substantially the following words printed at the top:
- I, the undersigned, request that the name of (insert candidate's last name plus first name, nickname or initial, and middle name, former legal surname, nickname or middle initial or initials if desired, but no other abbreviations or titles), residing at (insert candidate's street address) be placed on the ballot at the (spring or special) election to be held on (date of election) as a candidate so that voters will have the opportunity to vote for (him or her) for the office of (name of office). I am eligible to vote in the (name of jurisdiction or district in which candidate seeks office). I have not signed the nomination paper of any other candidate for the same office at this election.
- (c) Each candidate shall include his or her mailing address on the candidate's nomination papers.
- (3) The certification of a qualified circulator under s. [8.15 \(4\) \(a\)](#) shall be appended to each nomination paper. The number of required signatures on nomination papers filed under this section is as follows:
- (a) For statewide offices, not less than 2,000 nor more than 4,000 electors.
- (am) For court of appeals judges, not less than 1,000 nor more than 2,000 electors.
- (b) For judicial offices not specified in pars. [\(a\)](#), [\(am\)](#), and [\(c\)](#), not less than 200 nor more than 400 electors.
- (c) For judicial offices in counties over 500,000 population, not less than 1,000 nor more than 2,000 electors.
- (cm) For county executives in counties over 500,000 population, not less than 2,000 nor more than 4,000 electors.
- (cs) For comptrollers in counties with a population of at least 750,000, not less than 500 nor more than 1,000 electors.
- (d) For county executives in counties between 100,000 and 500,000 population, not less than 500 nor more than 1,000 electors.
- (e) For county executives in counties under 100,000 population, not less than 200 nor more than 400 electors.
- (f) For supervisors in counties over 500,000 population, not less than 200 nor more than 400 electors.
- (g) For supervisors in counties between 100,000 and 500,000 population, not less than 100 nor more than 200 electors, except as provided in sub. [\(3m\)](#).
- (h) For supervisors in counties under 100,000 population, not less than 20 nor more than 100 electors.
- (hm) For members of the metropolitan sewerage commission in districts over 1,000,000 population, not less than 1,000 nor more than 2,000 electors, in districts over 200,000 but not over 1,000,000 population, not

less than 200 nor more than 400 electors, and in districts not over 200,000 population, not less than 100 nor more than 200 electors.

- (i) For city offices in 1st class cities, not less than 1,500 nor more than 3,000 electors for city-wide offices, not less than 200 nor more than 400 electors for alderpersons elected from aldermanic districts and not less than 400 nor more than 800 electors for members of the board of school directors elected from election districts.
- (j) Except as provided in par. (jm), for city offices in 2nd and 3rd class cities, not less than 200 nor more than 400 electors for city-wide offices and not less than 20 nor more than 40 electors for alderpersons elected from aldermanic districts.
- (jm) For city offices in 2nd and 3rd class cities, not less than 100 nor more than 200 electors for alderpersons who are not elected from aldermanic districts.
- (k) For city offices in 4th class cities, not less than 50 nor more than 100 for city-wide offices and not less than 20 nor more than 40 electors for alderpersons elected from aldermanic districts.
- (km) For school district officer in any school district which contains territory lying within a 2nd class city, not less than 100 nor more than 200 electors.
- (ks) For school district officer in any school district which does not contain territory lying within a 1st or 2nd class city, if nomination papers are required under s. [120.06 \(6\) \(a\)](#), not less than 20 nor more than 100 electors.
- (L) For other offices, not less than 20 nor more than 100 electors.
- (3m) The county board of any county having a population of at least 100,000 but not more than 500,000 may provide by ordinance that the number of required signatures on nomination papers for the office of county supervisor in the county is not less than 50 nor more than 200 electors. A county that enacts such an ordinance may repeal the ordinance at a later date. Any ordinance changing the number of signatures under this subsection takes effect on November 15 following enactment of the ordinance.

**(4)**

- (a) All signers on each nomination paper shall reside in the jurisdiction or district which the candidate named on the paper will represent, if elected.
- (b) Only one signature per person for the same office is valid. In addition to his or her signature, in order for the signature to be valid, each signer of a nomination paper shall legibly print his or her name in a space provided next to his or her signature and shall list his or her municipality of residence for voting purposes, the street and number, if any, on which the signer resides, and the date of signing.
- (5) Nomination papers shall be accompanied by a declaration of candidacy under s. [8.21](#). If a candidate has not filed a registration statement under s. [11.0202 \(1\) \(a\)](#) at the time he or she files nomination papers, the candidate shall file the statement with the papers. A candidate for state office or municipal judge shall also file a statement of economic interests with the ethics commission under s. [19.43 \(4\)](#) no later than 4:30 p.m. on the 3rd day following the last day for filing nomination papers under sub. [\(2\) \(a\)](#), or no later than 4:30 p.m. on the next business day after the last day whenever that candidate is granted an extension of time for filing nomination papers under sub. [\(2\) \(a\)](#).

NOTE: Sub. (5) is shown as affected by [2015 Wis. Acts 117](#) and [118](#) as merged by the legislative reference bureau under s. [13.92 \(2\) \(i\)](#).

**(6)** Nomination papers shall be filed:

- (a) For state offices or seats on a metropolitan sewerage commission, if the commissioners are elected under s. [200.09 \(11\) \(am\)](#), in the office of the elections commission.
- (b) For county offices, in the office of the county clerk or board of election commissioners.
- (bm) For municipal judge, if the judge is elected under s. [755.01 \(4\)](#), in the office of the county clerk or board of election commissioners of the county having the largest portion of the population in the jurisdiction served by the judge.

- (c) For city offices and other offices voted for exclusively within the municipality, except the office of county supervisor, in the office of the municipal clerk or board of election commissioners.
- (d) For school district offices to be voted for within more than one municipality, with the person designated by the school board as the filing official for their school district.

**History:** [1971 c. 304 s. 29 \(1\), \(2\)](#); [1973 c. 280](#); [1973 c. 334 s. 57](#); [1975 c. 93, 328, 422](#); [1977 c. 187, 340, 427, 445, 449](#); [1979 c. 221, 249, 260, 355](#); [1983 a. 484](#); [1985 a. 89, 304](#); [1989 a. 88, 290](#); [1993 a. 140, 184, 266](#); [1995 a. 16 s. 2](#); [1999 a. 150 s. 672](#); [1999 a. 182](#); [2001 a. 103](#); [2005 a. 451](#); [2007 a. 1](#); [2011 a. 62, 75](#); [2013 a. 160, 174](#); [2015 a. 117, 118](#); s. 13.92 (2) (i).

**Cross-reference:** See also ss. [EL 2.05, 2.07](#), and [6.04](#), Wis. adm. code.

A petitioner who timely filed with the county clerk rather than with the elections board under sub. (6) (a) is barred from the ballot. State ex rel. Ahlgrimm v. State Elections Board, [82 Wis. 2d 585, 263 N.W.2d 152](#) (1978).

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### **8.30 Candidates ineligible for ballot placement.**

- (1) Except as otherwise provided in this section, the official or agency with whom declarations of candidacy are required to be filed may refuse to place the candidate's name on the ballot if any of the following apply:
  - (a) The nomination papers are not prepared, signed, and executed as required under this chapter.
  - (b) It conclusively appears, either on the face of the nomination papers offered for filing, or by admission of the candidate or otherwise, that the candidate is ineligible to be nominated or elected.
  - (c) The candidate, if elected, could not qualify for the office sought within the time allowed by law for qualification because of age, residence, or other impediment.
- (2) If no registration statement has been filed by or on behalf of a candidate for state or local office in accordance with s. [11.0202 \(1\) \(a\)](#) by the applicable deadline for filing nomination papers by such candidate, or the deadline for filing a declaration of candidacy for an office for which nomination papers are not filed, the name of the candidate may not appear on the ballot. This subsection may not be construed to exempt a candidate from applicable penalties if he or she files a registration statement later than the time prescribed in s. [11.0202 \(1\) \(a\)](#).
- (2m) The official or agency with whom nomination papers and declarations of candidacy are required to be filed shall not place a candidate's name on the ballot if the candidate's name is ineligible for ballot placement under s. [5.05 \(2m\) \(d\) 2.](#), [15.61 \(3\)](#), or [19.49 \(2\) \(c\) 2.](#)
- (3) The official or agency with whom declarations of candidacy are required to be filed may not place a candidate's name on the ballot if the official or agency is prohibited from doing so under s. [19.43 \(4\)](#) or an ordinance adopted under s. [19.59 \(3\) \(b\)](#).
- (4) The official or agency with whom a declaration of candidacy is required to be filed may not place a candidate's name on the ballot if the candidate fails to file a declaration of candidacy within the time prescribed under s. [8.21](#).

**History:** [1975 c. 93](#); [1979 c. 120, 328](#); [1979 c. 355 ss. 28, 29](#); [1983 a. 484](#); [1985 a. 304](#); [1987 a. 391](#); [2001 a. 109](#); [2005 a. 149, 177](#); [2007 a. 1](#); [2015 a. 117, 118](#).

**Cross-reference:** See also ss. [EL 2.09](#) and [2.11](#), Wis. adm. code.

A petitioner who timely filed with the county clerk rather than with the elections board under s. 8.10 (6) (a) is barred from the ballot. State ex rel. Ahlgrimm v. State Elections Board, [82 Wis. 2d 585, 263 N.W.2d 152](#) (1978).



## Attachment C

### EL 2.05 Treatment and sufficiency of nomination papers.

- (1) Each candidate for public office has the responsibility to assure that his or her nomination papers are prepared, circulated, signed, and filed in compliance with statutory and other legal requirements.
- (2) In order to be timely filed, all nomination papers shall be in the physical possession of the filing officer by the statutory deadline. Each of the nomination papers shall be numbered, before they are filed, and the numbers shall be assigned sequentially, beginning with the number "1". Notwithstanding any other provision of this chapter, the absence of a page number will not invalidate the signatures on that page.
- (3) The filing officer shall review all nomination papers filed with it, up to the maximum number permitted, to determine the facial sufficiency of the papers filed. Where circumstances and the time for review permit, the filing officer may consult maps, directories and other extrinsic evidence to ascertain the correctness and sufficiency of information on a nomination paper.
- (4) Any information which appears on a nomination paper is entitled to a presumption of validity. Notwithstanding any other provision of this chapter, errors in information contained in a nomination paper, committed by either a signer or a circulator, may be corrected by an affidavit of the circulator, an affidavit of the candidate, or an affidavit of a person who signed the nomination paper. The person giving the correcting affidavit shall have personal knowledge of the correct information and the correcting affidavit shall be filed with the filing officer not later than three calendar days after the applicable statutory due date for the nomination papers.
- (5) Where any required item of information on a nomination paper is incomplete, the filing officer shall accept the information as complete if there has been substantial compliance with the law.
- (6) Nomination papers shall contain at least the minimum required number of signatures from the circuit, county, district or jurisdiction which the candidate seeks to represent.
- (7) The filing officer shall accept nomination papers which contain biographical data or campaign advertising. The disclaimer specified in s. [11.1303 \(2\)](#), Stats., is not required on any nomination paper.
- (8) An elector shall sign his or her own name unless unable to do so because of physical disability. An elector unable to sign because of physical disability shall be present when another person signs on behalf of the disabled elector and shall specifically authorize the signing.
- (9) A person may not sign for his or her spouse, or for any other person, even when they have been given a power of attorney by that person, unless sub. [\(8\)](#) applies.
- (10) The signature of a married woman shall be counted when she uses her husband's first name instead of her own.
- (11) Only one signature per person for the same office is valid. Where an elector is entitled to vote for more than one candidate for the same office, a person may sign the nomination papers of as many candidates for the same office as the person is entitled to vote for at the election.
- (12) A complete address, including municipality of residence for voting purposes, and the street and number, if any, of the residence, (or a postal address if it is located in the jurisdiction that the candidate seeks to represent), shall be listed for each signature on a nomination paper.
- (13) A signature shall be counted when identical residential information or dates for different electors are indicated by ditto marks.
- (14) No signature on a nomination paper shall be counted unless the elector who circulated the nomination paper completes and signs the certificate of circulator and does so after, not before, the paper is circulated. No signature may be counted when the residency of the circulator cannot be determined by the information given on the nomination paper.

- (15)** An individual signature on a nomination paper may not be counted when any of the following occur:
- (a)** The date of the signature is missing, unless the date can be determined by reference to the dates of other signatures on the paper.
  - (b)** The signature is dated after the date of certification contained in the certificate of circulator.
  - (c)** The address of the signer is missing or incomplete, unless residency can be determined by the information provided on the nomination paper.
  - (d)** The signature is that of an individual who is not 18 years of age at the time the paper is signed. An individual who will not be 18 years of age until the subject election is not eligible to sign a nomination paper for that election.
  - (e)** The signature is that of an individual who has been adjudicated not to be a qualified elector on the grounds of incompetency or limited competency as provided in s. [6.03 \(3\)](#), Stats., or is that of an individual who was not, for any other reason, a qualified elector at the time of signing the nomination paper.
- (16)** After a nomination paper has been filed, no signature may be added or removed. After a nomination paper has been signed, but before it has been filed, a signature may be removed by the circulator. The death of a signer after a nomination paper has been signed does not invalidate the signature.
- (17)** This section is promulgated pursuant to the direction of s. [8.07](#), Stats., and is to be used by election officials in determining the validity of all nomination papers and the signatures on those papers.

**History:** Emerg. cr. 8-9-74; cr. [Register, November, 1974, No. 227](#), eff. 12-1-74; emerg. r. and recr. eff. 12-16-81; emerg. r. and recr. eff. 6-1-84; cr. [Register, November, 1984, No. 347](#), eff. 12-1-84; r. and recr. [Register, January, 1994, No. 457](#), eff. 2-194; [CR 00-153](#): am. (2), (4), and (14), r. (15), renum. (16), (17), and (18) to be (15), (16) and (17), and am. (15) (b) as renum., [Register September 2001 No. 549](#), eff. 10-1-01; **correction in (7) made under s. [13.92 \(4\) \(b\) 7](#), Stats., [Register June 2016 No. 726](#).**

## **EL 2.07 Challenges to nomination papers.**

- (1)** The elections commission shall review any verified complaint concerning the sufficiency of nomination papers of a candidate for state office that is filed with the elections commission under ss. [5.05](#) and [5.06](#), Stats.; and the local filing officer shall review any verified complaint concerning the sufficiency of nomination papers of a candidate for local office that is filed with the local filing officer under s. [8.07](#), Stats. The filing officer shall apply the standards in s. [EL 2.05](#) to determine the sufficiency of nomination papers, including consulting extrinsic sources of evidence under s. [EL 2.05 \(3\)](#).
- (2)**
- (a)** Any challenge to the sufficiency of a nomination paper shall be made by verified complaint, filed with the appropriate filing officer. The complainant shall file both an original and a copy of the challenge at the time of filing the complaint. Notwithstanding any other provision of this chapter, the failure of the complainant to provide the filing officer with a copy of the challenge complaint will not invalidate the challenge complaint. The filing officer shall make arrangements to have a copy of the challenge delivered to the challenged candidate within 24 hours of the filing of the challenge complaint. The filing officer may impose a fee for the cost of photocopying the challenge and for the cost of delivery of the challenge to the respondent. The form of the complaint and its filing shall comply with the requirements of ch. [EL 20](#). Any challenge to the sufficiency of a nomination paper shall be filed within 3 calendar days after the filing deadline for the challenged nomination papers. The challenge shall be established by affidavit, or other supporting evidence, demonstrating a failure to comply with statutory or other legal requirements.
  - (b)** The response to a challenge to nomination papers shall be filed, by the candidate challenged, within 3 calendar days of the filing of the challenge and shall be verified. After the deadline for filing a response to a challenge, but not later than the date for certifying candidates to the ballot, the elections commission or the local filing officer shall decide the challenge with or without a hearing.

**(3)**

- (a) The burden is on the challenger to establish any insufficiency. If the challenger establishes that the information on the nomination paper is insufficient, the burden is on the challenged candidate to establish its sufficiency. The invalidity or disqualification of one or more signatures on a nomination paper shall not affect the validity of any other signatures on that paper.
- (b) If a challenger establishes that an elector signed the nomination papers of a candidate more than once or signed the nomination papers of more than one candidate for the same office, the 2nd and subsequent signatures may not be counted. The burden of proving that the second and subsequent signatures are that of the same person and are invalid is on the challenger.
- (c) If a challenger establishes that the date of a signature, or the address of the signer, is not valid, the signature may not be counted.
- (d) Challengers are not limited to the categories set forth in pars. (a) and (b).
- (4) The filing officer shall examine any evidence offered by the parties when reviewing a complaint challenging the sufficiency of the nomination papers of a candidate for state or local office. The burden of proof applicable to establishing or rebutting a challenge is clear and convincing evidence.
- (5) Where it is alleged that the signer or circulator of a nomination paper does not reside in the district in which the candidate being nominated seeks office, the challenger may attempt to establish the geographical location of an address indicated on a nomination paper, by providing district maps, or by providing a statement from a postmaster or other public official.

**History:** Emerg. cr. 8-9-74; cr. [Register, November, 1974, No. 227](#), eff. 12-1-74; emerg. r. and recr. eff. 12-16-81; emerg. r. and recr. eff. 6-1-84; cr. [Register, November, 1984, No. 347](#), eff. 12-1-84; emerg. am. (1), (4) to (6), eff. 6-1-86; am. (1), (4) to (6), [Register, November, 1986, No. 371](#), eff. 12-1-86; r. and recr. [Register, January, 1994, No. 457](#), eff. 2-1-94; [CR 00-153](#); am. (2) (a) and (b), [Register September 2001 No. 549](#), eff. 10-1-01; reprinted to restore dropped copy in (2) (b), [Register December 2001 No. 552](#); correction in (1) made under s. [13.92 \(4\) \(b\) 7.](#), Stats., [Register April 2008 No. 628](#); **correction in (1), (2) (b) made under s. [13.92 \(4\) \(b\) 6.](#), Stats., and correction in (1), (2) (a) made under s. [13.92 \(4\) \(b\) 7.](#), Stats., [Register June 2016 No. 726.](#)**

**EL 2.09 Treatment and sufficiency of election petitions.**

- (1) Except as expressly provided herein, the standards established in s. [EL 2.05](#) for determining the treatment and sufficiency of nomination papers are incorporated by reference into, and are made a part of, this section.
- (2) In order to be timely filed, all petitions required to comply with s. [8.40](#), Stats., and required by statute or other law to be filed by a time certain, shall be in the physical possession of the filing officer not later than the time set by that statute or other law.
- (3) All petitions shall contain at least the number of signatures, from the election district in which the petition was circulated, equal to the minimum required by the statute or other law establishing the right to petition.
- (4) Only one signature per person for the same petition, is valid.
- (5) This section applies to all petitions which are required to comply with s. [8.40](#), Stats., including recall petitions, and to any other petition whose filing would require a governing body to call a referendum election.

**History:** Cr. [Register, January, 1994, No. 457](#), eff. 2-1-94; **correction in (1) made under s. [13.92 \(4\) \(b\) 7.](#), Stats., [Register June 2016 No. 726.](#)**

**EL 2.11 Challenges to election petitions.**

- (1) Except as expressly provided herein, the standards established in s. [EL 2.07](#) for determining challenges to the sufficiency of nomination papers apply equally to determining challenges to the sufficiency of petitions required to comply with s. [8.40](#), Stats., including recall petitions, and to any other petition whose filing requires a governing body to call a referendum election.

**(2)**

- (a) Any challenge to the sufficiency of a petition required to comply with s. [8.40](#), Stats., shall be made by verified complaint filed with the appropriate filing officer. The form of the complaint, the filing of the complaint and the legal sufficiency of the complaint shall comply with the requirements of ch. [EL 20](#); the procedure for resolving the complaint, including filing deadlines, shall be governed by this section and not by ch. [EL 20](#).
- (b) The complaint challenging a petition shall be in the physical possession of the filing officer within the time set by the statute or other law governing the petition being challenged or, if no time limit is specifically provided by statute or other law, within 10 days after the day that the petition is filed.
- (3) The response to a challenge to a petition shall be filed within the time set by the statute or other law governing that petition or, if no time limit is specifically provided by statute or other law, within 5 days of the filing of the challenge to that petition. After the deadline for filing a response to a challenge, the filing officer shall decide the challenge with or without a hearing.

**History:** Cr. [Register, January, 1994, No. 457](#), eff. 2-1-94; correction in (1), (2) (a) made under s. [13.92 \(4\) \(b\) 7](#), Stats., [Register June 2016 No. 726](#).



**Incumbents Who Have Filed a Notification of Noncandidacy (EL-163)  
for the April 3, 2018 Spring Election  
(Due: Friday, December 22, 2017, 5:00 P.M.)  
As of December 22, 2017, 5:00 P.M. - FINAL**

<b>NAME</b>	<b>ID #</b>	<b>OFFICE</b>	<b>DATE FILED</b>
William M. Gabler, Sr.	103778	Eau Claire County Circuit Court, Branch 3	06/26/2017
Kathryn W. Foster	102296	Waukesha County Circuit Court, Branch 12	09/07/2017
Robert E. Eaton	102686	Ashland County Circuit Court Judge	09/25/2017
Guy Reynolds	103783	Sauk County Circuit Court Judge, Branch 3	10/5/2017
Gary L. Bendix	105153	Manitowoc County Circuit Court Judge, Branch 2	11/13/2017
James Judge Duvall	102498	Buffalo-Pepin County Circuit Court Judge	11/20/2017
Jon M. Counsell	103781	Clark County Circuit Court Judge	11/22/2017
Timothy C. Samuelson		Dane County Circuit Court Judge, Branch 1	12/21/2017
Michael J. Gableman	103914	Justice of the Supreme Court	12/22/2017



**Wisconsin Elections Commission**

**Candidate Tracking by Office**

2018 Spring Election - 4/3/2018

Receipt #	ID	Candidate	Party	Campaign Registration Statement	Declaration of Candidacy Date	Statement of Economic Interests Date	Nomination Papers Date	Valid Signatures	Ballot Status
<b>Office : JUSTICE OF THE SUPREME COURT</b>					<b>Incumbent:</b>	<b>Mike Gableman (Filed Notification of Noncandidacy)</b>			
065	0104609	Rebecca Dallet 6208 N Berkeley Blvd Whitefish Bay, 53217		11/10/2017	12/29/2017	01/02/2018	12/29/2017	3073	Approved
059	0105692	Michael Screnock 1430 Amber Court Reedsburg, 53959-1085		12/29/2017	12/29/2017	12/29/2017	12/29/2017	3539	Approved
073	0105883	Tim Burns 1370 Boundary Rd Middleton, 53562		01/05/2018	5/1/2017	01/05/2018	01/02/2018	2159	Approved
<b>Office Subtotal : 3</b>									
<b>Office : COURT OF APPEALS JUDGE DISTRICT 1</b>					<b>Incumbent:</b>	<b>Tim Dugan</b>			
045	0102755	Timothy G. Dugan 4425 N Murray Ave Shorewood, 53211		02/13/2017	8/9/2017	12/27/2017	12/27/2017	1765	Approved
<b>Office Subtotal : 1</b>									
<b>Office : COURT OF APPEALS JUDGE DISTRICT 4</b>					<b>Incumbent:</b>	<b>Joanne Fishman Kloppenburg</b>			
011	0105065	JoAnne F. Kloppenburg 2318 Rowley Avenue Madison, 53726		11/15/2017	12/8/2017	12/08/2017	12/19/2017	1448	Approved
<b>Office Subtotal : 1</b>									
<b>Office : ASHLAND COUNTY CIRCUIT COURT JUDGE</b>					<b>Incumbent:</b>	<b>Robert E. Eaton (Filed Notification of Noncandidacy)</b>			
047	0105909	Kelly J. McKnight 215 12th St W Ashland, 54806		10/29/2017	11/7/2017	12/12/2017	12/27/2017	396	Approved
<b>Office Subtotal : 1</b>									
<b>Office : BROWN COUNTY CIRCUIT COURT JUDGE BRANCH 2</b>					<b>Incumbent:</b>	<b>Thomas J. Walsh</b>			
044	0105166	Thomas J. Walsh 1484 S. Honeysuckle Circle DePere, 54115		12/21/2017	12/27/2017	12/29/2017	12/27/2017	272	Approved
<b>Office Subtotal : 1</b>									

# Wisconsin Elections Commission

## Candidate Tracking by Office

2018 Spring Election - 4/3/2018

Receipt #	ID	Candidate	Party	Campaign Registration Statement	Declaration of Candidacy Date	Statement of Economic Interests Date	Nomination Papers Date	Valid Signatures	Ballot Status
<b>Office : BROWN COUNTY CIRCUIT COURT JUDGE BRANCH 6</b>					<b>Incumbent:</b>	<b>John P. Zakowski</b>			
072	0102685	John P. Zakowski 1254 Emilie Street Green Bay, 54301		01/02/2018	1/2/2018	01/02/2018	01/02/2018	271	Approved
<b>Office Subtotal : 1</b>									
<b>Office : BUFFALO AND PEPIN COUNTIES CIRCUIT COURT JUDGE</b>					<b>Incumbent:</b>	<b>James Judge Duvall (Filed Notification of Noncandidacy)</b>			
063	0103385	Roger M. Hillestad 313 1st Ave, PO Box 230 Durand, 54736		06/22/2017	1/2/2018	01/04/2018	12/29/2017	246	Approved
016	0105884	Thomas W. Clark 57 W. 13th Street Buffalo City, 54622		06/30/2017	6/5/2017	12/28/2017	12/20/2017	243	Approved
<b>Office Subtotal : 2</b>									
<b>Office : CALUMET COUNTY CIRCUIT COURT JUDGE</b>					<b>Incumbent:</b>	<b>Jeffrey S. Froehlich</b>			
018	0105143	Jeffrey S. Froehlich W5434 Schmidt Road Appleton, 54915		11/03/2017	11/9/2017	12/20/2017	12/20/2017	393	Approved
<b>Office Subtotal : 1</b>									
<b>Office : CHIPPEWA COUNTY CIRCUIT COURT JUDGE BRANCH 1</b>					<b>Incumbent:</b>	<b>Steven Gibbs</b>			
058	0104804	Steven H. Gibbs 3320 172nd Street Chippewa Falls, 54729		08/15/2017	8/18/2017	12/06/2017	12/28/2017	294	Approved
<b>Office Subtotal : 1</b>									
<b>Office : CLARK COUNTY CIRCUIT COURT JUDGE</b>					<b>Incumbent:</b>	<b>Jon Counsell (Filed Notification of Noncandidacy)</b>			
048	0105902	Roberta A. Heckes W4285 State Highway 73 Neillsville, 54456		09/29/2017	12/27/2017	12/27/2017	12/27/2017	400	Approved
029	0105233	Lyndsey Boon Brunette W5948 US Highway 10 Neillsville, 54456		11/20/2017	11/22/2017	12/22/2017	12/22/2017	400	Approved
<b>Office Subtotal : 2</b>									

# Wisconsin Elections Commission

## Candidate Tracking by Office

2018 Spring Election - 4/3/2018

Receipt #	ID	Candidate	Party	Campaign Registration Statement	Declaration of Candidacy Date	Statement of Economic Interests Date	Nomination Papers Date	Valid Signatures	Ballot Status
<b>Office : COLUMBIA COUNTY CIRCUIT COURT JUDGE BRANCH 3</b>					<b>Incumbent:</b>	<b>Vacant</b>			
074	0104773	Steven J. Sarbacker W11873 County Road O Portage, 53901		01/02/2018	1/2/2018	01/04/2018	01/02/2018	220	Approved
002	0105914	Clifford C. Burdon N3033 Stebbins Rd Poynette, 53955		09/29/2017	12/7/2017	01/02/2018	12/07/2017	244	Approved
032	0105932	Brenda L. Yaskal 323 West Franklin Street Portage, 53901		11/18/2017	11/22/2017	12/22/2017	12/22/2017	256	Approved
068	0104573	Troy D. Cross N7563 Pine Ridge Circle Portage, 53901		12/26/2017	1/2/2018	01/02/2018	12/29/2017	245	Approved
<b>Office Subtotal : 4</b>									
<b>Office : DANE COUNTY CIRCUIT COURT JUDGE BRANCH 1</b>					<b>Incumbent:</b>	<b>Timothy C. Samuelson (Filed Notification of Noncandidacy)</b>			
067	0105906	Susan M. Crawford 6417 Masthead Dr Madison, 53705		10/18/2017	12/29/2017	01/04/2018	12/29/2017	381	Approved
012	0105791	Marilyn Townsend 1121 Wellesley Rd Madison, 53705		12/30/2017	12/7/2017	01/03/2018	12/19/2017	400	Approved
<b>Office Subtotal : 2</b>									
<b>Office : DANE COUNTY CIRCUIT COURT JUDGE BRANCH 8</b>					<b>Incumbent:</b>	<b>Frank D. Remington</b>			
005	0105182	Frank D. Remington 2902 Columbia Road Shorewood Hills, 53705		06/14/2017	6/14/2017	12/12/2017	12/12/2017	369	Approved
<b>Office Subtotal : 1</b>									
<b>Office : DANE COUNTY CIRCUIT COURT JUDGE BRANCH 11</b>					<b>Incumbent:</b>	<b>Ellen K. Berz</b>			
009	0105179	Ellen K. Berz 2406 Gregory St Madison, 53711		11/30/2017	12/7/2017	12/26/2017	12/22/2017	307	Approved
<b>Office Subtotal : 1</b>									

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## Candidate Tracking by Office

2018 Spring Election - 4/3/2018

Receipt #	ID	Candidate	Party	Campaign Registration Statement	Declaration of Candidacy Date	Statement of Economic Interests Date	Nomination Papers Date	Valid Signatures	Ballot Status
<b>Office : DOOR COUNTY CIRCUIT COURT JUDGE BRANCH 1</b>					<b>Incumbent:</b>	<b>D. Todd Ehlers</b>			
006	0103785	D. Todd Ehlers 7097 Bauers Old Dam Lane Baileys Harbor, 54202-9166		10/30/2017	10/30/2017	12/12/2017	12/15/2017	376	Approved
<b>Office Subtotal : 1</b>									
<b>Office : EAU CLAIRE COUNTY CIRCUIT COURT JUDGE BRANCH 3</b>					<b>Incumbent:</b>	<b>William M. Gabler, Sr. (Filed Notification of Noncandidacy)</b>			
007	0105893	Emily M. Long 6824 W Lowes Creek Rd Eau Claire, 54701		07/23/2017	10/13/2017	12/26/2017	12/18/2017	311	Approved
<b>Office Subtotal : 1</b>									
<b>Office : EAU CLAIRE COUNTY CIRCUIT COURT JUDGE BRANCH 4</b>					<b>Incumbent:</b>	<b>Jon M. Theisen</b>			
036	0104246	Jon M. Theisen 331 Gilbert Avenue Eau Claire, 54701		12/08/2017	12/4/2017	12/11/2017	12/26/2017	240	Approved
<b>Office Subtotal : 1</b>									
<b>Office : EAU CLAIRE COUNTY CIRCUIT COURT JUDGE BRANCH 5</b>					<b>Incumbent:</b>	<b>Shaughnessy P. Murphy</b>			
013	0105900	Shaughnessy Murphy 4576 Meadowbrook Court Eau Claire, 54701		09/21/2017	11/2/2017	12/08/2017	12/20/2017	323	Approved
041	0105882	Sarah Harless 2215 Henry Ave Eau Claire, 54701		05/30/2017	5/1/2017	12/28/2017	12/26/2017	367	Approved
<b>Office Subtotal : 2</b>									
<b>Office : JEFFERSON COUNTY CIRCUIT COURT JUDGE BRANCH 3</b>					<b>Incumbent:</b>	<b>Robert Dehring Jr.</b>			
017	0105898	Robert F. Dehring, Jr. N7780 Vicksburg Way, #B Oconomowoc, 53066		09/18/2017	9/18/2017	12/06/2017	12/20/2017	245	Approved
<b>Office Subtotal : 1</b>									

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Receipt #	ID	Candidate	Party	Campaign Registration Statement	Declaration of Candidacy Date	Statement of Economic Interests Date	Nomination Papers Date	Valid Signatures	Ballot Status
<b>Office : JUNEAU COUNTY CIRCUIT COURT JUDGE BRANCH 1</b>					<b>Incumbent:</b>	<b>Vacant</b>			
050	0103551	Scott Harold Southworth 904 Heath Ct Mauston, 53948		11/30/2017	12/4/2017	01/02/2018	12/27/2017	230	Approved
069	0103619	Stacy A. Smith 204 Nassau Street Elroy, 53929		12/18/2017	12/18/2017	01/02/2018	01/02/2018	250	Approved
<b>Office Subtotal : 2</b>									
<b>Office : KENOSHA COUNTY CIRCUIT COURT JUDGE BRANCH 2</b>					<b>Incumbent:</b>	<b>Jason A. Rossell</b>			
034	0105137	Jason A. Rossell 10908 65th St Kenosha, 53142		06/29/2017	7/19/2017	12/11/2017	12/22/2017	353	Approved
<b>Office Subtotal : 1</b>									
<b>Office : MANITOWOC COUNTY CIRCUIT COURT JUDGE BRANCH 2</b>					<b>Incumbent:</b>	<b>Gary Bendix (Filed Notification of Noncandidacy)</b>			
023	0105941	Ralph Sczygelski 3315 Barkwood Ln Manitowoc, 54220		11/27/2017	12/4/2017	12/18/2017	12/22/2017	322	Approved
071	0105947	John Bilka 1134 South 22nd Street Manitowoc, 54220		01/02/2018	1/2/2018	01/04/2018	01/02/2018	320	Approved
070	0105923	Eric Pangburn 1707 HAWTHORNE AVE TWO RIVERS, 54241-2838		11/13/2017	11/13/2017	01/03/2018	01/02/2018	331	Approved
046	0105090	Jerilyn M. Dietz 925 Glenview Dr Manitowoc, 54220		05/26/2017	9/7/2017	12/12/2017	12/27/2017	278	Approved
043	0105859	Patricia Koppa 1108 Westwood Ln Manitowoc, 54220		07/18/2017	12/4/2017	12/29/2017	12/26/2017	221	Approved
<b>Office Subtotal : 5</b>									

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## Candidate Tracking by Office

2018 Spring Election - 4/3/2018

Receipt #	ID	Candidate	Party	Campaign Registration Statement	Declaration of Candidacy Date	Statement of Economic Interests Date	Nomination Papers Date	Valid Signatures	Ballot Status
<b>Office : MENOMINEE AND SHAWANO COUNTIES CIRCUIT COURT JUDGE BRANCH 2</b>					<b>Incumbent:</b>	<b>William F. Kussel</b>			
030	0103971	William F. Kussel, Jr. W6643 Homewood Avenue Shawano, 54166		10/19/2017	10/4/2017	12/22/2017	12/22/2017	400	Approved
<b>Office Subtotal : 1</b>									
<b>Office : MILWAUKEE COUNTY CIRCUIT COURT JUDGE BRANCH 8</b>					<b>Incumbent:</b>	<b>William Sosnay</b>			
015	0100981	William Sosnay 1140 W Duchess Ct Bayside, 53217		08/15/2017	8/18/2017	12/08/2017	12/20/2017	1985	Approved
<b>Office Subtotal : 1</b>									
<b>Office : MILWAUKEE COUNTY CIRCUIT COURT JUDGE BRANCH 17</b>					<b>Incumbent:</b>	<b>Carolina Maria Stark</b>			
038	0105181	Carolina Maria Stark 2922 W State St Milwaukee, 53208		11/18/2017	12/1/2017	12/27/2017	12/26/2017	1443	Approved
<b>Office Subtotal : 1</b>									
<b>Office : MILWAUKEE COUNTY CIRCUIT COURT JUDGE BRANCH 20</b>					<b>Incumbent:</b>	<b>Joe Wall</b>			
042	0103929	Joseph Wall 2112 N. 67th St Wauwatosa, 53213		11/07/2017	12/26/2017	12/18/2017	12/26/2017	1326	Approved
<b>Office Subtotal : 1</b>									
<b>Office : MILWAUKEE COUNTY CIRCUIT COURT JUDGE BRANCH 23</b>					<b>Incumbent:</b>	<b>Lindsey Grady</b>			
037	0105124	Lindsey Grady 239 W Suburban Dr Fox Point, 53217		11/28/2017	12/26/2017	12/22/2017	12/26/2017	1490	Approved
<b>Office Subtotal : 1</b>									



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## Candidate Tracking by Office

2018 Spring Election - 4/3/2018

Receipt #	ID	Candidate	Party	Campaign Registration Statement	Declaration of Candidacy Date	Statement of Economic Interests Date	Nomination Papers Date	Valid Signatures	Ballot Status
<b>Office : MILWAUKEE COUNTY CIRCUIT COURT JUDGE BRANCH 28</b>					<b>Incumbent:</b>	<b>Mark A. Sanders</b>			
066	0105122	Mark A. Sanders 2558 North 94th Street Wauwatosa, 53226		12/27/2017	12/26/2017	01/02/2018	12/29/2017	1163	Approved
<b>Office Subtotal : 1</b>									
<b>Office : MILWAUKEE COUNTY CIRCUIT COURT JUDGE BRANCH 38</b>					<b>Incumbent:</b>	<b>Jeffrey A. Wagner</b>			
014	0102268	Jeffrey A. Wagner 9420 N Fairway Dr Bayside, 53217		01/19/2017	1/18/2017	12/19/2017	12/20/2017	1760	Approved
<b>Office Subtotal : 1</b>									
<b>Office : MILWAUKEE COUNTY CIRCUIT COURT JUDGE BRANCH 39</b>					<b>Incumbent:</b>	<b>Jane Carroll</b>			
051	0104924	Jane V. Carroll 3309 North Knoll Terrace Wauwatosa, 53222-3368		11/22/2017	11/16/2017	01/02/2018	12/27/2017	1413	Approved
<b>Office Subtotal : 1</b>									
<b>Office : MILWAUKEE COUNTY CIRCUIT COURT JUDGE BRANCH 43</b>					<b>Incumbent:</b>	<b>Marshall B. Murray</b>			
053	0103795	Marshall B. Murray 7636 Stickney Avenue Wauwatosa, 53213		11/13/2017	11/13/2017	12/28/2017	12/28/2017	1524	Approved
<b>Office Subtotal : 1</b>									
<b>Office : MONROE COUNTY CIRCUIT COURT JUDGE BRANCH 3</b>					<b>Incumbent:</b>	<b>Richard Radcliffe</b>			
039	0105945	Rick Radcliffe 8309 Idyllview Avenue Sparta, 54656		12/20/2017	12/26/2017	12/22/2018	12/26/2017	400	Approved
<b>Office Subtotal : 1</b>									

# Wisconsin Elections Commission

## Candidate Tracking by Office

2018 Spring Election - 4/3/2018

Receipt #	ID	Candidate	Party	Campaign Registration Statement	Declaration of Candidacy Date	Statement of Economic Interests Date	Nomination Papers Date	Valid Signatures	Ballot Status
<b>Office : ONEIDA COUNTY CIRCUIT COURT JUDGE BRANCH 2</b>					<b>Incumbent:</b>	<b>Michael H. Bloom</b>			
054	0104724	Michael H. Bloom 1991 Larsen Drive Rhinelander, 54501		11/20/2017	11/22/2017	12/28/2017	12/28/2017	329	Approved
<b>Office Subtotal : 1</b>									
<b>Office : OUTAGAMIE COUNTY CIRCUIT COURT JUDGE BRANCH 4</b>					<b>Incumbent:</b>	<b>Greg Gill, Jr.</b>			
027	0105152	Gregory B. Gill, Jr. 1355 W. Mason Ridge Court Appleton, 54914		11/22/2017	12/22/2017	01/02/2018	12/22/2017	341	Approved
<b>Office Subtotal : 1</b>									
<b>Office : OUTAGAMIE COUNTY CIRCUIT COURT JUDGE BRANCH 5</b>					<b>Incumbent:</b>	<b>Carrie Schneider</b>			
010	0103967	Carrie Schneider W10097 Allcan Road New London, 54961		11/30/2017	12/4/2017	12/28/2017	12/19/2017	289	Approved
<b>Office Subtotal : 1</b>									
<b>Office : OUTAGAMIE COUNTY CIRCUIT COURT JUDGE BRANCH 7</b>					<b>Incumbent:</b>	<b>John A. Des Jardins</b>			
004	0102530	John A. Des Jardins 1517 S Fidelis St Appleton, 54915		11/16/2017	12/4/2017	01/02/2018	12/08/2017	266	Approved
<b>Office Subtotal : 1</b>									
<b>Office : PORTAGE COUNTY CIRCUIT COURT JUDGE BRANCH 1</b>					<b>Incumbent:</b>	<b>Thomas B. Eagon</b>			
019	0102615	Thomas B. Eagon 327 Orderinda Ct Stevens Point, 54482		10/24/2017	10/27/2017	12/11/2017	12/20/2017	318	Approved
<b>Office Subtotal : 1</b>									

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## Candidate Tracking by Office

2018 Spring Election - 4/3/2018

Receipt #	ID	Candidate	Party	Campaign Registration Statement	Declaration of Candidacy Date	Statement of Economic Interests Date	Nomination Papers Date	Valid Signatures	Ballot Status
<b>Office : PORTAGE COUNTY CIRCUIT COURT JUDGE BRANCH 3</b>					<b>Incumbent:</b>	<b>Thomas T. Flugaur</b>			
025	0103076	Thomas T. Flugaur 2800 Prais Street Stevens Point, 54481		10/23/2017	11/3/2017	12/11/2017	12/22/2017	366	Approved
<b>Office Subtotal : 1</b>									
<b>Office : PRICE COUNTY CIRCUIT COURT JUDGE</b>					<b>Incumbent:</b>	<b>Kevin Klein</b>			
026	0105936	Kevin G. Klein N10212 Solberg Dam Rd Phillips, 54555		11/30/2017	12/13/2017	12/22/2017	12/22/2017	393	Approved
061	0104045	Mark T. Fuhr N9531 West View Road Worcester, 54555		11/29/2017	12/29/2017	12/27/2017	12/29/2017	319	Approved
<b>Office Subtotal : 2</b>									
<b>Office : RACINE COUNTY CIRCUIT COURT JUDGE BRANCH 1</b>					<b>Incumbent:</b>	<b>Wynne P. Laufenberg</b>			
055	0105911	Wynne P. Laufenberg 4992 Bayfield Drive Waterford, 53185		12/04/2017	9/25/2017	12/28/2017	12/28/2017	356	Approved
<b>Office Subtotal : 1</b>									
<b>Office : RACINE COUNTY CIRCUIT COURT JUDGE BRANCH 5</b>					<b>Incumbent:</b>	<b>Mike Piontek</b>			
003	0104196	Mike Piontek 521 William St Racine, 53402		08/15/2017	8/11/2017	12/11/2017	12/07/2017	315	Approved
<b>Office Subtotal : 1</b>									
<b>Office : RACINE COUNTY CIRCUIT COURT JUDGE BRANCH 9</b>					<b>Incumbent:</b>	<b>Robert Repischak</b>			
056	0105928	Robert S. Repischak 30906 Kramer Drive Waterford, 53185		11/05/2017	11/20/2017	12/28/2017	12/28/2017	400	Approved
<b>Office Subtotal : 1</b>									

# Wisconsin Elections Commission

## Candidate Tracking by Office

2018 Spring Election - 4/3/2018

Receipt #	ID	Candidate	Party	Campaign Registration Statement	Declaration of Candidacy Date	Statement of Economic Interests Date	Nomination Papers Date	Valid Signatures	Ballot Status
<b>Office : RACINE COUNTY CIRCUIT COURT JUDGE BRANCH 10</b>					<b>Incumbent:</b>	<b>Timothy D. Boyle</b>			
035	0105184	Timothy D. Boyle 708 Oak Street Burlington, 53105		11/26/2017	12/4/2017	12/26/2017	12/26/2017	400	Approved
<b>Office Subtotal : 1</b>									
<b>Office : RICHLAND COUNTY CIRCUIT COURT JUDGE</b>					<b>Incumbent:</b>	<b>Andrew Sharp</b>			
049	0102841	Andrew Sharp 20990 Bosstown Road Richland Center, 53581		11/10/2017	11/29/2017	12/08/2017	12/27/2017	310	Approved
<b>Office Subtotal : 1</b>									
<b>Office : ROCK COUNTY CIRCUIT COURT JUDGE BRANCH 3</b>					<b>Incumbent:</b>	<b>Jeffrey S. Kuglitsch</b>			
031	0103973	Jeffrey S. Kuglitsch 3043 Spaulding Ave Janesville, 53546		12/07/2017	11/27/2017	12/21/2017	12/22/2017	400	Approved
<b>Office Subtotal : 1</b>									
<b>Office : ROCK COUNTY CIRCUIT COURT JUDGE BRANCH 7</b>					<b>Incumbent:</b>	<b>Barbara W. Mccrory</b>			
024	0104204	Barbara W. McCrory 507 Apache Drive Janesville, 53545		12/22/2017	12/22/2017	12/28/2017	12/22/2017	299	Approved
<b>Office Subtotal : 1</b>									
<b>Office : SAINT CROIX COUNTY CIRCUIT COURT JUDGE BRANCH 3</b>					<b>Incumbent:</b>	<b>Scott R. Needham</b>			
021	0102450	Scott R. Needham 1765 George Norman Dr New Richmond, 54017		11/10/2017	11/24/2017	12/20/2017	12/21/2017	247	Approved
<b>Office Subtotal : 1</b>									
<b>Office : SAUK COUNTY CIRCUIT COURT JUDGE BRANCH 3</b>					<b>Incumbent:</b>	<b>Guy Reynolds (Filed Notification of Noncandidacy)</b>			
022	0103198	Pat Barrett 163 Chesnut St. Sauk City, 53583		11/14/2017	11/13/2017	12/22/2017	12/22/2017	295	Approved

# Wisconsin Elections Commission

## Candidate Tracking by Office

2018 Spring Election - 4/3/2018

Receipt #	ID	Candidate	Party	Campaign Registration Statement	Declaration of Candidacy Date	Statement of Economic Interests Date	Nomination Papers Date	Valid Signatures	Ballot Status
040	0105916	Sandra Cardo Gorsuch 543 N Grove St Reedsburg, 53959		11/08/2017	10/20/2017	12/14/2017	12/26/2017	274	Approved
<b>Office Subtotal : 2</b>									
<b>Office :</b>	<b>WALWORTH COUNTY CIRCUIT COURT JUDGE BRANCH 1</b>				<b>Incumbent:</b>	<b>Phillip A. Koss</b>			
064	0102514	Phillip A. Koss 120 North Wisconsin Street Elkhorn, 53121		11/13/2017	12/29/2017	12/19/2017	12/29/2017	397	Approved
<b>Office Subtotal : 1</b>									
<b>Office :</b>	<b>WASHINGTON COUNTY CIRCUIT COURT JUDGE BRANCH 4</b>				<b>Incumbent:</b>	<b>Andrew T. Gonring</b>			
	0105706	Robert T. Olson 167 Maplewynde Road West Bend, 53095		04/07/2017	4/10/2017				Denied
008	0103789	Andrew T. Gonring 1129 North 11th Avenue West Bend, 53090		11/20/2017	11/22/2017	12/21/2017	12/18/2017	369	Approved
<b>Office Subtotal : 2</b>									
<b>Office :</b>	<b>WAUKESHA COUNTY CIRCUIT COURT JUDGE BRANCH 2</b>				<b>Incumbent:</b>	<b>Jennifer Dorow</b>			
060	0105171	Jennifer R. Dorow 108 Kestrel Way Hartland, 53029		11/11/2017	12/8/2017	01/03/2018	12/29/2017	400	Approved
<b>Office Subtotal : 1</b>									
<b>Office :</b>	<b>WAUKESHA COUNTY CIRCUIT COURT JUDGE BRANCH 12</b>				<b>Incumbent:</b>	<b>Kathryn W. Foster (Filed Notification of Noncandidacy)</b>			
028	0105899	Laura Lau 1211 Highpoint Ln Waukesha, 53189		09/19/2017	9/18/2017	12/29/2017	12/22/2017	383	Approved

# Wisconsin Elections Commission

## Candidate Tracking by Office

2018 Spring Election - 4/3/2018

Receipt #	ID	Candidate	Party	Campaign Registration Statement	Declaration of Candidacy Date	Statement of Economic Interests Date	Nomination Papers Date	Valid Signatures	Ballot Status
052	0105904	Jack Melvin 1738 River Lakes Rd N Oconomowoc, 53066		10/02/2017	10/4/2017	12/28/2017	12/28/2017	337	Approved
<b>Office Subtotal : 2</b>									
<b>Office :</b>		<b>WAUPACA COUNTY CIRCUIT COURT JUDGE BRANCH 3</b>			<b>Incumbent:</b>		<b>Raymond S. Huber</b>		
057	0101863	Raymond S. Huber 202 Lakeside Drive Clintonville, 54929		11/24/2017	12/28/2017	12/28/2017	12/28/2017	398	Approved
<b>Office Subtotal : 1</b>									
<b>Office :</b>		<b>WINNEBAGO COUNTY CIRCUIT COURT JUDGE BRANCH 1</b>			<b>Incumbent:</b>		<b>Thomas J. Gritton</b>		
062	0104642	Scott A. Ceman 1325 Oshkosh Avenue Oshkosh, 54902		12/21/2017	12/15/2017	12/21/2017	12/29/2017	251	Approved
075	0105949	Teresa S. Basiliere 1510 Donegal Ct Oshkosh, 54904		01/04/2018	1/5/2018	01/05/2018	01/05/2018	394	Approved
	0103495	Thomas J. Gritton 1285 Alex Ct Neenah, 54956		08/14/2017	8/17/2017	12/06/2017			Denied
<b>Office Subtotal : 3</b>									
<b>Office :</b>		<b>WINNEBAGO COUNTY CIRCUIT COURT JUDGE BRANCH 4</b>			<b>Incumbent:</b>		<b>Karen L. Seifert</b>		
033	0104423	Karen L. Seifert 2585 Village Lane Oshkosh, 54904		11/28/2017	12/1/2017	12/11/2017	12/22/2017	287	Approved
<b>Office Subtotal : 1</b>									
<b>Office :</b>		<b>WOOD COUNTY CIRCUIT COURT JUDGE BRANCH 2</b>			<b>Incumbent:</b>		<b>Nicholas J. Brazeau, Jr.</b>		
020	0105168	Nicholas J. Brazeau, Jr. 721 4th St S Wisconsin Rapids, 54494		09/05/2017	9/11/2017	12/06/2017	12/21/2017	220	Approved
<b>Office Subtotal : 1</b>									
<b>Total Candidates : 76</b>									

# WISCONSIN ELECTIONS COMMISSION

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(608) 261-2028  
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COMMISSIONERS

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JULIE M. GLANCEY  
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JODI JENSEN  
DEAN KNUDSON  
MARK L. THOMSEN, CHAIR

ADMINISTRATOR MICHAEL HAAS

## MEMORANDUM

**DATE:** For the January 9, 2018 Commission Meeting  
**TO:** Members, Wisconsin Elections Commission  
**FROM:** Michael Haas, Interim Administrator  
**SUBJECT:** Delegation of Authority to Administrator

At its October 14, 2016 meeting, the Elections Commission approved a Delegation of Authority document to clarify actions and decisions that the Administrator could implement without prior Commission action. The Delegation of Authority was intended to maintain and improve the agency's administrative efficiencies for routine decisions and transactions, and also required the Administrator to report actions to the Commission after the fact and, in some cases, to consult with the Chair prior to taking action. This memorandum recommends that the Commission continue to delegate the same authority regarding various agency responsibilities.

By statute, the Wisconsin Elections Commission has general authority over the state's election laws. In various provisions of the election laws, the Commission is given a series of specific powers in addition to its general authority. Pursuant to Wis. Stat. § 5.05(3g), the Administrator of the Commission serves as the State's chief election officer, and pursuant to Wis. Stat. § 5.05(3d), the Administrator shall perform such duties as the Commission assigns to him or her in the administration of the election laws. Both the State Elections Board and the Government Accountability Board delegated certain authority to their administrative heads in order to facilitate the agency's day-to-day management and to clarify the scope of staff's authority to act without prior specific approval of the oversight body. Given the nature of the Commission's oversight of the agency and its meeting schedule, the Delegation of Authority aims to permit the Administrator to effectively manage the daily responsibilities of the agency while maintaining the Commission's role in making policy determinations, setting agency priorities, and directing significant staff initiatives.

The Commission previously indicated that it wished to review the Delegation of Authority on an annual basis. The recommended Delegation of Authority below is identical to that approved by the Commission in October 2016, except for the last bullet point under Section 2, which was not previously included simply due to an oversight.

### **Recommendation**

Consistent with the Delegation of Authority previously adopted by the Wisconsin Elections Commission, I recommend the Commission delegate the authority described below to the

Administrator, pursuant to the Administrator's role as agency head and chief state election official. In exercising all delegated authority, the Administrator should be required to report, at the Commission meeting immediately following the delegated action, the specifics of the action taken, the basis for taking the action, and the outcome of that action.

1. The following authority should be delegated to the Administrator subject to the requirement that before it is exercised, the Administrator consult with the Commission Chair to determine whether Commission members should be polled or a special meeting conducted before action is taken:
  - To issue compliance review orders under the provisions of Wis. Stat. § 5.06;
  - To certify and sign election related documents including candidate certifications, certificates of election, and certifications of election results on behalf of the Commission;
  - To accept, review, and exercise discretion to approve applications for voting system modifications characterized as engineering change orders (ECOs) for systems previously approved for use in Wisconsin;
  - To implement the Commission's determinations regarding sufficiency of nomination papers or qualifications of candidates;
  - To communicate with litigation counsel representing the Commission in order to make timely necessary decisions regarding Commission litigation;
  - To make a finding pursuant to Executive Order #50, Sec. IV(8), that a proposed administrative rule does not have an economic impact.
  - To execute and sign contracts on behalf of the Commission, except related to special investigators as provided in Wis. Stat. § 5.05(2m), subject to the further provisions of this paragraph. The Administrator is required to request approval from the Commission for contracts involving a sum exceeding \$100,000, or for purchases from a statewide contract over \$100,000. The Administrator is required to request approval from the Commission prior to posting a Request for Proposal or Request for Bid. In addition, the Administrator may enter into a sole source contract only after obtaining approval from Commission Chair and providing five days' prior notice to the Commission regardless of the dollar amount.
2. The following authority should be delegated to the Administrator without the requirement for prior consultation with the Commission Chair before action is taken:
  - To exempt municipalities from polling place accessibility requirements pursuant to the provisions of Wis. Stat. § 5.25(4)(a);
  - To exempt municipalities from the requirements for the use of voting machines or electronic voting systems pursuant to the provisions of Wis. Stat. § 5.40(5m);



- To authorize the non-appointment of an individual who is nominated to serve as an election official under the provisions of Wis. Stat. § 7.30(4)(e);
- To execute and sign contracts on behalf of the Commission, except related to special investigators as provided in Wis. Stat. § 5.05(2m), for contracts involving a sum not exceeding \$100,000, or for purchases from a statewide contract involving sums not exceeding \$100,000.
- To issue written informal advisory opinions pursuant to Wis. Stat. §5.05(6a) related to recurring issues or issues of first impression for which no formal advisory opinion has been issued.

In making the above recommendations, I would note the following. Applications for exemption from accessibility requirements are rare and generally involve last minute construction issues. Permitting a municipality to use paper ballots instead of electronic voting equipment is a fairly routine decision that is predicated on unique circumstances such as the cost of programming electronic voting equipment when there is only one race on the ballot. Post-election certifications are generally administrative in nature, time sensitive and necessary to ensure an orderly transition of leadership following an election. These election-related certifications cannot be completed while a recount or litigation challenging a recount is pending. Wis. Stat. § 7.70 (5)(a). Regarding contract authority, agency purchases are governed by state procurement requirements, and very few contracts involve an amount exceeding \$100,000.

Finally, Wis. Stat. §5.05(6a) specifically permits the Commission to authorize the Administrator to issue informal written advisory opinions subject to any limitations the Commission deems appropriate. Every informal advisory opinion shall be consistent with applicable formal advisory opinions issued by the Commission or applicable statutes or case law. Requests for such informal advisory opinions are rare and the Administrator is required to review any such opinions issued at the next meeting of the Commission. The Commission may choose to issue a formal advisory opinion adopting or modifying the informal advisory opinion. If the Commission disagrees with an opinion issued by the Administrator, it may withdraw the opinion or request an opinion of the Attorney General.

A proposed motion is set out below.

**Recommended Motion:**

Pursuant to the Commission Administrator's role as agency head and the State's chief election official, the Wisconsin Elections Commission delegates the authority described below to its Administrator. In exercising all delegated authority, the Administrator is required to report, at the Commission meeting immediately following the delegated action, the specifics of the action taken, the basis for taking the action, and the outcome of that action.

1. The following authority is delegated to the Administrator subject to the requirement that before it is exercised, the Administrator consult with the Commission Chair to determine

whether Commission members should be polled or a special meeting conducted before action is taken:

- To issue compliance review orders under the provisions of Wis. Stat. § 5.06;
  - To certify and sign election related documents including candidate certifications, certificates of election, and certifications of election results on behalf of the Commission;
  - To accept, review, and exercise discretion to approve applications for voting system modifications characterized as engineering change orders (ECOs) for systems previously approved for use in Wisconsin;
  - To implement the Commission's determinations regarding sufficiency of nomination papers or qualifications of candidates;
  - To communicate with litigation counsel representing the Commission in order to make timely necessary decisions regarding Commission litigation;
  - To make a finding pursuant to Executive Order #50, Sec. IV(8), that a proposed administrative rule does not have an economic impact.
  - To execute and sign contracts on behalf of the Commission, except related to special investigators as provided in Wis. Stat. § 5.05(2m), subject to the further provisions of this paragraph. The Administrator is required to request approval from the Commission for contracts involving a sum exceeding \$100,000, or for purchases from a statewide contract over \$100,000. The Administrator is required to request approval from the Commission prior to posting a Request for Proposal or Request for Bid. In addition, the Administrator may enter into a sole source contract only after obtaining approval from Commission Chair and providing five days' prior notice to the Commission regardless of the dollar amount.
2. The following authority is delegated to the Administrator without the requirement for prior consultation with the Commission Chair before action is taken:
- To exempt municipalities from polling place accessibility requirements pursuant to the provisions of Wis. Stat. § 5.25(4)(a);
  - To exempt municipalities from the requirements for the use of voting machines or electronic voting systems pursuant to the provisions of Wis. Stat. § 5.40(5m);
  - To authorize the non-appointment of an individual who is nominated to serve as an election official under the provisions of Wis. Stat. § 7.30(4)(e);
  - To execute and sign contracts on behalf of the Commission, except related to special investigators as provided in Wis. Stat. § 5.05(2m), for contracts involving a sum not

exceeding \$100,000, or for purchases from a statewide contract involving sums not exceeding \$100,000.

- To issue written informal advisory opinions pursuant to Wis. Stat. §5.05(6a) related to recurring issues or issues of first impression for which no formal advisory opinion has been issued.