

# State of Wisconsin\Government Accountability Board

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JUDGE TIMOTHY L. VOCKE  
Chair

KEVIN J. KENNEDY  
Director and General Counsel

## Wisconsin Government Accountability Board

Risser Justice Center, 120 Martin Luther King, Jr. Blvd., Room 150,  
Madison, Wisconsin  
March 20, 2013  
9:00 a.m.

### Open Session Minutes

<u>Summary of Significant Actions Taken</u>	<u>Page</u>
A. Approved Minutes of Previous Meeting	2
B. Accept Final Report on Impacts and Costs of Eliminating Election Day Registration in Wisconsin	4
C. Approved ES&S Voting System Unity 3.4.0.0	5
D. Approved Moving Forward with Development of a Process for Review of ES&S Voting System Unity 3.4.0.1 with Telecommunication Application	6
E. Preliminarily Approved Revisions to Manual for Special Voting Deputies in Nursing Homes	7
F. Accepted Reports from Clerks' Election Workload Concerns Task Force	7
G. Authorize Staff to Seek Introduction of Legislation Raising Threshold for Campaign Finance Disclosure of Referendum-Related Activity	10

Present: Judge Timothy L. Vocke, Judge Gerald C. Nichol, Judge Michael Brennan, Judge Thomas H. Barland, Judge Thomas Cane and Judge David G. Deininger

Staff present: Kevin Kennedy, Jonathan Becker, Michael Haas, Shane Falk, Ross Hein, Sharrie Hauge, Richard Rydecki, Brian Bell, David Buerger, Sherri Ann Charleston, Ann Oberle, Diane Lowe, Ashley Davis, Cameron Smith, Nathan Judnic, and Reid Magney

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

Judge Vocke called the meeting to order at 9:01 a.m.

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

Director and General Counsel Kevin Kennedy informed the Board that proper notice was given for the meeting.

## **C. Minutes of Previous Meeting**

**December 18, 2012 Meeting**

**January 14, 2013 Meeting**

**MOTION:** Approve the Open Session minutes of the meetings of December 18, 2012, and January 14, 2013. Moved by Judge Deininger, seconded by Judge Cane. Motion carried unanimously.

## **D. Personal Appearances from Members of the Public**

**Mary Ann Hanson** of Brookfield appeared on her own behalf to discuss the Special Voting Deputy Manual revisions (Agenda Item I). She said the draft revisions reflect that the Board staff listened to citizens' concerns expressed at the December 2012 meeting of the Board. She still has a number of questions which have been submitted to the staff. She urged the Board to wait until after the Spring election cycle to finalize the manual changes so as not to create confusion in the April election.

**Sharon Foley** of Whitefish Bay appeared on her own behalf to discuss the Special Voting Deputy Manual revisions. She said many nursing home staffs already have absentee ballots that were sent out by the clerk's office, and that there is confusion because of the different levels of care offered at facilities, ranging from independent living to full nursing care.

**Andrea Kaminski** of Madison appeared on behalf of the League of Women Voters of Wisconsin to provide findings of the League's 300 volunteer election observers at 430 polling sites at the November 6, 2012 election. She indicated that the G.A.B. can be proud that Wisconsin had the second highest voter turnout and that it was a clean efficient election. She indicated that the observers generally found polling locations to be orderly, safe, and well-staffed. There were only some site specific issues, but no general problems. She reported that the Board's work to clarify observer rules and acceptable proof of residence documents were very helpful, and urged the Board to build on the strengths of Wisconsin's elections and not undermine them. She expressed that the G.A.B. is a model for the nation because it is nonpartisan and able to balance interests and input of diverse groups. The League of Women voters presented five recommendations: 1) retain election day registration; 2) improve training of election officials; 3) advocate for use of a wider array of proof of residence documents, such as dorm lists, corroboration, etc. because people were not able to register; 4) modernize SVRS to permit on-line voter registration and easier updates when a voter has moved; and 5) enhance voter education.

**Steve Pearson** of Omaha, Nebraska, vice president of voting systems for Elections Systems & Software, appeared to speak in support of approval of the Unity 3.4.0.0 and 3.4.0.1 systems (Agenda Items F and G). He made a presentation on the difference between the two systems, which is that Unity 3.4.0.1 has telecommunications modem capabilities, and has not been certified by the U.S. Election Assistance Commission.

Discussion between Board members and Mr. Pearson regarding why ES&S withdrew Unity 3.4.0.1 from federal certification, security measures included in modem transmission of unofficial results, and lack of serious vulnerabilities to computer hacking.

**Dane County Clerk Scott McDonell** of Madison appeared on behalf of Dane County to comment on approval of Unity 3.4.0.1. He said many communities now use older voting equipment with modems to transmit unofficial results on Election Night that do not have the security features in Unity 3.4.0.1. If there were any issues with the Election Night transmission, they would be picked up and addressed during the official canvass, where the results are compared with the hard copy tapes of results from each tabulator. Many of the errors on Election Night come when results are transmitted over the telephone. He urged the Board to approve the system sooner rather than later.

Discussion between Board members, staff and Clerk McDonell regarding the advantages of using a modem to transmit results.

**Brown County Clerk Sandy Juno** of Green Bay appeared on behalf of Brown County to ask the Board to move forward with testing and approval of the Elections Systems & Software Unity 3.4.0.1 system without waiting for certification from the U.S. Election Assistance Commission. She described the types of older voting equipment with modem capabilities in use in Brown County and how it helps poll workers get most results to the county by 9 p.m., with the remaining 10 percent coming in by 10 p.m. She said there have never been any errant data or security breaches in modemed data. She expressed total confidence in the process of telecommunicating unofficial election results.

Discussion between Board members and Clerk Juno regarding Brown County's plans to purchase voting equipment, for which the county bonded already three years ago.

**Wood County Clerk Cindy Cepress** of Wisconsin Rapids appeared on behalf of Wood County to discuss Board approval of Unity 3.4.0.1. She said Wood County has used ES&S DS-200 scanners since 2010, which have been a vast improvement. The next improvement would be the addition of modem transmitting capabilities if the Board approves Unity 3.4.0.1. Current use of DS-200 has been a wonderful improvement; however, having modem capabilities would permit election inspectors to go home earlier after a 13 hour Election Day of work and avoid having to drive 45 minutes in bad weather to deliver the results.

Discussion between Board members and Clerk Cepress regarding Wood County's satisfaction with DS-200 equipment.

**Rock County Clerk Lori Stottler** of Janesville appeared on behalf of Rock County to discuss Board approval of Unity 3.4.0.1. She said 20 municipalities are waiting to buy equipment with modems for transmitting unofficial results, and to have to purchase equipment without modems would be a setback. She said modems add security because ballots, memory packs and tapes could be destroyed in an auto accident during

transportation from the polling place to the county clerk, and the modemed results would give the county a back-up. Use of thumb drives to transmit unofficial results would require her office to have more staff to process the results, as currently 75 percent of results are modemed in on Election Night, which does not require nearly as much labor. She also noted that soon land phone lines will not be as readily available and the G.A.B. should keep in mind approval of digital transmission of unofficial results, i.e. wireless transmission.

**Jefferson County Clerk Barb Frank** of Jefferson appeared on behalf of Jefferson County to discuss Board approval of Unity 3.4.0.1. She said Jefferson County has had Optech Eagle ballot scanners for 20 years and all 40 units have modems for sending results, there have been no problems with the modems, and there are checks in place to catch any errors if they were to occur. She emphasized that in the certain places that do not have a phone line for telecommunicating the unofficial results, she does not trust phone and verbal transmission because there is too much likelihood for human error relating and receiving the results. She has these locations scan and email or fax the tape to her office, rather than rely on phone and verbal transmission of the results. She also noted that she has to keep an old computer around because the software for using the current Eagle tabulators is so old that it cannot run on newer computers. This old computer can only be used for election results and nothing else because it is not advanced enough to perform other office functions. Also, she purchased five Eagles to use for parts for the tabulators in operation because parts are starting to become difficult to obtain due to the age of the current equipment and lack of readily available parts for maintenance. The county appropriated funds to purchase new equipment in 2009, and they are set to purchase ES&S DS-200 units, but have been waiting for approval of a unit with a modem.

Discussion between Judge Cane and Clerk Frank regarding whether it would be a step backwards to not have the ability to purchase equipment with modems. Clerk Frank said that clerks were originally apprehensive about modems, but now they love them.

**Racine County Clerk Wendy Christensen** of Racine appeared on behalf of Racine County to discuss the Clerks' Election Workload Concerns Task Force report (Agenda Item H). She said she agrees with the staff recommendation that election cost reports in the Wisconsin Election Data Collection System should be entered after every Spring and General Election. However, those reports should be due 60 days after the first of the year, not 15 days. She also agreed that data from the Statewide Voter Registration System should not be used (auto-populate) in WEDCS because those systems need to be checks against each other. Finally, she said voter list maintenance should be done every two years after a General Election rather than every four years because the process keeps information in SVRS more up to date and with cleaner data.

Discussion between Judge Vocke and Clerk Frank regarding who should be responsible for mailing the notification postcard to voters. Clerk Christensen said it should be the Board's responsibility, with state funding, because it is more cost-effective. She also said the Board staff should look at different ways for clerks to report election costs that take

into account differences between annual costs and those for a particular election. She emphasized that the G.A.B. should send both the four-year maintenance cards as well as other verification cards. She stated that she would work with the Legislature because the processes of G.A.B. completion of four year maintenance and verification cards are more efficient at the state level and that the G.A.B. needs funding to complete these processes. She indicated that having the G.A.B. complete these processes provides assurance that SVRS has integrity and confidence that the processes are completed.

## **E. Final Report on Impacts and Costs of Eliminating Election Day Registration in Wisconsin**

Elections Division Administrator Michael Haas introduced Elections Data Manager Brian Bell and Elections Specialist Richard Rydecki, who led the team of staff members who worked on the report on Election Day registration. Messrs. Bell and Rydecki presented a verbal and written report.

The Executive Summary is included in the Board meeting materials, and the full preliminary report is available on the G.A.B. website. The final report contains extensive information about the costs of eliminating Election Day voter registration on other state agencies that would be required to provide voter registration services under the National Voter Registration Act. Since the preliminary report in December, staff has refined its estimate of G.A.B. costs from \$5.2 million for initial implementation to \$4.6 million. Other state agencies estimate their startup costs at \$8 million to \$10 million. Ongoing costs would be between \$5 million and \$5.2 million for G.A.B. and other state agencies combined.

Discussion. Judge Cane inquired about whether any other states have eliminated Election Day voter registration. Staff reported that Oregon did many years ago by voter initiative in response to an isolated incident involving a cult using it to take over a small community, and Maine's Legislature did so recently, only to be overturned by a public referendum. Staff clarified that should the Legislature repeal Election Day registration and later reinstitute it, the State will have to continue to incur the NVRA costs because the exemption from NVRA is dependent upon having Election Day registration at the enactment of NVRA and continuously since then. Staff also noted that the states that recently adopted Election Day registration still incur NVRA costs for this very reason.

Discussion regarding cost estimates by other state agencies, which vary greatly. Mr. Rydecki said staff double-checked with the agencies, who reported having consulted with other states for comparison. Some agencies have clientele that require more time than others to fill out forms.

**MOTION:** Accept the staff's Final Report on the Impacts and Costs of Eliminating Election Day Registration in Wisconsin. Moved by Judge Deininger, seconded by Judge Cane. Motion carried unanimously.

## **F. Approval of ES&S Voting System 3.4.0.0**

Elections Division Administrator Haas introduced Elections Supervisor Ross Hein and Voting Equipment Specialist Sherri Ann Charleston, who presented a verbal and written report.

Mr. Hein said that the Unity 3.4.0.0 is very similar to the Unity 3.2.0.0 Revision 3 system already approved by the Board. Unity 3.4.0.0 has been certified by the U.S. Election Assistance Commission. G.A.B. staff has performed the required testing, has conducted a public demonstration, and has met with the Wisconsin Election Administration Council. Staff has concluded that the Unity 3.4.0.0 can run a fair and secure Wisconsin election, and meets all Wisconsin statutory requirements. Staff recommends approval subject to the same conditions as Unity 3.2.0.0 Revision 3, including that ES&S cannot impose deadlines on clerks that are contrary to statutes, that voting equipment must be programmed to reject overvotes and crossover votes in a partisan primary. One new condition includes stipulations related to the public records law, regarding what information should be provided in the event of a public records request.

Discussion. Judge Cane inquired about the difference between Unity 3.4.0.0 and Unity 3.4.0.1, which is also on the Board's agenda. Mr. Hein said that the only difference is Unity 3.4.0.0 does not have a telecommunications modem for transmitting unofficial election results from polling places to the clerk's office after polls close. Unity 3.4.0.1 has not been certified by the U.S. Election Assistance Commission, and staff will be asking the Board's direction on plans to move forward with testing and possible certification of Unity 3.4.0.1 without that system first having received federal certification.

Further discussion regarding voting systems approval procedures, whether clerks would purchase Unity 3.4.0.0 without modems, and why the Board would approve a system that clerks may not purchase because they want tabulating equipment with modems.

Chair Vocke called a recess at 10:50 a.m. The Board reconvened at 11:15 a.m.

Steve Pearson, vice president of ES&S, discussed the situation with certification of Unity 3.4.0.1. He said Unity 3.4.0.0 and Unity 3.4.0.1 are identical with the exception of the modem. He said DS-200 ballot scanners can be upgraded with modems. He also indicated that the firmware for the DS-200 would have to be upgraded and that the modeming software in the source code would have to be switched on. He said that although ES&S had informed staff that it would not resubmit Unity 3.4.0.1 to the EAC for certification, at some point ES&S may go back and seek federal certification of Unity 3.4.0.1. or another version of the Unity suite. That system is now in the process of being certified in five other states including Illinois, Michigan and Minnesota, but is only currently approved for use in Iowa.

Discussion regarding the costs of upgrading equipment with modems and other equipment required for clerks to use modems. Mr. Pearson said the cost difference is negligible.

**MOTION:** Adopt the staff's recommendation for approval of the ES&S voting system's Application for Approval of Unity 3.4.0.0 to be sold or used in Wisconsin, in compliance with US EAC certificate: ESSUnity3400, including the conditions described in the staff report on Pages 32 and 33 of the Board's meeting materials. Moved by Judge Deininger, seconded by Judge Cane. Motion carried unanimously.

## **G. Proposed Process for Review of ES&S Voting System with Telecommunications Application**

Mr. Hein and Ms. Charleston presented a verbal and written report regarding state certification issues involving ES&S Unity 3.4.0.1, which has not been certified by the U.S. Election Assistance Commission.

Discussion. Judge Brennan inquired about the costs of federal certification, which Mr. Pearson said could be several million dollars. Director Kennedy said that if the Board approves, staff will develop a testing protocol for approval at the May meeting, after which state testing would begin. Judge Cane inquired about the length of testing. Ms. Charleston said it could take a couple of months with the Board's meeting schedule. Staff Counsel Falk said the testing itself would take one day. Judge Deininger inquired about a decision opening up approval requests from other vendors whose voting systems have not been federally certified yet. Ms. Charleston said that is a concern, thus the staff recommends that the Board restrict development of this process to voting systems that have an underlying EAC certification except for the telecommunications component.

**MOTION:** Direct staff to review the practices of other states in order to determine what testing models could be adapted and implemented by the Board, if the Board later directs staff to conduct testing for non-U.S. EAC certified voting systems, where the underlying voting system received U.S. EAC certification to either the 2002 or 2005 Voluntary Voting System Guidelines (VVSG), but any additional modeming component will not meet the 2005 VVSG. Also, direct staff to develop testing procedures and standards (after consultation with other states, the academic community, and industry professionals) regarding a testing protocol for non-U.S. EAC certified voting systems, where the underlying voting system received U.S. EAC certification to either the 2002 or 2005 VVSG, but any additional modeming component will not meet the 2005 VVSG, and return to the Board at its May 21, 2013 meeting to report findings for consideration and possible adoption by the Board.

Moved by Judge Cane, seconded by Judge Barland.

Discussion. Judge Brennan inquired about the staff's technical expertise to conduct testing. Mr. Hein said staff may bring in someone with more technical expertise to assist. Ms. Charleston said staff will also look at testing protocols developed by other states.

Motion carried unanimously.

Judge Vocke indicated that Agenda Item H. would be considered after lunch.

## **I. Report on Special Voting Deputies in Nursing Homes and Care Facilities**

(This agenda item was taken out of order.)

Division Administrator Haas introduced Elections Specialist David Buerger, who presented a verbal and written report regarding draft revisions to the manual on Absentee Voting in Nursing Homes, Retirement Homes and Adult Care Facilities. The changes were made following numerous public comments at the Board's December 2012 meeting about issues identified with the Special Voting Deputy process.

Mr. Buerger said that nothing in the draft changes to the manual contradict or overrule existing procedures. Instead the draft changes elaborate and give additional guidance, especially in the areas of confined voters, observers and ballot security. One new section elaborates on the issue of power of attorney in voting.

Director Kennedy commented that agency staff will routinely have conversations with people who insist that they have the right to vote on behalf of the person for whom they have power of attorney, which is incorrect.

Judge Vocke asked whether there were additional Special Voting Deputy process incidents at the February 2013 Spring Primary. Mr. Buerger said the staff had not received reports of additional incidents. He continued that staff is still getting comments on the manual revisions.

Mr. Haas said staff feels comfortable with the manual revisions, but would like the ability to make small changes.

Judge Barland said the manual needs additional grammatical editing, and the section on power of attorney could be more direct, without so much detail. Staff commented that they receive many questions regarding the power of attorney issue at each election, and that the clerks and people with powers of attorney regularly require a more detailed description of the issue, which we have provided in much the same form as appears in the draft manual.

**MOTION:** Give preliminary approval to the substance of the draft revisions to the manual on Absentee Voting in Nursing Homes, Retirement Homes and Adult Care Facilities, with staff to submit final version to Board in May after language has been cleaned up and the public's questions have been answered. Moved by Judge Deininger, seconded by Judge Brennan. Motion carried unanimously.

Judge Vocke called a recess for lunch at 12:13 p.m. The Board reconvened at 1 p.m.

## **H. Report on Clerks' Election Workload Concerns Task Force**

Division Administrator Haas introduced Elections Specialists Ann Oberle and David Buerger and Elections Data Manager Brian Bell, who presented verbal and written reports on Task Force Recommendations regarding SVRS Provider-Relier Relationships, Wisconsin Election Data Collection System, Four-Year Voter List Maintenance, and Election Costs Levy Exception. The Task Force grew out of a letter from the Wisconsin County Clerks Association regarding difficulties county clerks were facing in providing SVRS services to municipalities that rely on them. The Task Force began in the fall of 2012, and held its first substantive meeting January 29, 2013. Another meeting will be scheduled for this Spring.

### **Provider-Relier Relationships**

Mr. Buerger briefed the Board about the memorandum on provider-relied relationships, in which a small municipality without adequate staff or technical resources relies on the county clerk's office to maintain its voter list and perform other election administration tasks in the Statewide Voter Registration System. There are a wide variety of contractual agreements and pricing structures between counties and municipalities, and in some cases the charges do not cover the costs of services provided. The Task Force has recommended the Board come up with sample agreements that can be adapted for use by counties and municipalities.

Judge Barland asked why the Board would need to be concerned about the financial relationship between counties and relied municipalities. Mr. Buerger said it impacts data quality in SVRS if counties cannot do the job properly because they do not have adequate resources.

Judge Deininger asked what would happen if counties back out of providing services to municipalities. Mr. Haas said the Board would have to provide training and support to many more municipalities. Staff Counsel Falk said one possibility is a hybrid system where some of the more labor intensive duties such as entering voter registrations are shifted to local clerks. He said the clerks do not want the Board to mandate a standard memorandum of understanding, but want a general template they can use. Ms. Oberle said a provider-relied system with different levels of service would allow the Board staff to develop new types of training for clerks who take on greater responsibilities. Director Kennedy said that one of the recurring themes of clerk concerns is that in 2005 when SVRS was being deployed, they did not realize everything they would have to do as providers. Mr. Falk said there are also regional differences across the state with what SVRS tasks county clerks feel comfortable having municipal clerks perform.

**MOTION:** Accept the Task Force's recommendation on Page 59 of the Board meeting materials for facilitating and improving SVRS Provider-Relier relationships and

workflow, and direct staff to implement this recommendation. Moved by Judge Nichol, seconded by Judge Cane. Motion carried unanimously.

### **Wisconsin Election Data Collection System**

Mr. Bell briefed the Board about the memorandum on the Wisconsin Election Data Collection System, which is a website clerks use to report election statistics within 30 days after each election. Prior to WEDCS, clerks reported this data on paper forms, which required a great deal of staff resources to process.

Detailed discussion regarding collection of election cost data and deadlines for reporting. In 2012 Board staff began asking clerks for election cost data for each election, but now believes that can be scaled back to Spring and General Elections.

**MOTION:** Accept staff's recommendations on Page 64 of the Board meeting materials to improve WEDCS and election cost reporting, with the exception that cost data would be due by January 31 instead of January 15, and direct staff to implement these recommendations. Moved by Judge Cane, seconded by Judge Barland. Motion carried unanimously.

### **Four-Year Voter Record Maintenance**

Ms. Oberle briefed the Board about the memorandum on Four-Year Voter Record Maintenance, which involves inactivating voters who have not voted in four years if they fail to respond to a postcard notification that gives them the chance to indicate they wish to remain active. As it has done following the previous two general elections, the G.A.B. will print all the postcards and mail them on behalf of municipal clerks following the Spring Election in April. The agency does not have financial resources to continue performing this required task for clerks. The Task Force recommends the G.A.B. continue the practice and the Legislature should provide funding, but if funding is not provided the agency should continue performing the maintenance but without postcard notification. It also recommended the process should be conducted once every four years following Presidential elections if the list maintenance process includes postcards, or once every two years if postcards are not sent.

Discussion regarding statutory language requiring municipalities to conduct Four-Year Voter Record Maintenance, the history of the G.A.B. taking responsibility for the clerk's duties following a 2007 Legislative Audit Bureau report that indicated many municipalities were not carrying it out, and municipalities' abilities to conduct list maintenance.

Discussion regarding timing of postcard mailings relative to statutory language requiring list maintenance to be done within 90 days of a General Election, and difficulties and confusion caused by sending postcards immediately prior to a Spring Election.

Discussion regarding whether G.A.B. has statutory authority to send out postcards for municipal clerks. Judge Cane said he does not believe the agency has authority because Wis. Stat. Sec. 6.50 says that municipal clerks shall perform SVRS maintenance for voters who have not voted in four years. Director Kennedy said it is the staff's legal opinion since 2008 that the agency does have authority to maintain SVRS. Ethics and Accountability Division Administrator Jonathan Becker said the issue may be whether the agency has express authority or general authority.

Judge Vocke said a motion would be in order to table the recommendation and convey to the Legislature that the G.A.B. does not have any objection to conducting list maintenance, but wishes to have clear express authority to do it, along with necessary funding.

**MOTION:** Table consideration of the Clerks' Election Workload Concerns Task Force regarding the Four-Year Voter Record Maintenance and direct staff to convey to the Legislature that the Board does not have any objection to conducting Four-Year Voter Record Maintenance on behalf of municipal clerks, but that the Board wishes to have clear express authority stated in the statutes, along with necessary funding. Moved by Judge Barland, seconded by Judge Nichol.

Roll call vote: Barland:	Aye	Brennan:	Aye
Cane:	Aye	Deininger:	Aye
Nichol:	Aye	Vocke:	Aye

Motion carried unanimously.

### **Property Tax Levy Limit Exemption for Special Election Costs**

Mr. Buerger briefed the Board about the memorandum beginning on Page 68 of the Board meeting materials regarding the task force recommendation for a property tax levy limit exemption for special election costs and costs to comply with additional election requirements. He said clerks are concerned about a large number of costs incurred in recent years due to recall elections, but staff had difficulty with this recommendation.

Discussion regarding the appropriateness of the Board making a recommendation on this subject. Judge Barland said this is a subject for the League of Municipalities to take up.

The Board took no action.

Mr. Buerger briefed the Board on the two issues on the agenda for the task force's Spring meeting: absentee voting and public records requests for inspection of ballots.

## **J. Legislative Status Report**

Elections Supervisor Ross Hein and Ethics Division Administrator Jonathan Becker presented the report on Page 92 of the Board's meeting materials.

Discussion.

Mr. Becker directed the Board's attention to Item 11 in the Legislative Status Report regarding LRB 1722/1: to raise the threshold for campaign finance disclosure of referendum-related activity from \$750 to \$2,500. He discussed the legislative and legal history of the threshold and the need to raise it in light of constitutional challenges. The Legislative Reference Bureau has drafted legislation, and staff needs Board authorization to pursue introduction.

**MOTION:** Authorize staff to seek introduction of LRB 1722/1: to raise the threshold for campaign finance disclosure of referendum-related activity from \$750 to \$2,500. Moved by Judge Cane, seconded by Judge Brennan. Motion carried unanimously.

## **K. Director's Report**

### **Ethics and Accountability Division Report – campaign finance, ethics, and lobbying administration**

Written report from Division Administrator Becker and Division staff was included beginning on Page 95 of the Board meeting packet. Division staff has been in their busiest time in the past two-year period with Statements of Economic Interests, lobbyist registrations for the new session and campaign finance reports.

### **Elections Division Report – election administration**

Written report from Division Administrator Haas and Division staff was included beginning on Page 99 of the Board packet. The report includes information about elections costs in 2012, which totaled \$37 million.

### **Office of General Counsel Report – general administration**

Written report from Kevin J. Kennedy, Sharrie Hauge, and Reid Magney was included in the Board packet. Ms. Hauge praised the work of her staff in supporting the two divisions, and Director Kennedy praised the work of PIO Magney, and Staff Counsel Falk.

## **M. Closed Session**

Adjourn to closed session to consider the investigation of possible violations of Wisconsin's lobbying law, campaign finance law, and Code of Ethics for Public Officials and Employees; and confer with counsel concerning pending litigation.

**MOTION:** Move to closed session pursuant to §§5.05(6a), 19.85(1)(h), 19.851, 19.85(1)(g), and 19.85(1)(c), to consider the investigation of possible violations of

Wisconsin’s lobbying law, campaign finance law, and Code of Ethics for Public Officials and Employees; and confer with counsel concerning pending litigation, and to consider employment, promotion and performance evaluation data of a public employee of the Board. Moved by Judge Deininger, seconded by Judge Barland.

Roll call vote: Barland:	Aye	Brennan:	Aye
Cane:	Aye	Deininger:	Aye
Nichol:	Aye	Vocke:	Aye

Motion carried unanimously. The Board recessed at 2:53 p.m. and convened in closed session at 3:13 p.m.

## **H. Adjourn**

The Board adjourned in closed session at 5:18 p.m.

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The next regular meeting of the Government Accountability Board is scheduled for Tuesday, May 21, 2013. The meeting will be held the Government Accountability Board office in Madison, Wisconsin beginning at 9 a.m.

March 20, 2013 Government Accountability Board meeting minutes prepared by:

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Reid Magney, Public Information Officer

March 27, 2013

March 20, 2013 Government Accountability Board meeting minutes certified by:

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Judge Michael Brennan, Board Secretary

May 21, 2013